

Waimakariri District Council

Agenda

Tuesday 7 November 2023

1.00pm

Council Chambers
215 High Street
Rangiora

Members:

Mayor Dan Gordon

Cr Neville Atkinson

Cr Al Blackie

Cr Robbie Brine

Cr Brent Cairns

Cr Tim Fulton

Cr Jason Goldsworthy

Cr Niki Mealings

Cr Philip Redmond

Cr Joan Ward

Cr Paul Williams

AGENDA CONTENTS – COUNCIL MEETING 7 NOVEMBER 2023

Item Number	Item Topic	Pages
4.1	Confirmation of Minutes – Council meeting 3 October 2023	16 – 43
4.2	Confirmation of Minutes – Council meeting 17 October 2023	44 – 46
Adjourned business		
6.1	Grant Application Cust Bowling Club	47 – 50
Staff Reports		
7.1	Commissioner Recommendation Private Plan Change 31	51 – 223
7.2	Northern Pegasus Bay Bylaw Review Seeking Approval for Consultation	224 – 232
7.3	Adoption of Road Reserve Management Policy	233 – 363
7.4	Adoption of Waimakariri District Community Outcomes	364 – 375
7.5	Adoption of Waimakariri District Strategic Priorities	376 – 379
7.6	Waimakariri Economic Development Strategy for Adoption	380 – 455
7.7	Adoption of ChristchurchNZ's Destination Management Plan	456 – 538
7.8	Adoption of Updated Code of Conduct	539 – 590
7.9	Voting Direction at LGNZ National Council	591 – 593
Matters Referred from Rangiora Ashley Community Boards		
8.1	Approval of Design for Project 2 of the Transport Choices Programme (Rangiora Town Cycleway – Stage)	594 – 696
8.2	Southbrook Resource Recovery Park: Preferred Layout Option for Upgrade	697 – 770
Health, Safety and Wellbeing		
9.1	Health, Safety and Wellbeing Report October 2023	771 – 785
Minutes for Information		
10.1	Utilities and Roading 17 October 2023	786 – 800
10.2	Community and Recreation 17 October 2023	801 – 814
11.1	Kaipoi-Tuahiwi Community Board meeting 18 September 2023	815 – 827
11.2	Oxford-Ohoka Community Board meeting 4 October 2023	828 – 836
11.3	Woodend-Sefton Community Board meeting 9 October 2023	837 – 844
11.4	Rangiora-Ashley Community Board meeting 11 October 2023	845 – 864



The Mayor and Councillors
WAIMAKARIRI DISTRICT COUNCIL

An ordinary meeting of the **WAIMAKARIRI DISTRICT COUNCIL** will be held in THE COUNCIL CHAMBER, RANGIORA SERVICE CENTRE, 215 HIGH STREET, RANGIORA, on **TUESDAY 7 November 2023 commencing at 1pm.**

Sarah Nichols
GOVERNANCE MANAGER

**Recommendations in reports are not to be construed as
Council policy until adopted by the Council.**

BUSINESS

Page No

1. **APOLOGIES**

2. **CONFLICTS OF INTEREST**

Conflicts of interest (if any) to be reported for minuting.

3. **ACKNOWLEDGEMENTS**

4. **CONFIRMATION OF MINUTES**

4.1 **Minutes of a meeting of the Waimakariri District Council held on Tuesday 3 October 2023**

RECOMMENDATION

16 – 43

THAT the Council:

- (a) **Confirms**, as a true and correct record, the circulated Minutes of the meeting of the Waimakariri District Council meeting held on Tuesday 3 October 2023.

4.2 **Minutes of a meeting of the Waimakariri District Council held on Tuesday 17 October 2023**

RECOMMENDATION

44 – 46

THAT the Council:

- (b) **Confirms**, as a true and correct record, the circulated Minutes of the meeting of the Waimakariri District Council meeting held on Tuesday 17 October 2023.

MATTERS ARISING (From Minutes)

5. **DEPUTATIONS AND PRESENTATIONS**

- 5.1 Bruce Bellis will share his views on Skew Bridge.

6. ADJOURNED BUSINESS

6.1 Grant for Cust Bowling Club – K Howat (Parks and Facilities Team Leader)

RECOMMENDATION

47 – 50

THAT the Council

- (a) **Receives** Report No. 230920147556
- (b) **Approves** a grant of \$2,930 to the Cust Bowling Club from Community Grants code 10.487.100.2410 for the installation of a backflow prevention device at the Cust Bowling Club, 1646 Cust Road.
- (c) **Notes** that staff will develop a policy to guide the decision-making process for future funding requests from nonprofit groups seeking financial assistance towards meeting the requirements of Council's Backflow Prevention Policy.
- (d) **Notes** that Three Waters annually test backflow devices, carrying out minor maintenance as required, however any significant repairs are the responsibility of the property owner.
- (e) **Notes** that the Cust Bowling Club have been working alongside Councils Three Waters Team to understand the works required and have a contractor lined up ready to perform the works to a compliant standard.
- (f) **Notes** the Cust Bowling Club is the only community group that both Three Waters and Community and Recreation are aware of that require funding assistance to implement works for backflow prevention.
- (g) **Notes** Three Waters have communicated across the district with water supply owners who would need to undertake this works. They are currently at 90% compliance and are on track for completion.

7. REPORTS

7.1 Commissioner Recommendation Private Plan Change 31 – M Bacon (Development Planning Manager)

RECOMMENDATION

51 – 223

THAT the Council:

- (a) **Receives** report No. 231031173792.
- (b) **Receives** the report and recommendation of Independent Commissioners Cindy Robinson and Ros Day-Cleavin dated 27 October 2023 in respect of Private Plan Change 31 Rolleston Industrial Developments Ltd.
- (c) **Adopts** the recommendation of Commissioner Robinson and Day-Cleavin in respect of Private Plan Change RCP031 Rolleston Industrial Developments Ltd dated 27 October 2023 as its formal decision on Private Plan Change 31 pursuant to clause 10, Schedule 1 of the Resource Management Act 1991 and declines the plan change request for the reasons given in the Commissioners' recommendation (231031173394).
- (d) **Delegates** staff to publicly notify Council's decision to decline Private Plan Change Request RPC031.
- (e) **Circulates** this report to all Community Boards for their information.

7.2 **Northern Pegasus Bay Bylaw Review Seeking Approval for Consultation** – S Docherty (Senior Policy Analyst)

RECOMMENDATION

224 – 232

THAT the Council:

- (a) **Receives** Report No. 230912142230.
- (b) **Approves** initiating the consultation process on the Northern Pegasus Bay Bylaw 2016 (amended 2023) from between mid-November 2023 and late-January 2024.
- (c) **Appoints** Councillors Blackie (Chair as portfolio holder), Councillor and Councillor, Woodend Ashley Community Board Chair or nominee, and a Te Ngāi Tūāhuriri Rūnanga representative, to the Northern Pegasus Bay Bylaw 2016 (amended 2023) Hearing Panel to hear submissions on the Bylaw and to recommend decisions to the Council (meeting dates to be confirmed).
- (d) **Invites** Te Ngai Tūāhuriri Runanga to appoint an advisor to the Hearings Panel to provide advice on cultural matters.
- (e) **Notes** that this consultation will inform development of a Statement of Proposal for the Proposed Northern Pegasus Bay Bylaw 2024. The Statement of Proposal will be made available to the wider public for input through the Special Consultative Procedure required by the Local Government Act 2002.
- (f) **Notes** that the Northern Pegasus Bay Bylaw 2016 (amended 2023) will not be required to be formally reviewed for another 10 years.
- (g) **Circulates** this report to the Kaiapoi-Tuahivi, Oxford-Ohoka and Rangiora-Ashley Community Boards for their information.

7.3 **Adoption of Road Reserve Management Policy** –S Binder (Senior Transportation Engineer) and J McBride (Transportation Manager)

RECOMMENDATION

233 – 363

THAT the Council:

- (a) **Receives** Report No. 231024169428.
- (b) **Adopts** the Road Reserve Management Policy as included in attachment i (TRIM: 221117200292).
- (c) **Circulates** this report to the Community Boards for their information.
- (d) **Notes** a separate targeted consultation will be carried out with rural landowners who could be affected by any proposed changes to roadside grazing areas and reported back to Council at a future date.

7.4 **Adoption of Waimakariri District Community Outcomes** – T Allinson (Senior Policy Analyst)

RECOMMENDATION

364 – 375

THAT the Council:

- (a) **Receives** Report No. 231012163082.
- (b) **Adopts the** community outcomes for use by Council in its draft Long-Term Planning, annual planning, and strategy development. (TRIM 230620091148).
- (c) **Circulates** this report and the attached community outcomes to the Community Boards for their information.

- (d) **Notes** that the community outcomes are no longer linked to the United Nations Sustainable Development Goals but rather targeted to align with the four dimensions of well-being.
- (e) **Notes** that officers will continue to seek to work with Te Ngāi Tūāhuriri representatives to get their feedback on the community outcomes and that there may be targeted indicator statements resulting from this process which will be tabled before Council as they arise in the future.

7.5 **Adoption of Waimakariri District Strategic Priorities** – T Allinson (Senior Policy Analyst)

RECOMMENDATION

376 – 379

THAT the Council:

- (a) **Receives** Report No. 231017165864.
- (b) **Adopts** the strategic priorities, as shown in section 3.7 of this report, for the purposes of planning, strategy development and inclusion in the draft Long-Term Plan
- (c) **Circulates** this report to the Community Boards for their information.

7.6 **Waimakariri Economic Development Strategy for Adoption** V Thompson (Senior Advisor, Business and Centres)

RECOMMENDATION

380 – 455

THAT the Council:

- (a) **Receives** Report No. 231009160007.
- (b) **Approves** the Waimakariri Economic Development Strategy and the accompanying Implementation Action Schedule for adoption.
- (c) **Notes** that budget to deliver on the Implementation Schedule will be requested through the 2025/26 Annual Plan, following a period of investigation across 2024/25 to determine the project costs and requirement for new budget.
- (d) **Notes** that where possible, prioritised projects that can be delivered within existing budgets and resources will be progressed from 1 July 2024.
- (e) **Notes** the feedback from the community as a result of public consultation has been summarised within the report and reflected (where appropriate) within the relevant strategic priorities and implementation action items.
- (f) **Notes** that the adopted Strategy will cover a delivery timeframe from 1 July 2024 to 30 June 2034 (a period of 10 years).
- (g) **Circulates** this report and the approved Waimakariri Economic Development Strategy to the community boards for their information.

7.7 **Adoption of ChristchurchNZ's Destination Management Plan** – V Thompson (Senior Advisor, Business and Centres)

RECOMMENDATION

456 – 538

THAT the Council:

- (a) **Receives** Report No. 230524075371.
- (b) **Notes** that MBIE have funded ChristchurchNZ to develop a Destination Management Plan for the regional tourism area covering Christchurch, Ashburton, Selwyn and Waimakariri districts.
- (c) **Notes** that the Destination Management Plan must be endorsed across the partner Councils and adopted by ChristchurchNZ by 30 November 2023 to meet MBIE's funding conditions.
- (d) **Notes** that there is no implementation budget associated with the DMP but following adoption of the plan by ChristchurchNZ, staff will work with the RTO delivery partners and Enterprise North Canterbury (ENC) to determine what, if any, Waimakariri District related implementation actions would require further resourcing. These projects would need to be considered alongside Council's existing work programme or priorities, and any DMP projects identified for progression will be submitted to Council through the 2025/26 Annual Plan for funding consideration.
- (e) **Notes** that the Destination Management Plan will sit alongside the Waimakariri Visitor Marketing Strategy (developed in 2020) as the Council's strategic delivery mechanisms for supporting the local visitor economy.
- (f) **Endorses** the 2023-2030 Ōtautahi Christchurch Waitaha Canterbury Destination Management Plan and confirms that ChristchurchNZ, in their role as the Canterbury Regional Tourism Organisation, should adopt the DMP for the Canterbury region.

7.8 **Adoption of Updated Code of Conduct** - S Nichols (Governance Manager)

RECOMMENDATION

539 – 590

THAT the Council:

- (a) **Receives** Report No. 231026170890.
- (b) **Adopts** Trim document 230918145779 as the Code of Conduct document, for the Council (Mayor and Councillors), effective from 8 November 2023, replacing document 190228024595.
- (c) **Notes** the Community Boards operate a similar Code of Conduct and will review their Code of Conduct and practices in the first quarter of 2024.

7.9 **Voting Direction at LGNZ National Council** – S Nichols (Governance Manager)

RECOMMENDATION

591 – 593

THAT the Council:

- (a) **Receives** Report No. 231026170985.
- (b) **Authorises** Mayor Gordon to cast the Council vote at the LGNZ Special General Meeting to be held on 11 December 2023 in the most appropriate manner that supports the direction of the Waimakariri District, based on feedback received from Councillors once they have viewed the final proposal papers.
- (c) **Notes** when the final Special Annual Meeting papers are available with the proposed options, these will be circulated to the Councillors for consideration and feedback to the Mayor.

8. MATTERS REFERRED FROM THE RANGIORA ASHLEY COMMUNITY BOARD

8.1 Approval of Design for Project 2 of the Transport Choices Programme (Rangiora Town Cycleway – Stage 1) – K Straw (Civil Project Team Leader) and D Young (Senior Engineering Advisor)

The Rangiora-Ashley Community Board considered report 230919145813 at its meeting of 11 October 2023 (attached in agenda as item 8.1 on page 594), and minutes of that meeting, (attached as Item 11.4 on page 845 in this agenda).

Subsequently following the Rangiora-Ashley Community Board meeting staff have provided an updated recommendation for Council consideration. Both the updated staff recommendation and the Rangiora-Ashley Community Board recommendations are listed below in this summary document.

Note for ease of reference the clauses marked in red in the updated staff recommendation highlight the differences between the recommendation from the Community Board and the staff recommendation. Staff will speak to the matter to inform the Council about the timing differences for funding that has occurred since the Rangiora-Ashley Community Board considered the matter and has resulted in an updated recommendation being proposed for Council consideration.

Updated RECOMMENDATION from staff for consideration

594 – 696

THAT the Council:

- (a) **Approves** the detailed design as per attachment i. for Project 2, Rangiora Town Cycleway.
- (b) **Notes** that this project is funded through the Climate Emergency Response Fund (CERF) for both the Transport Choices programme and VKT Reduction planning, and that this fund has been put on hold until the new government is in place and Waka Kotahi receive clear direction on the incoming government's priorities for transport investment.
- (c) **Notes** that if the Transport Choices Programme funding is made available within the next three months, then the work will proceed as planned, and the Council and all Community Boards will be advised.
- (d) **Notes** that if the funding is not made available within the next three months, then this will be brought to the Council as part of the Long Term Plan for a further decision.
- (e) **Approves (Subject to funding being made available)**
 - (i) The installation of no stopping lines required as per the following schedule, noting that these will be added to the Councils Schedule of Parking Restrictions upon completion.

• Railway Road	West	Outside 642 Lineside Rd (southern end)
• Railway Road	West	Outside 642 Lineside Rd (northern end)
• Railway Road	West	Outside 16 Railway Road
• Railway Road	West	Outside Allied Concrete 20
• Railway Road	East	Angle parking south of Dunlops Road
• Railway Road	East	For 10m north of Dunlops Road (extending existing by 5m) to improve sight lines at level crossing.
• Torlesse Street	South	Outside No 36 Southbrook Rd (Torlesse Street side)
• Coronation Street West		Cul-de-sac head
• Country Lane	Both	South Belt to end of public laneway.

- South Belt North No. 7 King Street
 - South Belt South No. 99 37
- (ii) The removal of 12 street trees, noting they will be replaced with at least as many new street trees:
- Railway Road East Outside Carters - To be replaced in kerb build out within carriageway
 - Railway Road East Outside Carters - To be replace in berm on western side of road
 - Railway Road East Outside Carters - To be replaced in kerb build out within carriageway
 - Railway Road East Outside Carters - To be replace in berm on western side of road
 - Railway Road East Outside Carters - To be replaced in kerb build out within carriageway
 - Railway Road West Outside Pak n Save - To be replaced with new within buffer between footpath and roadway on eastern side of Railway Road
 - Railway Road West Outside Pak n Save - To be replaced with new within buffer between footpath and roadway on eastern side of Railway Road
 - Railway Road West Outside Pak n Save - To be replaced with new within buffer between footpath and roadway on eastern side of Railway Road
 - Railway Road West Outside Pak n Save - To be replaced with new within buffer between footpath and roadway on eastern side of Railway Road
 - Railway Road West Outside Pak n Save - To be replaced with new within buffer between footpath and roadway on eastern side of Railway Road
 - Railway Road West Outside Pak n Save - To be replaced with new within buffer between footpath and roadway on eastern side of Railway Road
 - Coronation Street South No. 10 Coronation St - To be replaced west of Buckleys Road.
- (iii) The installation of “STOP” priority control on Railway Road (northbound) at Station Road intersection, a “STOP” control on the west of the Marsh Rd railway crossing, and removes the existing “STOP” priority control on Station Road (east bound) as per the proposed intersection design.
- (iv) The implementation of one-way (northbound) on Railway Road for approximately 60m between Station Road, and the rear PAK’nSave entrance.

- (f) **Notes** that these changes will result in the loss of 29 carparks partly balanced by the addition of 10 new carparks (leaving a nett loss of 19 carparks).
- (g) **Notes** the Council have received 50 submissions which have been summarised as 26 generally in support, 22 in opposition for a number of reasons, and 2 blank.
- (h) **Notes** that feedback from the consultation process has been incorporated into the design where applicable.
- (i) **Notes** that as a result of consultation, staff have made significant changes to the South Belt connection to King Street, relocating the crossing location to the western side of the intersection.
- (j) **Notes** that the detailed design drawings have been subject to an Independent Road Safety Audit, and that this process is being completed. A verbal update on any further changes that are required will be brought to the meeting.

- (k) **Notes** that the KiwiRail SFAIRP process has confirmed that the installation of half-arm barriers at the Marsh Road, and Dunlops Road level crossings are not financially practicable, and therefore not required as a result of the proposed cycleway.
- (l) **Notes** that the likely risk associated with projected usage of Marsh Rd and Dunlops Rd railway crossings will need reviewing as part of the Rangiora Eastern Link project, which may lead to either closure, or half arm barriers being installed at that point.
- (m) **Notes** that staff will proceed with the preparation of tender drawings, and documents in anticipation of receiving an approval to move to construction from Waka Kōtahi.
- (n) **Notes** that current Waka Kotahi timelines require that all works is complete by June 2025 (following a recent extension to the completion date). It is unknown if a further extension would be granted if and when funding is confirmed.

RECOMMENDATION from the Rangiora-Ashley Community Board meeting of 11 October 2023

THAT the Council:

- (a) **Approves** the detailed design as per attachment i. for Project 2, Rangiora Town Cycleway.
- (b) **Notes** the Council have received 50 submissions which have been summarised as 26 generally in support, 22 in opposition for a number of reasons, and 2 blank.
- (c) **Approves** the installation of no stopping lines required as per the following schedule, noting that these will be added to the Councils Schedule of Parking Restrictions upon completion.

i.	Railway Road	West	Outside 642 Lineside Road (southern end)
ii.	Railway Road	West	Outside 642 Lineside Road (northern end)
iii.	Railway Road	West	Outside 16 Railway Road
iv.	Railway Road	West	Outside Allied Concrete 20
v.	Railway Road	East	Angle parking south of Dunlops Rd
vi.	Railway Road	East	For 10m north of Dunlops Rd (extending existing by 5m) to improve sight lines at level crossing.
vii.	Torlesse Street	South	Outside No 36 Southbrook Rd (Torlesse St side)
viii.	Coronation Street	West	Cul-de-sac head
ix.	Country Lane	Both	South Belt to end of public laneway.
x.	South Belt	North	No. 7 King Street
xi.	South Belt	South	No. 99 37
- (d) **Notes** that these changes will result in the loss of 29 carparks partly balanced by the addition of 10 new carparks (leaving a nett loss of 19 carparks).
- (e) **Approves** the removal of 12 street trees, noting they will be replaced with at least as many new street trees:

i.	Railway Road East	Outside Carters - To be replaced in kerb build out within carriageway
ii.	Railway Road East	Outside Carters - To be replace in berm on western side of road

- iii. Railway Road East Outside Carters - To be replaced in kerb build out within carriageway
- iv. Railway Road East Outside Carters - To be replace in berm on western side of road
- v. Railway Road East Outside Carters - To be replaced in kerb build out within carriageway
- vi. Railway Road West Outside Pak n Save - To be replaced with new within buffer between footpath and roadway on eastern side of Railway Road
- vii. Railway Road West Outside Pak n Save - To be replaced with new within buffer between footpath and roadway on eastern side of Railway Road
- viii. Railway Road West Outside Pak n Save - To be replaced with new within buffer between footpath and roadway on eastern side of Railway Road
- ix. Railway Road West Outside Pak n Save - To be replaced with new within buffer between footpath and roadway on eastern side of Railway Road
- x. Railway Road West Outside Pak n Save - To be replaced with new within buffer between footpath and roadway on eastern side of Railway Road
- xi. Railway Road West Outside Pak n Save - To be replaced with new within buffer between footpath and roadway on eastern side of Railway Road
- xii. Coronation Street South No. 10 Coronation St - To be replaced west of Buckleys Road.

- (f) **Approves** the installation of “STOP” priority control on Railway Road (northbound) at Station Road intersection, a “STOP” control on the west of the Marsh Rd railway crossing, and removes the existing “STOP” priority control on Station Road (east bound) as per the proposed intersection design.
- (g) **Approves** the implementation of one-way (northbound) on Railway Road for approximately 60m between Station Road, and the rear PAK’nSave entrance.
- (h) **Notes** that feedback from the consultation process has been incorporated into the design where applicable.
- (i) **Notes** that as a result of consultation, staff have made significant changes to the South Belt connection to King Street, relocating the crossing location to the western side of the intersection.
- (j) **Notes** that this project is funded through the “Transport Choices” funding stream (which is still subject to final signing and confirmation), and this requires that all works is complete by June 2025 (following a recent extension to the completion date), however construction will be programmed to be complete by December 2024.
- (k) **Notes** that the deadline for the approval of the detail design and Schedule 2 agreement for funding has been extended to 30 October 2023, and that Waka Kotahi have signalled that failure to meet that deadline will result in no funding being available. Also funding for construction is dependent on and will not be released until these have been approved by Waka Kotahi.
- (l) **Notes** that the detailed design drawings are subject to an Independent Road Safety Audit, and that this process is yet to occur. Further minor changes are likely to be required as a result.
- (m) **Notes** that the KiwiRail SFAIRP process has confirmed that the installation of half-arm barriers at the Marsh Road, and Dunlops Road level crossings are not financially practicable, and therefore not required as a result of the proposed cycleway.
- (n) Notes that the likely risk associated with projected usage of Marsh Rd and Dunlops Rd railway crossings will need reviewing as part of the Rangiora Eastern Link project, which may lead to either closure, or half arm barriers being installed at that point.
- (o) **Notes** that staff will proceed with the preparation of tender drawings, and documents in anticipation of receiving an approval to move to construction from Waka Kōtahi.

- 8.2 **Southbrook Resource Recovery Park: Preferred Layout Option for Upgrade** -K Waghorn, (Solid Waste Asset Manager) and D Young, (Senior Engineering Advisor)
(refer to attached copy of report no. 230519073284 to the Solid and Hazardous Waste Working Party meeting of 20 October 2023)

RECOMMENDATION

697 – 770

THAT the Council:

- (a) **Receives** Report No. 230519073284.
- (b) **Endorses** the Design Criteria as outlined in Attachment iv (TRIM Ref 231002154701)
- (c) **Approves** staff proceeding with detailed design of the Southbrook RRP Upgrade based on Concept Plan Layout Option 1 as shown in Attachment i, (TRIM Ref 230519073297) subject to Council approving the recommendations in Report No. 230518072726 which is to be heard in the Public Excluded section of this meeting.
- (d) **Notes** that there is a total budget allowance of \$647,449 in the 2023/24 financial year to fund the resource recovery park and transfer station upgrade design and consenting costs: \$419,626 in the Waste Minimisation Account and \$227,823 in the Disposal Account.
- (e) **Notes** that staff propose to proceed with two separate improvements (stormwater improvements, and a new storage building) in advance of the upgrade to remedy existing site deficiencies, that this work will be compatible with the proposed site layout, that there are budget allowances totalling \$97,500 over the 2023/24 and 2024/25 financial years, and that the budgets that will be used to fund these works are separate to the overall upgrade design budgets.
- (f) **Notes** that staff will bring a report to Council once the upgrade design has progressed sufficiently for cost estimates to be prepared, to inform them of the likely final costs of the upgrades, and which will be included in the Long-Term Plan for consultation.
- (g) **Notes** that staff propose to work with WSP to apply to the Waste Minimisation Fund for funding toward construction of the planned upgrades.
- (h) **Circulates** Report No. 230519073284 to the Community Boards for their information.

9. **HEALTH, SAFETY AND WELLBEING**

- 9.1 **Health, Safety and Wellbeing Report October 2023** – J Millward (Chief Executive)

RECOMMENDATION

771 – 785

THAT the Council

- (a) **Receives** Report No 231026170547.
- (b) **Notes** that there were no notifiable incidents this month. The organisation is, so far as is reasonably practicable, compliant with the duties of a person conducting a business or undertaking (PCBU) as required by the Health and Safety at work Act 2015.
- (c) **Circulates** this report to the Community Boards for their information.

10. COMMITTEE MINUTES FOR INFORMATION

- 10.1 Minutes of a meeting of the Utilities and Roading Committee of 17 October 2023
- 10.2 Minutes of a meeting of the Community and Recreation Committee of 17 October 2023

RECOMMENDATION

786 – 814

THAT Item 10.1 and 10.2 be received information.

11. COMMUNITY BOARD MINUTES FOR INFORMATION

- 11.1 Minutes of the Kaiapoi-Tuahiwi Community Board meeting of 18 September 2023
- 11.2 Minutes of the Oxford-Ohoka Community Board meeting of 4 October 2023
- 11.3 Minutes of the Woodend-Sefton Community Board meeting of 9 October 2023
- 11.4 Minutes of the Rangiora-Ashley Community Board meeting of 11 October 2023

RECOMMENDATION

815 – 864

THAT Items 11.1 to 11.4 be received for information.

12. CORRESPONDENCE

Nil.

13. COUNCIL PORTFOLIO UPDATES

- 13.1 **Iwi Relationships** – Mayor Dan Gordon
- 13.2 **Greater Christchurch Partnership Update** – Mayor Dan Gordon
- 13.3 **Government Reforms** – Mayor Dan Gordon
- 13.4 **Canterbury Water Management Strategy** – Councillor Tim Fulton
- 13.5 **Climate Change and Sustainability** – Councillor Niki Mealings
- 13.6 **International Relationships** – Deputy Mayor Neville Atkinson
- 13.7 **Property and Housing** – Deputy Mayor Neville Atkinson

14. QUESTIONS

(under Standing Orders)

15 URGENT GENERAL BUSINESS

(under Standing Orders)

16. MATTERS TO BE CONSIDERED WITH THE PUBLIC EXCLUDED

Section 48, Local Government Official Information and Meetings Act 1987.

In accordance with section 48(1) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act (or sections 6, 7 or 9 of the Official Information Act 1982, as the case may be), it is moved:

1. That the public is excluded from the following parts of the proceedings of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

Item No.	Subject	Reason for excluding the public	Grounds for excluding the public-
16.1	Confirmation of Council public excluded minutes 3 October 2023 meeting	Good reason to withhold exists under section 7	To protect the privacy of natural persons, including that of deceased natural persons (s 7(2)(a) and to carry on without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (s 7(2)(i)).

ADJOURNED BUSINESS

16.2	28 Edward Street: Purchase from NCSRT and Lease Agreement with Ice Gymsports North Canterbury	Good reason to withhold exists under Section 7	As per LGOIMA Section 7 (2)(a), (g), and (i) that the report, attachments, discussion, and minutes remain public excluded for reasons of protecting the privacy of natural persons and enabling the local authority to carry on without prejudice or disadvantage, negotiations (including commercial and industrial) negotiations and maintain legal professional privilege
------	---	--	--

REPORTS

16.3	Contract 23/03 Mairaki Downs Eastern Pipeline Renewal – Request for Additional Budget	Good reason to withhold exists under section 7	As per LGOIMA Section 7 (2)(b)(i) the recommendations in the report be made publicly available but that the contents remain “Public Excluded” as it would be likely to unreasonably prejudice the commercial position of the Water Unit and Council.
16.4	Contract 23/24 Central Rangiora Gravity Capacity Sewer Upgrade Stage 8 – Tender Evaluation and Contract Award Report	Good reason to withhold exists under section 7	The recommendations in this report be made publicly available but that the contents remain public excluded as there is good reason to withhold in accordance with section 7, (h) of the Local Government Official Information and Meetings Act. “The withholding of the information is necessary to enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities”.
16.5	Kaiapoi Historic Railway Station Building Relocation – Railway Heritage Precinct	Good reason to withhold exists under section 7	This report, attachments, discussion and minutes remain public excluded for reasons of protecting the privacy of natural persons and to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or is the subject of the information, and to enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities; as per the Local Government Official Information and Meetings Act 1987 (LGOIMA) section 7 (2)(a) & (2)(b)(ii) & (2)(h)
16.6	Council Enterprise System (CES) Programme – Budget Provision	Good reason to withhold exists under section 7	To enable the local authority to carry on without prejudice or disadvantage, negotiations (including commercial and industrial), and maintain legal professional privilege as per LGOIMA Section 7 (2) (g) and (i)

MATTER REFERRED FROM WOODEND SEFTON COMMUNITY BOARD - PUBLIC EXCLUDED REPORT

16.7	Pegasus Community Centre	Good reason to withhold exists under section 7	The recommendation has become public, and the report, discussion, and minutes to remain public excluded for reasons of enabling the local authority holding the information to carry out, without prejudice or disadvantage, commercial activities and to prevent the disclosure or use of official information for improper gain or improper advantage as per LGOIMA 7(2)(h) and (j).
PUBLIC EXCLUDED MATTER REFERRED FROM SOLID AND HAZARDOUS WASTE WORKING PARTY			
16.8	Southbrook RRP: Property Valuation and potential land Purchase	Good reason to withhold exists under section 7	To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations), and that both this report and the recommendations remain Public Excluded owing to the commercial sensitivity of the proposed negotiations

CLOSED MEETING

Refer to Public Excluded Agenda (separate document)

OPEN MEETING

17. NEXT MEETING

The next ordinary meeting of the Council is scheduled to commence at 1pm on Tuesday 5 December 2023, to be held in the Council Chamber, Rangiora Service Centre, 215 High Street, Rangiora.

MINUTES OF A MEETING OF THE WAIMAKARIRI DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBER, 215 HIGH STREET, RANGIORA ON TUESDAY, 3 OCTOBER 2023, WHICH COMMENCED AT 1.00PM.

PRESENT

Mayor D Gordon (Chairperson), Deputy Mayor N Atkinson, Councillors A Blackie, R Brine, T Fulton, J Goldsworthy, N Mealings, P Redmond, J Ward, and P Williams.

IN ATTENDANCE

J Millward (Chief Executive), G Cleary (General Manager Utilities and Roothing), J McBride (Roothing and Transport Manager), K Simpson (3 Waters Manager), A Gray (Communications and Engagement Manager), S Nichols (Governance Manager), G MacLeod (Greenspace Manager), M Maxwell (Policy Manager), K Howat (Parks and Facilities Team Leader), S Binder (Senior Transportation Engineer), T Allinson (Senior Policy Analyst), A Mace-Cochrane (Transportation Engineer) and T Kunkel (Governance Team Leader).

1. APOLOGIES

Moved: Deputy Mayor Atkinson

Seconded: Councillor Williams

That an apology for leave of absence be received and accepted from Councillor B Cairns.

CARRIED

2. CONFLICTS OF INTEREST

There were no conflicts of interest declared.

3. ACKNOWLEDGEMENTS

3.1 The passing of Joanne Gumbrell

The Mayor acknowledged the passing of Mrs J Gumbrell on 17 September 2023. Mrs Gumbrell was the previous Chairperson of the Waimakariri Age Friendly Group, a member of the Consumer Council of the Canterbury District Health Board, assisted at Anglican communion services in rest homes, ran a group of Memoir Writers for six years, and was the Chairperson of the committee aimed at establishing an Abbeyfield communal living home in Rangiora. Mrs Gumbrell would be remembered for her dedication to the Rangiora community and her long years of community service.

Councillors stood to observe a moment silence.

3.2 Loburn 68

Mayor Gordon congratulated the organisers of the Loburn 68 event hosted in and around the Loburn Domain on 28 September 2023. Loburn replaced Akaroa as the New Zealand Championships National Road Relays venue. Approximately 127 Athletic Clubs and community teams from around the country competed. Loburn 68 brought about 1,500 visitors to the Waimakariri District.

Mayor Gordon also congratulated four Council staff members who qualified for next year's Boston Marathon.

3.3 North Canterbury Inclusive Sports Festival

Mayor Gordon also congratulated the co-chair of the Youth Council, Zack Lappin, on hosting an Inclusive Sports Day at MainPower Stadium on Friday, 27 September 2023. This was the first time this event was held, however, the intention was to make this an annual event. The event had allowed youth with disabilities to participate in several parasports free of charge was well attended and was considered a success.

4. CONFIRMATION OF MINUTES

4.1 Minutes of a meeting of the Waimakariri District Council held on Tuesday 5 September 2023

Moved: Councillor Brine

Seconded: Councillor Goldsworthy

THAT the Council:

- (a) **Confirms**, as a true and correct record, the circulated Minutes of the meeting of the Waimakariri District Council meeting held on Tuesday 5 September 2023.

CARRIED

MATTERS ARISING (From Minutes)

There were no matters arising from the Minutes.

5. DEPUTATIONS AND PRESENTATIONS

5.1 Local resident Susan Thorpe.

S Thorpe informed the Council on what she considered the 'climate change myth'. According to S Thorpe, scientists had found that Carbon dioxide (CO₂) was beneficial for food production, biodiversity and species preservation. She believed that 'consultation' with the public on climate change was now essentially a fake process, and that influential leaders were bulldozing communities in a direction they did not want to go via an avalanche of new regulations and changes to the law. S Thorpe further believed that public money was increasingly being spent on 'nice to have' projects, such as cycleways, rather than critical projects, such as roads or dams, which drove commerce and, consequently, prosperity.

S Thorpe explained that the United Nations (UN) Climate Policies were currently embedded in various Government organisations and policies. She believed these policies made life particularly difficult for farmers, who were seriously handicapped due to onerous policy compliance costs and bureaucratic interference in land usage. The media's endless criticism of farmers for 'harming the planet' and the effect of endless compliance costs on farmers was slowly but surely destroying the sector.

In conclusion, S Thorpe noted that New Zealand could not afford the proposed UN climate expenditure, as there would be no money left for education or health, as climate change would swallow up annual budgets. She urged the Council to invite knowledgeable scientists to brief the Council on the prevailing 'climate change myth'.

There were no questions from Councillors, and Mayor Gordon therefore thanked S Thorpe for her deputation, advising that Councillors had been provided with copies of her submission, which they could study.

6. ADJOURNED BUSINESS

Nil.

7. REPORTS

7.1 July 2023 Flood Event Response and Recovery – Forecast Costs and Funding Sources – G Cleary (General Manager Utilities and Roading), K Simpson (3 Waters Manager), and J McBride (Roading and Transport Manager)

K Simpson reported that the rainfall events from 22 to 24 July 2023 required a substantial response from the Council's maintenance contractors, as there had been some damage to the roading and Three Waters infrastructure in the district. The estimate to complete the emergency response and immediate recovery works was revised to \$4.055 million, of which \$395,000 could be funded from existing budgets. Approval was therefore being sought for an additional \$3.66 million. K Simpson provided a breakdown of the preliminary funding sources for the required \$3.66 million.

Councillor Williams questioned if the public was to be consulted on the proposed maintenance work. K Simpson explained that the Council was engaging with the community on three levels. Firstly, the Council engaged the community as a whole via the Council's website by providing an overview of the work to be done. Secondly, staff were having residents' meetings with groups of effective residents. Finally, all residents who submitted a service request were contacted individually. K Simpson advised that the Council had made some improvements to Upper Sefton Road, however, the extreme weather event in July 2023 had brought to light that more work would be needed. Staff would meet with the residents of Upper Sefton Road to discuss the work to be undertaken.

In response to a question from Mayor Gordon, K Simpson confirmed that Councillor Williams, as the Portfolio Holder for Drainage and Three Waters, would be invited to the meetings with the residents of Upper Sefton Road in Ashley.

Councillor Williams further noted that it was his understanding that a design flaw in the flow control structure caused damage to Upper Sefton Road in Ashley. He therefore questioned if it was reasonable to expect the ratepayers to pay \$80,000 for a mistake made by a Council contractor. K Simpson noted that the matter would be taken into consideration and discussed with the relevant contractor.

Councillor Fulton asked if staff saw value in having cluster group or roadside group meetings to resolve issues with residents. K Simpson confirmed that meeting with residents with similar concerns and challenges was beneficial, as addressing problems in one area may impact neighbouring properties. The Council had already identified various cluster groups they would meet.

Councillor Williams enquired if the Council should wait until Environment Canterbury (ECan) finalised its Cam River survey before spending \$250,000 on work there. K Simpson explained that the \$100,000 would be spent on stopbank improvement works, including raising the bund on the right bank immediately upstream of the Bramleys Road Bridge. The remaining \$150,000 would be spent on heavy maintenance work on the trees on the riverbank section above Bramleys Road. The work needed to be undertaken regardless of the work being done by ECan.

Councillor Williams asked if staff had considered raising the stopbanks and installing bunding to prevent water from running into the Cam River. K Simpson advised that the Council's Flood Team had inspected the Cam River and had identified areas of concern. Also, to ensure that the water behind the stopbanks had effective drainage paths.

Deputy Mayor Atkinson raised a concern that there seemed to be stop valves that failed during every flood event. K Simpson noted that staff were also concerned about the large number of stop valves failing during flood events. Staff were therefore undertaking more regular audits of the stop valves in the Kaiapoi urban area. However, the Council's system would need to be upgraded to ensure that the locations of all the floodgates were captured.

Moved: Councillor Ward

Seconded: Councillor Williams

THAT the Council:

- (a) **Receives** Report No. 230921147926.
- (b) **Notes** that the forecast costs for the 2023/24 financial year in responding to the flood event and recovery from the flood damages had been revised to \$4.055 million, of which \$395,000 would be funded from existing budgets, leaving \$3.66 million of unbudgeted expenditure.
- (c) **Approves** additional budget of \$3.66 million for recovery from the flood damages and implementing immediate improvement works, with preliminary funding sources as follows:

Asset Area	Budget	Preliminary Funding Source
Roading	\$1,950,000	Roading account and Waka Kotahi Emergency Works funding
Stormwater	\$230,000	Relevant Urban Drainage account
Land Drainage	\$800,000	District Drainage account
Rivers	\$50,000	District Drainage account
Wastewater	\$30,000	Eastern Districts Sewerage Scheme account
Flood Response investigations	\$600,000	District Drainage account
TOTAL	\$3,660,000	

- (d) **Approves** the funding of the Cam River immediate works of \$250,000 from the 'Better Off' funding for Building Climate Change Resilience and Natural Hazards Mitigation in Non-Urban Waterways.
- (e) **Notes** that co-funding by Waka Kotahi was estimated at \$1,144,357 (subject to approval) with the Funding Assistance Rate anticipated to be 51% for the first \$1.2 million of expenditure and increasing to 71% for the remaining \$750,000 for Emergency Works. This was subject to approval.
- (f) **Agrees** the flood response work be debt funded in 2023/24 and then loan funded with the repayment charges being on the 2024/25 rate onwards.
- (g) **Notes** that the total additional rates required was approximately \$185,370 per year to service these loans and the rating impact from this additional budget, less the Waka Kotahi co-funding, was as follows:

Rating Area	Average Rating Implication (per property)
Roading	Increase by approximately \$3.69 or 0.6%.
District Drainage	Increase by approximately \$2.11 or 7.8%.
Kaiapoi Urban	Increase by approximately \$1.40 or 0.4%.
Rangiora Urban	Increase by approximately \$0.15 or 0.1%.
Coastal Urban	Increase by approximately \$4.87 or 2.5%.
Eastern Districts Sewer	Increase by approximately \$0.18 or 0.03%.

- (h) **Note** that staff were continuing to work with Waka Kotahi, insurers, and other external parties to secure funding for the works where available.

- (i) **Note** that 2024/25 maintenance budgets would be reviewed in light of the additional information and may need to be revised as part of the Long Term Plan process.
- (j) **Note** that some improvement works would be completed this financial year, either as immediate works or as part of the existing capital works projects, while others would be included in the draft Long Term Plan process for consideration by Council.
- (k) **Circulates** this report to all Community Boards for information.

CARRIED

Councillor Ward noted that the Council had made significant progress in dealing with the aftermath of the flooding events in July 2023. However, the repair of damaged infrastructure was an ongoing issue. She advised that the Council could only improve drainage by investing in drainage infrastructure, and she therefore supported the motion.

Councillor Williams commented that it was important for the Council to liaise with communities about the proposed improvements to be done. He was pleased that staff inspected the work on the stopbanks at the Cam River to identify areas of concern. Councillor Williams supported the motion and suggested that the Council work closely with ECan to ensure no unnecessary spending on work that was already being undertaken by them.

Mayor Gordon also supported the motion and agreed with Councillor Williams that it was essential for the Council to liaise with communities about their experiences during flooding events. He noted that it was vital that all the floodgates in the district were mapped and that there was a clear understanding between the Council and ECan about who was responsible for the maintenance of the floodgates. Mayor Gordon requested that elected members be notified of meetings with resident groups regarding flooding.

In her right of reply, Councillor Ward thanked staff for the work that they had been doing.

7.2 **Submission Emergency Management Bill** – T Allinson (Senior Policy Analyst)

T Allinson was present for the consideration of the report and noted that a Council workshop was held on 19 September 2023 on the Council's submission to the Emergency Management Bill. The report requested that the Mayor and the Chief Executive be authorised to sign off the submission on behalf of the Council.

Mayor Gordon suggested that Councillor Goldsworthy, as the Portfolio Holder for Civil Defence and Regulation, also be authorised to sign off the submission.

There were no questions from Councillors.

Moved: Mayor Gordon

Seconded: Deputy Mayor Atkinson

THAT the Council:

- (a) **Receives** Report No. 230920146989.
- (b) **Authorizes** the Mayor, the Portfolio Holder for Civil Defence and Regulation and the Chief Executive to finalize and sign off on the submission on behalf of Council.
- (c) **Circulates** this report and the final submission to the community boards for their information.

CARRIED

Mayor Gordon expressed his concern regarding the Bill's timing and the Central Government's rush to push through legislation and regulations before the national elections. This was a concern also shared by other local authorities. The Council supported keeping the response, resourcing, and support of civil emergencies at a local level, as it was important to have knowledgeable staff on the ground during an emergency. The Council would, therefore, oppose any bid to centralise Emergency Management.

7.3 **Significance and Engagement Policy for Adoption** – A Gray (Communications and Engagement Manager)

A Gray noted that the report recommended that the Council adopt the updated Significance and Engagement Policy (SEP). The SEP was a requirement of the Local Government Act 2002 (LGA) and would be further consulted as part of the 2024/34 Long Term Plan.

In response to a question from Mayor Gordon, A Gray confirmed that the SEP review was workshopped with the Council in July 2023 ahead of the draft policy going for public engagement. The policy had been open to the public for submission for four weeks in July and August 2023, and seven submissions were received.

Moved: Councillor Goldsworthy Seconded: Councillor Mealings

THAT the Council:

- (a) **Receives** Report No. 230828132684.
- (b) **Adopts** the 2024 Significance and Engagement Policy (Trim: 230614088040).
- (c) **Notes** this the Policy would be incorporated into the draft 2024/34 Long Term Plan to be consulted in 2024.
- (d) **Circulates** the report to the Community Boards for information.

CARRIED

Councillors Goldsworthy and Mealings noted that they looked forward to public input on the SEP during the 2024/34 Long Term Plan process.

7.4 **Ohoka Domain Advisory Group Grant Reallocation to Gatekeepers Lodge**– G MacLeod (Greenspace Manager)

G MacLeod was present for the consideration of the report, noting that the Ohoka Domain Advisory Group were keen to expand the grant received as part of the 2021/31 Long Term Plan to include the development of the Ohoka Bush area as well as the renovations of the Ohoka Gatekeepers Lodge.

Councillor Fulton questioned if the Ohoka Domain Advisory Group would have sufficient volunteers in the future to continue the work they were undertaking. G MacLeod noted that the group had been essential in preserving the Ohoka Gatekeepers Lodge and planting in the domain. They had successfully secured external funding for most of their projects. However, the Ohoka Gatekeepers Lodge was Council-owned, and long-term maintenance would ultimately be the Council's responsibility. The Group faced similar challenges to other community groups in retaining volunteers and their succession planning was therefore critical to their future survival.

Moved: Councillor Blackie Seconded: Councillor Mealings

THAT the Council:

- (a) **Receives** Report No. 230920147570.

- (b) **Notes** that following a submission from the Ohoka Domain Advisory Group to the 2021/2031 Long Term Plan, funding was allocated for a three-year term towards the development of the Ohoka Bush area.
- (c) **Notes** that over the last two financial years this grant has been provided and used by the group within the domain and that a letter was sent to the Ohoka Domain Advisory Group on the 4 September 2023 acknowledging the Council grant for the final year of \$10,530 for the 2023/24 financial year.
- (d) **Notes** the request from the Ohoka Domain Advisory Group to expand the terms of this grant to include assisting with the renovation work at the Gatekeepers Lodge in lieu of using it solely for new plantings/development of Ohoka Domain Bush.
- (e) **Approves** expanding the terms of the grant received by the Ohoka Domain Advisory Group as part of the 2021/31 Long Term Plan to enable them to use the grant for both the development of the Ohoka Bush area as well as the renovations of the Ohoka Gatekeepers Lodge.

CARRIED

Councillor Blackie acknowledged the work that the Ohoka Domain Advisory Group was doing to maintain and improve the Ohoka Domain. The Group was not requesting additional funding but just asking for reallocation funding.

Councillor Mealings noted that the Ohoka Gatekeepers Lodge was a cherished part of the Ohoka Domain and the Ohoka community. The Ohoka Domain Advisory Group had already spent many hours restoring and maintaining the Lodge for the public to enjoy.

Mayor Gordon concurred with the previous speakers and thanked the Greenspace Team for working with the Ohoka Domain Advisory Group to allow for the reallocating of the funding. He commended the Group for the work they had done on the preservation of the Ohoka Gatekeepers Lodge and the Ohoka Domain. Mayor Gordon noted that the reallocation of the funds would not delay the development of the Ohoka Bush area as the Group had already done a significant amount of planting.

7.5 **Grant for Cust Bowling Club** – K Howat (Parks and Facilities Team Leader)

G MacLeod and K Howat were present for the consideration of the report and K Howat explained that approval was being sought for a grant to the Cust Bowling Club to install a backflow prevention device which prevented contaminants from entering the Council's water supply. K Howat advised that since drafting the report, other clubs, such as the Rangiora Bowling Club, had been identified with similar problems and who may also seek Council support. He, therefore, suggested that the Council may wish to consider funding the installation of the backflow prevention device with the stipulation that the Club repaid the grant over an agreed period.

Mayor Gordon enquired if repaying the grant had been discussed with the Cust Bowling Club. K Howat confirmed that the matter had yet to be raised with the Club. However, in light of the Club's annual income, they had the potential to repay the grant over an agreed period.

Mayor Gordon sought clarity on what the Cust Bowling Club had been advised. G MacLeod noted that the Club was informed that approval would be sought for a grant to install a backflow prevention device.

Councillor Williams questioned if there were sporting bodies other than bowling clubs that may have similar challenges. G MacLeod advised that the matter was discussed with the Council's Three Waters Team and there were other sporting bodies that had to install backflow prevention devices. However, none of these had approached the Council for assistance. The Cust Bowling Club was a smaller rural club with fewer members and, therefore, may not have the resources to install a backflow prevention device.

Councillor Ward asked if the Cust Bowling Club had considered applying to the Rangiora-Ashley Community Board for Discretionary Grant funding. K Howat noted that the Club had considered applying for funding, including from the Pub Charity, however, the lengthy process to secure funding made it undesirable.

Deputy Mayor Atkison raised a concern about the precedent in approving a grant for the backflow prevention device, especially if other clubs were being identified with similar problems. He, therefore, suggested that the report be tabled until the November 2023 Council meeting to allow staff to identify all the other clubs in a similar situation.

Moved: Deputy Mayor Atkinson Seconded: Councillor Blackie

THAT the Council:

- (a) **Agrees** that the report pertaining to the 'Grant for Cust Bowling Club' lay on the table until the Council's November 2023 meeting to enable staff to ascertain the following:
- (i) if the Cust Bowling Club would be able to repay the grant over an agreed period.
 - (ii) other sporting bodies who may also need to install backflow prevention devices that prevented contaminants from entering the Council's water supply. Thus allowing the Council to make an informed decision about the potential costs and possible precedent.

CARRIED

7.6 **Submission: Government Policy Statement on Land Transport** – T Allinson (Senior Policy Analyst)

T Allinson was present for the consideration of the report, and advised that the Central Government's Policy Statement on Land Transport 2024/25-2033/34 outlined the Crown's Land Transport Investment Strategy over the next ten years, the funding available and where funding should be directed to deliver on this strategy. A Council workshop was held in September 2023 on the consultation to secure the Council's feedback. The Council was now requested to receive the submission officially.

Moved: Councillor Goldsworthy Seconded: Councillor Fulton

THAT the Council:

- (a) **Receives** Report No. 230913143223.
- (b) **Receives** the attached submission on the Government Policy Statement on Land Transport (TRIM: 230907139364).
- (c) **Circulates** the report and attached submission to the Community Boards for information.

CARRIED

Councillors Goldsworthy and Fulton commended staff for the work done on the Council's submission.

Mayor Gordon noted that it was encouraging that the Government's Policy Statement on Land Transport 2024/25-2033/34 included the Christchurch Northern Link (the Woodend Bypass) for which the Council had long been advocating. It was promising that the construction was estimated to commence in 2026/2027.

7.7 **Establishment of the Code of Conduct Committee Membership Appointment** – S Nichols (Governance Manager)

S Nichols was present for the consideration of the report and took the report as read.

There were no questions from Councillors.

Moved: Mayor Gordon

Seconded: Councillor Redmond

THAT the Council:

- (a) **Receives** report No. 230918145775.
- (b) **Notes** under section 41A of the Local Government Act, 2022 the Mayor had the power to establish Committees of the Council and to appoint the Chairperson of each Committee and may make the appointment before the other members of the Committee were determined and may appoint him/herself.
- (c) **Establishes** the Code of Conduct Committee, until the end of the October 2025 triennium.
- (d) **Appoints** Deputy Mayor Atkinson and Councillors Mealings, Redmond and Ward to the Code of Conduct Committee.
- (e) **Appoints** Deputy Mayor Atkinson as the Chairperson of the Code of Conduct Committee.
- (f) **Notes** the Code of Conduct Committee would meet on a 'when required' basis, as deemed by the Mayor and Chief Executive.

CARRIED

Mayor Gordon believed that it was important to establish a Code of Conduct Committee. He noted that the Council's Code of Conduct was currently being reviewed, and a workshop would be held with Councillors shortly to discuss the proposed amendments to the Code. Mayor Gordon advised that the Code of Conduct Committee members were selected to ensure representation from all the Community Boards. He expressed the hope that the Code of Conduct Committee would not need to be convened.

Councillor Redmond commented that he was a Code of Conduct Committee member during the previous term, and fortunately, they did not have to convene. He also hoped the Committee would not need to be convened this term.

Councillor Brine reported that he was a Code of Conduct Committee member for several years. The Committee met twice, and both times the issues were successfully resolved. He agreed that it was essential to establish the Code of Conduct Committee, with the hope that it would not be needed.

7.8 **Council Meeting Schedule January 2024 to December 2024** – S Nichols (Governance Manager)

S Nichols was present for the consideration of the report, and explained that the proposed schedule for 2024 was based on current timetabling patterns of Council meetings being held on the first Tuesday of the month, with the Standing Committees generally alternating in two pairs on the third Tuesday of each month.

S Nichols advised that due to the public holiday on 6 February 2024, the Council meeting would be held on Wednesday, 7 February 2024. Due to other commitments in November 2024, the Council meeting would be held on Monday, 4 November 2024.

In response to a question by Councillor Ward, S Nichols confirmed that the Councillors' diaries would be updated once the meeting dates had been approved.

Deputy Mayor Atkinson expressed a concern that the District Planning Hearing had also been scheduled for the week of 29 January 2024. S Nichols noted that the Long Term Plan Budget meeting dates had been confirmed for a long time. However, any conflicts would be investigated. Mayor Gordon recommended that minor amendments to the Council Meeting Schedule may be allowed after consultation with him.

Moved: Councillor Redmond

Seconded: Deputy Mayor Atkinson

THAT the Council:

(a) **Receives** report No. 230914143778.

(b) **Adopts** the following meeting schedule for the period from 1 January 2024 to 31 December 2024 (as outlined in Trim 230913142881).

(i) Ordinary Council Meeting dates for 2024, commencing at 1pm on Tuesdays (except for February):

7 February 2024 (Wednesday)	5 March 2024 (Tuesday)	2 April 2024
7 May 2024	4 June 2024	2 July 2024
6 August 2024	3 September 2024	1 October 2024
4 November 2024 (Monday)	3 December 2024	

(ii) Council meetings relating to (Draft) 2024/34 Long Tern Plan and Annual Report including submissions and hearings:

Long Term Plan Budget Meetings	30 January 2024 (Tuesday)
	31 January 2024 (Wednesday)
	1 February 2024 (Reserved)
Approval to Consult on Long Term Plan	20 February 2024 (Tuesday)
Hearing Long Term Plan Submissions	8 May 2024 (Wednesday)
	8 May 2024
	9 May 2024 (Thursday)
Long Term Plan Deliberations	28 May 2024 (Tuesday)
	29 May 2024 (Wednesday)
	30 May 2024 (Thursday)
Adoption of Long Term Plan	18 June 2024 (Tuesday)
Annual Report Adoption	15 October 2024

(c) **Adopts** the following meeting schedule for the period from 1 January 2024 to 31 December 2024 for Committees:

(i) Audit and Risk Committee generally commencing at 9am on Tuesdays:

13 February 2024	12 March 2024	14 May 2024
11 June 2024	13 August 2024	10 September 2024
12 November 2024	10 December 2024	

(ii) Community and Recreation Committee generally commencing at 3.30pm on Tuesdays:

20 February 2024	19 March 2024	21 May 2024
23 July 2024	17 September 2024	26 November 2024

- (iii) District Planning and Regulation Committee generally commencing at 1pm on Tuesdays:

20 February 2024	19 March 2024	16 April 2024
21 May 2024	16 July 2024	20 August 2024
17 September 2024	15 October 2024	19 November 2024

- (iv) Utilities and Roading Committee generally commencing at 9am on Tuesdays:

20 February 2024	19 March 2024	16 April 2024
21 May 2024	18 June 2024	16 July 2024
20 August 2024	17 September 2024	15 October 2024
19 November 2024	10 December 2024 @ 1pm	

- (v) Mahi Tahi Joint Development Committee generally commencing at 9am on Tuesdays:

5 March 2024	9 April 2024	4 June 2024
6 August 2024	1 October 2024	3 December 2024

- (vi) District Licencing Committee generally commencing at 9am on Mondays:

26 February 2024	25 March 2024	29 April 2024
27 May 2024	24 June 2024	29 July 2024
19 August 2024	23 September 2024	21 October 2024
25 November 2024		

- (vii) Waimakariri Water Zone Committee generally commencing at 3.30pm on Mondays

29 January 2024	4 March 2024	May 2024
1 July 2024	September 2024	November 2024

- (viii) Facilities and Consents Fee Waiver Sub-Committee generally commencing at 1pm on Tuesdays

27 February 2024	30 April 2024	25 June 2024
24 September 2024	22 October 2024	10 December @ 11.30am

- (d) **Approves** that minor amendments to the Council Meeting Schedule may be allowed after consultation with the Executive Mayor.
- (e) **Notes** the Mahi Tahi Joint Development Committee dates and locations would be subject to further confirmation with our Ngāi Tūāhuriri partners.
- (f) **Notes** the Waimakariri Water Zone Committee dates would be subject to further confirmation with Environment Canterbury.
- (g) **Notes** the Community Boards would adopt their timetable at their October meetings, as proposed in Trim document 230913142881.
- (h) **Circulates** a copy of the finalised meeting times to the Community Boards for their information.

CARRIED

8. MATTERS REFERRED FROM THE COMMUNITY BOARDS

- 8.1 **Approval to Consult on the 2023-27 Waimakariri District Speed Management Plan for the Oxford-Ohoka Board Area** - G Cleary (General Manager Utilities and Roading), J McBride (Roading and Transportation Manager), S Binder (Senior Transportation Engineer) and A Mace-Cochrane (Transportation Engineer).

(Refer to copy of report number 230821128211 to the Oxford-Ohoka Community Board meeting of 6 September 2023, and minutes of that meeting, Item 11.2 in this agenda.) Note that subsequent to the report going onto the Oxford-Ohoka Community Board agenda, staff tabled an updated recommendation at the Community Board meeting for the Board to consider.

G Cleary took the reports as read. He confirmed that the various Community Boards approved the recommendations presented to the Council.

Councillor Redmond also noted that the proposed school zone extents were subject to change after consultation progresses with each school. He sought clarity on the importance of allowing for possible school zone extensions. G Cleary advised that any of the proposed Speed Management Plan conditions may change depending on the outcome of the public consultation. Therefore, the recommendations regarding the possible school zone extensions could be removed.

Councillor Williams enquired if the consultation documents could be submitted to the Council for approval prior the public consultation process. G Cleary noted that it was recommended that the consultation documents be submitted to the Mayor, the Portfolio Holder for Roading and the Community Board Chairs for approval before public consultation. However, it was the Council's prerogative to determine who should approve the consultation documents.

In response to a question from Councillor Fulton, G Cleary advised that the recommended options' order did not note importance.

Moved: Councillor Redmond Seconded: Deputy Mayor Atkinson

THAT the Council:

- (a) **Approves** consultation being undertaken on the Draft Waimakariri Speed Management Plan 2023-2027 for **schools** (refer to Trim No. 230731116010 and 230731116038), as listed in table 1 below. These roads were within the Oxford-Ohoka Community Board's area.
- (b) **Approves** consultation being undertaken on the Draft Waimakariri Speed Management Plan 2023-2027 for **intersection speed zones** (refer to TRIM No. 230731116010 and 230731116038), as listed in table 2 below. These roads were within the Oxford-Ohoka Community Board's area.
- (c) **Notes** that, staff would then undertake a workshop with Council in early 2024, and then present a report to Council seeking approval to consult on the remaining proposed speed limit changes included in recommendation (f) not endorsed by the Community Board, noting that this was following the Central Government election and Council would have final approval on the consultation.
NOTE: This refers to recommendation (f) in the attached report to the Community Board
- (d) **Notes** that recommendation (a) was considered to be the minimum which should be progressed, as the *Land Transport Rule: Setting of Speed Limits 2022* required the Road Controlling Authority to use reasonable efforts to set safe speed limits outside all schools by December 2027, with 40% of these needing to be undertaken by June 2024.

Table 1. Extents of school speed limits within the Board's ward area

School name	Cat.	Proposed Speed Limit	Road Extents	Speed Limit Type
Oxford Area School	1	30 km/h	Bay Road (20 m north of Main Street to 600 m north of Main Street)	Permanent
			Showgate Drive (Bay Road to end of formed public road)	
			Dohrmans Road (Bay Road to end of formed public road)	
Ohoka School	1	30 km/h	Jacksons Road (Mill Road to 550 m south of Mill Road)	
Swannanoa School	2	60 km/h	Tram Road (355 m east of Two Chain Road to 195 m west of Tupelo Place)	
View Hill School	2	60 km/h	Island Road (500 m west of Rampaddock Road to 600 m east of Harmans Gorge Road)	
West Eyreton School	2	40 km/h	School Road (210 m north of North Eyre Road to 260 m south North Eyre Road)	
			North Eyre Road (140 m west of School Road to 340 m east of School Road)	

Table 2. Proposed variable speed limits for Intersection Speed Zones

Road Name and Extents	Existing speed limit (km/h)	Proposed speed limit (km/h)
Ashley Gorge Road (German Road intersection) – 150 m east of the German Road intersection to 150 m west of the German Road intersection	100	60 (VSL)
Oxford Road (Tram Road intersection) – 150 m east of the Tram Road intersection to 150 m west of the Tram Road intersection	100	60 (VSL)
Tram Road (Two Chain Road intersection) – 150 m east of the Two Chain Road intersection to 150 m west of the Two Chain Road intersection	100	60 (VSL)
Tram Road (Earlys Road intersection) – 150 m east of the Earlys Road intersection to 150 m west of the Earlys Road intersection	100	60 (VSL)

AND

- (e) **Notes** that the permanent 60km/h speed zone (outside of Swannanoa School) proposed on Tram Road, was subject to the surrounding Tram Road area being reduced to 80km/h. If this was not to proceed, then the existing 60km/h variable speed would stay in place.
- (f) **Notes** the included in recommendation (b) was the Intersection Speed Zones (ISZ) which were safety initiatives supporting Road to Zero and were co-funded by Waka Kotahi. The electronic signs operate on the major road through an intersection and only turn on when a vehicle approaches on the side road. Tram Road / Earlys Road had funding in 2023/24 and not progressing would result in co-funding being lost.
- (g) **Notes** that in order to meet requirements regarding minimum length of a road for a speed limit, the removal of any proposals from the above tables would require staff to investigate the impact on proposals in the surrounding area and bring an updated report to the Council.
- (h) **Notes** that the proposed speed limits were framed around a regional approach, which has been agreed by staff across Canterbury RCAs and as listed below, which had alignment with the Road to Zero Strategy and the *Land Transport Rule: Setting of Speed Limits 2022* guidelines.
- 80km/h on rural sealed roads.
 - 60km/h on rural unsealed roads.
 - 40km/h in urban and settlement areas.
 - 30km/h around schools, where not deemed a Category Two school.
- (i) **Notes** that while the draft Speed Management Plan was in line with national strategy, it had also been adapted to the local context, and was intended to provide consistency of speed limits, both within the district and on neighbouring Canterbury Council roads.
- (j) **Notes** that following consultation on the Speed Management Plan, it was recommended that the full Council hold hearings for any submitters who wished to be heard.
- (k) **Notes** that the regional speed management principles as outlined in the Draft Speed Management Plan (refer to TRIM No. 230731116010) had been developed at a regional level and would be consulted upon as part of the Regional Speed Management Plan.
- (l) **Resolves** that the proposed consultation documents be approved by the Chief Executive, the Mayor, the Portfolio Holder for Roading and the Community Board Chairpersons.

CARRIED

Councillor Redmond reported that at the New Journeys in Mobility for Aotearoa Conference, it was reported that New Zealand was the third highest country in terms of vehicle ownership, with well over four million vehicles on its roads. The Road to Zero Policy's aim was for a 40% reduction in deaths and serious injuries by 2030. The policy had only been active in the last few years and he did not believe the results of this policy would be seen for some time to come. However, data had shown that the road toll had been dropping consistently over time, and fatalities had been dropping between 47% and 55%, depending on which data you choose to use.

To provide context, Councillor Redmond noted that he had yet to see any data on fatalities or serious injuries around schools. However, in terms of road deaths in 2019, eight present were pedestrians, and three present were cyclists. Most of the deaths occurred in rural areas, and yet the emphasis from Waka Kotahi was on speed reductions in urban areas. He was, therefore, pleased to see that the Council was considering implementing variable warning signs on side roads in rural areas, as this may effectively alert people of approaching traffic on side roads.

In conclusion, Councillor Redmond believed there needed to be a balance between movement, efficiency, safety, productivity, and connected communities in transport matters. We needed to accept that there would be a level of risk on roads and the difficult question was what level of risk was acceptable in relation to safety. He noted that the Land Transport Rule: Setting of Speed Limits 2022 guidelines may be repealed after the national elections in October 2023, so the timing of the public consultation may not be ideal. However, he wished to hear from the community regarding the proposed reduction of speed limits.

Mayor Gordon acknowledged the work that staff had done on the Waimakariri District Speed Management Plan. Several community drop-in sessions on roading matters had been conducted, including speed limits. He noted that speed limit reduction was a somewhat controversial issue, and staff had held several workshops with the Community Boards. The result was the political acceptance that it was prudent to consider reducing speed limits around schools due to various safety concerns. It was noted the possible repealing of the Land Transport Rule: Setting of Speed Limits 2022 guidelines after the national elections in October 2023, with agreement from the Community Boards only to consult on speed limits at schools. Mayor Gordon commented that regardless of the outcome of the national election, it was essential to prioritise safety around schools, and he would like to hear the public's opinion on this matter. The Council would carefully consider its options if there was a change in policy post-election and act accordingly.

Mayor Gordon noted concerns regarding the broader across-the-board reduction in speed limits as proposed by the Central Government, and he believed that the community shared his concerns. However, he felt that consultation about reducing speed limits around schools was warranted, hence his support of the motion. The Council sought extensive advice on the matter before settling on the recommendation.

Councillor Williams commented that he had previously requested data on fatalities around schools or serious injury statistics, however, he was yet to receive the information. He hoped that staff would consider that school variable speed limits were not needed during school holidays.

Deputy Mayor Atkinson believed that children could react impulsively and adequate safety measures were consequently necessary, hence he supported the motion for public consultation on speed limits around schools.

8.2 **Approval to Consult on the 2023-27 Waimakariri District Speed Management Plan for the Woodend-Sefton Board Area** G Cleary (General Manager Utilities and Roading), J McBride (Roading and Transportation Manager), S Binder (Senior Transportation Engineer) and A Mace-Cochrane (Transportation Engineer).

(Refer to report number 230530079076 to the Woodend-Sefton Community Board meeting of 11 September 2023, and minutes of that meeting, Item 11.3 in this agenda.

Refer to Item 8.1 above for questions and debate.

Moved: Councillor Redmond Seconded: Deputy Mayor Atkinson

THAT the Council:

- (a) **Approves** consultation being undertaken on the draft Waimakariri Speed Management Plan 2023-2027 including **schools only** (refer to TRIM No. 230731116010 and 230731116038), as listed in Table 1 below. These roads were within the Woodend-Sefton Community Board's area.
- (b) **Approves** consultation being undertaken on the Draft Waimakariri Speed Management Plan 2023-2027 for **Pegasus Boulevard, between State Highway One and Infinity Drive** (refer to TRIM No. 230731116010 and 230731116038), and as was shown in bold text in Table 2 below. This road was within the Woodend-Sefton Community Board's area.

- (c) **Notes** that staff would then undertake a workshop with the Council in early 2024, and then present a report to the Council seeking approval to consult on the remaining proposed speed limit changes included in Recommendation (f) not endorsed by the Community Board, noting that this was following the Central Government election and the Council would have final approval on the consultation.
NOTE: This refers to recommendation (f) in the attached report to the Community Board
- (d) **Notes** that Recommendation (a) was considered the 'bare' minimum that Council could approve, as the *Land Transport Rule: Setting of Speed Limits 2022* required the Road Controlling Authority to set safe speed limits outside of all schools by June 2027, with 40% of these needing to be undertaken by June 2024.

Table 1. Extents of school speed limits within the Board's area.

School name	Cat.	Proposed Speed Limit	Road Extents	Speed Limit Type
Pegasus Bay School	1	30 km/h	Whakatipu Street (Pegasus Boulevard to Solander Road)	Permanent
			Solander Road (Pegasus Boulevard to Whakatipu Street)	
Woodend School	1	30 km/h	School Road (Main North Road – SH1 to Rangiora Woodend Road)	Permanent
Sefton School	1	30 km/h	Upper Sefton Road (20 m west of Buller Street to 611 Upper Sefton Road)	Variable
			Cross Street (20 m east of Buller Street to 20 m west of Upper Sefton Road)	Permanent

Table 2. Proposed speed limits for the Pegasus urban area.

Road Name and Extents	Existing speed limit (km/h)	Proposed speed limit (km/h)
Pegasus Boulevard – State Highway One to 50m west of Infinity Drive	70	60

AND:

- (e) **Notes** that included in Recommendation (b) was a proposal to reduce the speed limit on Pegasus Boulevard, between State Highway One and the Infinity Drive intersection. This had been included due to Waka Kotahi proposing a 60km/h speed limit along the immediately adjacent State Highway One section.
- (f) **Notes** that in order to meet requirements regarding minimum length of a road for a speed limit, the removal of any of the proposals from the above tables would require staff to investigate the impact on proposals in the surrounding area and bring an updated report to the Council.

- (g) **Notes** that the proposed speed limits were framed around a regional approach, which had been agreed by staff across the Canterbury RCAs and listed below, which had alignment with the Road to Zero Strategy and the *Land Transport Rule: Setting of Speed limits 2022* guidelines.
- 80 km/h on rural sealed roads.
 - 60 km/h on rural unsealed roads.
 - 40 km/h in urban and settlement areas.
 - 30 km/h around schools, where not deemed a Category Two school.
- (h) **Notes** that while the draft Speed Management Plan was in line with national strategy, it had also been adapted to the local context, and was intended to provide consistency of speed limits, both within the district and on neighbouring Canterbury Council roads.
- (i) **Notes** that following Consultation on the Speed Management Plan, it was recommended that the full Council hold hearings for any submitters who wished to be heard.
- (j) **Notes** that the regional speed management principles as outlined in the Draft Speed Management Plan (refer to TRIM No. 230731116010) had been developed at a regional level and would be consulted upon as part of the Regional Speed Management Plan.
- (k) **Resolves** that the proposed consultation documents be approved by the Chief Executive, the Mayor, the Portfolio Holder for Roading and the Community Board Chairpersons.

CARRIED

8.3 **Approval to Consult on the 2023-27 Waimakariri District Speed Management Plan for the Rangiora-Ashley Board Area** - G Cleary (General Manager Utilities and Roading), J McBride (Roading and Transportation Manager), S Binder (Senior Transportation Engineer) and A Mace-Cochrane (Transportation Engineer).

(Refer to report number 230524075906 to the Rangiora-Ashley Community Board meeting of 13 September 2023, and minutes of that meeting, Item 11.4 in this agenda.

Refer to Item 8.1 above for questions and debate.

Moved: Councillor Redmond Seconded: Deputy Mayor Atkinson

THAT the Council:

- (a) **Approves** consultation being undertaken on the draft Waimakariri Speed Management Plan 2023-2027 including **schools only** (refer to TRIM No. 230731116010 and 230731116038), as listed in Table 1 below. These roads were within the Rangiora-Ashley Community Board's area.
- (b) **Notes** that staff would then undertake a workshop with the Council in early 2024, and then present a report to the Council seeking approval to consult on the remaining proposed speed limit changes included in Recommendation (f) not endorsed by the Community Board, noting that this was following the Central Government election and Council would have final approval on the consultation.
NOTE: *This refers to recommendation (f) in the attached report to the Community Board)*
- (c) **Notes** that Recommendation (a) was considered the 'bare' minimum that the Council could approve, as the *Land Transport Rule: Setting of Speed Limits 2022* requires the Road Controlling Authority to set safe speed limits outside of all schools by June 2027, with 40% of these needing to be undertaken by June 2024.

Table 1. Extents of school speed limits within the Board's ward area.

School name	Cat.	Proposed Speed Limit	Road Extents	Speed Limit Type
Ashgrove School	1	30 km/h	Seddon Street (West Belt to White Street)	Permanent
			Kinley Street (Seddon Street to end of formed road)	
			McKenzie Place (Seddon Street to end of formed road)	
Cust School	1	30 km/h	Cust Road (1640B Cust Road to 1699 Cust Road)	Variable
			Earlys Road (Cust Road to 452 Earlys Road)	
Rangiora Borough School	1	30 km/h	Church Street (High Street to 39 Church Street)	Permanent
			King Street (High Street to 153 King Street)	
			Queen Street (Church Street to 20 m east of King Street)	
			High Street (20 m east of King Street to 20 m west of Church Street)	
Rangiora New Life School	1	30 km/h	Denchs Road (Southbrook Road to end of road)	Permanent
			Marshall Street (Denchs Road to end of road)	
			Torlesse Street (Southbrook Road to 20 m west of Railway Road)	
			Railway Road (Gefkins Road to the South Brook)	
			Gefkins Road (Railway Road to end of formed road)	
			Dunlops Road (Railway Road to end of formed road)	
			Coronation Street (Southbrook Road to end of formed road)	
			Buckleys Road (South Belt to end of formed road)	
			Highfield Lane (Buckleys Road to end of formed road)	
			Pearson Lane (Buckleys Road to end of formed road)	
			Brookvale Place (Buckleys Road to end of formed road)	
			Southbrook Road (32 Southbrook Road to 66A Southbrook Road)	Variable
Rangiora High School	1	30 km/h	East Belt (144 East Belt to 113 East Belt)	Permanent
			Wales Street (East Belt to 20 m east of Edward Street)	

School name	Cat.	Proposed Speed Limit	Road Extents	Speed Limit Type
Southbrook School	1	30 km/h	Denchs Road (Southbrook Road to end of road)	Permanent
			Marshall Street (Denchs Road to end of road)	
			Torlesse Street (Southbrook Road to 20 m west of Railway Road)	
			Railway Road (Gefkins Road to the South Brook)	
			Gefkins Road (Railway Road to end of formed road)	
			Dunlops Road (Railway Road to end of formed road)	
			Coronation Street (Southbrook Road to end of formed road)	
			Buckleys Road (South Belt to end of formed road)	
			Highfield Lane (Buckleys Road to end of formed road)	
			Pearson Lane (Buckleys Road to end of formed road)	
			Brookvale Place (Buckleys Road to end of formed road)	
			Southbrook Road (32 Southbrook Road to 66A Southbrook Road)	Variable
St Joseph's School (Rangiora)	1	30 km/h	George Street (20 m west of Percival Street to Victoria Street)	Permanent
			Percival Street (120 Percival Street to 99 Percival Street)	
			Buckham Street (Victoria Street to Ivory Street)	
			Victoria Street (47 Victoria Street to 2 Victoria Street)	
Te Matauru Primary	1	30 km/h	Johns Road (20 m east of Pentecost Road to Acacia Avenue)	Variable
			Townsend Road (20 m north of Johns Road to 163 Townsend Road)	
			Pentecost Road (Johns Road to 20 m north of Charles Street)	Permanent
Ashley Rakahuri School	2	60 km/h	Fawcetts Road (70 m east of High Street to 160 west of Boundary Road)	Permanent
			Boundary Road (Fawcetts Road to 290 m north of Fawcetts Road)	
			High Street (Fawcetts Road to 30 m south of Fawcetts Road)	
			Marshmans Road (Fawcetts Road to 630 m north of Fawcetts Road)	

School name	Cat.	Proposed Speed Limit	Road Extents	Speed Limit Type
Fernside School	2	60 km/h	O'Roarkes Road (Swannanoa Road to Johns Road)	Permanent
Loburn School	2	60 km/h	Hodgsons Road (390 m west of Loburn Whiterock Road to 910 m west of Loburn Whiterock Road)	Permanent
North Loburn School	2	60 km/h	Loburn Whiterock Road (50 m south of Mount Grey Road to 370 m south of Bradys Road)	Permanent
OneSchool Global Rangiora	2	60 km/h	Lehmans Road (20 m south of Johns Road to 300 m south of Johns Road)	Permanent

AND:

- (d) **Notes** that in order to meet requirements regarding minimum length of a road for a speed limit, the removal of any of the proposals from the above tables would require staff to investigate the impact on proposals in the surrounding area and bring an updated report to the Council.
- (e) **Notes** that the proposed speed limits were framed around a regional approach, which had been agreed by staff across the Canterbury RCAs and listed below, which has alignment with the Road to Zero Strategy and the *Land Transport Rule: Setting of Speed limits 2022* guidelines.
- 80 km/h on rural sealed roads.
 - 60 km/h on rural unsealed roads.
 - 40 km/h in urban and settlement areas.
 - 30 km/h around schools, where not deemed a Category Two school.
- (f) **Notes** that while the draft Speed Management Plan was in line with National Strategy, it had also been adapted to the local context, and was intended to provide consistency of speed limits, both within the district and on neighbouring Canterbury Council roads.
- (g) **Notes** that following Consultation on the Speed Management Plan, it was recommended that the full Council hold hearings for any submitters who wished to be heard.
- (h) **Notes** that the regional speed management principles as outlined in the Draft Speed Management Plan (refer to TRIM No. 230731116010) had been developed at a regional level and would be consulted upon as part of the Regional Speed Management Plan.
- (i) **Resolves** that the proposed consultation documents be approved by the Chief Executive, the Mayor, the Portfolio Holder for Roading and the Community Board Chairpersons.

CARRIED

8.4 **Approval to Consult on the 2023-27 Waimakariri District Speed Management Plan for the Kaiapoi-Tuahiwi Board Area** - G Cleary (General Manager Utilities and Roading), J McBride (Roading and Transportation Manager), S Binder (Senior Transportation Engineer) and A Mace-Cochrane (Transportation Engineer)

(Refer to report number 230530079555 to the Kaiapoi-Tuahiwi Community Board meeting of 18 September 2023, and the decision below that the Board agreed at the meeting.)

Refer to Item 8.1 above for questions and debate.

Moved: Councillor Redmond Seconded: Councillor Blackie

THAT the Council:

- (a) **Approves** consultation being undertaken on the draft Waimakariri Speed Management Plan 2023-2027 including **schools only** (refer to TRIM No. 230731116010 and 230731116038), as listed in Table 1 below. These roads were within the Kaiapoi-Tuahiwi Community Board's area.
- (b) **Approves** consultation being undertaken on the Draft Waimakariri Speed Management Plan 2023-2027 for **Beach Road and Ferry Road** (refer to TRIM No. 230731116010 and 230731116038), as shown in bold text in Table 2 and Table 3 below. These roads were within the Kaiapoi-Tuahiwi Community Board's area.
- (c) **Notes** that, staff would then undertake a workshop with Council in early 2024, and then present a report to Council seeking approval to consult on the remaining proposed speed limit changes included in Recommendation (a) not endorsed by the Community Board, noting that this was following the Central Government election and Council would have final approval on the consultation.
NOTE: This refers to recommendation (f) in the attached report to the Community Board)
- (d) **Notes** that Recommendation (a) was considered to be the minimum which should be progressed, as the *Land Transport Rule: Setting of Speed Limits 2022* required the Road Controlling Authority to use reasonable efforts to set safe speed limits outside all schools by December 2027, with 40% of these needing to be undertaken by June 2024.

Table 1. Extents of school speed limits within the Board's ward area.

School name	Cat	Proposed Speed Limit	Road Extents	Speed Limit Type
Kaiapoi High School	1	30 km/h	Ohoka Road (20 m east of Robert Coup Road to 123 Ohoka Road)	Variable
			Otaki Street (Ohoka Road to 20 m south of Broom Street)	
			Glenvale Drive (entire length)	Permanent
			McDougal Place (entire length)	
Kaiapoi Borough School	1	30 km/h	Hilton Street (Black Street to end of formed road at the cul-de-sac head)	Permanent
			Rich Street (Raven Quay to Hilton Street)	
Kaiapoi North School	1	30 km/h	Williams Street (205 Williams Street to 265 Williams Street)	Variable
			Sims Road (Williams Street to end of formed road)	Permanent

School name	Cat	Proposed Speed Limit	Road Extents	Speed Limit Type
			Coups Terrace (Williams Street to end of formed road)	
St Patrick's School (Kaiapoi)	1	30 km/h	Fuller Street (Williams Street to 20 m west of Peraki Street)	Permanent
			Peraki Street (Hilton Street to Ohoka Road)	
Tuahiwi School	1	30 km/h	Tuahiwi Road (191 Tuahiwi Road to 215 Tuahiwi Road)	Variable
Clarkville School	1	30 km/h	Heywards Road (20 m south Tram Road to 300 m south of Tram Road)	Variable

Table 2. Proposed speed limits for other urban areas in Kaiapoi.

Road Name and Extents	Existing speed limit (km/h)	Proposed speed limit (km/h)
Beach Road – from 80 m east of Tuhoe Avenue to 690 m east of Tuhoe Avenue	70	50

Table 3. Proposed speed limits for other rural areas.

Road Name and Extents	Existing speed limit (km/h)	Proposed speed limit (km/h)
Beach Road – 690 m east of Tuhoe Avenue to 200 m west of Dunns Avenue	100	80
Ferry Road (north) – Beach Road to end of formed road (unsealed)	100	60
Ferry Road (south) – Beach Road to end of formed road (unsealed)	100	60

AND:

- (e) **Notes** that the Beach Grove development has been progressing on the northern side of Beach Road. Another collector road from this development would intersect Beach Road within the existing 70 km/h zone and therefore, to ensure safe operation of the intersection in its urban context, the speed limit needs to be reduced along Beach Road for the extents noted in Recommendation (b).
- (f) **Notes** that at the recommendation of the engineering report following a fatal crash on Beach Road, near the intersection of Ferry Road, a lower speed limit had been proposed and included in Recommendation (b). Both sections of Ferry Road had also been included in this recommendation, as they were unsealed, dead-end roads which intersect Beach Road and do not meet the minimum length requirement to retain a 100 km/h speed limit.

- (g) **Notes** that in order to meet requirements regarding minimum length of a road for a speed limit, the removal of any of the proposals from the above tables would require staff to investigate the impact on proposals in the surrounding area and bring an updated report to the Council.
- (h) **Notes** that the proposed speed limits were framed around a regional approach, which had been agreed by staff across the Canterbury RCAs and listed below, which has alignment with the Road to Zero Strategy and the *Land Transport Rule: Setting of Speed limits 2022* guidelines:
- 80 km/h on rural sealed roads.
 - 60 km/h on rural unsealed roads.
 - 40 km/h in urban and settlement areas.
 - 30 km/h around schools, where not deemed a Category Two school.
- (i) **Notes** that while the draft Speed Management Plan was in line with national strategy, it had also been adapted to the local context, and was intended to provide consistency of speed limits, both within the district and on neighbouring Canterbury Council roads.
- (j) **Notes** that following Consultation on the Speed Management Plan, it was recommended that the full Council hold hearings for any submitters who wished to be heard.
- (k) **Notes** that the regional speed management principles as outlined in the Draft Speed Management Plan (refer to TRIM No. 230731116010 had been developed at a regional level and would be consulted upon as part of the Regional Speed Management Plan.
- (l) **Resolves** that the proposed consultation documents be approved by the Chief Executive, the Mayor, the Portfolio Holder for Roading and the Community Board Chairpersons.

CARRIED

9. HEALTH, SAFETY AND WELLBEING

9.1 Health, Safety and Wellbeing Report September 2023 – J Millward (Chief Executive)

In response to a question from Mayor Gordon, J Millward confirmed that the Council's Sustainability E-bike Scheme entailed no cost to the Council. The E-bike Scheme was an interest free salary sacrifice option and the set amounts would be deducted from staff's salary.

Moved: Councillor Ward

Seconded: Councillor Redmond

THAT the Council:

- (a) **Receives** Report No 230920147212.
- (b) **Notes** that there were no notifiable incidents this month. The organisation was, so far as was reasonably practicable, compliant with the duties of a person conducting a business or undertaking (PCBU) as required by the Health and Safety at work Act 2015.
- (c) Circulates this report to the Community Boards for their information.

CARRIED

Councillor Ward noted that there seemed to be less incidents at the Rangiora Airfield since the appointment of the Airfield Manager.

Councillor Redmond believed that the Sustainability E-bike Scheme was a good initiative and no cost to the Council.

10. **COMMITTEE MINUTES FOR INFORMATION**

10.1 Minutes of a meeting of the Community and Recreation Committee of 22 August 2023

10.2 Minutes of a meeting of the Audit and Risk Committee of 12 September 2023

10.3 Minutes of a meeting of the Utilities and Roading Committee of 19 September 2023

Moved: Council Goldsworthy

Seconded: Deputy Mayor Atkinson

THAT the Council:

(a) **Receives** Items 101 to 10.3 for information.

CARRIED

11. **COMMUNITY BOARD MINUTES FOR INFORMATION**

11.1 Minutes of the Kaiapoi-Tuahiwi Community Board meeting of 21 August 2023

11.2 Minutes of the Oxford-Ohoka Community Board meeting of 6 September 2023

11.3 Minutes of the Woodend-Sefton Community Board meeting of 11 September 2023

11.4 Minutes of the Rangiora-Ashley Community Board meeting of 13 September 2023

Moved: Councillor Mealings

Seconded: Councillor Ward

THAT the Council:

(a) **Receives** Items 11.1 to 11.4 for information.

CARRIED

12. **CORRESPONDENCE**

Nil.

13. **MAYORS DIARY – 1 – 30 SEPTEMBER 2023**

Moved: Deputy Mayor Atkinson

Seconded: Councillor Ward

THAT the Council:

(a) **Receives** report no. 230926151269.

CARRIED

14. **COUNCIL PORTFOLIO UPDATES**

14.1 **Iwi Relationships** – Mayor Dan Gordon

Mayor Gordon reported that the Council's relationship with the local iwi was strengthening, and the Rūnanga Liaison meetings had recommenced. He noted the Country Calander episode featuring Makarini Rupene who shared the knowledge of his tīpuna, his passion for mahinga kai (food gathering), and the value of protecting our waterways. Mayor Gordon believed that it was important to seek a similar opportunity for Councillors to understand water issues.

14.2 **Greater Christchurch Partnership Update** – Mayor Dan Gordon

Mayor Gordon noted that the previous meeting had been cancelled due to a lack of business. The partnership was waiting for the national elections in October 2023, whereafter the incoming government would be briefed on the priorities of the Greater Christchurch Partnership.

14.3 **Government Reforms** – Mayor Dan Gordon

Mayor Gordon commented that it was heartening to see the stance of political parties on the Three Waters Reform that supported the Council's position on the matter. He noted that the Central Government had revved-up much work and reporting pre-election which had been challenging for staff. Mayor Gordon commended the Chief Executive and staff on responding to all the Central Government calls for submissions on various issues.

14.4 **Canterbury Water Management Strategy** – Councillor Tim Fulton

Councillor Fulton noted that the Water Zone Committee had agreed not to co-opt an additional member as the Committee had sufficient experience and skills to deal with current matters. He highlighted that the findings of the 2022 study, showed that 29% of the wells in the Swannanoa sampling area had nitrate-nitrogen Maximum Acceptable Value (MAV) set in the Drinking Water Standards for New Zealand (2022). There seemed to be an overall increase in the nitrate levels in private wells, however, no correlation was found between the depths of wells and the nitrate levels.

In conclusion, Councillor Fulton reported that Environment Canterbury's Regional Policy Statement would be out for public consultation at the end of October 2023. Also, the first Waimakariri Environmental Awards would be presented at the annual Community Service Awards Ceremony on 18 October 2023.

14.5 **Climate Change and Sustainability** – Councillor Niki Mealings

Councillor Mealings advised that work was underway developing strategy documents. Staff were working on finalising the risk assessments for various Council assets to enable accurate long term planning.

14.6 **International Relationships** – Deputy Mayor Neville Atkinson

Deputy Mayor Atkinson advised that the Mayor and representatives from the Waimakariri Passchendaele Advisory Group and the local Retired Serviceman's Association's would be visiting Belgium in November 2024 to commemorate Armistice Day. This would be a self-funded trip which members were welcome to join. He further noted that the Waimakariri Passchendaele Advisory Group became life members of the Last Post Association which sound the last post very evening at the Menin Gate Memorial in Ypres in Belgium in honour of those who fought and died at Passchendaele and on other fields in Europe.

Finally, Deputy Mayor Atkinson reported that the Mayor and he attended a concert at the Piano in Christchurch to celebrate the 74th anniversary of the founding of the People's Republic of China (PRC).

14.7 **Property and Housing** – Deputy Mayor Neville Atkinson

Deputy Mayor Atkinson noted the Council briefing from Kainga Ora on their proposed development in North Canterbury. However, the outcome of the national elections in October 2023, would determine what social housing initiative would proceed.

15. **QUESTIONS**

(under Standing Orders)

There were no questions.

16 URGENT GENERAL BUSINESS*(under Standing Orders)*

There was no urgent general business.

17. MATTERS TO BE CONSIDERED WITH THE PUBLIC EXCLUDED

Section 48, Local Government Official Information and Meetings Act 1987.

In accordance with section 48(1) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act (or sections 6, 7 or 9 of the Official Information Act 1982, as the case may be), it was moved:

Moved: Mayor Gordon

Seconded: Councillor Ward

THAT the Council:

(a) **Resolves** that the public be excluded from the following parts of the proceedings of this meeting:

- 17.1 Confirmation of Council public excluded minutes 5 September 2023 meeting
- 17.2 Minutes for information of the Public Excluded portion of the Audit and Risk Cttee meeting of 12 September 2023
- 17.3 Decision on Chlorination
- 17.4 On-demand UV Treatment
- 17.5 Contract 22/44 Reservoir Improvement Works – View Hill Reservoir
- 17.6 Waikuku Beach Campground Lease and Request for Proposals
- 17.7 28 Edward Street, Purchase from NCSRT and Lease Agreement
- 17.8 Updated Memorandum of Understanding Agreement for South MUBA development
- 17.9 Report to Audit and Risk Cttee meeting 12 September 2023 - Chief Executive Recruitment Cost

The general subject of each matter to be considered while the public was excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution were as follows:

Item No.	Subject	Reason for excluding the public	Grounds for excluding the public-
17.1	Confirmation of Council public excluded minutes 5 September 2023 meeting	Good reason to withhold exists under section 7	To protect the privacy of natural persons, including that of deceased natural persons (s 7(2)(a) and to carry on without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (s 7(2)(i)).
17.2	Minutes for information of the Public Excluded portion of the Audit and Risk Cttee meeting of 12 September 2023	Good reason to withhold exists under section 7	To protect the privacy of natural persons, including that of deceased natural persons (s 7(2)(a) and to carry on without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (s 7(2)(i)).
REPORTS			
17.3	Decision on Chlorination	Good reason to withhold exists under section 7	As per LGOIMA Section 7 (2) (c) ii, to protect information which is subject to an obligation of confidence where the making the information available would likely to damage the public interest; 7 (2)(d) to avoid prejudice to measures protecting the health or safety of members of the public; and (f) (ii) to maintain the effective conduct of public affairs by protecting members or employees of the Council in the course of their duty, from improper pressure or harassment.

Item No.	Subject	Reason for excluding the public	Grounds for excluding the public-
17.4	On-demand UV Treatment	Good reason to withhold exists under section 7	As per LGOIMA section 7 (2) (h) the contents of the report remain public excluded to enable any local authority holding the information to carry out without prejudice or disadvantage, commercial activities. The Recommendation can be made publicly available.
17.5	Contract 22/44 Reservoir Improvement Works – View Hill Reservoir	Good reason to withhold exists under section 7	As per LGOIMA Section 7(2) (b) (ii) to protect information which is public would unreasonably prejudice the commercial position of the person who supplied or who is the subject of the information; and 7(h) the contents of the report to remain public excluded to enable any local authority holding the information to carry out without prejudice or disadvantage, commercial activities. The Recommendation can be made publicly available.
17.6	Waikuku Beach Campground Lease and Request for Proposals	Good reason to withhold exists under section 7	As per LGOIMA Section 7 (2) (h) and (i) to enable the local authority to carry on without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) and enable the local authority holding the information to carry out, without prejudice or disadvantage, commercial activities and maintain legal professional privilege
17.7	28 Edward Street, Purchase from NCSRT and Lease Agreement	Good reason to withhold exists under section 7	To protect the privacy of natural persons and enable the local authority to carry on without prejudice or disadvantage, negotiations (including commercial and industrial), and maintain legal professional privilege as per LGOIMA Section 7 (2)(a), (g) and (i)
17.8	Updated Memorandum of Understanding Agreement for South MUBA development	Good reason to withhold exists under section 7	To protect the privacy of natural persons and enable the local authority to carry on without prejudice or disadvantage, negotiations (including commercial and industrial), and maintain legal professional privilege as per LGOIMA Section 7 (2)(a), (g) and (i)
PUBLIC EXCLUDED REPORT FOR INFORMATION			
17.9	Report to Audit and Risk Cttee meeting 12 September 2023 - Chief Executive Recruitment Cost	Good reason to withhold exists under section 7	The recommendation has become public, and the report, discussion, and minutes to remain public excluded for reasons of enabling the local authority holding the information to carry out, without prejudice or disadvantage, commercial activities and to prevent the disclosure or use of official information for improper gain or improper advantage as per LGOIMA 7(2)(h) and (j).

CARRIED

CLOSED MEETING

The public excluded portion of the meeting occurred from 3.10pm until 5.12pm.

OPEN MEETING

18. **NEXT MEETING**

The next ordinary meeting of the Council is scheduled to commence at 1pm on Tuesday 7 November 2023, to be held in the Council Chamber, Rangiora Service Centre, 215 High Street, Rangiora.

THERE BEING NO FURTHER BUSINESS, THE MEETING CONCLUDED AT 5.15PM.

CONFIRMED

Chairperson
Dan Gordon

Date

UNCONFIRMED

MINUTES OF A MEETING OF THE WAIMAKARIRI DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBER, 215 HIGH STREET, RANGIORA ON TUESDAY, 17 OCTOBER 2023, THAT COMMENCED AT 1.00PM

PRESENT

Mayor D Gordon (Chairperson), Deputy Mayor N Atkinson, Councillors A Blackie, R Brine, B Cairns (virtual), T Fulton, J Goldsworthy, N Mealings, P Redmond, J Ward, and P Williams.

IN ATTENDANCE

J Millward (Chief Executive), G Cleary (General Manager Utilities and Roothing), J McBride (Roothing and Transport Manager), N Robinson (General Manager, Finance and Business Support), A Smith (Governance Coordinator).

APOLOGIES

There were no apologies.

CONFLICTS OF INTEREST

Conflicts of interest (if any) to be reported for minuting.

There were no conflicts of interest recorded.

Mayor Gordon acknowledged the efforts of staff and others in the community over the past weekend who assisted during the wind event; Utilities and Roothing staff, Civil Defence, NZRT12 volunteers and Mainpower staff who were out looking after our community. Mayor Gordon requested the Chief Executive to pass on appreciation to all involved for their work.

1. REPORTS

Adoption of the Annual Report for the Year Ended 30 June 2023 – J Millward (Chief Executive)

J Millward presented the report and acknowledged N Robinson's input. It was confirmed that the Auditors Report had been made available to Councillors for both the Annual Report and the Summary document. It was pleasing to advise that the Council had received an unmodified Audit opinion. The key item of note was that the surplus had decreased by approximately \$10m, which was in relation to development contributions, invested assets and timing differences. The effect of inflation on depreciation had also had a major impact. There was significant pressure on the budget as a result of weather events experienced over the past few months. This budget had over \$2m relating to flood responses which also had ongoing costs, including \$4m for a flood team. Many Councils were experiencing similar issues. The debt figure of \$180m was still under what was budgeted. J Millward said this was a good budget despite the impact of the weather events. The Auditor's opinion had acknowledged the change of government following the elections over the weekend and the impact on Three Waters.

In relation to Three Waters and the change in Government, Councillor Fulton questioned if this would have an impact on the strength of the Council's balance sheet. J Millward responded that this would stay relatively stable and the Council would retain its AA credit rating.

Following a question from Councillor Williams, J Millward clarified that the budget showed a surplus of funds, rather than a profit.

Moved Councillor Ward

Seconded Councillor Goldsworthy

THAT the Council:

- (a) **Receives** report No. 23005158569.

- (b) **Adopts** the Annual Report for the year ended 30 June 2023 (TRIM 230807120209).
- (c) **Approves** the Annual Report Summary for the year ended 30 June 2023 (TRIM 230807120224).
- (d) **Notes** the Net Surplus before taxation of \$21.7m was \$9.7m less than budget, and primarily related to the effect Covid 19 had on the economy and identified in section 4.3 of the report.
- (e) **Receives and notes** the Auditor's unmodified opinion for the Annual Report and Annual Report Summary would be incorporated into the reports.
- (f) **Authorises** the Chief Executive and General Manager Finance and Business Support to make necessary minor edits and corrections to the Annual Report that may occur prior to printing.

CARRIED

Councillor Ward acknowledged the work of the Chief Executive and all staff, noting the challenges and uncertainty that the Council had experienced over the 12-month period. Councillor Ward was pleased that the Council would be retaining control of its assets and also retaining staff who would be there to look after the needs of the community. The challenges of flooding and inflation were acknowledged. Councillor Ward noted that the figure for development contributions had been down last year and it was hoped that this figure would increase back to those previously experienced.

Mayor Gordon also extended thanks to J Millward and staff and endorsed the comments of Councillor Ward. He also noted that the Council was in a strong position, however there would need to be good stewardship in future budgets.

1.2 **Consultation on the Draft Speed Management Plan– J McBride (Roading and Transport Manager) and G Cleary (General Manager Utilities and Roading)**

J McBride and G Cleary were present for consideration of this report, which provided clarification on the draft speed management plans to go out for consultation and included traffic speeds around schools. There had been some confusion on what was being consulted on previously and it was pointed out that the Plan had been scaled back slightly, to reflect the approach agreed with the Council.

Moved Councillor Redmond

Seconded Mayor Gordon

THAT the Council:

- (a) **Receives** Report No. 231012162656.
- (b) **Approves** the Draft Speed Management Plan document (Trim: 231012162681) for consultation, including schools and the nine other approved sites.
- (c) **Notes** that the Mayor, the Roading Portfolio Holder, the Chief Executive and Community Board Chairs would approve the information for Consultation.
- (d) **Circulates** this report to the Community Boards for information.

CARRIED

Councillor Redmond agreed with the Council doing the minimum that it was required to do, given the current climate and the national elections which was the prudent way to proceed. Councillor Redmond looked forward to considering the views of the community on the speed maintenance plan, particularly regarding permanent and variable speed limits around schools. He noted that the Government in waiting did not support permanent speed limits around schools, preferring the variable signage option. Another area of concern Councillor Redmond held was the distance that the speed reductions would extend around schools. Councillor Redmond was in support of this motion which was slightly refined than the previously considered version.

Mayor Gordon noted the safety of schools in the district was critical as was managing traffic speeds in the vicinity of schools, and he encouraged schools to submit on the plan. Mayor Gordon also noted some other trouble spots in the district that the Council was seeking community feedback on and was supportive of this consultation proceeding.

18. NEXT MEETING

The next ordinary meeting of the Council is scheduled to commence at 1pm on Tuesday 7 November 2023, to be held in the Council Chamber, Rangiora Service Centre, 215 High Street, Rangiora.

There being no further business, the meeting closed at 1.17pm.

CONFIRMED

Chairperson
Mayor Dan Gordon

Date

WAIMAKARIRI DISTRICT COUNCIL**REPORT FOR DECISION**

FILE NO and TRIM NO: GOV-01-11/ 230920147556

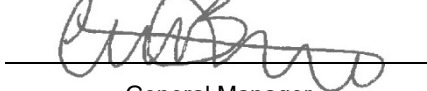
REPORT TO: COUNCIL

DATE OF MEETING: 7 November 2023

AUTHOR(S): Ken Howat (Parks and Facilities Team Leader)

SUBJECT: Grant for Cust Bowling Club

ENDORSED BY:
(for Reports to Council,
Committees or Boards)


General Manager


Chief Executive

1. SUMMARY

- 1.1. This report seeks Council approval for a grant of \$2,930 to be made to the Cust Bowling Club for the installation of a backflow prevention device which prevents contaminants entering Council water supply.
- 1.2. Cust Bowling Club is in a unique position in that they own the property, whereas most bowling clubs occupy local council owned land. As the property owner they are responsible for the installation of the backflow prevention device.
- 1.3. As a networked water supplier, the Council has obligations under Water Services Act to ensure that all Council owned and operated water supplies are protected from the risk of backflow contamination from private property. The Council is obliged to protect public water supplies by either installing backflow prevention devices, or by requiring property owners to do so.
- 1.4. In 2014 Council adopted its Backflow Prevention Policy which sets out strategies to categorise properties into either low, medium, or high risk. The property at 1646 Cust Road, where the Bowling Club is located, has been assessed as high risk due to the irrigation and sprinkler systems that has chemicals added to the water or applied to the ground and therefore a backflow preventor is required.
- 1.5. The property is jointly owned by the Cust Bowling Club and Cust Swimming Club. Where a property has multiple owners, it is up to the owners to decide how the installation costs are met. The Swimming Club's activities have been assessed as medium risk and are therefore unwilling to contribute. The Bowling Club has advised they do not have sufficient financial resources to meet the installation costs. Their latest financial records as of April 2023, show cash balance of \$5,815.00. The majority of this is tagged for ongoing operational costs.

2. RECOMMENDATION

THAT the Council:

- (a) **Receives** Report No. 230920147556
- (b) **Approves** a grant of \$2,930 to the Cust Bowling Club from Community Grants code 10.487.100.2410 for the installation of a backflow prevention device at the Cust Bowling Club, 1646 Cust Road.

- (c) **Notes** that staff will develop a policy to guide the decision-making process for future funding requests from nonprofit groups seeking financial assistance towards meeting the requirements of Council's Backflow Prevention Policy.
- (d) **Notes** that Three Waters annually test backflow devices, carrying out minor maintenance as required, however any significant repairs are the responsibility of the property owner.
- (e) **Notes** that the Cust Bowling Club have been working alongside Councils Three Waters Team to understand the works required and have a contractor lined up ready to perform the works to a compliant standard.
- (f) **Notes** the Cust Bowling Club is the only community group that both Three Waters and Community and Recreation are aware of that require funding assistance to implement works for backflow prevention.
- (g) **Notes** Three Waters have communicated across the district with water supply owners who would need to undertake this works. They are currently at 90% compliance and are on track for completion.

3. **BACKGROUND**

- 3.1. Following a district wide backflow survey, Three Waters sent out a letter to affected property owners advising that a backflow preventor was required on their property due to the hazard rating attributed to the property. The Bowling Club was assessed as high risk due to the use of chemicals used to maintain the green.
- 3.2. Backflow is usually caused by a pressure differential between the Council's water supply network and the customer owned private water reticulation. This can be caused by either backpressure, back-siphonage or cross connection. The resulting imbalance can cause water to be either sucked or pushed into the Council's water supply network, creating a potential health risk for other connected properties on the water supply network.
- 3.3. The Cust Bowling Club currently has 24 members and receives income of \$3,600 from annual subscriptions. In addition to this they receive an annual CPI adjusted Council grant which is split with the swimming club. For this current financial they were allocated a grant of \$1,728. Other income is derived from tournament sponsorship, tournament entry fees, raffles, and social bowls.

4. **ISSUES AND OPTIONS**

- 4.1. Greenspace staff have reviewed this request and agree that the club is not in a financial position to meet the cost of installing the backflow preventor and without support, the ongoing viability of the club could be in question.
- 4.2. Whilst the Cust Bowling Club is the only community group that both Three Waters and Community and Recreation are aware of that require funding assistance to implement works for backflow prevention, this does not preclude the support of this request setting a precedent.
- 4.3. **Option One: Approve the Allocation of \$2,930 as Requested**

Council could approve this request which would allow immediate installation of the backflow preventor reducing the likelihood of waterway contamination and enabling the club to remain financially viable.
- 4.4. **Option Two: Decline the Request**

Council could decline the request and direct the club to seek support through other funding agencies. Staff could assist the club with this option; however, this will result in a delay in securing funds and the subsequent installation of the backflow preventor. This option is not considered ideal due the high hazard risk assessment attached to the property.

4.5. **Option Three: Bowling Club repay the Grant**

Council could fund the installation costs of the backflow device with the stipulation that the club repay the grant over an agreed period of time.

Implications for Community Wellbeing

There are implications on community wellbeing with the issues and options contained in this report. Bowling clubs play a vital role in fostering strong and vibrant communities, offering a range of benefits. They are inclusive gathering places where local residents can make social connections, enjoy a sense of belonging and have the opportunity to participate in a low impact sport.

4.6. The Management Team has reviewed this report and support the recommendations.

5. COMMUNITY VIEWS

5.1. **Mana whenua**

Te Ngāi Tūāhuriri hapū are not likely to be affected by, or have an interest in the subject matter of this report.

5.2. **Groups and Organisations**

There are groups and organisations likely to be affected by, or to have an interest in the subject matter of this report. This relates to the Cust Swimming Club located at the same address. The Swimming Club will benefit from these works and will be able to continue operation.

5.3. **Wider Community**

The wider community is likely to be affected by, or to have an interest in the subject matter of this report. This relates to the risk of potential water contamination and the impact on the Bowling Clubs ongoing sustainability should the recommendations not be approved.

6. OTHER IMPLICATIONS AND RISK MANAGEMENT

6.1. **Financial Implications**

There are financial implications of the decisions sought by this report.

6.1.1. If Council adopt Option One, the cost of \$2,930 would be funded from the Community Grant code 10.487.100.2410.

6.1.2. If Council adopt Option Three, the cost of \$2,930 would be funded from the Community Grant code 10.487100.2410 and paid back over an agreed period of time.

6.2. **Sustainability and Climate Change Impacts**

The recommendations in this report do not have sustainability and/or climate change impacts.

6.3. **Risk Management**

There are no risks arising from the adoption/implementation of the recommendations in this report. The risk of not doing the works has been described by the Three Waters team as high. Hence the staff recommendation to assist the club so it can continue its operation whilst not providing an ongoing risk to public health.

6.4. **Health and Safety**

There are health and safety risks arising from the adoption/implementation of the recommendations in this report. This relates to the potential water supply contamination attributed to the Bowling Club property.

7. **CONTEXT**

7.1. **Consistency with Policy**

This matter is not a matter of significance in terms of the Council's Significance and Engagement Policy.

7.2. **Authorising Legislation**

7.3. **Consistency with Community Outcomes**

The Council's community outcomes are relevant to the actions arising from recommendations in this report.

Core utility services are sustainable, resilient, affordable; and provided in a timely manner.

- Council sewerage and water supply schemes, and drainage and waste collection services are provided to a high standard.

There is a strong sense of community within our District.

- There are wide-ranging opportunities for people of different ages, abilities and cultures to participate in community life and recreational and cultural activities.

7.4. **Authorising Delegations**

The Council has authority to receive this report and make a decision on this matter.

WAIMAKARIRI DISTRICT COUNCIL
REPORT FOR DECISION

FILE NO and TRIM NO: DDS-06-05-01-31-05 / 231031173792

REPORT TO: Council

DATE OF MEETING: 7 November 2023

FROM: Matthew Bacon – Development Planning Manager
 Kelly LaValley – General Manager Planning, Regulation, and Environment

SUBJECT: Commissioner Recommendation Private Plan Change 31

SIGNED BY: _____
 (for Reports to Council or Committees) Department Manager

_____ 
 Chief Executive

1. SUMMARY

- 1.1 The purpose of this report is to seek that Council consider the recommendation of Commissioner Cindy Robinson and Ros Day-Cleavin in respect of Private Plan Change 31 to the Operative Waimakariri District Plan.
- 1.2 Private Plan Change 31 was a privately initiated plan change application lodged by Rolleston Industrial Developments Ltd. The plan change; as originally proposed, sought the following changes to the Operative Waimakariri District Plan (2005, available on Council website):
- i. Rezone approximately 155.93ha from Rural to Residential 3, Residential 4A, Residential 8 and Business 4;
 - ii. Amend the Operative District Plan maps by inserting the proposed Outline Development Plan - Mill Road (dated 4/3/2022) and associated narrative;
 - iii. Insert a new definition for *Education Facilities*;
 - iv. Amend the following Operative District Plan policies or their explanations or reasons: 16.1.1.1, 16.1.1.12, 18.1.1.9;
 - v. Amend Operative District Plan rules 30.1.1.9, 30.6.1.1, 31.1.1.4, 31.1.1.6, 31.1.1.10, 31.1.1.24, 31.1.1.35, 31.1.1.39, 31.1.1.49, 31.1.1.53, 31.1.1.54, 31.2.2, 31.2.3, 32.1.1.1, 32.1.1.11, 32.1.1.28, 32.3.7.
- 1.3 Council delegated the power to consider submissions and make recommendations on Private Plan Change RCP031 to Chair Cindy Robinson and Ros Day-Cleavin. This delegation included powers to convene a hearing to hear evidence.
- 1.4 Council has received a recommendation from Commissioners Robinson and Day-Cleavin following a hearing of submissions that occurred between 3 August and 9 August 2023 and 11 September 2023. The recommendation to Council is to decline the plan change application. The commissioners conclusion is set out on page 141 of the attached report.
- 1.5 Under clause 10 of Schedule 1 of the Resource Management Act 1991 the Council must give a decision on the provisions and matters of submissions, whether or not a hearing was held on the proposed private plan change. Following receipt of the recommendation, Council needs to consider a decision on the private plan change. Under Clause 29(4) of Schedule 1 to the Resource

Management Act 1991, the Council has the option to decline, approve, or approve the plan change with modifications.

Attachments:

- i) Recommendation of Commissioners Day Cleavin and Robinson - Private Plan Change RCP031 (231031173394).

2. **RECOMMENDATION**

THAT the Council:

- (a) **Receives** report No. 231031173792.
- (b) **Receives** the report and recommendation of Independent Commissioners Cindy Robinson and Ros Day-Cleavin dated 27 October 2023 in respect of Private Plan Change 31 Rolleston Industrial Developments Ltd.
- (c) **Adopts** the recommendation of Commissioner Robinson and Day-Cleavin in respect of Private Plan Change RCP031 Rolleston Industrial Developments Ltd dated 27 October 2023 as its formal decision on Private Plan Change 31 pursuant to clause 10, Schedule 1 of the Resource Management Act 1991 and declines the plan change request for the reasons given in the Commissioners' recommendation (231031173394).
- (d) **Delegates** staff to publicly notify Council's decision to decline Private Plan Change Request RPC031.
- (e) **Circulates** this report to all Community Boards for their information.

3. **BACKGROUND**

3.1 Private Plan Change 31 was a privately initiated plan change application. The proposed plan change application was to the Operative Waimakariri District Plan and as originally notified, proposed to:

- i. Rezone approximately 155.93ha from Rural to Residential 3, Residential 4A, Residential 8 and Business 4;
- ii. Amend the Operative District Plan maps by inserting the proposed Outline Development Plan - Mill Road (dated 4/3/2022) and associated narrative;
- iii. Insert a new definition for *Education Facilities*;
- iv. Amend the following Operative District Plan policies or their explanations or reasons: 16.1.1.1, 16.1.1.12, 18.1.1.9;
- v. Amend Operative District Plan rules 30.1.1.9, 30.6.1.1, 31.1.1.4, 31.1.1.6, 31.1.1.10, 31.1.1.24, 31.1.1.35, 31.1.1.39, 31.1.1.49, 31.1.1.53, 31.1.1.54, 31.2.2, 31.2.3, 32.1.1.1, 32.1.1.11, 32.1.1.28, 32.3.7.

3.2 On 31 May 2022 Council accepted Private Plan Change 31 for notification (220315037010) and appointed independent commissioners to hear and make recommendations on the provisions of Private Plan Change 31 and the submissions lodged on the Plan Change. That delegation supported the Council's decision-making duties under clause 10 of schedule 1 of the Resource Management Act 1991.

- 3.3 Following the required submission and further submission process a hearing was held between 3 August and 9 August 2023 and 11 September 2023. Approximately 43 submitters or further submitters were heard during the course of the hearings.
- 3.4 On 27 October 2023 Council received a recommendation on decisions from Commissioners Robinson and Day-Cleavin. In summary, that recommendation was to decline the plan change for the reasons set out in the decision. The decision addresses the provisions of RCP031 and the submissions received.
- 3.5 Under clause 10 of Schedule 1 of the Resource Management Act 1991 the Council must give a decision on the provisions and matters of submissions, whether or not a hearing was held on the proposed plan change.

4. ISSUES AND OPTIONS

- 4.1 Under Clause 29(4) of Schedule 1 to the Resource Management Act 1991, the Council has the option to decline, approve or approve the plan change with modifications. As Council delegated the power to make a recommendation to Commissioners' Robinson and Day-Cleavin, the options available to the Council are to adopt the Commissioners' recommendation or not. If the Council adopts the Commissioner's recommendation, staff will proceed to publicly notify the decision at the first available opportunity. Delegations to staff to notify the plan change decision are also sought as part of this report. Following this notification, certain persons will have a right of appeal to the Environment Court for a period of 30 working days.
- 4.2 If the Council declines to adopt the recommendation, then Council will need to identify an alternative basis in which it would make a decision on the plan change. This may require that Council reconvene a decision-making process to hear evidence and submissions. This decision is subject to a range of variables and staff consider that it would be appropriate for Council to consider its options further prior to making a decision to not adopt the recommendation.

Implications for Community Wellbeing

- 4.3 The matter that Council is considering is whether or not to adopt the Commissioners' recommendation on a private plan change. Considerations for community wellbeing as relevant to matters under the Resource Management Act 1991 were considered as part of the plan change process.

5. COMMUNITY VIEWS

5.1. Mana Whenua

Te Ngai Tūāhuriri Runanga were consulted through the statutory process of the plan changes, via their representative Mahaanui Kurataiao Limited.

5.2 Groups and Organisations

- 5.2.1 There are groups and organisations likely to be affected by, or to have an interest in the subject matter of this report. It is noted that the plan change followed the formal statutory process set out in the Resource Management Act 1991. The groups or organisations that are likely to have an interest in the report are those that were part of the statutory process.
- 5.2.2 The Council and the Oxford-Ohoka Community Board submitted on the proposal.

5.3 Wider Community

The plan change was directly notified to all statutory parties. In addition, all ratepayers were directly notified of the plan change by letter and the plan change was publicly notified in The Press and the Northern Outlook.

6. IMPLICATIONS AND RISKS

6.1. Financial Implications

There are no financial implications in relation to the specific decision of Council to adopt the plan change recommendation or not, excepting costs related to the notification of the decision.

If any appeals are lodged with the Environment Court in respect of the Council's decision, Council will be named as the respondent in the proceedings (as decision-maker) and there will likely be cost implications related to Council's involvement in any appeal proceeding. These costs cannot be determined at this stage. The risk of an appeal exists whether Council accepts or declines the Commissioners' recommendation. Council does not specifically make budgetary provision for private plan change appeals. Additional legal risks will arise if the Council declines the Commissioners' recommendation.

6.2 Sustainability and Climate Change Impacts

There are no climate change or sustainability impacts to consider.

6.3 Risk Management

Approving the Commissioners' recommendation will not affect the Council's risk profile. A decision to decline the Commissioners' recommendation will potentially result in additional risk for the Council and the Council would need to identify an alternative decision pathway, noting that Council will still need to make a decision on the plan change.

6.4 Health and Safety

There are no health and safety matters to consider.

7. CONTEXT

7.1. Consistency with Policy

This matter is not a matter of significance in terms of the Council's Significance and Engagement Policy and there is no relevant Council policy to consider.

7.2. Authorising Legislation

Clause 10 of Schedule 1 to the Resource Management Act 1991 provides for the local authority to make a decision on a plan changes process.

7.3. Consistency with Community Outcomes

The Council's community outcomes are not relevant to the actions arising from recommendations in this report.

7.4. Authorising Delegations

The Council as the local authority has decision making powers under Clause 10 of Schedule 1 to the Resource Management Act 1991.

IN THE MATTER OF Resource Management Act 1991

AND

IN THE MATTER OF An application by Rolleston Industrial Developments Limited for a private plan change RCP031 to the Waimakariri District Plan pursuant to Part 2 of Schedule 1 of the Resource Management Act 1991

INDEPENDENT HEARING PANEL DECISION REPORT

SUBJECT TO DECISION OF COUNCIL

Table of Contents

1. Introduction	3
The hearing	4
2. The proposal	6
Changes requested to the Waimakariri District Plan	8
3. The issues	15
4. Policy framework for urban growth in Canterbury	17
5. National Policy Statement for Urban Development 2020 (NPS-UD)	19
Policy 8 NPS-UD	22
Urban environments	23
Significant development capacity	28
Evidence on capacity	31
Constraints on other land within the District	37
Well-functioning urban environments	41
6. Evidence and submissions	48
Land Suitability	48
Three Waters Infrastructure Servicing	56
Other Non-Transport Infrastructure	63
Transportation	65
Character, Amenity and Landscape	80
Aquatic and Terrestrial Ecology	100
Commercial Distribution	108
7. Statutory assessment	113
The requirements for approval of a plan change	113
Statutory Documents	116
NPS for Renewable Electricity Generation 2011 and NPS for Electricity Transmission 2008	116
NPS for Freshwater Management and NES Freshwater	117
National Environmental Standard for Assessing and Managing Contaminations in Soil to Protect Human Health	117
National Policy Statement for Urban Development 2020	118

National Policy Statement for Highly Productive Land	119
Canterbury Land and Water Regional Plan and Canterbury Air Regional Plan	127
Waimakariri District Development Strategy	128
Operative Waimakariri District Plan	129
Part 2 matters.....	135
Section 32 and 32AA Evaluation	136
8. Decision.....	141
Appendix 1 – Applicant’s witnesses	142
Appendix 2 – Submitter attendance	143
Appendix 3 – Section 42A Report Writers and Expertise.....	146
Appendix 4 – Applicant’s Final Revised Provisions	147

1. INTRODUCTION

[1] The Waimakariri District Council (the Council) has appointed an independent hearings panel (panel) comprising Cindy Robinson (Chair) and Ros Day-Cleavin to hear and decide a request for a private plan change (RCP031/PC31) to the Waimakariri District Plan (WDP) pursuant to Part 2 Schedule 1, of the Resource Management Act 1991 (RMA) by Rolleston Industrial Developments Limited (the applicant/application) for a private plan change (RCP031/PC31) to the Waimakariri District Plan (WDP).

[2] RCP031 seeks changes to the WDP to rezone 156 hectares of rural land to residential and commercial zoning to provide for a master planned urban development at Ōhoka, providing for approximately 850 residential allotments.

[3] In response to public notification, 648 submissions and 8 further submissions (submissions) were received. A total of 844 primary submission points were recorded, and of these 32 primary submission points were in support of the plan change, 790 in opposition to it and 23 neutral.

[4] We have been delegated the functions and powers necessary to hear the application and submissions pursuant to clause 10 of Schedule 1 of the RMA.

The hearing

[5] The hearing was held in Rangiora and took place on 3, 4, 7, 8, 9 August 2023 and resumed for the applicant's right of reply on 11 September 2023. The hearing was formally closed on 18 September 2023.¹

[6] The applicant was represented by legal counsel Ms Appleyard who called 23 witnesses in support of the application. The applicant's witnesses and the nature of their evidence are recorded in Appendix 1.

[7] 42 submitters attended the hearing, representing 53 submitters. Submitters who presented spoke to their/others' submission and/or or tabled further written material. The Canterbury Regional Council was represented by legal counsel Ms Edwards and called 7 expert witnesses. Submitter #260 was represented by legal counsel Ms Scully. A list of submitters who were heard is attached in Appendix 2.

[8] The Council had two separate roles at the hearing. Firstly, in fulfilment of its regulatory planning functions the Council commissioned an independent planning expert, Mr Andrew Willis to review the application and submissions and make recommendations to the panel under s42A of the RMA. Mr Willis relied on the subject experts listed in Appendix 3. Secondly, the Council appeared as a submitter in opposition to the proposal, represented by legal counsel Mr Schulte. Mr Schulte called 5 expert witnesses to support the Council's submission (Council (as submitter)) also listed in Appendix 2.

[9] We have considered all legal submissions, evidence and written submissions and further submissions and the materials presented or tabled during the hearing. Given the

1 Minute 9

number of submitters we have not referred to all submitters in our report, rather we have grouped issues raised across submissions. Where it has been useful to highlight specific matters presented to us, we have done so, and we note this does not diminish the value or weight of material provided by others. We are not required to make a recommendation on every individual submission.

Site Visit

[10] We undertook two site visits to familiarise ourselves with the RCP031 site and its location within the broader environment.

[11] Our first visit was after the applicant presented its case and before we heard from submitters. Our visit involved a walk around the existing Ōhoka village starting on Whites Road near the domain. We made our way up Whites Road to locate key water bodies (including the Ōhoka Stream and the naturalised spring channel) to understand the location and extent of development components and proposed mitigations and then returned to the service station and along Mills Road. We identified the location of a number of submitters and viewed the site from these locations, continued to the Bradleys Road intersection and then we walked along Bradleys Road towards the Transpower transmission lines.

[12] We visited the Ōhoka locale again following adjournment of the hearing by car. We first travelled from Rangiora to Kaiapoi, we then travelled to the site via Ōhoka Road. We visited residential subdivisions including Keetly Place, Wilsons Drive and Hallfield Drive to see the development pattern in the area and the extent and nature of lifestyle and larger residential lot subdivisions within and around Ōhoka. We visited the school on Jacksons Road. We drove on Bradleys Road to observe rural farming land transitioning to the rural lifestyle environment towards Mandeville North and visited Modena Place. We continued to drive onto Tram Road and stopped at the reserve at the Corner of Whites Road and Tram Road and then continued along Tram Road to the State Highway 1 interchange overpass and on to Kaiapoi before returning to Rangiora via Lineside Road.

2. THE PROPOSAL

[13] The site comprises 156 hectares and is located at 511, 531, 535 and 547 Mill Road and 290 and 344 Bradleys Road and is for the most part bounded by Whites, Mill and Bradleys roads, Ōhoka. The land is legally described as Part Rural Section 2220 held in Certificate of Title CB26B/467, Lot 1 Deposited Plan 318615 held in Certificate of Title 72971, Lot 2 & 3 Deposited Plan 318615, Lot 2 and Part Lot 1 Deposited Plan 8301, and Lot 2 Deposited Plan 61732 held in Certificates of Title 72972, 72973, CB19B/21, and CB36C/1075, Part Lot 1 Deposited Plan 2267 held in Certificate of Title CB742/18, Lot 1 Deposited Plan 55849 held in Certificate of Title CB35A/112, and Lot 2 Deposited Plan 55404 held in Certificate of Title CB33F/218. The subject land is currently zoned Rural in the operative Waimakariri District Plan.



- (c) a 106-stall park n ride facility for public transport.
- (d) a hardstand area that could cater for the local farmers' market in the winter season.
- (e) approximately 850 residential units, as well as a possible primary school, retirement village and a polo field and associated facilities.
- (f) a substantial blue-green network that provides opportunities for movement, recreation, and the ecological enhancement of waterways, open green spaces and riparian margins; and
- (g) a well-connected network of multi modal movement and high amenity streets and public facilities that complements the existing setting.

Changes requested to the Waimakariri District Plan

[18] The application as notified proposed the following changes to the WDP to accommodate the proposal.

- (a) Change the zoning from rural to Residential 3, Residential 4A, Residential 8 and Business 4 zoning.
- (b) Add a new definition of Educational Facility.
- (c) Amend the explanation to Policy 16.1.1.1 (Business Zones) to refer to the additional zoning at Ōhoka on planning map 185.
- (d) Insert new Policy 16.1.1.12 to accommodate business zoning at Ōhoka and make consequential changes to the Principal Reasons for Adopting Objectives, Policies and Methods 16.1.4.
- (e) Amend the explanation to Policy 18.1.1.9 Constraints on Subdivision and Development as it relates to Ōhoka to change the density description: where larger allotments ~~dwellings are situated within generous settings comprising an average~~

lot size of between 0.5—1.0 hectare surround smaller properties which form a walkable community around the village centre.

- (f) Amend Chapter 30 Utilities and Traffic Management Rules 30.1.1.9, 30.6.1.1 to include new zoning at Ōhoka.
- (g) Amend Chapter 31 Health, Safety and Wellbeing Rules 31.1.1.4, 31.1.1.6 to include residential 8 zoning at Ōhoka.
- (h) Amend Rule 31.1.1.10 “Structure Coverage” to provide for Residential 8 zone and Business 4 Zone at Ōhoka.
- (i) Amend Table 31.1.1 Minimum Structure Setback Requirements to include Residential 4A, Residential 8 and Business 4 Zones at Ōhoka.
- (j) Amend Structure Height Rules 31.1.1.24 and 35 to include reference to Ōhoka Residential 4A, Residential 8 and Business 4 zones.
- (k) Amend Rules 31.1.1.39 and 49, to include reference to Residential 4A Zone at Ōhoka.
- (l) Insert new Rules 31.1.1.53 and 31.1.1.54 to include landscaping and fencing requirements for Residential 3, Residential 4A and 8 Zones at Ōhoka.
- (m) Amend Rule 31.2.2 to include Residential 8 Zone for a retirement village at Ōhoka.
- (n) Insert new rule 31.2.3 for Educational Facilities in the Residential 8 Zone at Ōhoka.
- (o) Amend Table 32.1.1.1 Subdivision to include Residential 3 and 8 Zones at Ōhoka.
- (p) Amend Residential 4A Zone Rule 32.1.1.11 to include provision for 3300m² average allotment size for the Residential 4A Zone at Ōhoka.

- (q) Amend Rule 32.1.1.28 to include new clause ak) compliance with zoning and bespoke outline development plan (Figure 3 below) for Ōhoka.
- (r) Insert a new Rule 32.3.7 making non-compliance with Rule 32.1.28 ak) a discretionary activity.

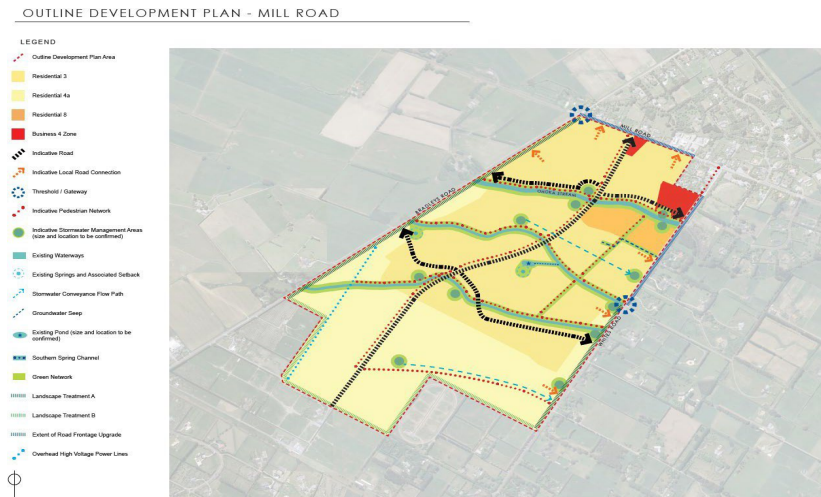


Figure 3 – Proposed Outline Development Plan (Source: RCP031 Appendix 4 ODP).

[19] The application included an assessment pursuant to Section 32 (s32) of the RMA as an appendix to the application.²

[20] Various further changes to the above provisions, including changes to the type of residential zones and new rules to address matters that arose during the hearing were proffered in the applicant's evidence, and a final revised version was presented in the applicants right of reply.³ The final revised version of the proposed changes to the WDP including the outline development plan are included in Appendix 4.

² Request for Change to the Waimakariri District Plan, Novo Group Report

³ Evidence in chief Mr Walsh 7 July 2023; summary evidence Mr Walsh presented at the hearing 3 August 2023 and supplementary evidence Mr Walsh in closing 5 September 2023. Attached as appendix 6 to supplementary closing legal submissions.

[21] The differences between the application as notified and the final revised version are as follows:

(a) Changes to the zoning:

- (i) Proposed Residential 3 changed to Residential 2⁴.
- (ii) Removal of proposed Residential 8 zone, now subject to Residential 2 with an overlay providing for Educational Facilities. Removal of proposed Residential 8 height (12m) and site coverage (45%) rules and replacement with Residential 2 requirements (8m and 35%).
- (iii) Removal of 500m² minimum allotment size and replacement with 600m² minimum allotment size.
- (iv) Provision of a polo field as an overlay in new Residential 2 zone.
- (v) Discretionary consent for bespoke roading design.

[22] We note that in relation to (a)(i) above, the applicant explained that there is very little difference between the two zones in terms of District Plan rules, and while it causes a temporary inconsistency between the existing Residential 3 Zone at Ōhoka and RCP031, it will be resolved via the Proposed Plan process. The applicant has sought General Residential for the plan change site via its submission on the Proposed Plan. It has also sought that the proposed Settlement Zone (equivalent to the existing Residential 3) at Ōhoka be changed to General Residential.⁵

(b) Changes to the ODP to:

4 Evidence in chief Mr Walsh at [103]

5 Evidence in chief Mr Walsh at [103]

- (i) Require any additionally identified springs identified to be assessed to determine an appropriate buffer distance and increase setbacks for the Northern Spring Head shown on the ODP from 20m to 30m.
- (ii) Specific measures to monitor groundwater and spring flow to inform the construction and methodologies to ensure that shallow groundwater is not diverted away from its natural flow path for those areas where the shallow groundwater is likely to be intercepted by service trenches and hardfill areas.
- (iii) Stream ecology monitoring and riparian planting plans.
- (iv) Flexibility to in tree and plant selection.
- (v) Landscape plans to have input from a freshwater ecologist with a minimum of the first 7 metres of the spring and stream setbacks reserved for riparian vegetation only and restrictions on impervious surfaces.
- (vi) Addition of a five-year landscape treatment maintenance period.
- (vii) Requirement for a landscape management plan.
- (viii) Reference to 26-hectare area of the site adjacent to Whites Road that cannot be attenuated for stormwater, and the requirement to demonstrate hydraulic neutrality up to the 50-year event and if neutrality cannot be achieved, the density of development within that area may need to be reduced.
- (ix) Reference to the management, design and/or treatment of roads within the subdivision.
- (x) Reference to further consideration of minor works to carriageways and roadside hazards, and interim safety improvements at the Tram Road/Whites Road intersection.

- (xi) Reference the National Grid transmission line traversing the site, and planting and maintenance of landscaping beneath the National Grid.
 - (xii) Requirement for electric vehicle charging within all residential properties.
 - (xiii) Prohibition of keeping of cats within the ODP to be enforced by developer covenants.
- (c) New Rule 27.1.1.34 requiring dwellinghouses to have a floor level of 400mm above the .5% Annual Exceedance Probability except areas subject to Medium Flood Hazard where the floor level shall be 500mm above the .5% Annual Exceedance Probability flood event.
- (d) Retraction of the proposed (as notified) amendments to Rules 30.1.1.9, 30.1.6.1.1, 31.1.1.4, 31.1.1.6, 31.1.15A, 31.1.1.24, 31.1.1.54, 31.2.3, 31.5.10.
- (e) New rules 31.1.1.9A and 31.1.50A to require dwelling houses at Ōhoka settlement to be in accordance with any Council approved design guidelines.
- (f) The amendment of Rule 31.1.1.53 to include the Residential 2 zone and the requirements for all allotments greater than 2.500m² to have no less than 15% of the site to be planted in native vegetation.
- (g) The addition of a polo field within the ODP and associated rules 31.2.11, 31.4.7.
- (h) Addition of new Policy 18.1.1.9A to provide for activities that support the Ōhoka settlement including educational facilities, a retirement village and a polo field and associate facilities.
- (i) New Rule 31.3.9 to include a retirement village excluding permitted activity conditions 31.1.1.4 and 31.1.1.6.
- (j) Also new rules 31.4.5, 31.4.6, 31.4.7, 31.4.8?

- (k) New Rule 31.5.10 for land use that do not comply with Rule 31.1.1.67.
- (l) New Rule 31.3.10 in relation to Education facilities in the Residential 2 Zone.
- (m) Limitation of retail activities to 2,700m² gross floor area cap (excluding the farmers market) in Rule 31.26.4 and reference to limits on retail distribution effects on the Business 4 Zone at Manderville in Policy 16.1.1.12.
- (n) Increased setbacks from water bodies including Ōhoka Stream, South Ōhoka Branch, northern and southern spring channels and the groundwater seep origin.
- (o) Addition of rules 31.1.1.67 and 32.2.16 applying to land use near the National Grid – Residential 4A (Ōhoka).
- (p) New Rule 32.2.17 making subdivision in the Residential 2 and 4A zones beyond 250 residential allotments a restricted discretionary activity with assessment restricted to safety and efficiency of the Tram Road/State Highway interchange. With notification limited to Waka Kotahi – New Zealand Transport Agency absent its written approval.
- (q) New Rule 32.2.18 making subdivision in the Residential 2 and 4A zones beyond 250 residential allotments a restricted discretionary activity with assessment restricted to the outcome of traffic assessments to be undertaken in consultation with the Council to determine what (if any) upgrade is required in respect of either the Mill Road/ Ōhoka Road, Flaxton Road/Threlkelds Road and Mill Road/Threlkelds Road intersections.
- (r) New Rule 32.2.19 in the Residential 2 and 4A zones beyond 250 residential allotments a restricted discretionary activity with assessment restricted to the outcome of a traffic assessment undertaken in consultation with the Council to determine what upgrades, if any, are required in respect of Tram Road/Whites Road intersection.

- (s) New Rule 32.2.20 in the Residential 2 and 4A zones beyond 450 residential allotments a restricted discretionary activity with assessment restricted to safety and efficiency effects in respect of the Bradleys Road/Tram Road intersection (unless a roundabout has been constructed at this intersection).
- (t) New Rule 32.4.14 Any subdivision of land within the Residential 4A Zone (Ōhoka) identified on District Plan Map 185 that does not comply with Rule 32.2.16 is a non-complying activity.

[23] The applicant did not provide a further evaluation of the changes made to the proposal in accordance with s32AA RMA. We return to the evaluation under s32 and 32AA later in our report.

[24] We have considered whether the proposed changes are within scope of the application. Having considered the legal tests in *Palmerston North City Council v Machinery Movers*⁶ and *Clearwater Resort Limited v Christchurch City Council*⁷, we are satisfied that the changes proposed generally fall within the spectrum of the application as notified and relief sought by submissions. On this basis the changes do not present any legal scope issues and we have proceeded to consider the plan change, along with the changes put forward in the final revised version, in our assessment of the merits of the plan change and in light of the submissions received.

3. THE ISSUES

[25] Ms Appleyard opened the case for the applicant by emphasising the national policy direction in the National Policy Statement on Urban Development 2020 (NPS-UD) as a response to New Zealand's housing crisis, including issues relating to housing affordability, the diverse and changing needs of people and communities, and development capacity

6 *Palmerston North City Council v Machinery Movers Limited* [2013] NZHC 1290 at [90]

7 *Clearwater Resort Limited v Christchurch City Council HC Christchurch AP 34/02*, 14 March 2003.

meeting housing demands. A primary tenet of the applicant's case was the contention that the Council is not currently meeting the NPS-UD objectives to provide sufficient housing capacity at all times throughout the district and that as a consequence the Council is required by legislation to act now by being responsive to plan changes, such as RCP031 which address the problem.

[26] The applicant submitted that the core issues in determining this application are:

- the proper interpretation of the NPS-UD.
- considerations around the timing of the provision of infrastructure.
- the application (or not) of the National Policy Statement for Highly Productive Land (NPS-HPL); and
- the potential for groundwater interception to give rise to a consenting issue.

[27] We have also considered the appropriateness of the plan change having addressed the matters within sections 74, 75 and 76 and an evaluation under s32 and s32AA RMA.

[28] In addition to the interpretation and application of the NPS-UD and relevant provisions of the RMA, submissions raised issues about the effects of RCP031 on:

- (a) The rural character of Ōhoka Village.
- (b) Localised flooding effects, including groundwater and springs.
- (c) Traffic safety on the local roading network and the Tram Road/ State Highway 1 interchange.
- (d) Feasibility and timing of water supply, wastewater and stormwater management.
- (e) Availability and provision for public and alternative modes of transport.

- (f) Impact of the proposal on aquatic and terrestrial ecology; and
- (g) Scale and function of the proposed commercial centre.

4. POLICY FRAMEWORK FOR URBAN GROWTH IN CANTERBURY

[29] Urban growth in Canterbury has, since the Christchurch Earthquakes of 2010 and 2011, been constrained by objectives and policies of the Canterbury Regional Policy Statement (CRPS). Map A in Chapter 6 (Map A) identifies the location and extent of urban development that will support recovery, rebuilding and planning for future growth and infrastructure delivery in Greater Christchurch. Map A represents a policy 'hard line' to contain and consolidate urban growth for those purposes. The key directives in the CRPS are:

- (a) Objective 6.2.1 (3), which "avoids urban development outside of existing urban areas or greenfield priority areas for development".
- (b) Objective 6.2.2, which seeks "consolidation and intensification of urban areas, and avoids unplanned expansion of urban areas".
- (c) Objective 6.2.6 to "identify and provide for Greater Christchurch's land requirements for recovery and growth of business activities in a manner that supports the settlement pattern brought about by Objective 6.2.2."
- (d) Policy 6.3.1.(1) to "give effect to the urban form identified in Map A which identifies the location and extent of urban development that will support recovery, rebuilding and planning for future growth and infrastructure delivery".
- (e) Policy 6.3.1 (4) to "ensure new urban activities only occur within existing urban areas or identified greenfield priority areas as shown on Map A, unless otherwise expressly provided for in the CRPS."

[30] The CRPS was amended in 2021 under the streamlined Schedule 1 RMA process to accommodate additional Future Development Areas (FDA) due to an identified shortfall in housing supply in the Waimakariri and Selwyn districts (Change 1).

[31] Change 1 was promulgated following work undertaken by the Regional Council, Waimakariri District Council, Selwyn District Council and the Christchurch City Council which identified that there was unlikely to be sufficient development capacity in the Waimakariri and Selwyn districts in the medium and long term through to 2048.⁸ Change 1 identified future housing development in Rolleston (Selwyn District) and in Rangiora and Kaiapoi in the Waimakariri District. Change 1 amended Map A and provided policies to support the inclusion of the future housing development areas. These areas are not zoned for urban development yet, however, their inclusion in the CRPS provides the opportunity for the affected Councils to progress plan changes to support growth when it is needed. RCP031 is outside of the areas identified for future development in the CRPS and as such the policy directive in Chapter 6 remains to avoid developments such as RCP031.

[32] The RCP031 site is not identified as a GPA for residential development, FDA, nor is it within the projected infrastructure boundary shown on Map A.

[33] It was accepted by planning witnesses; Mr Walsh for the applicant, Ms Mitten for Canterbury Regional Council, Mr Boyes for the Council (as a submitter) and Mr Willis (the independent planner who prepared the s42A Report) that RCP031 does not give effect to the objectives and policy framework for urban growth in the CRPS.

[34] It was accepted by counsel for the applicant, Regional Council and Council (as submitter) and expert planning witnesses, Mr Walsh, Mr Willis, Ms Mitten and Mr Boyes, that unless the responsive planning approach provided for in the NPS-UD Policy 8 applied to RCP031, there was little prospect that this application could succeed. We agree with that conclusion, having considered the evidence and submissions received on RCP031. Without

8 Our Space, Future Development Strategy for Environment Canterbury, Christchurch City Council, Selwyn District Council and Waimakariri District Council.

the application of a policy directive to consider a plan change under the responsive planning terms of Policy 8, this development would not give effect to the CRPS and therefore could not succeed.⁹

5. NATIONAL POLICY STATEMENT FOR URBAN DEVELOPMENT 2020 (NPS-UD)

[35] The NPS-UD provides for a structured and integrated approach to providing more housing for people in or near centres and close to their work and community services in a way that contributes to a well-functioning urban environment. The NPS-UD requires local authorities to regularly assess and respond to the housing needs of their communities by providing sufficient housing capacity to meet the expected demand for housing and businesses at all times, including the short, medium and long term. This requires regular surveying, analysis and responsive planning processes to address any anticipated shortfall. This is articulated in the following objectives and policies:

- (a) **Objective 1** seeks the achievement of well-functioning urban environments that enable all people and communities to provide for their social, cultural and economic wellbeing, and for their health and safety, now and in the future.
- (b) **Objective 2** is directed at improving housing affordability by supporting competitive land and development markets.
- (c) **Objective 3** requires regional policy statements and district plans to enable more people to live, work, and access community services within areas of an urban environment in which one or more of the following apply:
 - (i) the area is in or near a centre zone or areas where there are many employment opportunities.

9 Applicant's opening legal submissions at [11]; Evidence in chief Mr Boyes at [12]

- (ii) the area is well serviced by existing and planned public transport¹⁰
 - (iii) there is a high demand for housing or business relative to other areas within an urban environment.
- (d) **Objective 4** acknowledges that urban environments generally, including their amenity values may change in response to the diverse needs of people, communities and future generations.
- (e) **Objective 5** requires planning decisions relating to urban environments, and FDS's, to take into account Te Tiriti o Waitangi.
- (f) **Objective 6** requires that decisions on urban development that affect urban environments are;
- (i) integrated with infrastructure planning and funding decisions; and
 - (ii) strategic over the medium and long term; and
 - (iii) response, particularly in relation to proposals that would supply significant development capacity.¹¹
- (g) **Objective 7** directs councils to keep up to date and robust information about their urban environments to inform planning decisions.
- (h) **Objective 8** requires New Zealand's urban environments to support reductions in greenhouse emissions and be resilient to current and future effects of climate change.

10 NPS UD Part 1, cl 1.4 "Planned" in relation to forms or features of transport means planned in a regional land transport plan prepared and approved under the Land Transport Management Act 2002

11 We note here that development capacity is defined and incorporates the requirement for adequate development infrastructure which we discuss further below.

[36] The objectives are to be implemented through the following policies:

- (a) **Policy 1** sets out as a minimum the factors that contribute to a well-functioning urban environment (discussed further below).
- (b) **Policy 2** requires Councils to provide at least sufficient development capacity to meet expected demand for housing and business over the short, medium and long term.
- (c) **Policy 3 and 4** address density and building height in and around centres.
- (d) **Policy 6** directs decision makers, when making planning decisions that affect urban environments to have particular regard to certain matters:
 - (i) The planned urban built form anticipated by those RMA planning documents that have given effect to the National Policy Statement.
 - (ii) That the planned urban built form in those RMA planning documents may involve significant changes to an area and those changes may detract from amenity values appreciated by some but improve amenity values appreciated by other people and future generations, including providing increased and varied housing densities and types, which are not of themselves an adverse effect.
 - (iii) The benefits of urban development that are consistent with well-functioning urban environments.
 - (iv) Any relevant contribution that will be made to meeting the requirements of the NPS-UD to provide or realise development capacity; and
 - (v) The likely and current effects of climate change.

- (e) **Policy 7** directs the Regional Council and Waimakariri District Council as a Tier 1 local authority to set housing bottom lines for the short medium term and long term in the CRPS and in district plans.
- (f) **Policy 8** requires a responsive approach to plan changes providing significant development capacity and contributing to well-functioning urban environments. Policy 8 is critical to this application and is discussed in detail below.
- (g) **Policy 9** requires local authorities to take account of Te Tiriti o Waitangi in relation to urban environments and prescribes certain actions to do so.
- (h) **Policy 10** directs Tier 1, 2 and 3 local authorities sharing jurisdiction over urban environments to work together and engage with development infrastructure providers and the development sector.
- (i) **Policy 11** relates to carparking.

Policy 8 NPS-UD

[37] Policy 8 of the NPS-UD introduces a concept of responsive planning to enable plan changes to be considered if they would add significantly to development capacity and contribute to well-functioning urban environments, even if that they are unanticipated by RMA planning documents and out-of-sequence with planned land release.

[38] Policy 8 provides:

Local authority decisions affecting urban environments are responsive to plan changes that would add significantly to development capacity and contribute to well-functioning urban environments, even if the development capacity is:

- (a) *unanticipated by RMA planning documents; or*
- (b) *out-of-sequence with planned land release.*

[39] Ms Appleyard submitted RCP031 will add significantly to development capacity and contribute to well-functioning urban environments even if unanticipated or out-of-sequence compared to that provided for under planning documents such as the CRPS and the WDP.

[40] For Policy 8 to 'open the door' for us to consider the merits of RCP031 there are three key evidential issues that we need to address. Even if the 'door is opened', then the application still needs to be considered on its merits and assessed against the requirements of s74,75 and 76, including an evaluation under s32 or s32AA, as required.

[41] In order for Policy 8 to apply (and in addressing the three key evidential issues) we need to be satisfied RCP031:

- (a) affects urban environments;
- (b) provides significant development capacity; and
- (c) contributes to well-functioning urban environments.

Urban environments

[42] An issue which attracted debate amongst planning, landscape and urban design witnesses, and a number of submitters was what, for the purposes of the application of the NPS-UD, was the relevant urban environment.

[43] Urban environment is defined in the NPS-UD:

means any area of land (regardless of size, and irrespective of local authority or statistical boundaries) that:

- (a) *is, or is intended to be, predominantly urban in character; and*
- (b) *is, or is intended to be, part of a housing and labour market of at least 10,000 people.*

[44] On the evidence that we heard from all parties we have approached the definition of urban environment broadly and accept that it can reasonably encompass a number of varying and overlapping urban environments, depending on the context being considered. We agree with the applicant's submission that the definition:

- (a) can apply over large areas rather than discrete settlements;
- (b) the words 'predominantly urban' anticipate there will be areas of rural and open space that fall within the broad definition; and
- (c) similarly, 'part of a market' anticipates areas forming a component of a market rather than areas of a market within themselves.

[45] The applicant's case in support of RCP031 was pursued on the basis that the urban environment is the Greater Christchurch area which includes Ōhoka. The applicant also considered Ōhoka to be an urban environment 'in and of itself' based on descriptions contained in the WDP, proposed District Plan (proposed plan), and Greater Christchurch urban area Map A.¹²

[46] The Regional Council's position was consistent with the applicant's that the RCP031 site does form part of the urban environment. This is the approach adopted by Ms Mitten, the planning witness for the Regional Council, and is consistent with the approach undertaken by the Greater Christchurch Partnership, which adopted the Greater Christchurch area as the urban environment for the purposes of implementing the National Policy for Urban Capacity which preceded the NPS-UD.¹³

[47] The Council's (as submitter) legal counsel sat on the fence as to whether RCP031 was within the urban environment of Greater Christchurch or an urban environment in its own right and set out arguments as to why context was important. There were differing views expressed in the Council's (as submitter) evidence, with Mr Knott, an urban designer approaching his assessment on the basis that it was not, but Mr Boyes, planning witness, on

12 Applicant's opening legal submissions at [23]

13 Opening Legal submissions for Canterbury Regional Council at [34]

the other hand accepting the applicant's position that RCP031 was within the Greater Christchurch Urban Environment.¹⁴

[48] Mr Willis in his s42A Report highlighted some of the complexities of the definition of urban environment in this context and whilst he considered further evidence was required in order to determine the issue, in the end we understood him to accept that, irrespective of the need for further evidence from the applicant, that he considered it "likely that Ōhoka is within the urban environment" and his assessment was based on that view.¹⁵ We note however that Mr Yeoman, who provided his economic evaluation of the proposal and Mr Nicholson who provided the urban design evaluation as part of the s42A Report both considered that Ōhoka was not intended to be part of the urban environment.¹⁶

[49] A number of submitters also questioned whether it was ever contemplated that Ōhoka, a rural village, could be considered an urban environment on the basis it was not predominantly urban.¹⁷

[50] In our view, what is the "urban environment", or "urban environments" is contextual and is not able to be determined in a vacuum. It will depend on what is being considered and whether it is at a regional, subregional, or district scale. Here we are concerned with a plan change to the Waimakariri District Plan, and the site falls within an area that is included within the Greater Christchurch sub regional area. We have considered the issues both in terms of the urban environment of the Waimakariri District and the urban environment of Greater Christchurch Area. That is because, the NPS-UD includes Waimakariri along with Selwyn and Christchurch City as 'Christchurch' for the purposes of an integrated planning approach. Further, the CRPS addresses urban growth in an integrated way within the Greater Christchurch Area shown on Map A, whilst also addressing the housing needs of Christchurch City, Waimakariri District and Selwyn District.

14 Summary evidence of Mr Boyes at [13]

15 s42A Report at [7.3.13]

16 Summary evidence Mr Yeoman at [p36]; Summary evidence Mr Nicholson at [2.3]

17 Submitters for example R Pegler [#302], WDC [216]

[51] Ms Appleyard illustrated that from a policy perspective, Ōhoka is included within Greater Christchurch and is therefore included as part of the Greater Christchurch Urban Environment. In her opening submissions she submitted:

- (a) The NPS-UD Appendix, Table 1, defines “Christchurch” as a Tier 1 urban environment comprising of the Canterbury Regional Council, Christchurch City Council, Selwyn District Council, and Waimakariri District Council as its Tier 1 local authorities;
- (b) The CRPS requires that “at least sufficient development capacity” for housing is enabled in the Greater Christchurch urban environment and states explicitly that the Greater Christchurch area shown in Map A is the Tier 1 urban environment for the purposes of the NPS-UD;¹⁸
- (c) Our Space states at page 6 that the relevant urban environment for the purpose of the NPS-UDC¹⁹ was Greater Christchurch. The NPS-UDC was the precursor for the NPS-UD;
- (d) The draft Greater Christchurch Spatial Plan which provides a blueprint for residential and business growth for the Greater Christchurch area notes that “it satisfies the requirements of a future development strategy under the NPS-UD” and that this includes setting out how well-functioning urban environments are achieved, and how sufficient housing and business development capacity will be provided to meet expected demand over the next 30 years.²⁰
 - (i) future development strategies are required under the NPS-UD to be prepared by every Tier 1 local authority for the Tier 1 urban environment – it is submitted this must be Greater Christchurch;²¹ and
 - (ii) although it is acknowledged that one of the purposes of a future development strategy is to “*achieve well-functioning urban environments*” (emphasis on the plural), this again demonstrates the point that there could be and are varying and overlapping urban environments at play here.
- (e) One of the core duties of the Greater Christchurch Partnership is to manage urban growth in a strategic manner for Canterbury.

In this context the term ‘urban environment’ in the NPS-UD being referenced to Greater Christchurch is the only interpretation which makes sense. In the alternative, were a narrow interpretation adopted, that for example only included specific existing townships that would be to ignore how urban Canterbury functions, and would be

18 Canterbury Regional Policy Statement, Policy 6.2.1a - Principal reasons and explanation
 19 National Policy Statement on Urban Development Capacity 2016.
 20 Page 23, draft Greater Christchurch Spatial Plan 2023.
 21 NPS-UD, clause 3.12.

contrary to the intent of the NPS-UD in that it would prevent responsiveness and prevent local authorities from adapting to emerging issues, such as climate change.

Turning to Ōhoka itself, Ōhoka is part of the Greater Christchurch urban environment (and this is the relevant urban environment under the NPS-UD) - and is itself an urban environment - on the basis that:

Chapter 15 (Urban Environments) of the District Plan states:

“The urban environment covers all the settlements. This includes Rangiora, Kaiapoi, Ravenswood, Oxford, Woodend and Pegasus, the beach settlements and small towns of Ashley, Sefton, Cust, Ōhoka and Tuahiwi.”

in the Proposed Waimakariri District Plan (notified post the NPS-UD), the definition for ‘urban environment’ is the same as that in the NPS-UD and goes on to specifically include Ōhoka:

“For Waimakariri District, the urban environment described in (a) and (b) comprises the towns of Rangiora, Kaiapoi, Woodend (including Ravenswood), Pegasus, Oxford, Waikuku, Waikuku Beach, The Pines Beach, Kairaki, Woodend Beach, the small towns of Ashley, Sefton, Cust, Ōhoka, Mandeville, and all Large Lot Residential Zone areas and Special Purpose Zone (Kāinga Nohoanga).”

and

Greater Christchurch urban area map (or Map A) shows the Ōhoka as an ‘existing urban area’. While the Greater Christchurch urban area map was created for different purposes prior to the NPS-UD, it is now used by the Greater Christchurch Partnership to determine compliance with the NPS-UD.

The evidence of Ms Mitten demonstrates this when she states that Plan Change 1 to Chapter 6 (which implements the actions of Our Space 2018-2048 and by among other things inserting Map A of the Greater Christchurch urban area) was intended to give effect to requirements in the NPS-UD.²²

[52] We have concluded on the evidence that Ōhoka township is not in and of itself, nor is it intended to be (as provided for in the operative and proposed District Plan), predominantly urban. Ōhoka is not in and of itself a housing or labour market of more than 10,000 people.

[53] However, for the purposes of the NPS-UD Ōhoka township is within the Greater Christchurch Urban Environment and it is part of the Waimakariri and Greater Christchurch housing and labour market of more than 10,000 people.

²² Evidence in chief Ms Mitten at [62]

[54] For the purposes of the application of the NPS-UD policy 8 we have accepted that the application site is both within an urban environment of Waimakariri District and Greater Christchurch.

Significant development capacity

[55] Part 3 of the NPS-UD sets out the methods for implementing the objectives and policies contained in Part 2 of the NPS-UD. The implementation methods do not override the requirements to give effect to the objectives and policies, however, they set out how it is anticipated that councils are to approach implementation of the objectives and policies.

[56] In terms of the implementation of Objective 6 and Policy 8, clause 3.8 specifically addresses plan changes that would provide significant development capacity that is not otherwise enabled in a plan or is not-in-sequence with planned land release. The method directs councils to have particular regard to the development capacity provided by a plan change if that development capacity would contribute to a well-functioning urban environment; is well connected along transport corridors and meets the criteria for significance in a regional policy statement. Regional Councils are directed to include criteria in their regional policy statements for determining what plan changes will be treated, for the purposes of Policy 8, as adding significantly to development capacity.

[57] Ms Mitten's evidence was that such matters are to be included in changes to the CRPS when it is reviewed later in 2024. We note that these matters were not addressed in Change 1 to the CRPS approved in 2021. Notably, in the legal technical peer review undertaken as part of the streamlined process for Change 1, Hon, Lester Chisholm referenced this intended work when reviewing the Council recommendations on submissions that sought to rezone land outside of Map A in reliance on Policy 8.²³ He said:

[88] In my opinion the 'fixed non contestable boundaries' on Map A are not, of themselves, contrary to the NPS-UD. They are a fundamental component of the

23 Report to Minister for the Environment on Proposed Change 1 to the Canterbury Regional Policy Statement, March 2021; Appendix 7 Technical Peer Review of draft recommendations report prepared by Hon. Lester Chisholm, March, 2021.

strategy that has been evolving over time, and Change 1 cannot be divorced from its history and context. It is part of an ongoing process, with the implementation of Policy 8 still to come. To the extent that submitters are seeking a 'responsive' and flexible approach by virtue of Policy 8, a touch of reality is required. NPS-UD only came into force after the streamlined planning process for Change 1 had commenced and CRC is working on that issue.

[89] As the Council has noted in response to a number of submissions on this topic, NPS-UD is a higher order document under the RMA and decision makers assessing plan changes will need to consider the implications of the national direction alongside the policies contained in Chapter 6. It is unrealistic to expect those matters to be resolved overnight.

[58] We have referred to this because we considered that one possible interpretation of Policy 8, is that it is intended that its utility awaits the inclusion of 'significance' criteria as directed by clause 3.8 of the NPS-UD in the CRPS, and although time has moved on since Change 1, the Regional Council is continuing to progress changes to its policy framework to include significance criteria.

[59] The planning witnesses, however, generally accepted that Policy 8 still applies notwithstanding the absence of 'significance' criteria. We have adopted their approach.

[60] It is a prerequisite that in order to qualify as 'significant development capacity', that adequate development infrastructure is likely to be available to service the development. Both development capacity and development infrastructure are defined as follows:

Development Capacity means the capacity of land to be developed for housing or for business use; based on

- (a) The zoning, objectives, policies, rules, and overlays that apply to the relevant proposed and operative RMA planning documents; and
- (b) The provision of adequate development infrastructure to support the development of land for housing or business use.

Development Infrastructure means the following, to the extent they are controlled by a local authority or council-controlled organisation (as defined in section 6 of the Local Government Act 2002);

- (c) Network infrastructure for water supply, wastewater, or stormwater.

(d) Land transport (as defined in s5 of the Land Transport Management Act 2003).²⁴

[61] As we discuss further below at [150] – [173] and [180] - [234] there was considerable debate amongst the expert witnesses and submitters as to the adequacy of development infrastructure including the proposed stormwater and land transport infrastructure.

[62] In our view if the development is not likely to be served by adequate development infrastructure, then regardless of the potential dwelling yield, the development would not provide “significant development capacity” and would not benefit from the direction in policy 8.

[63] “Adequate” is defined in the Oxford Dictionary as: “satisfactorily or acceptable in quality or quantity”. “Significant” means sufficiently great or important to be worthy of attention.

[64] The likelihood of development infrastructure being available within medium and long term²⁵ (as defined in the NPS-UD) is material to considerations of adequacy and therefore the significance of development capacity.

[65] For example, the prospect that stormwater attenuation and treatment infrastructure may be unavailable due to lack of a consenting pathway due to construction methods intercepting groundwater, or the unavailability of public transport alternatives in the foreseeable future, or uncertainty regarding delivery of necessary required roading upgrades all impact on the quantity and quality of development infrastructure and therefore the significance of development capacity offered by RCP031.

[66] For the reasons discussed below, we have concluded that public transport alternatives are unlikely to be available in the medium term. The need for local roading and

24 s5 LTMA definition of land transport—(i) transport on land by any means: (ii) the infrastructure, goods, and services facilitating that transport; and (b) includes—(i) coastal shipping (including transport by means of harbour ferries, or ferries or barges on rivers or lakes) and associated infrastructure: (ii) the infrastructure, goods, and services (including education and enforcement), the primary purpose of which is to improve public safety in relation to the kinds of transport described in paragraph (a)(i)

25 medium term means between 3 and 10 years and long term means between 10 and 30 years.

intersection improvements provide an initial constraint on development, however, on the evidence before us we are satisfied that local roading improvements can be addressed so as to provide adequate development infrastructure in the medium term.

[67] We note here that roading upgrades to the interchange at the intersection of Tram Road and SH 1 Motorway, and local road intersection improvements, cap development capacity that is likely to be available as a consequence of RCP031 to a yield of 250 residential allotments, with no certainty as to if and when such upgrades can be made to support the development. Based on the definition of development infrastructure, given this issue is a matter for Waka Kotahi, rather than the Council, it does not affect the definition of significant development capacity, however, the lack of certainty as to whether improvements can be achieved provide a constraint on the realisation of development capacity for an unknown period of time.

[68] The applicant's case was primarily based on delivering 850 residential allotments, however, given the potential impediments to realising that yield, the applicant advanced a fallback position in closing that those 250 houses remained significant. Mr Walsh relied on the supplementary evidence from Mr Akehurst that WDC housing capacity calculations for the medium and long term are likely to be well short of the requirements of the NPS-UD and any additional capacity is significant in that context.²⁶

[69] If Mr Akehurst is correct, 250 allotments would still be numerically significant in the face of the alleged shortfall, however, at 250 allotments, the development is even less likely to achieve aspects of a well-functioning urban environment, as we come to conclude below.

Evidence on capacity

[70] It was the applicant's position that the Council has significantly overestimated available housing capacity in the district due to errors in the input data used in the modelling

26 We note that counsel for the applicant made it clear that the applicant was not changing the proposal to reduce the ODP

which it says included land that was not available for development or errors in the degree of development anticipated by the model.

[71] The WDC engaged Formative Limited, an independent consultancy specialising in economic, social and urban form issues. Formative undertook the Waimakariri Capacity for Growth Modelling (WCGM22) which has informed the District Plan review and the Intensification Planning Instrument required by the Resource Management (Enabling Housing Supply and other Matters) Act 2021.

[72] The Housing Capacity Assessment (HCA) that was released by the Greater Christchurch Partnership uses the capacity results from the WCGM22 Research.

[73] Mr Rodney Yeoman a director of Formative and the co-author of the WCGM22 research reviewed the application as part of the s42A Report.²⁷ Mr Yeoman has degrees in Commerce (Economics) and in Law from the University of Auckland and an Honours degree in Economics from the Australian National University.

[74] The scope of his contribution to the s42A report, which was co-authored by his fellow director Mr Derek Foy, was to provide a professional opinion on the merits of RCP031 from an economics perspective, taking into account the economic assessment lodged with the application, submissions on the application, and other matters they considered are relevant. Specifically, the report addressed:

- (a) advice on housing demand for Ōhoka relative to other areas of Waimakariri District and Greater Christchurch, and relative to projected supply.
- (b) comments on RCP031's implications for affordability and competition.
- (c) comments on whether the proposal will contribute significantly to development capacity.

27 s32A Report Appendix 4 Plan Change Economic Review and Support, Formative

- (d) commercial land supply and distribution matters with regards to the proposed commercial area and potential impacts on the centres in the district.
- (e) the distribution of costs and benefits; and
- (f) responses to the following submissions: Waimakariri District Council (216), A Low (416), Mandeville Village Partnership (551), and S Wells (562).

[75] We return to Mr Yeoman's cost benefit review of the proposal in our evaluation later. In terms of the issue of capacity we note that Mr Yeoman revised his initial assessment of anticipated growth and housing capacity provided in his evidence in light of the evidence of Mr Walsh and Mr Sexton for the applicant which identified a number of sites where development was either not possible or more limited than had been assumed in the modelling data. In his summary evidence he set out the revised sufficiency assessment in the medium term and long term which we reproduce below.²⁸

Waimakariri Urban Environment Sufficiency - Capacity vs Demand (plus competitiveness margin)

Urban Environment	Medium- Term	Long-Term
WCGM22	5934	14450
PC31 corrections	-53	-137
Revised capacity	5881	14313
Demand plus[sic] Margin	5600	13250
Revised Sufficiency	281	1063

[76] Mr Yeoman concluded that whilst the Council was meeting the minimum requirements the Council would need to continue to monitor the situation. He noted that the Council was not precluded from providing more capacity.²⁹ Similarly, Mr Boyes, planner for the Council (as submitter) noted that should a shortfall be identified, Council is able to re-assess the NDAs and potentially consider identifying further land in order to meet its obligations under Policy 2 of the NPS-UD. In his view, should the applicant's observations

28 Summary evidence Mr Yeoman at [24]

29 Ibid at [25].

regarding a potential shortfall be correct, it does not assist the potential success of RCP031 to the extent suggested.³⁰

[77] Mr Akehurst an economist engaged by the applicant to provide evidence on RCP031 was concerned with the possible over estimation of capacity in the medium term and the consequences for supply and affordability.

[78] Although Mr Yeoman has acknowledged some errors, having revised his results, he remained confident that although the margin was small in the medium term, the built in 20% margin required by the NPS-UD meant the modelled output was conservative. In response to questions from us, prompted by a memorandum from the applicant, Mr Yeoman provided more granular detail of the input data and assumptions for his modelling work.³¹

[79] Mr Sexton undertook further ground truthing of available land within the district and a desk top GIS analysis to identify areas that may have been incorrectly included in the WCGM22 model.³² The result of which was that further possible discrepancies were identified and the figure setting out the differences is reproduced below.³³

Figure 1: Reassessment of WDC Medium Term Residential Capacity, Aug 2023

Location	WCGM 22 Capacity per Mr Yeoman's Minute 5 response	Validated Capacity (Based on subdivision plan)	Validated Capacity (Gross area - 12.5% x 15hh/ha)	Difference in Capacity (Validated vs WCGM22)
Rangiora:				
Bellgrove	952		800	-152
Townsend Fields	419		370	-49
Summerset Retirement Village	211		182	-29
Flaxton Village	59		52	-7

30 Evidence in chief Mr Boyes at [66].

31 Mr Yeoman's response to Minute 5 questions from the hearing panel, 18 August 2023

32 Supplementary evidence Mr Akehurst at [12]-[16].

33 Figure 1 from memorandum of Mr Sexton, 30 August 2023 "Review of Formative WCGM22 Development Model" appendix 1 Supplementary Evidence of Mr Akehurst, 5 September 2023

East Rangiora	76		66	-10
Kaiapoi:				
Beach Grove	332	330		-2
Silver Stream	89		65	-24
Future Silver Stream	44		41	-3
The Sterling	137		90	-47
Momentum	116		0 (not med term)	-116
Woodend/Pegasus:				
Ravenswood	969	677		-292
Commons Lifestyle Village	131		114	-17
Woodland Estate	104	75		-29
Eders	42		45	+3
Parsonage/Gladstone Road	148		119	-29
Gladstone South	18		73	+55
Pegasus	369	86		-283
Vacant/infill	WCGM 22 Capacity per Mr Yeoman's Minute 5 response	Validated Capacity (desktop and site inspections)		Difference in Capacity (Validated vs WCGM22)
Rangiora Vacant lots	379	248		-131
Rangiora infill	355	270		-85
Kaiapoi Vacant lots	277	174		-103
Kaiapoi infill	292	273		-19
Woodend/Pegasus Vacant lots	413	209		-204
Woodend/Pegasus Infill /intensification	2	2		0
Total Medium Term Household Capacity	5934	4361		-1573

[80] It was Mr Akehurst's opinion that the key finding from Mr Sexton's exercise is that the WCGM22 has overstated residential capacity which would be realistically realisable and commercially feasible in the medium term by 1,573 dwellings. His opinion is that this means that instead of providing just sufficient capacity to meet short and medium-term needs, the Council now finds itself some 1,239 dwellings short ($5,934 - 1,573 = 4,361$ capacity compared with 5,600 anticipated growth, plus competitive margin). Therefore, he concluded that instead of having more than 10 years capacity identified, Waimakariri District has less than 8.

[81] We have reviewed the explanations to our questions in Minute 5 provided in Mr Yeoman's response and the memoranda of Mr Sexton and Mr Walsh attached to Mr Akehurst's supplementary evidence and accept that it does demonstrate the limitations of the

modelling exercise undertaken by Formative, due to the fact that it presents a theoretical picture of development capacity and was not extensively ground truthed by Formative. We conclude on the evidence of Mr Sexton, Mr Walsh and Mr Akehurst that there is a very real likelihood that the model has overstated residential capacity. It was also Mr Yeoman's opinion, that the WCGM22 modelling results illustrated that the margin (without accounting for the additional matters identified by Mr Sexton in Figure 1), is small. The degree to which Mr Yeoman's modelling is reliant on additional capacity as a consequence of the Housing Intensification Planning Instrument being advanced as part of the District Plan review is not clear, and will no doubt be subject to scrutiny in the review of the District Plan currently underway.

[82] We have also considered the evidence of Mr Sellars, a valuation and real estate expert, on behalf of the applicant that, within the Waimakariri District, housing demand focuses on single dwellings on larger allotments. Mr Yeoman accepts that to be the case. Mr Willis in his supplementary s42A report, noted that, notwithstanding that fact, there is evidence of increasing medium housing density in Rangiora and Kaiapoi, and he referenced a number of developments that he was aware of and noted that there are likely to be more.³⁴

[83] The preference for single dwellings on larger allotments is evident in the Mandeville and Ōhoka area. We also heard from Mr Carter that it is increasingly common for developers of greenfield areas to include covenants that prevent housing intensification. Whilst it is not suggested this was unlawful it appears counterproductive in the context of the current housing shortage, requirements of the NPS-UD to contribute to well-functioning urban environments and the additional restrictions on development on highly productive land in the NPS-HPL.

[84] If Mr Akehurst is correct, then the Council has not provided sufficient housing capacity in the medium and long term and positive action is required by the Council. We note here that the Council is currently reviewing the District Plan and Environment Canterbury is intending to notify a review of the CRPS later next year. We would strongly recommend that irrespective

34 Supplementary statement Mr Willis Appendix 3

of the outcome of this application the Council take steps to review the calculations provided by Formative and review realisability of the areas currently identified for future urban growth within the district.

[85] We note that the NPS-UD addresses how Councils should respond to identified shortfalls in capacity. Part 3, clause 3.7 directs steps that a Council is required to follow in the event that a shortfall is identified, including alerting the Minister, and amending the relevant planning documents, which could, as occurred with Change 1, be subject to a streamlined process, rather than the standard Schedule 1 process. We accept that consideration of a private plan change, which delivers significant development capacity and contributes to a well-functioning environment within a timeframe where a shortfall might exist is another legitimate process.

Constraints on other land within the district

[86] As part of the applicant's argument that the proposed development represents significant development capacity it sought to demonstrate that significant parts of the district are unavailable or at least have limited development capacity due to a range of policy and environmental constraints.

[87] These constraints include:

- (a) Flooding risk
- (b) Tsunami risk – coastal inundation
- (c) Liquefaction risk
- (d) Airport noise (Christchurch Airport Noise Contour and Rangiora Noise Contour)
- (e) Speedway noise avoidance contour
- (f) Versatile soils

- (g) Reserves/Open Space zones
- (h) Sites of significance to Māori (but not Māori Reserve 873 and/or the Special Purpose Zone Kainga Nohoanga).

[88] Each of these constraints were mapped by Mr Walsh and presented as part of his evidence in chief.³⁵ Following further direction from the panel, the expert planning witnesses Mr Willis, Mr Walsh, Ms Mitten and Mr Boyes conferenced and presented an agreed set of constraints maps based on existing policy directives and or other constraints.³⁶ We note that the experts did not attempt to determine the weighting or significance to urban growth and development of each constraint. Both Mr Walsh and Mr Willis addressed this in their evidence and had different opinions regarding weighting. We have considered the areas of disagreement between the planning experts but note two particular matters that address constraints affecting Kaiapoi.

Airport noise constraints

[89] It is clear that significant parts of Kaiapoi and parts of the district are affected by noise from aircraft utilising Christchurch International Airport (CIA). In the CRPS, on Map A and in the WDP, noise contours show land that is subject to noise levels of 50dBA Ldn. Policy 6.3.5 (4) only provides for *“new development that does not affect the efficient operation, use, development, appropriate upgrading and safety of existing strategic infrastructure, including by avoiding noise sensitive activities within the 50dBA Ldn airport noise contour for Christchurch International Airport, unless the activity is within an existing residentially zoned urban area, residential greenfield area identified for Kaiapoi, or residential greenfield priority area identified in Map A ...”*.³⁷

35 Evidence in chief Mr Walsh at [51] – [85] and Attachment B.

36 Joint Witness Statement in relation to development constraints, 17 August 2023.

37 CRPS Policy 6.3.5(4)

[90] As a result of a recent review of CIA noise projections as required by the CRPS Policy 6.3.11 the CIA combined 50dBA airport noise contour was published by Christchurch International Airport Limited (CIAL) in May 2023 which the applicant advised was recently confirmed by the Canterbury Regional Council Peer Review in June 2023. The combined 50dBA noise contour covers areas in Kaiapoi identified as FDAs and raises the issue as to whether that land remains appropriate for future development.

[91] The resolution of that issue, and whether the current exemptions in Policy 6.3.5 (4) will remain, be extended or removed, awaits the review of the CRPS later next year. We note for our purposes there is a dispute between Mr Walsh, who considers that it is uncertain as to whether Policy 6.3.5 applies to Kaiapoi FDAs³⁸ on the one hand and Mr Willis, Mr Boyes and Ms Mitten who consider that the Kaiapoi FDAs and other parts of Kaiapoi are expressly excluded from application of the Christchurch Air Noise Contour by virtue of policy 6.3.5 (4). Mr Willis and Ms Mitten also consider that the 2023 CIA noise contour is not operative until the CRPS has undergone a schedule 1 process and is therefore not currently relevant to RCP031. Mr Walsh is less certain that it is not relevant. We note that he included the 2023 modelled contour rather than the contour shown on Map A and in the WDP in his initial constraints mapping exercise.

[92] We are not required to make a finding in this context as to whether the revised combined air contour trumps the mapped 50dBA contour, because we are not being asked to make decisions or recommendations on whether or not land is, or is not, available for urban development in other areas of the district. RCP031 is not affected by the CRPS airport noise policies. The relevance of the constraints mapping as we see it is that it serves to illustrate the applicant's point that the Council has, in reliance on the Formative WCGM22 output alone, likely overestimated development capacity in the District and there is a real risk that a shortfall exists in the medium term because some areas included in the WCGM22 do not take account of policy or environmental constraints that may preclude or limit the availability of land for housing and therefore positive action is required under the NPS-UD.

38 Mr Walsh refers to the principal reasons and explanations' for policy 6.3.5 CRPS.

Flooding risk

[93] Another area of disagreement between the planning witnesses was the extent to which flooding risk affecting the Kaiapoi NDA, is a constraint on the realisability of development capacity in that location. Mr Walsh considered development in these areas was unlikely on the basis of CRPS Policy 11.3.1 which seeks avoidance of new subdivision, use and development of land in high hazard areas³⁹, whereas Mr Willis was of the view risks could be mitigated so they are no longer a high hazard. He referred to recent examples in Kaiapoi of urban development that has successfully managed high hazard flood risk. Mr Bacon further elaborated on this in his summary evidence, referring to recent works undertaken by Council as part of the Government's Shovel Ready programme which has provided mitigation for flood displacement for flood displacement effects for the Kaiapoi NDA, along with additional work that may be required to raise the land to manage flooding effects.⁴⁰

Conclusion on relevance of constraints

[94] We have concluded that urban growth within Waimakariri District is constrained by a number of factors. The extent to which airport noise effects and flooding risk will prevent the realisation of development provided for in FDA areas around Kaiapoi in particular, thereby diminishing the long term development capacity which is assumed in the Formative research, is not a matter that we have had sufficient evidence to draw any findings beyond accepting that the applicant has successfully demonstrated that the Council likely needs to provide for additional development capacity within the District to accommodate growth in the medium term and long term, particularly if the constraints identified come into fruition.

Findings on significant development capacity

[95] We have concluded that the proposed 850 residential allotments meet the definition of significant development capacity and even if restricted to 250 residential allotments due to

39 Evidence in chief Mr Walsh at [37] and Summary Evidence at [13]

40 Summary evidence Mr Bacon at [26]-[29]

the requirement for and lack of certainty for improvements to the Tram Road/SH 1 interchange, it would also satisfy the definition of significant development capacity, on the basis that there is evidence that the Council has overestimated the available development capacity in accordance the requirements of the NPS-UD. The applicant, however, confirmed for us that the reduced scale ODP is not on the table.

[96] Even if RCP031 does provide significant development capacity, it must also contribute to a well-functioning urban environment.

Well-functioning urban environments

[97] Well-functioning urban environments has the meaning in Policy 1 of the NPS-UD.⁴¹

Policy 1: Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum: have or enable a variety of homes that:

- (i) meet the needs, in terms of type, price, and location, of different households; and
- (ii) enable Māori to express their cultural traditions and norms; and
- (iii) have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and
- (iv) have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and
- (v) support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and
- (vi) support reductions in greenhouse gas emissions; and

41 NPS-UD 1.4 Interpretation

(vii) are resilient to the likely current and future effects of climate change.

[98] The applicant submitted that Policy 8 requires RCP31 to *contribute* to an existing well-functioning environment, and the list of matters in Policy 1 are not criteria which must each be met by one particular proposal, but rather it is necessary to demonstrate that the proposal would contribute to at least one of those matters, and not substantially detract from the other matters (i.e., a balancing exercise). In any case, the Applicant's case is that RCP031 would contribute to all of these criteria.

[99] Ms Edwards for the Regional Council highlighted that the list of matters that contribute to a well-functioning urban environment are not exhaustive and are a minimum. Mr Schulte for the Council (as submitter) relied on Mr Boyes assessment of the matters in Policy 1. Mr Boyes concluded that a well-functioning urban environment must meet all of the criteria in the policy.⁴² Mr Willis' view was the same as Mr Boyes.

[100] Many submitters have made submissions covering well-functioning environment topics; including the following highlighted by Mr Willis in his report:⁴³

- a. CCC (548) state the proposal does not give effect to Policy 1(a)(i) (variety of homes), Policy 1(c) (good accessibility) and Policy 1(e) (GHG emissions) in the NPS-UD. CCC considers there has been no quantification of how the plan change sets out to achieve this important outcome sought by the NPS-UD;
- b. R Kimber (525) considers the development does not have good accessibility between housing and jobs and community services, is not near a centre zone, is not well serviced by public transport (PT) and will not support a reduction in greenhouse gas emissions and the urbanisation of Ōhoka will not contribute to a well-functioning urban environment;
- c. P Trumic (34) considers the encouragement of satellite subdivision is a negative planning approach noting it is sprawl connected by roads and it will catalyse social problems in time;
- d. G Power (5) and B McGirr (13) want established towns (e.g. of Rangiora, Kaiapoi and

42 Evidence in chief Mr Boyes at [70].

43 at [7.3.14] and [7.3.15]:

Woodend and Oxford) to grow instead;

- e. R Hill (12) considers the proposal does not support financially struggling town centres as it creates a decentralised population;
- f. S Davison (31) considers the proposal is contrary to planning which aims to limit greenfield / protect farmland and concentrate it in and around brownfield sites, considering the development is isolated from existing physical and social infrastructure and does not support town and city centres;
- g. The Ōhoka Residents Association (431) considers RCP031 does not give effect to the NPS- UD as it does not contribute to a well-functioning environment and is not the type of development that the NPS-UD seeks to promote;
- h. WDC (216) considers RCP031 has not demonstrated that the proposal will result in a well-functioning environment (paragraph 23), noting that the proposal is connected to a residential settlement that is not a KAC or has the existing infrastructure to service a development of this size.

[101] Contrary to these submitters, A Clark (8) supports subdivision in this location in close proximity to the motorway, sports fields, schools and shopping.

[102] We do not agree with the applicant's interpretation that Policy 1 requires a balancing exercise and that it is enough to meet one criterion and not substantially detract from the others. The wording of Policy 1 prescribes a minimum set of criteria which we consider must be met in a positive or at least a neutral way.

[103] We have approached our assessment of well-functioning urban environments by considering each matter in turn, having considered the evidence and submissions on each topic.

(a) Have or enable a variety of homes:

That meet the needs, in terms of type, price, and location, of different households; and enable Māori to express their cultural traditions and norms; and

[104] We accept the evidence of Mr Jones that there is a demand for low density housing in a rural setting such as provided in part of the development and that living in a rural setting

may be attractive to many seeking a rural lifestyle setting.⁴⁴ We do not accept that Mr Jones' evidence or analysis goes so far to show a 'high demand' for properties in this location relative to other areas in the District as contemplated by NPS-UD Objective 3. Mr Jones' evidence was relatively superficial based on internet enquiries and interest from people seeking a rural lifestyle, rather than providing any quantitative comparison of the areas.⁴⁵ The development, even if capped at 250 sections in the medium term will meet some housing need for low density living and the possibility of a retirement village, although at 250 allotments that seems less likely. Mr Carter's evidence about the likelihood of covenants to prevent further intensification, would constrain a greater range of housing choice. Mr Boyes highlights that the proposed development contains little variation in the way of housing typology, and only two zoning densities are proposed in order to achieve a minimum density of 12 household per hectare, averaged only over the Residential 2 land.

[105] While we did not receive specific evidence on the extent to which the development would specifically have or enable a variety of homes that would enable Māori to express their cultural traditions or norms, the applicant had received a report from Mahaanui Kurataiao Limited (MKT), following consideration of the development by Te Ngati Tūāhuriri Rūnanga.⁴⁶ The MKT Report highlighted the significance of the natural resources of the site including water (waterways, waipuna (springs), groundwater and wetlands), mahinga kai, indigenous flora and fauna, cultural landscapes and land which are taonga and integral to the identity of ngā rūnanga manawhenua and they have kaitiaki responsibility to protect them. A number of recommendations were made by MKT regarding the proposal, including increased waterbody setbacks, incorporation of locally sourced indigenous planting, sediment controls, best practice stormwater management and incorporation of Ngāi Tahu Subdivision and Development Guidelines, particularly regarding stormwater management, water supply and use (grey water recycling) and indigenous planting. Te Ngati Tūāhuriri Rūnanga also

44 Evidence Mr Jones at [9]-[12]

45 We were also told by the applicant that the proposed subdivision has not been marketed to spark additional interest, but submitters spoke of seeing a web site dedicated to the site early on when the proposal was first notified but was subsequently taken down. We didn't receive any documentary evidence that was the case but note the different accounts.

46 Appendix J Application

recommended the inclusion of an Accidental Discovery Protocol consistent with Appendix 3 of the Mahaanui Iwi Management Plan.

[106] Mr Walsh confirmed that those matters have been addressed in the proposal.⁴⁷

[107] We have concluded that RCP031 does enable a variety of homes, in a location where it will meet some housing needs, but it does not provide for a variety of needs.

(b) have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and

[108] The development as notified incorporates two areas of land to be zoned Business 4, to provide a range of commercial activities to provide local retail and commercial services commensurate to the scale of the development, and accommodation to host the popular Ōhoka farmers market during the winter months.

[109] As we discuss later at [333]-[350] we have concluded that if the development proceeded that there is insufficient evidence to justify two commercial centres, and that a consolidated and capped GFA in one commercial area would be a preferable outcome.

[110] If the development is capped or limited to 250 sections in the medium term there is uncertainty as to the timing and delivery of a commercial centre for the site.

(c) have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport;

[111] Having considered the evidence below we are not satisfied that RCP031 is located such that it has good accessibility for all people between housing, jobs, community services, including by way of public or active transport. The site is removed from the main townships of Rangiora and Kaiapoi within Waimakariri District, and future residents will still need to travel

47 Evidence in chief Mr Tim Walsh at [221]

some distance to work either within the District or Greater Christchurch, with limited opportunities for public transport connections. Mr Walsh focused on the trend towards working from home, however, this appeared anecdotal, and we observe not all jobs are amenable to working remotely, so we place little weight on that current trend as being indicative of accessibility to jobs.

[112] The site is not sufficiently near to Kaiapoi, Rangiora or Christchurch to make active transport a realistic alternative to meet day to day needs of future residents, and there are significant traffic safety issues on the surrounding roading network that connects the site to Rangiora and Kaiapoi identified by Mr Binder. We find it highly unlikely that active transport is a realistic alternative for this location, except within the site itself. Although the development intends to provide a local commercial centre and supports the hosting of the farmers market during the winter months, these services do not provide for all day-to-day needs. Families with secondary school students, sporting interests and those working in Rangiora, Kaiapoi or Christchurch will travel to meet their day-to-day needs. We note the applicant proposed the addition of a polo ground within the master plan, in recognition of a high interest in equestrian sports in the district. We received evidence from submitters that the ground conditions were likely to be unsuitable and the polo community was also well served within the district.⁴⁸ Whether or not a polo ground can be accommodated within the ODP is not material to our consideration of whether the development contributes to a well-functioning urban environment.

[113] We agree that the development does provide good accessibility to natural and open spaces by active transport, within the immediate vicinity of the development and if approved, within the site, including the domain, but that private vehicle travel remains a dominant mode of transport to access sporting and community facilities at Mandeville, Kaiapoi and in Rangiora, and Christchurch. We discuss these matters later at [181]-[234].

48 Submitter R Magee [#325]

[114] As we discuss below at [188]-[196] Ōhoka is not currently served with existing or planned to public transport and it unlikely that that position would change in the medium term.

(d) support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets;

[115] The extent to which RCP031 will limit adverse impacts on, the competitive operation of land and development markets, is dependent on whether the development can be realised at 850 allotments or is capped due to transport infrastructure constraints at 250 allotments.

(e) support reductions in greenhouse gas emissions;

[116] We find that the RCP031 is unlikely to support reductions in greenhouse gas emissions to any significant degree. Based on the evidence we have heard, we find that RCP031 will perpetuate the reliance on private motor vehicles for travel by future residents to Rangiora, Kaiapoi, and Christchurch for work, education and community services. We discuss the evidence regarding greenhouse gas emissions below at [201] – [214].

(f) are resilient to the likely current and future effects of climate change.

[117] We are satisfied that the development within the ODP can be designed in a manner that is resilient to the likely current and future effects of climate change.

Findings on whether RCP031 contributes to a well-functioning urban environment.

[118] Having considered the minimum requirements provided for in Policy 1 against the evidence and submissions we find that RCP031 does not contribute to a well-functioning urban environment at either 850 allotments or at 250 allotments. Notwithstanding our conclusion that RCP031 does not meet the requirements of Policy 8 of the NPS-UD we have also considered the application on its merits.

6. EVIDENCE AND SUBMISSIONS

[119] In the following sections we consider the evidence and submissions in response to the merits of the proposal. We adopt the structure and approach taken in the s42A report where key issues and subjects are grouped under topics.

Land Suitability

Issues

[120] Key matters in contention during the hearing and in written submissions included whether the NPS-HPL could be applied to the site, and the impact of the proposal on the productive potential of the site.

[121] For completeness, we understand that all issues relating to potential land contamination and geotechnical matters are not in dispute. Mr Willis concluded in his s42A Report that he accepted the s32 assessment on land contamination and that any contamination issues could be adequately managed at subdivision stage, and that there are no known geotechnical issues that would obstruct the plan change.⁴⁹

Submissions and Evidence

NPS-HPL

[122] It was agreed by all that the site was predominantly class 3 soils with a small area (approximately 3% of the site) class 2. Prima facie those soils are considered to be highly productive land. However, the definition of Highly Productive Land in the NPS-HPL expressly excludes land proposed to be zoned for rural lifestyle purposes. The site is proposed to be zoned rural lifestyle in the proposed plan.

49 s42A Report at [6.5]

[123] The applicant did not address the question as to whether the NPS-HPL applied to the site in the application documentation or s32 assessment, however Mr Walsh relied on a legal opinion prepared by Chapman Tripp at Attachment F of his evidence to the effect that it did not⁵⁰. Ms Appleyard reiterated that conclusion in her opening legal submissions. Counsel for the Canterbury Regional Council and the Waimakariri District Council agreed.

[124] Counsel for submitter Janet Hadfield submitted to the contrary and argued that the NPS-HPL applied on the basis that the land had not been rezoned from a rural zone as it is still a rural zone at its core and the exemption under clause 3.5.7(b)(ii) does not apply.⁵¹ She submitted that the implications of the land not being classified as HPL is that the NPS-HPL can never apply to all land that has been zoned Rural Lifestyle Zone (RLZ) in the proposed plan which in her legal opinion, would be a perverse outcome.⁵²

[125] We initially understood the applicant to argue that irrespective of the outcome of the District Plan review, even if the land reverted to rural zoning it would never be treated as Highly Productive Land as a consequence of the exemption provided in clause 3.5(7)(b)(ii) of the NPS-HPL.

[126] Ms Edwards in her legal submissions for Canterbury Regional Council submitted that *“if it is determined through the proposed Waimakariri District Plan process that the “rural lifestyle” zone is not the most appropriate zone for the PC31 site, and the land is zoned rural instead, there is a policy gap as a result of the NPS-HPL until such time as the Regional Council carries out its mapping exercise in accordance with the requirements of clause 3.4 of the NPS-HPL”*.⁵³

[127] Ms Appleyard in her closing legal submissions explained that the mapping exercise required under clause 3.5(1) must occur by 17 October 2025 and would not prevent the Regional Council from including land as highly productive in its mapping that has been

50 Evidence Mr Walsh, at [65].

51 Legal submissions for Janet Hatfield submitter #260, at [25]

52 Ibid at [21]

53 Legal submission for Canterbury Regional Council, at [54]

determined as not being appropriate as rural lifestyle under the Proposed Plan (noting in that case, the land would likely revert to rural zoning). She further explained that the “*NPS-HPL: Guide to Implementation*” is clear that the intent of this exception to the interim application of highly productive land was so that the NPS-HPL did not undermine the work undertaken by Councils to date to provide for ‘urban’ land in their District.⁵⁴

[128] Ms Appleyard set out a detailed explanation in her closing legal submissions, with reference to the s32 analysis supporting the proposed plan, as to why it is clear the Council had already contemplated (in its decision to notify) that the rural productive capacity of the rural lifestyle zones would be compromised by that zoning, as compared with general rural zone.⁵⁵

[129] Mr Willis, in his supplementary evidence, stated that based on recent Council advice to the Proposed District Plan Hearings Panel on 30 June, he agreed that the NPS-HPL did not apply.⁵⁶ He noted the agreement between the Council and the applicant that as of 17 October 2022, the area was proposed to be re-zoned RLZ in the proposed plan, and the RLZ is not subject to the NPS-HPL. He considered this interpretation to be the most defensible interpretation of the application of the NPS-HPL. Legal Counsel for both Canterbury Regional Council⁵⁷ and the Waimakariri District Council⁵⁸ (as submitter) agreed with the applicant’s legal interpretation that the NPS-HPL does not apply to the site.

[130] Notwithstanding that the NPS-HPL does not prohibit the proposal, the effects of the proposal on the loss of highly productive farmland remains a matter to be weighed in our evaluation of RCP031.

54 Applicant’s closing legal submissions at [87]

55 Ibid [93-94]

56 Supplementary evidence Mr Willis at [39]

57 Legal submission for Canterbury Regional Council at [51].

58 Legal submission for Waimakariri District Council at [34].

Loss of productive farmland

[131] As detailed in the s42A report, many submitters raised the issue of the loss of productive farmland and the need to protect the productive use of the land.⁵⁹ Several submitters spoke to us about their concerns in this regard at the hearing⁶⁰ and variously noted the success of existing and historic productive activity of the land, the need to preserve farm land for future food production, that the NPS-HPL should apply to the land, the cumulative impact of losing highly productive land in the District and Region and the national issue of increasing fragmentation, that the proposed rezoning of the land does not represent a sustainable use of land, and the reliability of the applicant's soil assessments.

[132] The applicant's expert Mr Mthamo presented evidence on versatile soils and the impact of the proposal on the productive potential of the site.⁶¹ He explained that the RCP031 subject land comprises Land Use Capability (LUC) Classes 2 (2.45%) and 3 (97.55%) soils and highlighted the constraints which in his view affects the productive capacity of the site.⁶² These constraints included: the poor drainage of the site; variability in the nature and extent of LUC 2 and LUC 3 soils across the site affecting the management of the land; moisture deficits and irrigation availability; nutrient limits under the Canterbury Land and Water Regional Plan (CLWRP); and the Drinking Water Protection Zone overlay reducing the area that is available for productive use.

[133] Mr Mthamo (in addressing the costs of losing the site for land-based primary production within the context of land which would remain available for primary production in the Waimakariri District and Canterbury Region) stated that the site represents a reduction of only 0.0002% and 0.0016% respectively under the CRPS definition of highly productive land.⁶³ He noted that his assessment of alternative sites within the area had not identified any sites which in an overall sense would be less suitable for land-based primary production than the

59 s42A Report at [6.5.4]

60 Submitters for example N Mealings [#638], E&J Hamilton [#249], J&C Docherty [#640 & 283], D Nicholl on behalf of Ōhoka Rural Drainage Advisory Group [#251], P Driver [#135], T Curran [#609]

61 Supplementary evidence Victor Mthamo, 3 August 2023.

62 Ibid at [7].

63 Supplementary evidence Mr Mthamo at [8]

proposed site.⁶⁴ He concluded that the applicant's proposal would result in the negligible loss of LUC Class 2 and 3 soils both within the District and the Region.

[134] Mr Ford, a consultant from AgriBusiness Group, who provided a report appended to the s42A Report⁶⁵ concluded that the highest and best use of the land as a primary productive land use is for dairy farming. He considered intensive horticultural land use to be unsuitable for a range of regions including poor drainage, cold winters, potential to generate reverse sensitivity effects, and the distant location of the site from any post-harvest packaging and processing facilities.⁶⁶ Mr Ford was supportive of submitters' concerns relating to the loss of highly productive land and agreed that the land can be used for a wide range of potential land uses. He concluded that rural productive activities are commercially viable on the subject site.

[135] We heard from Dr Tim Curran, a submitter who is a Professor in Ecology and Natural Resource Management at Lincoln University about his concerns that the proposal would result in the substantial loss of finite resources, namely highly productive soils. In his view, even if the NPS-HPL is found not to apply to the plan change site, the productive potential of the subject land is still relevant to consider. He relied on s7 RMA relating to having particular regard to finite characteristics of natural and physical resources.⁶⁷

[136] In support of Dr Curran's submission, Professor Peter Almond, an Associate Professor at Lincoln University who specialises in deciphering the patterns and properties of soils in the landscape, both natural and agricultural, spoke to us about the impact of the proposal on highly productive land. He commented that the evidence presented by Mr Mthamo is substantively correct concerning the characterisation of the land, but that it makes some inappropriate interpretations, fails to identify the favourable characteristics of the land, and misrepresents the accepted knowledge about the influence of land use capability on the economics and environmental impacts of intensive agriculture.⁶⁸ He supported Dr Curran's

64 Ibid at [9].

65 Appendix 3. Rural Productivity s42A Report

66 Appendix 3 Productivity Assessment, s42 Report.

67 Submitter Dr T Curran [#609].

68 Evidence statement Professor Peter Almond at [20]

contention that if approved, the plan change will amount to a loss of HPL constituting 156ha, or at least 109ha of areas unavailable for primary production as presented by Mr Mthamo, are excluded.⁶⁹

[137] Christchurch City Council's (CCC) written submission stated that productive land in the Canterbury Region holds substantial value as it contributes to the sustainability of the Region through providing land on which locally grown and sourced produce can be farmed appropriately.⁷⁰ This then reduces the transport costs associated with the distribution of food to Christchurch City and provides for a variety of land uses in the surrounding Region. CCC considers there are more appropriate alternative locations to meet housing needs that do not impact on highly productive land and better achieve higher order documents, and which will be determined through spatial planning at a Greater Christchurch level.

[138] Mr Walsh, for the applicant, acknowledged, that while in his view the NPS-HPL did not apply to the site, other relevant statutory policy documents seek protection of productive rural land, particularly versatile soils. We assume Mr Walsh was referring to the policy frameworks contained in the CRPS and WDP. He agreed with the s42A Officer's assessment that the current use of the site is viable for primary production activities, while acknowledging the constraints identified in Mr Mthamo's evidence. He said the land could be subdivided as a controlled activity into four-hectare allotments, that subdivision for rural lifestyle use is the most likely outcome for the site if RCP031 were to be declined, and that such subdivision would significantly reduce the current productive value of the site.⁷¹

[139] In his supplementary evidence, Mr Walsh concluded that the potential costs associated with the loss of productive land are outweighed by benefits of providing development capacity⁷². In his supplementary evidence, Mr Willis acknowledged that the subject site could be subdivided to 4ha blocks and that this had the potential of undermining

69 Ibid at [11-12]

70 Submission by Christchurch City Council (#548).

71 Evidence in chief Mr Walsh at [119-121]

72 Supplementary evidence Mr Walsh at [6.2]

its productive potential. He noted that the development outcome promoted by Mr Walsh is not certain and is not a reason in of itself to approve the proposal. He further noted that productive activity can still occur on a 4ha block as recognised by the proposed plan albeit at a reduced scale.⁷³

Discussion

[140] There appears to be agreement across legal Counsel (except Ms Scully) and evaluative planning witnesses that the NPS-HPL does not apply to the site. We do not agree with the legal submission made by Ms Scully, although we acknowledge that the Council does not appear to have aligned their use of the term rural lifestyle zone precisely with that prescribed in the National Planning Standard and this is something that may be addressed in the District Plan review.

[141] We accept the legal submissions of Ms Appleyard for the applicant that if, in the event the land in question is determined as not being appropriate as rural lifestyle under the proposed plan process, the land would likely revert to rural zoning, at which time the Regional Council could include the land as highly productive in its mapping under Clause 3.4 of the NPS-HPL.

[142] NPS-HPL aside, there is no question that the proposal will result in land currently used for dairy farming being developed for residential activities and that this represents the loss of agricultural production and versatile soils from the site, District, and Region.

[143] While the degree of loss of LUC Class 2 and 3 soils has been demonstrated to be negligible when considered within the context of the District and Region, any loss of versatile soils and productive capacity is clearly an important and relevant matter to be considered as directed by CRPS and WDP which seek protection of productive rural land, particularly versatile soils.

73 Supplementary evidence Mr Willis, 9 August 2023.

[144] We accept Mr Mthamo's evidence to the extent that it identifies multiple constraints that may impact the future productive potential of the site. However, we note these constraints do not change the fact that the site is currently in productive use, and there is agreement that some level of rural primary production activity is viable on the site into the future.

[145] It is clear to us that the current and proposed planning frameworks provides for subdivision on the site as a controlled activity into 4ha allotments and that rural lifestyle use is the most likely outcome for the site if ideal demand scenarios were realised. This would have the effect of significantly reducing the current productive capacity of the site.

Findings

[146] We are satisfied that any land contamination issues can be adequately managed at subdivision stage, and that there are no known geotechnical issues that would obstruct the plan change.

[147] We find that the NPS-HPL does not apply to the site.

[148] Turning to the other relevant statutory policy documents⁷⁴ which seek protection of productive rural land, particularly versatile soils, we find that the proposal will result in a minimal loss of versatile soils within a district or regional context. In reaching this view we note that if the proposal were to be declined, the subject land is likely to be developed into 4ha allotments under the current and proposed planning framework, thereby significantly reducing the productive capacity of the site.

[149] Overall, we do not consider the loss of productive soils, in and of itself, weighs against the approval of the plan change request.

74 CRPS policies 5.3.12 & 15.3.1, and WDP Objective 14.1.1

Three Waters Infrastructure Servicing

Issues

[150] The key infrastructural servicing question in contention is the potential significance of the groundwater interception risk, including whether these matters can be left to a later stage to resolve. Related to this is the question of whether a valid consenting pathway is available to provide for the consenting of stormwater infrastructure required for RCP031.

Submissions and Evidence

[151] In response to the s42A Report and submitter concerns, the applicant provided evidence from Mr McLeod (overall infrastructure requirements) with supporting evidence from Mr Steffens (potable water) and Mr O'Neil (stormwater and wastewater).⁷⁵ Based on this evidence, Mr Walsh for the applicant, reached the view that there is a high degree of certainty that the proposed plan change site can be serviced with three waters infrastructure and considered that detailed design matters could be appropriately addressed at subdivision stage.⁷⁶

[152] We heard from many Ōhoka residents about their concerns relating to the impacts of intensification as proposed on three waters infrastructure. A common concern related to the groundwater resurgence occurring on the site and neighbouring properties and the impact of the of the proposal on flooding risk in the area.⁷⁷ We received photos and video footage demonstrating recent flooding events to adjacent roads and properties. Some submitters reported the tidal nature of Ōhoka stream via the Kaiapoi and Waimakariri rivers. Many submitters were concerned that there was too much uncertainty to leave the detailed infrastructure proposals to subdivision stage.

75 Evidence in chief Mr Walsh at [143]

76 Ibid at [149]

77 Submitters for example, R Pegler [#302], A Arps on behalf of Wilson Driver Residents [#204], N Mealings [#638], B Wright [#258], E Hamilton [#249], P Trumic [#40], J & C Docherty [#640 & 283], G Edge [#606], Ōhoka Rural Drainage Advisory Group [#251], The Jones Family via tabled evidence [#193],

[153] The Ōhoka Rural Drainage Advisory Group was of the opinion that the extra stormwater runoff created as a result of the number of houses proposed will create a very serious adverse effect downstream from the site.⁷⁸

[154] Roger Foy, an Ōhoka resident and chartered professional engineer, who lives directly adjacent to the proposed site, considered that the proposal “*makes very optimistic claims about the management of stormwater and associated floodrisk on the site*”.⁷⁹ He concluded that the applicant’s proposal does not demonstrate or give confidence that there would be no determinantal effects or costs incurred by the community or the Council because of additional surface water flows from the substantially altered site.

[155] Similarly, John Docherty, an Ōhoka resident and mechanical engineer consultant, expressed uncertainty with regard to the accuracy of the applicant’s modelling which he perceived to be uncalibrated and therefore unreliable to inform a stormwater management proposal.⁸⁰

[156] We heard from various experts throughout the course of the hearing on three waters infrastructural servicing, including Mr McLeod, Mr Steffens and Mr O’Neil for the applicant, Mr Wilkins for ECAN, Mr Bishop for WDC as submitter, and Mr Roxburgh for WDC. In Minute 4 we directed expert conferencing on the topics of groundwater and surface water issues and implications for stormwater management. A Joint Witness Statement (JWS) was received on 18 August 2023.⁸¹

[157] The JWS confirmed that:

- i. *all experts agree that viable **wastewater** options are available for the site.*

78 Mr Nicholl on behalf of the Ōhoka Rural Drainage Advisory Group [#251]

79 Submitter R Foy [#166]

80 Submitter J Docherty [#640]

81 Joint Witness Statement, 18 August 2023. Groundwater and surface water issues and implications for stormwater management: B Wilkins (ECAN), C Margetts (ECAN), B Throssell (RIDL), E O’Neill (RIDL), T McLeod (RIDL), C Steffens (RIDL), B Veendrick (RIDL), C Roxburgh (WDC), C Bacon (WDC), S Bishop (WDC).

- ii. *all experts agree that there is no **tidal effect** at the RCP31 site.*
- iii. *relevant experts agree that there is an adequate solution to provide **potable water** via a deep onsite groundwater bore.*
- iv. *relevant experts agree that the potential decrease in **groundwater recharge** contributing flow to springs due to an increase in impervious area is unlikely to be an issue.*
- v. *relevant experts agree that the mitigation proposed in the ODP will reduce the risk for redirecting shallow **groundwater**.*
- vi. *relevant experts agree that the potential for re-directing shallow **groundwater** flow away from springs can be mitigated through appropriate design and construction of underground services, trenches and roads where they may intercept shallow groundwater.*
- vii. *relevant experts agree that 126ha can be managed for **stormwater** treatment and detention and that there is an area of approximately 26ha that cannot drain to an attenuation basin.*
- viii. *relevant experts agree that it is appropriate for detailed **stormwater** management treatment and attenuation solutions to be addressed at the subdivision stage, including a reduction in development capacity if required.*
- ix. *experts agree (with the exception of Mr Roxburgh) that the outflow from the attenuated area basis can be managed to ensure **hydraulic neutrality** is achieved across the site.*
- x. *relevant experts agree that the baseflow component (**groundwater** component) of flow to streams is a very small percentage of flow during flood events and therefore won't have a significant impact on **flooding**. Groundwater emerges in*

stream channels and local springs but there are natural limits on the extent to which groundwater will rise because of natural discharges to these features.

- xi. relevant experts agree that if the mitigations proposed for management of intercepted **groundwater** by infrastructure are successful then it is unlikely there will be offsite effects due to changes in groundwater flows.*
- xii. relevant experts agree that in a 200-year flood event **groundwater** flows are unlikely to have a significant impact on the difference of **flood levels** pre and post development.*

[158] Mr Willis, in his supplementary statement of evidence, accepted the agreed expert evidence relating to potable water, wastewater, on-site and off-site flood risk (including groundwater resurgence) and was confident that either the outstanding issues were no longer in dispute or there was sufficient confidence these could be resolved at subdivision stage.⁸²

[159] Regarding stormwater attenuation, Mr Willis noted that a reduction of 26ha at the subdivision stage would reduce the overall development yield of the proposal. He considered there would be value in the applicant updating the proposed Outline Development Plan to reflect the 26ha area with the expectation that further information would be required at subdivision stage.⁸³

[160] A matter to remain unresolved following expert conferencing related to the interception of groundwater, including whether these matters can be left to a later stage to resolve. Mr Willis commented that while all experts agreed that the mitigation proposed in the ODP will reduce the risk of groundwater interception, Council's experts considered there is insufficient certainty that all risks (e.g from wastewater and stormwater pipe trenches, swales, rain gardens / bioscapes, road subbase and downstream stormwater basins) would be adequately mitigated. Further, Council's experts noted that the success of the mitigations

82 Supplementary Statement of Evidence Mr Willis at [19]

83 Ibid at [20]

would not be verified until after construction, after which time the negative impacts may be difficult to address or reverse.⁸⁴

[161] Based on the JWS and Mr Roxburgh's evidence, in Mr Willis' opinion, the interception of groundwater by infrastructure remains a valid risk. Further, given the current prohibited status of a groundwater take (via interception), he remains of the opinion that it is not acceptable to leave this issue to subdivision stage, or after construction, to resolve given there is no consenting pathway available should a water take be required.⁸⁵

[162] He stated that the applicant has not satisfactorily demonstrated that the site can be successfully serviced for stormwater given that interception of groundwater by infrastructure remains a risk and, on this basis, RCP031 cannot currently adequately demonstrated that the site contributes significantly to development capacity (under the NPS-UD Policy 8 as set out in his s42A report).⁸⁶ In reaching this view Mr Willis emphasised the detailed experience of Mr Roxburgh and Mr Bacon, whose advice he relies on, with existing development infrastructure in the District, and the consequences of infrastructure failure.⁸⁷

[163] Mr Willis also observed that alternatives to swales such as kerb and channelling are identified in the JWS, however, this identified solution is not consistent with the Applicant's stated design approach to maintain rural village character, which is a key development outcome and one that has been contested through the hearing process by numerous submitters.⁸⁸

[164] The applicant has maintained throughout the hearing that the issue with respect to the interception of groundwater in the CLWRP is much wider than just this application, and that the Regional Council's interpretation of the rules are a significant issue to many developers and consent applicants across the whole of Canterbury.⁸⁹ In her closing legal

84 Ibid at [21-24]

85 Ibid at [22]

86 Ibid at [23]

87 Ibid at [24]

88 Ibid at [22]

89 Applicant's Closing legal submissions at [100]

submissions, Ms Appleyard stated that the Applicant's experts are confident that all the RCP031 infrastructure can be designed and constructed in a manner that will not intercept groundwater while ensuring no off-site effects.⁹⁰

[165] At the reconvened hearing we asked Ms Appleyard for the applicant's legal submissions on why the applicant perceives the Regional Council to be interpreting the rules of the CLWRP incorrectly with respect to groundwater interception. We also asked for further guidance on what, if any, evidential matters relating to groundwater interception risk remained unresolved.

[166] We received the applicant's supplementary closing legal submissions on 13 September 2023. The legal submissions addressed in detail the Court of Appeal's recent decision in *Aotearoa Water Action Inc v Canterbury Regional Council* (the AWA Decision)⁹¹, the Regional Council's subsequent interpretation of the CLWRP and repercussions for the processing of resource consents, the Mayoral Forum Memorandum, and the Waimakariri District Council's interpretation of the CLWRP.⁹² We found these legal submissions to be very helpful in our understanding of the relevance, availability, and applicability of CLWRP consenting pathways.

[167] As requested, the closing legal submissions also set out the applicant's response to the evidential risk of groundwater interception by service infrastructure for RCP31 – in terms of interception during construction, use of stormwater detention basins, swales, wastewater and stormwater pipe networks, raingardens and bioscapes and road subbase.⁹³ The legal submissions concluded that all aspects of the proposal have been designed to either entirely avoid the interception of groundwater or are able to rely on a specific CLWRP rule that is not in issue.

90 Applicant's Closing legal submissions at [104]

91 *Aotearoa Water Action Incorporated v Canterbury Regional Council* [2022] NZCA 325

92 Applicant's supplementary closing legal submissions 2023.

93 Applicant's supplementary closing legal submissions 2023.

Discussion

[168] We have carefully considered the evidence provided to us by the applicant, the s42A reporting officers, and the information provided by submitters based on their lived experience of flooding on and beyond the site.

[169] We are reassured that following expert conferencing, all relevant experts reached agreement that there is an adequate solution to provide potable water to the site, that viable wastewater options are available for the site, and that on-site and off-site flood risk (including groundwater resurgence) can be adequately managed, including through the subdivision consenting phase. We note this evidence was supported by Mr Willis.

[170] We note it is not within our jurisdiction to decide upon the Regional Council's interpretation of its own rule framework as part of this decision process. However, having considered the legal and evidential risks associated with groundwater interception and interpretation issues surrounding CLWRP consenting pathways, we are sufficiently confident that the proposal has been designed to either entirely avoid the interception of groundwater or that there is a legitimate consenting pathway available to the applicant should this be required to address the risk of interception of groundwater, which may more accurately be described as a diversion of water or a non-consumptive take or use, or fall within minor permitted takes (as distinct from planned interception equating to a take and use of water).⁹⁴

[171] We have also considered the concerns of Mr Roxborough regarding the difficulties experienced in other areas in the district where, despite best practice in the design and construction of stormwater features, there have been ongoing issues regarding their maintenance and adverse effects on residents. There are practical and cost difficulties in resolving these issues post development.

94 Applicant's Supplementary Closing Legal Submissions at [33] – [70]

[172] We are satisfied that, even if it was determined at the time of subdivision that the proposed design did create a risk of future adverse effects (and depending on the nature and scale of those effects) it would also be possible for the Council to either consider whether there needed to be a bond for a period of time or to incorporate specific contingencies in the design to cover such risks. However, in our view, this issue is not of itself an impediment to the plan change.

Findings

[173] We are satisfied that RCP031 can be adequately serviced with three waters infrastructure and that detailed design matters can be appropriately addressed at subdivision stage. We are therefore satisfied that infrastructural concerns have been adequately addressed.

Other Non-Transport Infrastructure

Issue

[174] During the hearing an issue arose as to whether RCP031 gives effect to relevant higher order planning instruments, namely the National Policy Statement: Electricity Transmission (NPSET) and the Canterbury Regional Policy Statement (CRPS), where the RCP031 site area intersects with the National Grid.

Submissions and Evidence

[175] A National Grid transmission line traverses the site subject to RCP031. This transmission line is the Islington – Southbrook A (ISL-SBK-A) 66kV overhead double circuit transmission line on steel towers.⁹⁵ We heard from Ms McLeod, planner engaged by

95 Evidence in chief A. McLeod on behalf of Transpower New Zealand Limited at [14]

Transpower New Zealand at the hearing who presented expert planning evidence in relation to the matters raised in Transpower's submission.⁹⁶

[176] Ms McLeod's evidence confirmed the need to operate, maintain, develop and upgrade the National Grid as being a matter of national significance and acknowledged the need for RCP031 to give effect to, in particular, Policies 10 and 11 of the NPSET; Policy 4 of the NPSUD and Policy 16.3.4 of the CRPS. She concluded that the RCP031 as notified did not give effect to the NPSET including because the WDP provisions are inadequate.⁹⁷ Ms McLeod provided us with proposed amendments to the ODP rules to satisfy the relief sought by Transpower.

[177] In response, the applicant agreed to the proposed amendments put forward by Transpower. Mr Walsh presented the amendments in a revised suite of amendments at Attachment 2 of his supplementary evidence. He noted that minor changes had been applied so that the amendments fit the structure of the District Plan, and that the substance of Transpower's proposed amendments are unaltered.⁹⁸

[178] Mr Willis concluded that that the changes sought by Transpower in relation to additional subdivision, land use and landscaping restrictions in the vicinity of the National Grid and consultation requirements for subdivision consent could be incorporated into the WDP should the Panel be minded to approve RCP031. In his opinion the changes sought by Ms McLeod are relatively minor and are not relevant to his overall conclusions on the merits of RCP031.⁹⁹

96 Evidence in chief A. McLeod on behalf of Transpower New Zealand Limited 21 July 2023.

97 Ibid at [54]

98 Supplementary evidence Mr Walsh at [4].

99 Supplementary statement of evidence Mr Willis on behalf of the Waimakariri District Council, Appendix 1 at [26].

Discussion

[179] We accept the evidence of Ms McLeod, Mr Walsh and Mr Willis in relation to the relief sought by Transpower.

Findings

[180] We are satisfied that non-transport infrastructural matters have been satisfactorily resolved and that there are no outstanding issues of concern.

Transportation

Issues

[181] Adequate transportation infrastructure to serve the site is a key component to assessing whether the proposal provides significant development capacity that contributes to a well-functioning urban environment for the purposes of giving effect to the NPS-UD.

[182] RCP031 if approved has the potential to increase the residential population at Ōhoka, by approximately 700%¹⁰⁰ and has the potential to adversely affect the safety and efficiency of the surrounding road network.

[183] RCP031 has the potential to increase vehicle usage and contribute to increased vehicle emissions given its distance from key activity centres within Greater Christchurch.

[184] The adequacy of the availability of public and active modes of transport is a key issue under both the UPS-UD, and CRPS.

100 Based on assumptions used in the evidence in chief of Mr Nicholson at [92]

Submissions and Evidence

[185] During the course of the hearing many submitters¹⁰¹ spoke to their various concerns relating to increased traffic pressure on surrounding roading infrastructure and associated traffic safety risks to pedestrians, school children, and horse riders; a lack of public transport options; the financial burden on ratepayers of roading upgrades and network improvements; increase in commuter traffic to and from other settlements and Christchurch City; inadequate provision of facilities for pedestrians and cyclist on surrounding roads; that the proposal does not support a reduction in vehicle emissions; and that the proposal does not meet the national and regional policies that promote well-functioning environments in terms of public and active transport options.

[186] Waka Kotahi submitted in opposition to the proposed plan change on the basis that it would not contribute to a well-functioning urban environment, would not promote a reduction in vehicle emissions and that the options for public and active transport were limited.¹⁰²

[187] We heard from various experts throughout the course of the hearing on transport related matters. In Minute 4 we directed expert conferencing on topics relating to public transport options, and private motor vehicle transport infrastructure outcomes. We received Joint Witness Statements (JWSs) on these topics on 18 August¹⁰³ and 22 August 2023¹⁰⁴ respectively.

Public Transport

[188] Ōhoka is not currently served with public transport. Commuter services between Rangiora, Kaiapoi and Christchurch are available, and there are two express bus services

101 Submitters for example The Jones Family via tabled evidence [#193], D Stringer [#637], G Edge [#606], C Docherty [#640 & 283], P Trumic [#40], B Wright [#258], N Mealings [#638], R Luisetti [#67 & 96], R Pegler [#502].

102 Submission by Waka Kotahi [#141].

103 JWS Public Transport, 18 August 2023.

104 JWS Transport Infrastructure Provision, 22 August 2023.

(Routes 91 and 92) that link three existing Rangiora Park and Ride sites and two existing Kaiapoi Park and Ride sites.

[189] Transportation experts; Mr Fuller for the applicant, Mr Metherell for the council (as submitter), Mr Binder as part of the s42A Report and Mr Fleete (Senior Strategy Advisor Public Transport) employed by the Regional Council agreed that, if RCP031 were approved, a fixed route bus service between Rangiora and Kaiapoi via Ōhoka was not realisable in the short term but may be realisable in the medium to long-term, subject to a range of contingent factors including funding and investment priorities and patronage patterns.¹⁰⁵

[190] In considering another fixed route option (being an extension of Route 22, linking to Kaiapoi in the morning commuter peak, and from Kaiapoi in the afternoon commuter peak) the relevant experts agreed there were several limitations constraining the viability of this option and noted it would be very unlikely to lead to any notable change in private vehicle travel from RCP031 across the whole day, with a marginal impact on peak period commuting to Christchurch.¹⁰⁶

[191] In terms of the provision of an on-demand service, the experts agreed that such a service could be realised that would serve Ōhoka, western Rangiora and western Kaiapoi. However, due to a range of contingent matters, the experts could not reach agreement on whether an on-demand service represented a viable alternative to a fixed bus service to support southern Waimakariri with local public transport to link residents into the wider Greater Christchurch public transport network in the short, medium or long term.¹⁰⁷

[192] Having considered the JWS, Mr Willis remained of the view that the applicant had not been able to demonstrate that the RCP031 site has good accessibility or is well serviced by existing or planned public transport for residents to access jobs and community services. He concluded that the proposal does not achieve the accessibility requirements set out in the

105 JWS Public Transport Options, 18 August 2023, at [6-7]

106 JWS Public Transport Options at [8-9]

107 Ibid at [10-13]

NPS-UD (Objective 3(b) and Policy 1(c)). He added that in his view, a limited trial of an on-demand option does not provide sufficient certainty to justify supporting RCP031 given the PT and well-functioning urban environment requirements in the NPS-UD, the significance of the proposal and the identified transport issues.¹⁰⁸

[193] In his supplementary evidence¹⁰⁹, Mr Walsh for the applicant acknowledged that the experts could not reach an agreement on the viability of an on-demand service. He stated that if RCP031 were to be approved, it is likely that an attempt would be made to service it with public transport of some type at some point in the future. He maintained the view that existing and future residents of Ōhoka (and other areas) would benefit from having access to an on-demand service and noted that fewer residents would benefit from a peak period extension of fixed Route 92. He added that if neither of these services eventuated, Christchurch bound public transport services can be accessed via the park and ride facilities at Kaiapoi and Rangiora.

[194] In closing legal submissions Ms Appleyard drew our attention to the existence of a report that had been approved by Council, at a meeting following after the substantive hearing, for consultation entitled the “Waimakariri Integrated Transport Strategy” and highlighted the Council’s intent to implement a suite of actions relating to public transport services in the district. The applicant noted their disappointment that the Council experts who were involved in the conferencing on transport and public transport matters did not draw the applicant’s or the panel’s attention to the work being undertaken by Council.¹¹⁰

[195] Mr Willis confirmed for us that Mr Binder (as a co-author to the report) is very familiar with the contents of the report and that the expert advice provided by Mr Binder in his statements of evidence and in expert conferencing had been cognisant of the contents of the report. Ms Appleyard confirmed that other than wishing to assist the panel as to the existence

108 Supplementary evidence Mr Willis at [18]

109 Supplementary evidence Mr Walsh at [34]

110 Applicant’s closing legal submissions at [75-77]

of the report, and the existence of a list of implementation actions on p26 of that document, there were no additional evidential matters of note.

[196] We have considered the report and are of the view that it does not diminish the evidence that we heard about the uncertainties of the likelihood of public transport options to service the site beyond acknowledging that the Council has confirmed that it is committed to exploring a range of options to improve public transport availability and accessibility across the district, which may include 'on demand' services. Whether or not these will be realisable for Ōhoka or any other rural settlement remains uncertain, which is consistent with the position reached by the transportation experts who attended conferencing.

Private motor vehicle transport infrastructure outcomes.

Intersection improvements

[197] The JWS¹¹¹ indicated general alignment amongst the experts on matters relating to intersection safety and improvements at the Bradleys Road / Tram Road intersection, Tram Road / Whites Road intersection, Mill Road / Ōhoka Road intersection and Flaxton Road / Threlkelds Road intersection. The JWS identified the need for an additional three rules that would impose development thresholds on the proposal.

[198] Mr Willis accepted the conclusions of the transport experts and was comfortable that the proposed new threshold rules could be drafted and successfully applied to the proposal.¹¹² In his supplementary evidence, Mr Walsh for the applicant confirmed acceptance of these rules and presented amended plan provisions to this effect.¹¹³

[199] Mr Willis further observed that the new proposed rules would reduce the certainty of achieving the 850 households proposed in RCP031 and could affect the timing of section

111 JWS Transport Infrastructure Provision at [5-33]

112 Supplementary evidence Mr Willis in response to Minute 4 at [13].

113 Supplementary evidence Mr Walsh at [24] & Appendix 2 to that evidence.

delivery. In his view this is a direct consequence of providing for a development that is not currently planned for in the Council's strategic planning documents.¹¹⁴

[200] Mr Walsh agreed with Mr Willis that the proposed rules introduce some uncertainty in respect of achieving 850 households as proposed and may also affect delivery of the proposed development capacity.¹¹⁵ In his supplementary evidence, Mr Walsh offered comments in respect of the proposed threshold rules and the applicant's resultant ability to achieve development capacity. He concluded that, in the worst-case scenario, it is possible that development of the plan change site may be stalled for an unknown length of time at 250 dwellings, resulting in a reduction of the proposed development potential by approximately two-thirds.¹¹⁶

Vehicle kilometres travelled (VKT) and GHG Emissions

[201] When assessing the proposed RCP031 provisions against the objectives of the District Plan, the applicant's s32 report acknowledges that the proposal would likely result in more private motor vehicle trips including to and from Christchurch. The s32 evaluation identifies factors that may reduce and offset increased emissions over time, including the trend towards electric vehicle ownership, a reduction in greenhouse gas emissions through the discontinuation of the current dairy farm operation on the site, and the provision of local convenience goods and services as proposed in the plan change proposal.¹¹⁷

[202] Mr Binder, commented that a reduction of private VKT plays a critical role in transport-related emissions but also relates directly to safety, congestion, and accessibility effects.¹¹⁸ He noted that as of May 2023, electric vehicles make up 1.7% of the fleet, which has increased from 0.15% over the past five years.¹¹⁹ In his view, the trend of uptake of electric vehicles is not at a rate that could be considered an effective mitigation for transport emissions within the

114 Supplementary evidence Mr Willis in response to Minute 4 at [13]

115 Supplementary evidence Mr Walsh at [26].

116 Supplementary evidence Mr Walsh at [33]

117 Request for Change to the Waimakariri District Plan, Novo Group Report, at [pp31-32]

118 Evidence in chief Mr Binder at [20]

119 Ibid at [21]

foreseeable future. He further noted that any potential uptake of electric vehicles will not impact VKT and the resulting impacts on safety, health, accessibility, and congestion.

[203] Mr Binder identified the Emissions Reduction Plan that commits local councils to reduce VKT by light vehicles by 2035 and the likely sub-regional VKT reduction target for the Waimakariri District of 24%.¹²⁰ He noted that the Council identified Development Areas within the proposed plan have deliberately been co-located with Rangiora and Kaiapoi and are, at the furthest, about 3.0km as the crow flies from established key activity centres (which include existing retail, employment, health, and education destinations). In contrast, he observed that the furthest point RCP031 is almost 4.0 km from the nearest retail (the Mandeville neighbourhood centre) and 8.0 km or more from the nearest key activity centre. He concluded that the subject site is not well-located to existing urban areas and that travel distances to key facilities are likely to be higher than those from identified Development Areas (which by definition increases VKT and likely GHG emissions).

[204] In its submission, Waka Kotahi noted that there are no adequate cycle facilities from Ōhoka to Rangiora and that residents would be required to travel by private car to access other services. Further, Waka Kotahi noted that the services likely to establish within the proposed Business 4 Zone at Ōhoka would be of a similar nature to those services already provided at the Mandeville commercial centre and as such would not replace the need to travel to Rangiora.¹²¹ We discussed this matter with several submitters during the hearing. Submitters reported to us that they might stop at the Mandeville commercial centre to 'top up' supplies. However, they all reported that they would travel to Rangiora or other commercial centres in the district to do the bulk of their weekly shopping and to access services and facilities.

[205] Waka Kotahi also identified the 2050 net zero carbon target as mandated by the Climate Change Response Act 2002 and that this is relevant to the NPS-UD Objective 8 and Policy 1 which addressed 'well-functioning environments'. The submission states that MfE's

120 Ibid at [22]

121 Submission by Waka Kotahi [#141] at [16]

Emissions Reduction Plan 2022 sets out four transport targets including reducing total light fleet kilometres travelled by 20% through improved urban form and providing better travel options. Waka Kotahi considered that the proposal would likely further contribute to transport associated carbon emissions and would not help achieve a VKT reduction due to reliance on private vehicle use to access employment.

[206] We heard from transportation engineer Mr Metherell for the Council (as submitter) who expressed concern RCP031 could lead to transport outcomes that are not desirable for new urban development of the scale proposed. Including the low self-sufficiency of the development as a result of low employment in the planned urban area, leading to high travel distances to access employment and services comparable to distances associated with existing or developing urban centres. In this view this was exacerbated by the lack of choice to use other modes of transport to reduce reliance on private vehicles.¹²²

[207] Mr Willis, having considered Mr Binder's evidence, concluded that the location of the site will result in increases in VKT and GHG transport emissions contrary to the Emissions Reduction Plan. He agreed that even with the use of electric vehicles, the impacts on safety, health, accessibility, and congestion will still increase.¹²³

[208] In his evidence, Mr Walsh stated that while VKT may increase because of the proposal, it is difficult to determine by how much, noting that Ōhoka is closer to Central Christchurch than Rangiora, Woodend and Pegasus, and therefore reduced VKT associated with commuter traffic from Ōhoka may offset the VKT associated with dedicated trips from Rangiora, Woodend and Pegasus.¹²⁴ He further commented that it may not be appropriate to compare the VKT of the proposal with VKT of development locations closer to the larger urban centres in the District given the applicant's assertion that the assumed development capacity of the proposed new areas for development has been significantly overstated by the

122 Supplementary evidence at [3.3]

123 s42A Report at [6.8.20].

124 Evidence in chief Mr Walsh at [171]

Council.¹²⁵ Mr Walsh also promoted the proposed commercial zone within the plan change area as having a 'VKT reducing' influence.¹²⁶

[209] The applicant engaged Mr Farrelly, an engineering consultant specialising in the energy and carbon field, to address the matter of transport related GHG emissions. Mr Farrelly concluded that the proposal supports the reduction of transport related GHG emissions, relying primarily on the assertion that the proposal supports reductions in greenhouse gas emissions due to the removal of dairying activity and its associated emissions from the RCP31 land.¹²⁷ He was also of the opinion that the applicant had taken practical steps in the design of RCP031 to support a reduction in emissions arising from the development and occupation of dwellings from commercial building, and emissions arising from transportation.¹²⁸

[210] During the hearing we heard various calculations provided by relevant experts accounting for the potential reduction of GHG emissions from the loss of dairying, the GHG emissions from the construction of the houses, and the ongoing GHG emissions from travel. Mr Willis noted in his supplementary evidence that both Mr Binder and Mr Buckley for the Council agreed that GHG emissions from the proposal would be significantly in excess of the potential reduction from the loss of dairying, taking into account the need of future residents to drive to Rangiora, Kaiapoi, etc for services. Based on their assessments, Mr Willis maintained the view that the plan change would not contribute to a reduction in GHG emissions and would produce more than a similar, or denser development located closer to the district's main towns or within Christchurch.¹²⁹

[211] We did not find the comparison between the loss of dairying from the site compared to increased GHG emissions from the construction and occupation of the plan change site to be particularly helpful. Mr Akehurst, when answering questions from the panel also agreed that the comparison was not helpful and there were inadequate modelling tools available to

125 Ibid [173]

126 Ibid [174].

127 Evidence in chief Mr Farrelly at [146]

128 Ibid [155]

129 Supplementary evidence Mr Willis at [28-30]

draw helpful conclusions. In short this was not a case about dairying v houses, rather we needed to consider whether the proposed plan change would support a reduction in greenhouse gas emissions.

[212] In closing legal submissions, Ms Appleyard noted that one of the requirements of a well-functioning urban environment under Policy 1 is that it is an environment that “support[s] reductions in greenhouse gas emissions” and therefore that RCP031 should contribute to that requirement. She argued that it is not a matter of demonstrating that RCP031 itself will reduce greenhouse gas emissions or will produce less greenhouse gas emissions than the existing land use. In order to contribute to that requirement, it must be demonstrated that the plan change facilitates future users of the site in reducing their greenhouse gas emissions.¹³⁰

[213] Ms Appleyard submitted that simply because VKT in and of themselves may increase as a result of RCP031, this does not mean that RCP031 is not contributing to supporting reductions in greenhouse gas emissions. In reaching this view she noted that public transport requires a critical mass to establish, and that RCP031 will provide some of that mass in Ōhoka, such that future public transport to and from Ōhoka is likely to occur should this plan change proceed. She stated that this would contribute to reducing the greenhouse gas emissions of both residents from the plan change site and Ōhoka more generally.¹³¹

[214] We have concluded that the availability and timing of public transport alternatives is too uncertain to rely on to support a reduction in greenhouse gas emissions. Ms Appleyard’s argument undermines objective 3 and 8 of the NPS-UD. The benefits of enabling people to live and work in or near existing centres where public transport is accessible and active transport is practical are ways to support a reduction in greenhouse gas emissions. RCP031 does not give effect to either objective.

130 Applicant’s closing legal submissions at [71-72]

131 Applicant’s closing legal submissions at [74]

Upgrades to the SH1 / Tram Road interchange

[215] The applicant provided a narrow site-based evaluation of traffic effects of the initial s32 evaluation and notably did not mention the Tram Road SH 1 motorway interchange.¹³² We consider this was a significant omission given the applicant's case was that RCP031 was intended to contribute to a well-functioning Greater Christchurch Urban Environment.

[216] In his roading safety evaluation, Mr Binder assessed crash safety risk and concluded that there are elevated traffic safety risks on the two primary corridors used to facilitate the bulk of the anticipated vehicular trips. He considered it inappropriate to site the proposed development so that it would substantially increase vehicular trips on these two corridors (Tram Road and Mill Road).¹³³

[217] In relation to Tram Road, Mr Binder noted:¹³⁴

Tram Road is considered one of the highest-risk roads in the District, due in part to the long straight stretches without interruptions, and relatively higher traffic volumes. The risk of crash increases through the peri-urban Mandeville area, with higher-frequency of side accesses and turning traffic. It is noted that CAS records between 2018 and 2022 show seven serious injury and one fatality crashes in the segment of Tram Road between McHughes Road/Bradly Road and the SH1 Motorway...

[218] Following receipt of the s42A Report the applicant's traffic engineer Mr Fuller undertook traffic modelling of the State Highway 1/Tram Road interchange and concluded that the modelling indicated that the interchange would require upgrading to accommodate the plan change traffic.¹³⁵ Mr Fuller's further modelling of the staging of the development indicated that 250 allotments could be readily accommodated within the existing interchange, but further development beyond that would either require *"further justification through further assessment, accounting for changes to the environment or travel patterns and further*

132 Application, Appendix H Integrated Transport Assessment.

133 s42A Report at [6.8.15]

134 Evidence in chief Mr Binder; Appendix 7 to s42A Report at [34]

135 Evidence in chief Mr Fuller at [26]

modelling or an upgrade undertaken to the interchange."¹³⁶ He considered there were a number of available solutions if an upgrade was required. Mr Fuller considered that any upgrades within the existing bridge width of the interchange could fully accommodate RCP031 traffic.

[219] Mr Metherell disagreed with the methodology employed by Mr Fuller when considering traffic growth and potential. He explained that Mr Fuller's further analysis of the Tram Road interchange (with consideration of traffic growth from the west based on his assessment of growth potential) made some allowance for background traffic growth that would potentially represent less than 10 years of growth. In his view, consideration of a longer period would be desirable as 2028 would likely be the timeframe for initial development from the Plan Change site.¹³⁷

[220] Mr Metherell also commented on the proposed layout of the interchange based on discussions with Waka Kotahi's transport planner, Haroun Turay. Mr Metherell reported that the current performance of the interchange is generating queues back across the northbound off ramp, and that Waka Kotahi are currently looking at a traffic signals option for the off-ramp intersection with Tram Road.¹³⁸ Mr Metherell's understanding was that there is currently no plan to provide an additional traffic lane eastbound, reflecting a general policy response to travel demand management and managing the availability of spare traffic carrying capacity. He commented that additional spare capacity can lead to downstream effects and that Waka Kotahi have indicated their preference is to manage demand for travel on the motorway and seek solutions that are supportive of that preference such as mode shift and higher occupancy use of vehicles.¹³⁹

[221] Mr Metherell stated that in his view the only feasible solution presented by Mr Fuller is bridge widening, which by its nature is a large project. He understood this would be a last resort outcome from Waka Kotahi and considered the analysis by Mr Fuller had not made it

136 Ibid [30]

137 Supplementary evidence Mr Metherell at [16-17]

138 Ibid [19]

139 Supplementary evidence Mr Metherell at [20]

clear if capacity-based changes were necessary without the growth on Tram Road as a result of the Plan Change.¹⁴⁰

[222] Although we did not hear directly from Waka Kotahi, ultimately, it's a matter for them as the relevant roading authority as to the type and timing of any upgrades. For our purposes there is no certainty that the solutions proposed by Mr Fuller would be actioned by Waka Kotahi and there is a high likelihood that the development would be stalled at 250 residential allotments in the medium term.

[223] We note Mr Walsh's evidence in support of this proposed threshold rule¹⁴¹, and his supplementary evidence where he recommends that the rule require limited notification to Waka Kotahi absent its written approval, given their jurisdiction over this interchange.¹⁴²

[224] Despite the potential impediment to the realisation of the development within the medium-term, Mr Walsh did not seek the views of Waka Kotahi on the likelihood or timing of such works. He noted that Waka Kotahi did not appear at the hearing and he 'assumed that they would not be concerned with this matter'.¹⁴³

Discussion

[225] Objective 3 of the NPS-UD seeks to enable more people to live in, and more businesses and community services to be located in, areas of an urban environment in which one or more of the following apply:

- (a) the area is in or near a centre zone or other area with many employment opportunities
- (b) the area is well serviced by existing or planned public transport

140 Ibid at [21]

141 Evidence in chief Mr Walsh at [165-167]

142 Supplementary evidence Mr Walsh at [20]

143 Ibid at [34]

- (c) there is high demand for housing or for business in the area relative to other areas within the urban environment.¹⁴⁴

[226] RCP031 is not sufficiently near a centre or other area with many employment opportunities and requires private motor vehicle use to access the closest centres.¹⁴⁵ We agree with Mr Willis that the applicant has not been able to demonstrate that the RCP031 site has good accessibility or is well serviced by existing or planned public transport for residents to access jobs and community services.

[227] We are not persuaded by Mr Walsh's evidence where he stated that if RCP031 were to be approved, it is likely that an attempt would be made to service it with public transport of some type at some point in the future. While we acknowledge that provision of public transport to the site may be more likely in the longer term in conjunction with general public transport service improvements in the district as indicated by the Council's "Waimakariri Integrated Transport Strategy", this does not alter the fact that at present, the site is not well serviced by existing or planned public transport for residents to access jobs and community services.

[228] One of the requirements of a well-functioning urban environment under Policy 1 of the NPS-UD is that it is an environment that "support[s] reductions in greenhouse gas emissions" and therefore that RCP031 should therefore contribute to that requirement. We accept that, to contribute to that requirement, the applicant must demonstrate that the plan change supports occupants of the site in reducing their greenhouse gas emissions.

[229] Having considered the evidence on VKT and GHG emissions, we are not persuaded by the applicant's case that the loss of dairying from the site supports reductions in greenhouse gas emissions from the RCP031 site. We have already found that a direct comparison between GHG emissions from the development and use of residential and business land proposed by RCP031 and the removal of dairying from 156ha of rural land is

¹⁴⁴ We have addressed the evidence of Mr Jones regarding demand for housing on the area at [104]. There was no evidence of market demand for business in this area, aside for the assessment if retail distribution effects. We discuss submitters evidence of their shopping habits at [204].

¹⁴⁵ As discussed at [203].

not helpful given the lack of comparative modelling tools. We have considered the likelihood of future residents to drive to Rangiora, Kaiapoi, etc for services without accessibility of public transport alternatives and we have found RCP031 does not facilitate future users of the site in reducing their greenhouse gas emissions. The provision of charging facilities for electric vehicles is a positive step, but the actual impact on the reduction of GHG emissions has not been quantified.

[230] The introduction of threshold rules during the hearing to address intersection safety and improvements has resulted in reduced certainty of the applicant being able to achieve proposed development capacity of 850 households, and the timing of section delivery. We heard evidence that suggests there is a real possibility that development may be stalled for an unknown length of time at 250 dwellings, resulting in a reduction of the proposed development potential by approximately two-thirds.

[231] We also heard evidence that the proposed improvements to the SH1 / Tram Road interchange is reliant on a third party, Waka Kotahi, and that their preference is to manage demand for travel on the motorway and seek solutions that are supportive of that preference such as mode shift and higher occupancy use of vehicles. Although Waka Kotahi did not attend the hearing and present any further evidence on this issue, the issues raised by other submitters during the hearing are consistent with the agency's written submission as well as their reasons for opposing the proposal.

[232] Having considered the evidence and submissions, we consider the introduction of threshold rules to manage transportation effects seriously constrains the applicant's ability to realise significant development capacity.

Findings

[233] We find that the plan change does not contribute to the requirement under Objective 8 and Policy 1 of the NPS-UD regarding reductions in greenhouse gas emissions. The applicant has not sufficiently demonstrated the plan change facilitates future users of the site in reducing their greenhouse gas emissions.

[234] We find that the plan change does not have good accessibility and cannot demonstrate it is well serviced by existing or planned public transport for residents to access jobs and community services. The proposal therefore does not achieve the accessibility requirements set out in the NPS-UD (Objective 3(b) and Policy 1(c)) and therefore does not contribute to a well-functioning urban environment as required by NPS-UD Objective 1 and Policy 8.

Character, Amenity and Landscape

Issues

[235] As noted by Mr Willis in his s42A report this topic “*received the most comments from submitters*”. Submitters expressed concerns that the proposal is not in keeping with the existing Ōhoka character and will ruin its quiet lifestyle / semi-rural nature / rural outlook, its historic rural village character / atmosphere / fabric, its peace and tranquillity, charm and close community spirit”.¹⁴⁶

[236] Key issues discussed at the hearing included the nature of the existing environment of Ōhoka and what constitutes ‘rural village character’; the existing open character environment of the RCP031 site and what represents an acceptable or unacceptable level of change in rural amenity for the Ōhoka community, and whether the proposal does or does not represent compact or consolidated urban form. A key consideration for us was the level of change already anticipated by both the WDC and proposed plan in terms of rural lifestyle development outcomes and how this compares with the level of change proposed.

146 s42A Report at [6.9.2]

Submissions and Evidence

Rural Village Character

[237] We heard from Mr Carter, director of the applicant. Mr Carter is also a resident of Ōhoka. When describing the background to and rational for the proposal he observed that there is currently “*a serious lack of amenities*” in Ōhoka with only “*a garage and irrigation supplier*”.¹⁴⁷ In his verbal presentation to us he shared a view that Ōhoka is not a village, but rather a skeleton of a village. If RCP031 did not go ahead, in his view it would be a missed opportunity.

[238] We heard from many submitters during the hearing who shared their experiences of living in Ōhoka and the attributes that in their views contribute positively to rural village character.¹⁴⁸ Consistent themes included the unique and quaint ‘feel’ of Ōhoka village, the undeveloped nature of the village and the associated lack of shops and centralised amenities, the heritage character in the village, the rural village aesthetic, low population, and the ‘heart’ of the Ōhoka village being its community. Submitters expressed consistent concern that the proposal would significantly and negatively impact the existing village character.

[239] Mr Falconer, urban design and landscape expert for the applicant, stated that concerns expressed about the scale of the proposal being too large and going against the village character can be successfully addressed by the carefully composed and comprehensive design features of the proposal.¹⁴⁹ In his view, the proposal will both maintain and enhance the current Ōhoka village character.¹⁵⁰

[240] Mr Falconer considered that from an urban design perspective, density and lot size alone do not determine rural village character, rather the assessment is necessarily broader

147 Evidence Mr Carter at [15]

148 For example oral submissions provided by J Hadfield [#260], D&M Ayers [#425], Oxford/Ōhoka Community Board [#370], S Wells [#562], M Sparrow [#107], M & M Leggett [#233], A Arps [#205], P&M Driver [#135], A Low [#416], G Edge [#606]

149 Supplementary evidence Mr Falconer 3 at [10]

150 Ibid at [14]

and contextual. Further, he stated that the proposal incorporates comprehensive landscape treatments to address the interface of the site with the surrounding area, consistent with the landscape treatment of existing residential activity. In his view, this is an important contributing factor to maintaining the current character of Ōhoka.¹⁵¹

[241] Ms Lauenstein, urban design expert for the applicant, was of the view that the village character of Ōhoka is reflected in the spatial layout of the proposal, in the design of streets and public spaces, in the edge treatment of the perimeter roads, in the placement of the commercial centre, in the landscape treatment of the waterway margins, and in the location and design of the village gateway/thresholds.¹⁵² At the hearing she maintained her view that the proposal would result in an appropriate development outcome in terms of character and form in the proposed location.¹⁵³

[242] Mr Compton-Moen, urban design and landscape design expert for the applicant, considered that the proposal is a natural extension of Ōhoka, which will consolidate Ōhoka as a rural settlement with its village character retained.¹⁵⁴ While he acknowledged that the existing character on the site will change to one which is more compartmentalised, he considered that the proposal will create a high-quality, high-amenity development which builds on the rural village character of Ōhoka and consolidates the local centre form.¹⁵⁵ In his overall view, any effects on landscape character and amenity effects on existing and future residents can be successfully addressed through the proposed mitigation measures.¹⁵⁶

[243] Mr Milne, landscape design expert for the applicant, stated in relation to the retention of character that *“PC31 does not intend to retain rural character within the PC31 site boundaries. The intention of PC31 is to undertake a rezoning which will allow for development consistent with that of a Residential Zone, in an appropriate location that responds to the*

151 Ibid at [15]

152 Supplementary evidence Ms Lauenstein at [9]

153 Ibid at [17]

154 Supplementary evidence Mr Compton-Moen at [5]

155 Ibid at [7.2]

156 Ibid at [6]

surrounding Ōhoka setting”.¹⁵⁷ He said “while PC31 undeniably represents residential growth, it is my opinion that the density still represents that of a village scale (noting that, for example, Oxford is significantly more urbanised than the PC31 proposal, yet is still identified as a Village)”.¹⁵⁸

[244] Mr Nicholson, urban design and landscape expert who provided evidence as part of the s42A Report, stated in his written evidence that the character of a village with 300 residents is inherently different from the character of a town with 2,500 residents. He considered the proposal would fail to ‘maintain’ or ‘retain’ the rural village character of Ōhoka, citing the increased size and population of the settlement, the increased ‘suburban’ densities, and the potential scale of the retirement home / educational facility.¹⁵⁹

[245] Mr Nicholson said he agreed with Mr Falconer (for the applicant) that ‘a’ village character like Lincoln or Matakana could be created if RCP031 was approved but noted that the policy directions in the WDP and the Waimakariri 2048 District Development Strategy both seek to maintain or retain the ‘existing’ character of Ōhoka.¹⁶⁰ He continued by stating that:

While I agree that the design team could create an attractive ‘village’ character, I do not accept Mr Falconer’s view that the existing rural village character of Ōhoka can be retained through carefully considered design. I note that Policy 18.1.1.9 in the OWDP seeks to maintain a predominantly low density living environment with dwellings in generous settings, and the explanation identifies that generous settings comprise an average lot size of between 5,000 and 10,000m².¹⁶¹

[246] Mr Nicholson further observed that the proposed lot sizes of 600-1,000m² for sections in the Living 2 Zone would be significantly smaller than the sections along the opposite side of Mill Road which range from 1,000 -7,500m² with an average size of approximately 3,000m², and approximately 10 times smaller than sections in the more recent residential developments

157 Supplementary evidence Mr Milne at [13]

158 Ibid at [14]

159 Evidence in chief Mr Nicholson at [9.3 & 9.6]

160 Supplementary evidence Mr Nicholson at [5.3]

161 Ibid at [5.4]

on Keetly Place and Wilson Drive. In his view, while good design can ensure that smaller sections are attractive and livable, he did not consider that it can 'retain' the character of sections that are generally more than twice the size.¹⁶²

[247] Mr Knott, urban design expert for the Council (as submitter), considered that RCP031 would not reflect the existing rural village character of Ōhoka. He stated that the screening of all new development (apart from the commercial centre) from the existing roads limits physical connections to the surrounding area and provides the impression that the RCP031 area is inward looking and not associated with its surroundings. In his overall view, RCP031 is not a natural extension to Ōhoka, rather it is essentially a new town within a rural area.¹⁶³

[248] On the issue of rural village character Mr Willis, Mr Boyes, and Mr Walsh were in agreement that the key provision of the WDP is Policy 18.1.1.9, specific to growth at Ōhoka.

[249] Mr Willis in his s42A report, based on the evidence provided by Mr Nicholson, concluded that the RCP031 will not maintain a rural village character comprising a predominantly low-density living environment with dwellings in generous settings. He said that:

¹⁶⁴.

while the proposal has attempted to sleeve the higher density Residential 3 component, the urban density component remains the predominant development type. Overall, the proposal will result in a town approximately seven times bigger (at the RCP031 proposed densities) and with significant commercial areas and potentially a retirement village and school. I consider that the proposal is not in accordance with Policy 18.1.1.9 and its explanation.

[250] In his supplementary evidence, Mr Willis' opinion was:¹⁶⁵

a helpful starting point for this assessment is the status quo and the anticipated characteristics that Policy 18.1.1.9 and its explanation describe... In my opinion this

162 Supplementary evidence Mr Nicholson at [5.6 & 5.7]

163 Supplementary evidence Mr Knott at [7]

164 s42A Report at [7.3.144]

165 Supplementary evidence Mr Willis at [36]

description describes the anticipated characteristics of an expanded Ōhoka village and what 'village' means for this discussion.

[251] Mr Willis commented that:¹⁶⁶

based on Mr Nicholson's and my assessment of the submitters concerns presented at the hearing, I remain of the opinion that Ōhoka will no longer be a small, low key, quiet, 'ride your horses down the main street' rural village when it is transformed into a town bigger than Oxford as a result of this proposal. The proposal does not maintain the rural village character comprising a predominantly low-density living environment with dwellings in generous settings required by Waimakariri District Plan (WDP) Policy 18.1.1.9.

[252] Mr Willis said this policy did not envisage urban density development of the type proposed as it specifically states in the explanation that any further rural residential development (i.e. not Residential 2 development) occurs in a way, and to an extent, that does not overwhelm the special semi-rural character of the settlement and refers to generous dwelling settings comprising an average lot size of between 0.5 – 1.0 hectare (he noted this reference is proposed to be changed by RCP031). It also refers to consolidating growth around or adjacent to the existing urban area. The plan change proposal, with its Residential 2 density lots, two commercial areas, potentially a second primary school and a retirement village, stretching southwards almost as far as Mandeville clearly does not achieve and is not consistent with the anticipated characteristics or resulting character described in the policy and explanation.¹⁶⁷

[253] We heard from Mr Boyes, planner for the Council (as submitter), that in his view the proposal does not satisfy the development aspirations of Policy 18.1.1.9 which requires that future residential development urban growth promoted by RCP031 maintains its rural character and ensures that development complements the existing low density rural residential environment.

[254] The applicant's assessment of relevant plan provisions in the application acknowledges the sensitivity of the local environment to urban growth and notes that the

166 Supplementary evidence Mr Willis at [33]

167 Ibid at [34]

development enabled by the proposal will be highly planned and curated to ensure high amenity outcomes appropriate for the setting.¹⁶⁸ The assessment further states that the plan change proposal has been carefully developed to achieve the amenity and environmental expectations which are set out at Policy 18.1.1.9.¹⁶⁹ Mr Walsh's opinion was Policy 18.1.1.9 in the WDP contemplates growth of the Ōhoka settlement and that the proposal is consistent with this policy.¹⁷⁰

[255] As discussed at [150-173] expert conferencing on stormwater servicing provision identified the possibility that 26ha of the plan change site along Whites Road is unable to be attenuated and therefore potentially precluded from development. The JWS also indicated that alternatives to swales such as kerb and channelling may be required.¹⁷¹ Mr Willis considered that the use of alternatives to swales would not be consistent with the Applicant's stated design approach to maintain rural village character, which is a key development outcome and one that has been contested through the hearing process by numerous submitters.¹⁷²

[256] We asked the applicant to consider any urban design consequences if the 26ha area was unable to be developed, and the urban design impacts of kerb and channel in the context of Ōhoka Village character. In response for the applicant, Mr Falconer advised that if development was prevented within the 26ha area the integrity of the proposed development would be resilient to such a change and the conclusions on urban design matters contained in his evidence in chief would remain the same.¹⁷³ He noted the following specific impacts if development within the area was precluded:

- (a) a parallel shifting of the subdivision layout to the west towards Bradleys Road; and

168 Novo Group Plan Change Request June 2022 at [p32]

169 Ibid at [p30]

170 Supplementary evidence Mr Walsh at [39]

171 JWS Groundwater and surface water issues and implications for stormwater management

172 Supplementary evidence Mr Willis at [22]

173 Supplementary evidence Mr Falconer at [7]

- (b) consequential loss of residential lots and along Whites Road would either be a broad reserve section (if no development could occur) or larger lots (if limited development could occur); and
- (c) Maintained connectivity to Whites Road via roading and pedestrian/cycleway connections; and
- (d) Commercial areas opposite the Domain on Whites Road would be shifted away from Whites Road and that land could be utilised for reserve, parking, or an extension to the market.¹⁷⁴

[257] Regarding the use of alternatives to swales, Mr Falconer noted that further detailed assessment would be required before it can be determined the locations of where kerb and channels would be required (as opposed to swales) and that the final detailed design of the plan change may well include a combination of both swales and kerb and channels.¹⁷⁵ He considered that depending on detailing the edge to the carriageway and the devices controlling the runoff, there could be a mix of both hard and soft edging, of catch pits and rain gardens/soak pits for the kerb and channel design.¹⁷⁶

[258] Mr Falconer's opinion was that ideally, a soft edge (which would be the case with swales) provides more of a 'rural' feel, though it is possible that kerb and channel design can be detailed to be recessive and result in a minor impact on the sense of a 'village character'. To illustrate this point, he included a photograph from a new subdivision in the Cardrona Village which showed a combination of a swale and a vertical upstand kerb. Overall, the potential requirement for kerb and channel infrastructure did not change the conclusions contained in his evidence in chief regarding village character.¹⁷⁷

174 Supplementary evidence Mf Falconer at [6 & 7]

175 Ibid at [9]

176 Ibid at [10].

177 Ibid at [11] and Figure 1 in that evidence.

[259] In response to Council and submitter concerns about the smaller commercial area proposed along Mill Road, Mr Falconer commented that if it was to be removed from the plan change and replaced with residential zoning there would be relatively little loss to the proposed development from an urban design perspective. He advised that the conclusions set out in his evidence in chief would remain unchanged.¹⁷⁸

Open Character Landscape / Rural Amenity

[260] We heard from many submitters, particularly those who live in residential properties closest to the proposal on Bradley's Road, Mills Road, and Whites Road, who expressed concerns about the potential effects of the proposal on visual and rural amenity and open landscape character of the area.¹⁷⁹ A consistent theme was that the proposed mitigations would not reduce the visual and amenity impact of the proposal.

[261] Amanda Low talked to us about her family's opposition to the proposal.¹⁸⁰ The Low family reside in an historic Vicarage. She provided a photograph to illustrate the direct view of the site (that area of the proposal comprising the commercial area) from several vantage points within her home. She challenged the applicant's appraisal of visual amenity and pointed out that Mr Compton-Moen's assessment did not appear to consider the impact of the proposal on the cluster of houses along Mill Road.

[262] Ms Scully for submitter J Hatfield argued that the landscape and visual effects of RCP031 would be detrimental to the rural environment Mrs Hatfield currently enjoys at her Mills Road property.¹⁸¹ Further, Ms Scully submitted that the considerable difference in outlook from Mrs Hatfield's home currently, to what it would look like if RCP031 were to be approved, does not equate to a rural character as proposed in the proposed plan.¹⁸²

178 Supplementary evidence Mr Falconer at [15-18]

179 For example, oral presentations by M Leggett [#233, A Low [#416], J Hadfield [#260]

180 Low family submissions [#377, #411, #416, #452]

181 Legal submissions for Janet Hatfield at [43]

182 Ibid at [48]

[263] Submitters also highlighted the legalities of proposed mitigation located on private property.¹⁸³ We heard from Philip Driver He explained to us that the applicant's proposal encroaches the boundary of their Bradleys Road property, and that they have not been directly consulted by the applicant to discuss this issue.

[264] We also heard from some submitters¹⁸⁴ regarding the potential lack of future maintenance of the proposed landscape treatments as shown on the ODP, including that some species promoted in the evidence of Mr Compton-Moen would not establish easily on the site given the local conditions.

[265] Mr Edge (local resident, practicing landscape architect, and elected member of the Canterbury Regional Council) spoke to us about his involvement in the development of a 2004 report entitled '*The Ōhoka Landscape Assessment for Waimakariri District Council and the Ōhoka Community Trust*'. Mr Edge confirmed to us that he was submitting in a personal capacity rather than as an expert witness. He delivered power point presentation along with a commentary about the key landscape assessment findings contained in the 2004 report relating to landscape elements, landscape character areas, and community views and concerns at that time. Overall, he considered that *"the landuse activity and housing typology proposed in the application will have significant effect on the wellbeing of the community and its impact on the existing landscape will be negatively transformative of its rural and heritage characteristics"*¹⁸⁵.

[266] Mr Milne, landscape design expert for the applicant considered the key landscape issue of the proposed rezoning related to potential effects on the amenity of the surrounding environment.¹⁸⁶ He emphasised that RCP031 does not intend to retain rural character within the 1 site boundaries and that the intention is to undertake a rezoning which will allow for

183 For example, P Driver [#135]

184 For example B&B Chambers [#262], CE Doherty [#283].

185 Evidence statement Mr Edge at [9.4]

186 Supplementary evidence Mr Milne at [4]

development consistent with that of a Residential Zone, in an appropriate location that responds to the surrounding Ōhoka setting.¹⁸⁷

[267] Mr Milne stated that RCP031 will provide for future development that is appropriate and will not result in significant adverse landscape or visual amenity effects that cannot be either avoided or mitigated.¹⁸⁸ He considered that the proposed landscape treatment around the perimeter of the site (Landscape Treatments A, B, and C) to be an appropriate response to assist with integration of the RCP031 area.¹⁸⁹ In his view the alterations to landscape character are acceptable in the context of the wider existing development pattern due to the existing level of fragmentation that has already occurred through rural residential scale development, along with the positive effects associated with the increase in local amenity and convenience that will complement the existing Ōhoka Village.¹⁹⁰

[268] Mr Milne noted the anticipated reduction in open rural character that is provided for by both the WDP and the proposed plan rezoning to Rural Lifestyle Zone.¹⁹¹ He promoted the comparison as a useful analysis tool to demonstrate that the loss of open rural views is a possible development outcome under the WDP and proposed plan or the RCP031 development. On this basis, Mr Milne opined that restriction of views across the site is not a key factor in determining potential adverse landscape and visual amenity effects.¹⁹²

[269] Mr Compton-Moen was of the view that any effects on landscape character and amenity effects on existing and future residents can be successfully addressed through the proposed mitigation measures. He stated that the proposed Landscape Treatments and building setbacks (20m) on Whites and Bradleys Road are consistent with the wider receiving environment, also complementing and contributing to the existing settlement form.¹⁹³

187 Ibid at [13]

188 Supplementary evidence Mr Milne at [20]

189 Ibid at [6&7]

190 Ibid at [5]

191 Ibid at [5]

192 Ibid at [10]

193 Supplementary evidence Mr Compton-Moen at [6&7]

[270] In response to submitter concerns about the potential lack of future maintenance of the proposed landscape treatment areas, Mr Compton-Moen acknowledged that poor maintenance can result in unacceptable landscape outcomes. He confirmed that a five-year maintenance period for planting has been incorporated into the ODP, noting that this is longer than the typical 2-year (48-month) maintenance period usually specified. He considered this amendment would be more than enough to ensure successful establishment of landscape areas.¹⁹⁴

[271] In response to submitter concerns about the types of tree species proposed in the landscape treatments, Mr Compton-Moen explained that the species outlined in his evidence are commonly found in the Ōhoka District, were selected for their known ability to establish easily on the site, and that they are readily available from local nurseries in the large numbers that would be required. To ensure greater flexibility for Landscape Treatment C, Mr Compton-Moen recommended an additional five species.¹⁹⁵ Mr Compton-Moen explained that the exact breakdown and composition of the planting of Landscape Treatments A, B, and C would be submitted to council for approval during the subdivision stage, and that the same would apply for reserves and riparian margins developed as part of the green/blue network within the plan change site.¹⁹⁶

[272] Mr Compton-Moen further considered that a detailed landscape management plan is required, preferably prepared by a Registered Landscape Architect. He explained that landscape management plans are not uncommon with proposed plan changes such as this, being submitted at Engineering Approval Stage. A management plan would provide direction on the establishment of planting, weed and pest control, replacement planting, irrigation and the like. In my opinion, a requirement for planting within the landscape areas to achieve an 80% canopy cover within the five-year timeframe would also be appropriate.¹⁹⁷

194 Supplementary evidence Mr Compton-Moen at [5]

195 Ibid at [6]

196 Ibid at [7]

197 Ibid at [8]

[273] Mr Goodfellow, landscape architect for the Council (as submitter), remained of the view that the proposal is not consistent with the Ōhoka settlement pattern. In his view the proposal will (even with the proposed landscape treatments in place) have an adverse effect on the character of Ōhoka in the moderate-high range. On this basis, Mr Goodfellow concludes that the proposal will not maintain but instead significantly reduce the existing rural character of Ōhoka.¹⁹⁸ When asked about what level of change would be acceptable, he considered that about half of the proposed area would be acceptable from a landscape and rural character perspective.

[274] Mr Nicholson, remained of the view that with regard to existing site conditions and characteristics, RCP031 would have a moderate-high impact on landscape character and a moderate-high visual impact.¹⁹⁹

[275] Regarding the anticipated reduction in open rural character that is provided for by both the WDP and proposed plan's rezoning to Rural Lifestyle Zone, Mr Nicholson agreed that this would affect the degree of landscape change and associated visual impact. If the site was developed into 4ha lots, the impact of RCP031 on the landscape character would moderate and the visual impact would be moderate along Whites and Mills Roads. However, he considered the visual impact along Whites Road would remain as moderate high.²⁰⁰

[276] Mr Nicholson noted that Policy 6 of the NPS-UD specifically directs that changes to amenity values such as landscape character and visual amenity need to be balanced against the positive effects of increased housing supply and choice, and are not of themselves, an adverse effect.²⁰¹

[277] Mr Willis in his s42A report stated that landscape and visual character is a matter that is going to change when a site is rezoned from a rural to an urban zone. While it can be mitigated, such as through the measures proposed in RCP031's supporting material and ODP,

198 Supplementary evidence Mr Goodfellow at [3 & 4]

199 Supplementary evidence Mr Nicholson at [11]

200 Ibid at [11]

201 Ibid at [11.5]

it is not possible to completely maintain rural landscape features and vistas in an urban setting.²⁰²

[278] Mr Willis notes that adverse character, landscape and visual effects are a consequence of accommodating urban growth and the Council has to provide for urban growth under the NPS-UD and CRPS. The key matter for consideration is whether these adverse effects in this location are more significant or contrary to planning provisions than might occur in another rural area that is also proposed to be rezoned to urban.²⁰³

[279] Mr Walsh considered the proposal is acceptable in terms of landscape change and visual amenity impacts of the proposal that provide mitigation of potential adverse visual effects.²⁰⁴

[280] Policy 14.1.1.4 was not addressed in the application or in Mr Walsh's evidence. Mr Boyes, planner for the Council (as submitter) sets out that Policy 14.1.1.4 is to "Maintain rural character as the setting for Residential 4A and 4B Zones". He notes that the ODP explanation refers to an outlook dominated by paddocks, trees, natural features, and agricultural, pastoral or horticultural activities. In his view that scale of resulting built form will not maintain a rural character setting for those residents in the existing Residential 4A and 4B zones to the north of the RCP031 site.²⁰⁵

[281] In response, Mr Walsh considered that the outlook for residents within the Residential 4A and 4B zones at Ōhoka will be unchanged by the proposal. He stated that views of the site from properties within these zones are obscured by existing mature trees/vegetation and development/activities within the Residential 3 zone.²⁰⁶

202 s42A Report at [6.9.13]

203 S42A Report at [6.9.13]

204 Evidence in chief Mr Walsh at [196]

205 Evidence in chief Mr Boyes at [37 & 38]

206 Supplementary evidence Mr Walsh at [41]

Urban Form

[282] Mr Compton-Moen considered that the proposal is a natural extension of Ōhoka, which will consolidate Ōhoka as a rural settlement with its village character retained.²⁰⁷ In his view the proposal does not create a new town, but rather consolidates the existing settlement.²⁰⁸

[283] Ms Lauenstein considered that the proposal completes and consolidates the urban form of Ōhoka. In her view the proposal better defines the different elements that contribute to the urban form by providing legible thresholds between the outer areas and the core and it strengthens the centric form by strengthening the commercial and communal centre on Whites Road.²⁰⁹

[284] Mr Nicholson promoted two variables as good indicators of the degree of compactness and consolidation of a development, including walkability buffers and the proportion of a site boundary adjoining an existing settlement.²¹⁰

[285] With regard to walkability buffers, Mr Nicholson is of the view that an area within an 800m walkable buffer is more compact. He further observed that less than half of the RCP031 site sits within an 800m walkable buffer.²¹¹ Mr Falconer disagreed with Mr Nicholson's analysis on the basis that it fails to acknowledge or recognise that the majority of the smaller lots within the development are well within such a circle and are well connected in contrast to many existing lots within Ōhoka which are very poorly connected and have little in the way of a multi modal network.²¹²

[286] With regard to the proportion of a site boundary that adjoins an existing settlement, Mr Nicholson provided a series of diagrammatic settlement patterns to illustrate various edge

207 Supplementary evidence Mr Compton-Moen at [5]

208 Ibid at [8.5]

209 Evidence in chief Ms Lauenstein at [16]

210 Supplementary evidence Mr Nicholson at [9]

211 Ibid at [9.5]

212 Supplementary evidence Mr Falconer at [19-20]

connections and the extent to which an area could contribute to a compact and consolidated settlement. He noted that the site has approximately 17% of its boundary connected to the existing Ōhoka settlement and opined that this does not contribute to a compact and consolidated urban form for Ōhoka. He agreed with Mr Knott that RCP031 could be more appropriately described as a new town within the rural area.²¹³

[287] Mr Falconer disagreed with Mr Nicholson's use of abstract block diagrams to demonstrate his concerns about the proportion of boundary interface as a measure of compactness and consolidation and considered the reliance on these measures to be blunt and inadequate to assess the spatial efficiency of an urban form which responds in sum to various elements that make up a place such as landform, waterways, vegetation, heritage and land uses.²¹⁴

[288] Mr Nicholson stated that RCP031 would largely infill the rural land between Ōhoka and Mandeville giving rise to a sprawling low-density residential conurbation with a combined population in the order of 3,850 people.²¹⁵

[289] Mr Falconer disagreed with Mr Nicholson's view based on the reasons that Mandeville North is over 4.2km distant from the site and is already largely developed based on lifestyle and large lot blocks. He considered that the Mandeville North settlement is quite unlike the RCP031 proposal, which seeks to provide greater housing options, more efficient land use, and commercial local job opportunities.²¹⁶ Mr Milne also disagreed, stating that RCP031 presents a development form quite different to Mandeville and it will be contained by the proposed landscape edge treatment to the RCP031 boundaries.²¹⁷

[290] Mr Nicholson's opinion was that RCP031 will have a more suburban character and that there will be a delineated 10m wide landscaped strip around the southern boundary of the

213 Supplementary evidence Mr Nicholson at [9.7-9.10]

214 Supplementary evidence Mr Falconer at [21-23]

215 Evidence in chief Mr Nicholson at [10.3]

216 Evidence in chief Mr Falconer at [49-51]

217 Evidence in chief Mr Milne at [47]

site. However, he remained of the view that RCP031 would extend to within 300m of the Modena Place subdivision in Mandeville. The two subdivisions would be separated by between two and four 4ha blocks with little in the way of open rural character to distinguish the communities.²¹⁸ Mr Nicholson provided an aerial image to demonstrate the 300m separation between the RCP031 site and the Modena Place subdivision in Mandeville.

[291] Mr Willis in his s42A report noted that RCP031 will essentially stretch southwards to join up with Mandeville, undermining the existing separate identities of both areas.²¹⁹

[292] Mr Boyes observed that the scale and extent of residential development proposed by RCP031 appears at odds with the current policy framework or what is intended by way of the higher order documents, which all seek to promote a centres-based approach. RCP031 takes the existing rural settlement of Ōhoka and extends it southwest towards Mandeville. The majority of land between the southern extent of the RCP031 area and the Mandeville residential zoned land is already developed to a density of 1 to 2ha allotments. In his view this would create a scenario whereby the two settlements will effectively appear as one with little in the way of open rural character to differentiate between the communities.²²⁰

[293] Mr Walsh did not specifically assess this issue, other than to point out Mr Falconer's and Mr Compton-Moen's disagreement.²²¹

[294] Mr Willis commented in his supplementary evidence that he had reviewed Mr Walsh's clarification of how the proposed urban design approach will work. He found Mr Walsh's summary statement (paragraphs 13 to 17) to be very helpful. Mr Willis had reviewed the Jacks Point Residential Design Guidelines 2019 and agreed that these would work as they are sufficiently certain to be administered in a planning framework. However, he noted that the

218 Supplementary evidence Mr Nicholson at [10.2]

219 s42A Report at [6.9.9]

220 Evidence in chief Mr Boyes at [78]

221 Evidence in chief Mr Walsh at [193]

guidelines are not yet written by the Applicant so he was not certain that the approach will work for Ōhoka and deliver outcomes that help to maintain the village.²²²

Discussion

[295] We heard compelling evidence from numerous submitters about their experiences of living in Ōhoka and the attributes contributing positively to rural village character. We visited the area on two occasions during the hearing process and what we saw and experienced was consistent with submitter accounts of the nature and features of the area and surrounding environment. We also acknowledge the many and varied community interactions and activities that contribute to local residents' sense of belonging in a rural community such as Ōhoka.

[296] We agree that the existing environment of Ōhoka constitutes 'rural village character'. We were surprised by the lack of engagement between the applicant and the community and consider this was a missed opportunity to address specific concerns, particularly where a number of submitters' properties were either included in the plan change area or sat immediately adjacent to the proposed commercial areas.

[297] There appears to be overall agreement across urban design and landscape experts that the ODP masterplan and subsequent amendments made by the applicant throughout the hearing process will ensure a quality urban design outcome - in and of itself - and internally within the plan change area. We accept the applicant's view that the ODP provides a high degree of certainty that the outcomes of the indicative masterplan will be realised and that the fine-grained detail in respect of design matters will be addressed and managed via the yet to be developed design guidelines.

[298] The key area of disagreement between the relevant experts is focussed on the proposed location of RCP031 in the surrounding Ōhoka setting and the resultant impacts on rural village character. We do not accept the applicant's position that the proposed densities

222 Supplementary evidence Mr Willis at [37]

represent that of a village scale when considered in the context of the existing rural village character of Ōhoka. Having carefully considered the evidence, we prefer the evidence of the s42A authors that the proposal would fail to 'maintain' the rural village character of Ōhoka due to the significant increase to the size and population of the settlement, and the increased 'suburban' densities. It is clear to us that the proposal is the antithesis of what is expected via Policy 18.1.1.9 which seeks to maintain a predominantly low-density living environment with dwellings in generous settings.

[299] We acknowledge the concerns of many submitters about the potential effects of the proposal on visual and rural amenity and open landscape character of the area, and that the proposed mitigations would not reduce the visual and amenity impact of the proposal. In considering this matter, we have had particular regard to Policy 6 of the NPS-UD which specifically acknowledges that in giving effect to the NPS-UD changes to amenity values such as landscape character and visual amenity need to be balanced against the positive effects of increased housing supply and choice, and are not of themselves, an adverse effect. We found Mr Willis' guidance on this matter helpful when he stated that the key matter for our consideration is whether any adverse effects in this location are more significant or contrary to planning provisions than might occur in another rural area that is also proposed to be rezoned to urban.

[300] We are not persuaded by the applicant's experts' views that from an urban design perspective the proposal is a natural extension of Ōhoka which will complete and consolidate Ōhoka as a rural settlement with its village character retained. We prefer the expert evidence of Mr Nicholson and Mr Knott that the full extent of RCP031 does not contribute to a consolidated urban form for Ōhoka. We accept their views that RCP031 is more appropriately described as a new town within the rural area. In reaching this view, we note our concerns on the proposed scale and extent of residential development extending towards Mandeville.

[301] Relevant technical and evaluative experts (who contributed to the s42A report and appeared for the Council (as submitter) were unanimous in their view that RCP031 takes the existing rural settlement of Ōhoka and extends it south towards Mandeville. It was clear to us during our site visit that the proposal, at its fullest extent once developed, would create a

scenario whereby the two settlements would effectively appear as one with little in the way of open rural character to differentiate between the communities. In addition, the aerial image²²³ provided to us at the hearing clearly demonstrated the 300m separation between the RCP031 site and the Modena Place subdivision in Mandeville. We accept the planning evidence in this regard that this is directly at odds with the operative District Plan policy framework or what is intended by way of the higher order documents, which all seek to promote a centres-based approach.

Findings

[302] We find that the changes to amenity values (including effects on landscape character and visual amenity) are to be expected given the proposed change from an open rural landscape to residential land use. Having considered the positive effects of an increased housing supply, on balance we do not consider these changes to be adverse.

[303] We find that the proposal would significantly and negatively impact the existing village character of Ōhoka as anticipated in Policy 18.1.1.9. We discuss this policy further in our statutory evaluation but note here that the applicant has not proposed any change to the policy wording to accommodate the development and the proposed amendment to the explanation to reflect new zones, does not overcome the policy direction towards the provision of low-density development and rural village character at Ōhoka.

[304] We find that the full proposal does not create a consolidated urban form for Ōhoka as it extends towards Mandeville, blurring the margins of both settlements.

[305] Although not the applicant's proposal we were provided with a scaled down plan change, which was limited to approximately 360-442 dwellings²²⁴. We have considered this in the context of the evidence received on rural character, amenity and landscape evidence and

223 Summary of evidence Mr Nicholson at Figure 4

224 Supplementary evidence in closing Mr Walsh at [52]

concluded that it is more consistent with the scale of development anticipated in Policy 18.1.1.9 but note that this is not the applicant's preferred proposal.

Aquatic and Terrestrial Ecology

Issues

[306] Issues to arise during the hearing and in submissions included the potential enhancement and net ecological benefits at the site and downgradient of the site compared to current land use; the impact of the proposal on the habitat of the eel population observed by submitters to travel overland across wet paddocks on the plan change site; and impact of urban design requirements on the ecological value of proposed setbacks due to urban safety considerations. Some submitters also voiced concerns relating to the management of cat populations that might arise from the scale of residential activity proposed on the site, and the loss of habitat for birds (e.g. owls, hawks, pūkeko) which required open pasture and rural land to flourish.²²⁵

[307] A key issue in contention was the impact of urbanisation on the hydrology of waterbodies, and whether the potential ecological effects of the plan change promoted by the applicant would be limited by impacts to the hydrology of the site and the proposed setback distances.

Submissions and Evidence

Ecological impacts onsite and downstream / downgradient of the site

[308] We heard from many submitters during the hearing who expressed concern about the impact of the proposal on terrestrial and aquatic habitats and wildlife in the area²²⁶ and the

225 Submitters for example P Trumic [#40], G Kilner [#538], A Arps [#205]

226 For example, P Trumic [#40], AJ Low [#416], A Arps [#205], E Hamilton [#287], A Gibbs [#50], M Vermaat (151), C E Doherty [#283]

potential for the proposal to ‘upset’ the planting and ecological restoration works undertaken by the community in recent years in and around Ōhoka Bush.²²⁷ Sarah Barkle (representing the Oxford/Ōhoka Community Board²²⁸) spoke to us about the initiatives underway to educate landowners about stream maintenance and plantings to support local ecology.

[309] Mr Taylor, ecologist for the applicant, stated that *“it is considered that, with ecologically suitable riparian buffer strips and the existence of clear ecological pathways for downstream habitats, the ecology in the Plan Change Area can be significantly enhanced from its currently “fair” level. However, this will also require a high standard of stormwater treatment to protect the instream ecology within the Plan Change Area, but also the receiving environment, including Ōhoka Bush”*.²²⁹

[310] Mr Taylor further stated *“given the utility of Ōhoka Bush as a source of native insects, and an existing “fair” level of stream health within the Plan Change Area, a high level of ecological protection holds the potential to produce aquatic habitats of a significant standard in the Plan Change Area. This potential will be contingent on ecological dispersal paths from Ōhoka Bush, including riparian strips and road bridging which facilitate ecological dispersal.”*

230

[311] Ms Drummond (freshwater ecologist for the applicant) set out in her evidence the reasons why she is supportive of RCP031 in terms of freshwater bodies and ecosystem values. She is of the view that the amended ODP and ODP text incorporates design and mitigation strategies that will provide ecological betterment to both the onsite waterways and those downstream.²³¹ She further noted that there is an opportunity to link Ōhoka Stream to the Ōhoka Bush, downstream of Whites Road, to increase in the length of the Ōhoka Stream ecological corridor and improve not only instream conditions, but overall biodiversity values in the area.²³²

227 For example, Oxford/Ōhoka Community Board [#370], N Killner [# 592, 634, 633, 632], L Joris [#105]

228 Oxford/Ōhoka Community Board [#370]

229 Supplementary evidence Mr Taylor (orally delivered by Ms Drummond) at [7]

230 Supplementary evidence Mr Taylor (orally delivered by Ms Drummond) at [8]

231 Evidence in chief Ms Drummond at [9-11]

232 Supplementary evidence Ms Drummond at [6]

[312] Further, Ms Drummond stated that the provided minimum setback distances from waterways on the site (springheads and watercourses) and the requirement for an Ecological Management Plan will provide controls on potential ecological impacts to the site. The removal of dairy farming activities from this site will also result in a reduction in agricultural contaminants in the waterways on site and downgradient (nitrogen, phosphorus, sediment and *Escherichia coli* (*E. coli*)), as required under Plan Change 7 (PC7) of the LWRP. Impacts on Longfin eel habitat

[313] The Council's submission on RCP031 included a section on protection of indigenous fauna including longfin eels. During the hearing we heard from AJ Low and Ngaire Borlase also expressed concern about the impact of the development on eels travelling overland through the plan change site across the wet paddocks to the Ōhoka streams. The evidence of Ms Drummond stated that there is no loss of habitat expected as a result of the proposal and that the proposed stream buffers along with native riparian buffers will result in not only the protection of stream habitat, but its enhancement.²³³ Similarly, Mr Taylor noted that maintaining bank stability through the use of ecologically significant setbacks from the banks and maintenance of spring base flows (and depth) will enhance habitat for longfin eel. Further, he noted that Longfin eels, particularly the larger specimens, require water depth and stable bank structure for refuge.²³⁴ In response to a Panel question about the reported behaviour of eels by submitters, he noted that the provision of a quality riparian environment and adequate buffer distances from waterways provide appropriate migratory pathways for eels.

Hydrological connections

[314] There is general agreement between Dr Burrell (ecologist for the Regional Council) and Ms Drummond that the potential to improve the ecological value of the waterways on site is reliant on maintaining hydrological connections.²³⁵ In considering this, Ms Drummond stated

233 Evidence in chief Ms Drummond at [20]

234 Evidence in chief Mr Taylor at [52]

235 Supplementary evidence Ms Drummond at [10], Evidence in chief Dr Burrell at [29-30]

that mitigation of groundwater flow paths and minimum buffer distances from springs therefore need to be established at the plan change stage in order to reduce uncertainty in effects.²³⁶

[315] Relying on evidence of Mr Veendrick²³⁷, Ms Drummond explained that the highest risk of reduced spring flow and spring water levels is from shallow groundwater being intercepted by the construction of service trenches and hardfill areas (such as roads), which could reduce groundwater flow to the springs. In her view, based on the controls, methods, construction methods put forward in the evidence of Mr McLeod and Mr Veendrick, along with updated monitoring specified in the ODP text for both groundwater and surface water, appropriate controls can be implemented to maintain the hydrology of the springs on site and avoid a reduction in spring ecological value.²³⁸

[316] Ms Drummond noted that she had revised the proposed setbacks for identified springs on the site. She explained that in her evidence in chief a 20m setback for the northern spring and 30m setback for the southern spring was proposed. At the hearing she explained that a 30m for both the northern and southern springs was appropriate to provide the same level of protection for both spring heads and to enable a higher level of enhancement.²³⁹ Mr Taylor also explained that the reason for the increase in setback was based on recent hydrological evidence suggesting a greater spring discharge, and that a larger setback is required to ensure its hydrological state. In his view, the setback is of sufficient size to be ecologically functional and is consistent with the setback around the Central spring head.²⁴⁰

[317] In terms of the setback for the groundwater seep, Ms Drummond explained that the proposed 20m setback has been retained for the reason that it has a much smaller volume of water flowing from it and a lower level of enhancement potential compared to the northern and southern springs. In her view a larger setback was not required at the RCP031 site because the two spring heads and the groundwater seep spatially isolated. She commented on the

236 Supplementary evidence Ms Drummond at [10]

237 Evidence in chief Mr Veendrick 3 August 2023

238 Supplementary evidence Ms Drummond at [11]

239 Ibid at [12]

240 Supplementary evidence Mr Taylor (orally delivered by Laura Drummond) at [22]

100m setback that was provided for springs/wetlands at the PC69 site and explained that the setbacks in that case were determined on the basis of the very high ecological value of the extensive spring fields on site, which were clustered together. A larger setback at that site protected the hydrology of the springs and waterways within the site more effectively.²⁴¹

[318] Mr Taylor further commented that while the groundwater seep is a natural wetland, the linear waterway leading south-east to Whites Road has been constructed and aligned to paddock fence lines and so regards this waterway as a 'farm drainage canal' that does not directly engage the District Plan setback rules for waterways, nor the RMA/NES definition of a river.²⁴² He remained of the view that a 10m well-vegetated buffer would be appropriate for the groundwater seep channel, but only because of its probable limited biodiversity, and limited ecological dependence to bank vegetation. In his view that the narrower proposed 10m setback provides a physical waterway structure, and also provides nutrient and contaminant uptake.²⁴³

[319] We heard from submitter Ms L Joris²⁴⁴ who expressed concern that springs on the northeastern area of the site had not been accounted for by the applicant's experts. At the hearing we asked the applicant to investigate the springs reported by Ms Joris and to provide further evidence on this matter. Ms Drummond's supplementary evidence²⁴⁵ advised that she had visited the site and assessed the potential spring presence in the area. In her view while the presence of surface ponding in these areas was evident, none of the areas are 'springs' as there was no signs of flow rising from groundwater and the dominant vegetation was pasture grasses.

[320] Further, discussion with the landowner and a review of aerial imagery indicate that these areas have no standing water during dry conditions, however, water will sit in depressions in the land when it rains heavily due to the clay layer reducing infiltration to the

241 Supplementary evidence Ms Drummond at [12]

242 Supplementary evidence Mr Taylor (orally delivered by Laura Drummond) at [17]

243 Supplementary evidence Mr Taylor at [19-20]

244 Submitter L Joris [#105]

245 Supplementary evidence of Ms Drummond, 4 September 2023.

ground. On this basis, Ms Drummond concluded that these areas do not require the protection of spring setbacks at this stage under the ODP. However, she noted that further assessment of the area will be required as part of the subdivision consent stage and recommended updated wording in the ODP text to this effect.

Impact of urban design requirements

[321] Dr Burrell, said in his experience, urban waterway setbacks are often filled with landscaping enhancements that do not enhance ecological values, such as paths, which detract from the ecological value of the buffer. In addition, he noted that landscape designs in urban areas must consider Crime Prevention Through Environmental Design and 'CPTED' features can result in fewer trees being planted along paths bordering waterbodies.²⁴⁶

[322] We heard from Ms Drummond who stated that in her opinion these details can be worked through at the subdivision design stage, when detailed landscape drawings are prepared. However, she further noted that to provide additional assurance that the plan change will result in enhancement of these waterways the ODP text had been updated to specify minimum requirements of the Ecological Management Plan to provide controls on ecological betterment of the waterways on site, including:

15.1 Groundwater, spring water level and spring flow monitoring investigation across the site to inform construction methodologies;

15.2 Riparian planting plans with a focus on promotion of naturalised ecological conditions, including species composition, maintenance schedules, and pest and predator controls;

15.3 Landscape design drawings of stream setbacks are to include input and approval from a qualified freshwater ecologist, with a minimum of the first 7 m of the spring and stream setbacks will be reserved for riparian vegetation only,

246 Evidence in chief Dr Burrell at [38 & 39]

with no impervious structures and pathways as far as practicable away from the waterway; and

15.4 Stream ecology monitoring (i.e., fish, invertebrates, instream plants and deposited sediment surveys).²⁴⁷

Summary Terrestrial and Aquatic Ecology

[323] Overall, Ms Drummond was supportive of RCP031 in terms of freshwater bodies and ecosystem values. She is of the view that the amended ODP and ODP text incorporates design and mitigation strategies that will provide ecological betterment to both the onsite waterways and those downstream.²⁴⁸

[324] Overall, Mr Taylor stated that based on the provision of ecologically significant riparian strips and a high standard of stormwater treatment, there is a high probability that the Plan Change Area could become an outstanding ecological area.²⁴⁹

[325] Mr Willis concluded that based on based on the applicant's evidence and amendments to the proposal in response to both the Department of Conservation's submission and the evidence of Mr Burrell, it appears there are no longer any ecology matters in contention.²⁵⁰

Discussion

[326] Overall, given the evidence provided to us and the applicant's amendments to the proposal in response to submitters and council s42A officers, we accept that the plan change proposal incorporates appropriate design and mitigation strategies that will result in ecological betterment to both onsite waterways and those located downstream. In reaching this view we

247 Supplementary evidence Ms Drummond at [14 & 15]

248 Evidence in chief Ms Drummond at [9-11]

249 Supplementary evidence Mr Taylor (orally delivered by Laura Drummond) at [23]

250 Supplementary statement of evidence Mr Willis on behalf of the Waimakariri District Council, Appendix 1 at [4]

note the existing land use which does little in the way of protecting or enhancing waterbodies within the site.

[327] Of note, we agree that the applicant's amended ODP text provides an additional level of assurance that the plan change will result in enhancement of waterways by specifying minimum requirements of the Ecological Management Plan to provide controls on ecological betterment of the waterways onsite.

[328] We also accept the evidence that there is an opportunity to link Ōhoka Stream to the Ōhoka Bush, downstream of Whites Road, to increase in the length of the Ōhoka Stream ecological corridor and improve not only instream conditions, but overall biodiversity values in the area.

[329] We are reassured that in response to submitter concerns regarding additional springs reported on the northeastern area of the site, that these have been determined to be surface ponding where water will sit in depressions in the land when it rains heavily due to the clay layer reducing infiltration to the ground. In any case, we note that the applicant's expert has recommended changes to the ODP which requires further assessment at the subdivision stage and find this to be appropriate.

Findings

[330] We find RCP031 provides for potentially significant benefits from an aquatic ecological perspective and provides tangible opportunities for environmental gain in the protection and enhancement of the springs and waterways and their ecological values.

[331] We are satisfied terrestrial ecological matters have been satisfactorily resolved and that there are no outstanding issues of concern.

[332] Overall, we find the proposal is consistent with relevant policy including the NPS-FM, NES-F, and CRPS chapters relating to freshwater, ecosystems and indigenous biodiversity,

and beds of rivers, lakes and their riparian zones. We discuss this further in the statutory assessment.

Commercial Distribution

Issues

[333] Key issues traversed at the hearing included the extent to which the proposal would result in retail effects of a scale that could undermine the function, viability and vibrancy of the centres in the District, in particular Mandeville; determining the appropriate gross floor area (GFA) cap for Business 4 Zone land in RCP031 that would avoid any significant adverse effects on other centres in Waimakariri District including Mandeville; and whether the GFA should be consolidated into one centre in the Business 4 Zone land in RCP031 or whether a portion of the floor area can be justified as a second centre Business 4 Zone land.

Submissions and Evidence

[334] Objective 16.1.1 of the Operative District Plan seeks to maintain different zone qualities which provide opportunities for a range of business development appropriate to the needs of the business community, residents and visitors while sustaining the form and function of the urban environments.²⁵¹ Supporting Policy 16.1.1.1(h) seeks to recognise and provide for several Business Zones with different qualities and characteristics which meet the needs of people, businesses and community expectations while ensuring the town centres remain and provide the dominant location and focal point for business, social, cultural, and administration activities.²⁵²

[335] In his s42A Report, Mr Willis noted that RCP031 proposed a new ODP Policy 16.1.1.12 which provided for limited business activity but did not seek to manage potential impacts on Mandeville or Kaiapoi. He observed that the approach taken by the applicant when

251 Request for Change Novo Group Report at [p33]

252 s42A Report at [7.3.139]

determining the appropriate scale of the proposed business area appeared to be limited by the zone size, the requirement to maintain the characteristics of the Ōhoka settlement, and the requirement to serve day-to-day convenience needs.²⁵³

[336] The Economic Review by Mr Yeoman and Mr Foy²⁵⁴ addressed retail distribution effects. The assessment identified that the appropriate size for the Ōhoka local centre would be less than 2,700m², and much less than the 5,700-6,500m² of commercial floorspace the plan change request anticipated might establish in the zone proposed. The assessment concluded that the Mandeville Centre would be the most likely to be affected by retail distribution impacts. They further noted that given the maximum permitted GFA in the Mandeville Centre of 2,700m² (proposed under PDP rule LCZ-R4), the 3,000m² of GFA oversupply in the proposed larger Ōhoka centre would have the potential to generate material adverse retail distribution effects on the Mandeville Centre.

[337] Ms Hampson, an economist for the applicant, concluded that the distributional effects of a new centre that combined a range of convenience activities in RCP031 would not lead to any significant adverse effects on other centres in Waimakariri District. In reaching this view, Ms Hampson supported a total gross floor area (GFA) cap for Business 4 Zone land in RCP031 of between 2,500-3,000m², consistent with Formative's analysis which indicated that total GFA of 2,700m² was likely to be sustainable if RCP031 was approved. In her view, consolidating floorspace in the Business 4 Zone proposed on Whites Road would maximise the social and economic benefits of providing convenience retail and service activity as part of RCP031. Alternatively, a portion of the total GFA cap could be used to develop a small group of shops in the Business 4 Zoned land on Mills Road once the larger centre was fully developed.²⁵⁵

[338] Mr Willis stated in the s42A Report that "assuming Mr Yeoman's assumptions are correct, I consider there should be a retail cap included in RCP031 of 2700m², triggering an

253 s42A Report at [6.11.7]

254 Proposed Plan Change 31 Economic Review and Support prepared for Waimakariri District Council at [4.2.9]

255 Evidence in chief Ms Hampson at [13-14]

assessment of impacts on adjacent centres where this is breached. I also consider that proposed Policy 16.1.1.2 should refer to not undermining the Mandeville and Kaiapoi centres.”²⁵⁶ In reaching this view he noted the absence of relevant detail in RCP031 on this matter.

[339] We heard from Mr Edwards, a planning and traffic engineering consultant in support of the submission lodged by Mandeville Village Limited Partnership (MVLN). Mr Edwards was not providing evidence as an expert witness but he presented a view that the proposal is inconsistent with the hierarchy of centres identified in the proposed plan and subsequently inconsistent with the objectives and policies of the proposed plan.²⁵⁷ Mr Edwards set out the relief sought by the Partnership including the inclusion of a rule that recognised a maximum centre floor area that is less than what could be developed on the expanded Mandeville Village site; a maximum tenancy floor area no greater than the 200m² allowed for by the currently proposed Neighbourhood Centre Zone (NCZ) rules, and that the development of any commercial floor space on the RCP031 be staged relative to residential development on that site in order to protect to ongoing vitality and hierarchy of the proposed Local Centre Zone (LCZ) at Mandeville Village.²⁵⁸

[340] The evidence of Ms Hampson for the applicant addressed the concerns of the Mandeville Village Limited Partnership. Based on her modelling, she was of the view that, in the absence of a new commercial centre within RCP031 over time, the Mandeville centre may not have sufficient capacity to efficiently meet all catchment demand as RCP031 becomes fully developed. Her modelling indicated that both centres can be sustained in the medium term.²⁵⁹

[341] Overall, she was of the view that RCP031 will have negligible adverse effects on the Town Centres of the District. She considered that the expansion of the centre network to

256 s42A Report at [6.11.10]

257 Statement of Raymond John Edwards in support of the Mandeville Village Partnership Ltd at [3]

258 Ibid at [4]

259 Evidence in chief Ms Hampson at [88]

include an Ōhoka centre posed no threat to the primacy of higher order centres if appropriately sized.²⁶⁰

[342] We note that both Ms Hampson and Mr Yeoman agree that the larger Business 4 Zone should equate to a Local Centre role in the proposed plan terms and is appropriately located within the RCP031 site.²⁶¹

[343] Mr Yeoman highlighted the agreement reached between all experts that the commercial land as originally proposed in RCP031 is too large, that a condition limiting GFA to 2,700m² is required. He considered there is inadequate justification for the second centre.²⁶²

[344] Ms Hampson also commented that a potential alternative to a single centre was for a portion of the total GFA cap being used to develop a small group of shops in the Business 4 Zoned land on Mills Road once the larger centre was fully developed.²⁶³ Ms Hampson detailed her concerns with this approach including that it would require the recommended total GFA cap to be split over two locations that are relatively close to each other. She considered this would dilute the potential foot traffic and vibrancy generated by the retail and commercial floorspace over two separate locations and would lead to less efficient travel patterns. Ms Hampson concluded in her evidence that consolidating the floorspace in the Business 4 Zone proposed on Whites Road will maximise the social and economic benefits of providing convenience retail and service activity as part of RCP031.²⁶⁴

[345] Ms Hampson further commented that, if a second area of commercial zoning was retained in RCP031, it should be zoned (in the context of the proposed plan) at a lower level in the centre hierarchy (i.e as a Neighbourhood Centre) and delivered within the same GFA cap for RCP031. Further, she recommended its development should be delayed until the large

260 Evidence in chief Ms Hampson at [89]

261 Ibid [98]

262 Supplementary evidence of Mr Yeoman

263 Evidence in chief Ms Hampson [14]

264 Ibid at [13]

local centre is fully developed and could be subject to an assessment that demonstrates the economic performance and health of the Mandeville centre to further ensure that both locations are sustainable as predicted by the modelling. We note that both Mr Yeoman and Ms Hampson agreed that the second smaller centre on Mill Road (if retained) would need to be only a small group of shops (i.e., small relative to the Local Centre), but that it lacked a strong economic rationale for inclusion of RCP031.²⁶⁵

[346] Mr Willis in his supplementary evidence accepted the evidence of Ms Hampson and Mr Walsh that a 2700m² retail cap is proposed, along with an amendment to Policy 16.1.1.12.²⁶⁶ For completeness we note that the retail cap does not include the farmers market.

Discussion

[347] The relevant experts unanimously agree that the commercial land as originally proposed in RCP031 is too large and that a condition limiting GFA to 2,700m² is required. We accept this approach and note that the applicant has reflected this change in the updated ODP.

[348] It is clear to us that the primary recommendation of Ms Hampson was that a consolidated floorspace in the Business 4 Zone would maximise the social and economic benefits of providing convenience retail and service activity as part of RCP31. We did not hear compelling evidence that would justify the second smaller centre within the plan change.

[349] If the development were to be stalled at 250 households due to traffic capacity constraints, it is unclear what if any impact this would have on the timing or delivery of a commercial centre within the development area.

265 Evidence in chief Ms Hampson at [98]; Proposed Plan Change 31 Economic Review and Support prepared for Waimakariri District Council at [4.4]

266 Supplementary evidence Mr Willis at [8]

Findings

[350] We are satisfied that the revised proposal incorporating a cap on GFA of 2700m² is appropriate to address actual and potential retail distribution effects from the proposal.

7. STATUTORY ASSESSMENT

The requirements for approval of a plan change

[351] We have followed the general requirements for consideration of a plan change as outlined by the Environment Court in the decisions of *Long Bay Okura Park Society Inc v North Shore City Council* and *Colonial Vineyards Limited v Marlborough District Council*.²⁶⁷

[352] The statutory considerations have been updated to reflect amendments to the RMA since those decisions were issued, but generally follow the summary of requirements.

- (a) A district plan (change) should be designed to accord with and to assist the territorial authority to carry out – its functions so as to achieve the purpose of the Act;²⁶⁸
- (b) When preparing its district plan (change) the territorial authority must give effect to any national policy statement or New Zealand Coastal Policy Statement and any National Planning Standard;²⁶⁹
- (c) When preparing its district plan (change) the territorial authority shall:

267 *Long Bay Great Park Society Inc v North Shore City Council Decision A 78/2008* at para [38], modified to account for changes to the RMA in *Colonial Vineyard Limited v Marlborough District Council* [2014] NZ EnvC 55 at [17].

268 S74(1)(a) and (b) RMA

269 S75(3) RMA

- (i) Have regard to any proposed regional policy statement;²⁷⁰
 - (ii) Must give effect to any operative regional policy statement.²⁷¹
- (d) In relation to regional plans:
- (i) The district plan (change) must not be inconsistent with an operative regional plan for any matter specified in s30(1) of the Act or a water conservation order;²⁷²
 - (ii) Must have regard to any proposed regional plan on any matter of regional significance etc.²⁷³
- (e) When preparing its district plan (change) the territorial authority must also;
- (i) Have regard to any relevant management plans and strategies under other Acts;²⁷⁴
 - (ii) Take into account any relevant planning document recognised by an iwi authority.²⁷⁵
- (f) There is a formal requirement that a district plan (change) must also state its objectives and policies and the rules (if any) and may state other matters;

270 S74(2a)(i) RMA

271 S75(3)(c) RMA

272 S75(4) RMA

273 S74(2)(a)(ii) RMA

274 S74(2)(a)-(e) RMA

275 S74(2A) RMA

- (g) There is then reference to the test under s32 of the Act for objectives²⁷⁶ of the proposal is to be evaluated by the extent to which it is the most appropriate way to achieve the purpose of the Act;²⁷⁷
- (h) The policies are to implement the objectives and the rules (if any) are to implement the policies;²⁷⁸
- (i) Each proposed policy or method (including each rule) is to be examined having regard to its efficiency and effectiveness, as to whether it is the most appropriate method for achieving the purpose of the plan change and the objectives of the District Plan by identifying other reasonably practicable options for achieving the objectives; and assessing their efficiency and effectiveness of the provisions in achieving the objectives, including by:
- (i) Identifying and assessing the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions; including opportunities for economic growth that are anticipated to be provided or reduced and employment that are anticipated to be provided to reduced (if practicable these are to be quantified);²⁷⁹ and
 - (ii) The risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules or other methods.²⁸⁰
- (j) In making rules the territorial authority must have regard to the actual and potential effect of activities on the environment;²⁸¹

276 S32(6) In this context where there are no objectives proposed the objective is the purpose of the proposal.

277 SS74 (1)(d) and s32(1)(a) RMA

278 S75(1)(b) and (c) RMA and s76 (1)

279 Section 31(2)(b)

280 Section 32(2)(c) RMA

281 Section 76 (3) RMA

[353] Mr Willis noted that any plan change must assist the Council to carry out its functions so as to achieve the purpose of the Act, including the establishing, implementing, and reviewing of objectives, policies, and methods to achieve integrated management of the effects of the use and development of land, and controlling actual or potential effects of the use and development of land.

[354] Mr Willis noted that paragraph 159 of the applicant's s32 report stated that the plan change request accords with these stated functions. Mr Willis agreed that the proposal enables the Council to undertake these functions.²⁸²

Statutory Documents

Does the plan change give effect to National Policy Statements and the Operative Regional Policy Statement?

NPS for Renewable Electricity Generation 2011 and NPS for Electricity Transmission 2008

[355] Mr Willis accepted the applicant's s32 conclusion that the proposal does not involve, nor is it located in, the proximity of a renewable electricity generation activity. He also accepted the applicant's s32 conclusion that the proposal is consistent with the NPS for Electricity Generation 2008.

[356] Transpower (submitter #191) sought a number of changes in relation to additional subdivision, land use and landscaping restrictions in the vicinity of the National Grid and for consultation requirements for subdivision consent to be built into the ODP. As discussed at [174-180] of this decision, we are satisfied that all issues have been resolved such that the proposal gives effect to these policy documents.

282 s42A Report at [7.1]

NPS for Freshwater Management and NES Freshwater

[357] Mr Willis accepted the applicant's s32 assessment where it concluded that no practices or effects are anticipated that would be inconsistent with the NPS for Freshwater Management, noting that stormwater and wastewater discharges will be dealt with at subdivision stage.²⁸³

[358] We discussed the applicant's response to submitter concerns at [306]-[332] above. We are satisfied that with the proposed amendments to the ODP all concerns have been appropriately addressed. We agree that the proposal would achieve consistency with, and give effect to, the NPS-FM.

[359] We note that Mr Taylor's evidence confirms that requirements in respect of the NES-F have been appropriately considered. We agree that requirements of the NES-F relating to culverts can be determined at the time of subdivision consenting stage. On this basis, we accept that the proposal achieves consistency with, and gives effect to, the NES-F.

National Environmental Standard for Assessing and Managing Contaminations in Soil to Protect Human Health

[360] Mr Willis advised that as this is a request for a zone change (and not to determine the actual detailed subdivision and use of the site) the National Environmental Standard for Assessing and Managing Contaminations in Soil to Protect Human Health (NESCS) does not strictly apply.²⁸⁴ We agree and note that the requirements of the NESCS will be addressed at any subsequent subdivision or building consent stage. As discussed at [120]-[149] above there is no indication at this stage that the land is unsuitable for development from a contaminated land perspective.

283 s42A Report at [7.3.3]

284 s42A Report at [7.3.4]

National Policy Statement for Urban Development 2020

[361] We have addressed the application of the NPS-UD above in Section 5. We have concluded that the NPS-UD applies to the proposed plan change and that Ōhoka is part of the urban environment of Greater Christchurch and the Waimakariri District.

[362] We have concluded that RCP031 does not contribute to a well-functioning urban environment and therefore does not give effect to Objective 1 and Policy 1.²⁸⁵

[363] An increase in housing supply wherever located has the potential to improve affordability, however, it is difficult to quantify. We find that RCP031 has the potential to give effect to Objective 2.

[364] We have found on the evidence regarding transportation effects discussed at [181]-[234] above that the proposal is not located in or near a centre zone or area of employment; is not well serviced by public transport; or where there is high demand for housing or business land and therefore does not give effect to Objective 3. We acknowledge there will be demand for single dwellings on larger allotments within a rural setting, but the evidence does not establish a “high demand”.

[365] We have approached our evaluation of changes in amenity being a consequence of changing urban environments and that in itself effects on amenity are not adverse. We have considered the effects on rural character at Ōhoka and note that if change is to occur there will be inevitably a change in character of an area. We are satisfied that if approved that RCP031 would give effect to Objective 4 and our decision addresses Policy 6.

[366] We accept that with regard to three waters infrastructure that the site can be appropriately integrated with infrastructure and notwithstanding that the development of the site and take up of wastewater infrastructure is not necessarily planned for, adequate servicing is available at all stages of the development. However, with regard to transportation

285 Above at [96] – [116] and [179] – [232]

infrastructure, in particular the provision of public transport and the need for roading improvements at the Tram Road/SH1 interchange, mean that the originally proposed 850 residential sections are not integrated with infrastructure planning and funding decisions and therefore are unlikely to be realised in the medium term. Even at 250 residential allotments the development capacity is not integrated with public transport planning. Overall, we consider that RCP031, with its current transportation constraints, is not strategic in the medium or long term. Notwithstanding that RCP031 would supply significant development capacity it does not give effect to Objective 6 or meet the requirements of Policy 8. We have had particular regard to clause 3.8 of the NPS-UD in reaching our conclusion on the need to respond to the ability of RCP031 to contribute significant development capacity.

[367] We have already concluded that the proposal is unlikely to contribute to a reduction in greenhouse gas emissions and will exacerbate the current reliance on private motor vehicles because the site is not adequately served by public transport alternatives and the site is not sufficiently near a centre to support active transport alternatives. We find RCP031 does not give effect to the first limb of Objective 8.

[368] Overall, we have concluded that approval of RCP031 will not give effect to the NPS-UD.

National Policy Statement for Highly Productive Land

[369] The majority of the land within RCP031 is identified as LUC Class 3, with a small area on the northwestern corner of Mill and Bradleys Roads being identified as LUC Class 2.

[370] As noted by Mr Willis, the NPS-HPL came into force on 17 October 2022, being after the time the plan change proposal was received and notified by the Council. As a result, the s32 does not specifically address this policy statement.²⁸⁶

[371] Given the significance of this matter, we have carefully considered the technical and evaluative evidence and legal submissions received from submitters, s42A authors and the applicant. Overall, we find that the NPS-HPL does not apply to the site.

Canterbury Regional Policy Statement

[372] The District Plan is required under Section 75(3) of the Act to give effect to the operative CRPS.²⁸⁷ We heard from several submitters during the hearing that RCP031 does not give effect to various provisions with the CRPS.²⁸⁸

[373] The applicant's assessment in its s32 report focussed on objectives and policies of the CRPS relating to land-use and infrastructure (Chapter 5), recovery and rebuilding of Greater Christchurch (Chapter 6) and soils and the maintenance of soil quality (Chapter 15).²⁸⁹

Chapter 5

[374] Mr Walsh in the s32 Report identified Objective 5.2.1 (to the extent relevant to the Region) as a key objective which seeks to address the location, design and function of development in the Region. Mr Walsh commented that development enabled by the plan change proposed is not within an existing urban area but will be consolidated around the existing urban area of Ōhoka; that the quality of the environment will be maintained, and enhanced in some respects, particularly in relation to ecology.²⁹⁰ Mr Willis was in general agreement with the applicant's appraisal of this objective.

287 There is not currently a proposed Regional Policy Statement, although the Canterbury Regional Council has indicated its intention to review the CRPS, including for the purpose of giving effect to the NPS-UD and NPS-HPL later in 2024.

288 Submitters for example ECan (507), WDC (216) and The Ōhoka Residents Association (431).

289 Request for Change to Waimakariri District Plan, Novo Group Report at [183-198]

290 Request for Change to Waimakariri District Plan, Novo Group Report at [185-188]

[375] Ms Mitten for Canterbury Regional Council submitted that the proposal does not give effect to Objective 5.2.1 on the basis that it does represent development that is located or designed to achieve a consolidated pattern of urban development.²⁹¹

[376] We accept the applicant's view that the quality of the environment will be maintained and enhanced in some respects (particularly in relation to ecology) and that there are no incompatible activities in the vicinity. The applicant said that the proposal will not affect significant infrastructure, however the notified version did not consider the impact on the Tram Road/SH 1 interchange. As discussed at [235]-[305] above, we reach a different view regarding urban form and disagree that the proposal will be 'consolidated' around the existing urban area of Ōhoka. On this basis we find that the proposal does not give full effect to Objective 5.2.1.

[377] Ms Mitten for Canterbury Regional Council submitted that the proposal does not give effect to Policy 5.3.12 of the CRPS which seeks that the maintenance and enhancement of Canterbury's natural and physical resources that contribute to Canterbury's overall rural productive economy in areas that are valued for existing or future primary production by avoiding development and/or fragmentation that forecloses the ability to make appropriate use of that land for primary production.²⁹² She further identified Policy 5.3.2 as being relevant to the management of versatile soils in the wider Region.

[378] While we accept the directive nature of these CRPS policies, the WDP and proposed plan provide for subdivision on the site as a controlled activity into 4ha allotments. Further, we accept that rural lifestyle use is the most likely outcome for the site if ideal demand scenarios were realised. This would have the effect of significantly reducing the current productive capacity of the site. We do not find RCP031 inconsistent with this policy.

291 Evidence in chief Ms Mitten at [5]

292 Ibid at [5 & 119]

Chapter 6

[379] In terms of the recovery and rebuilding of Greater Christchurch (Chapter 6), Mr Walsh specifically identified Objective 6.2.1 (Recovery Framework), Objective 6.2.2 (Urban Form), Objective 6.3.1 (Development form and Urban Design), Policy 6.3.1 (Development within Greater Christchurch Area) and Policy 6.3.5 (Integration of Land use and Infrastructure) in the s32 Report as relevant provisions.

[380] As set out at the beginning of our Report at [29] there appears to be no dispute across planning witnesses that the policy framework in Chapter 6 of the CRPS clearly articulates that urban development is to occur inside the existing urban area and greenfield priority area within Greater Christchurch. There is also agreement that the proposal does not accord with those CRPS objectives and policies seeking to avoid urban development outside the urban area, and that the proposal does not align with the non-statutory direction in Our Space, the draft GC Spatial Plan and the District Development Strategy in respect of the location of urban growth.

[381] The key issue in contention is whether the NPS-UD Policy 8 enables development outside of the areas prescribed in the CRPS Chapter 6.

[382] Ms Appleyard outlined the approach to statutory interpretation applicable to reconciling Policy 8 NPS-UD with the CRPS Chapter 6 that in effect reads down Objective 6.2.1.3 of the CRPS and interprets the addition of an exception to the 'avoid' directive to give effect to the NPS-UD²⁹³ Ms Appleyard submitted that we should read Objective 6.2.1.3 as meaning "except if otherwise provided for in the NPS-UD, avoid..." or "unless expressly provided for in the CRPS or by Objective 6, Policy 8 of the NPS-UD."

[383] We are satisfied that as the NPS-UD is the higher order planning document, it is appropriate that we read Chapter 6 as enabling consideration of out of sequence and unanticipated plan changes where they would deliver significant development capacity and

293 Opening Legal Submissions for the applicant at [43] – [46]

contribute to a well-functioning urban environment. This approach is consistent with recent dicta of the Supreme Court in *Port Otago Limited v Environmental Defence Society Incorporated and Others*.²⁹⁴ In that case Court was considering two policies within the New Zealand Coastal Policy Statement (NZCPS). Although a different context, we find the principles of interpretation applied in that case to be helpful in trying to reconcile Policy 8 and the CRPS.

[384] In that case the Court said²⁹⁵:

[60] The meaning to be accorded to the NZCPS should be ascertained from the text and in light of its purpose and its context.²⁹⁶ This means that close attention to the context within which the policies operate, or are intended to operate, and their purpose will be important in interpreting the policies. This includes the context of the instrument as a whole, including the objectives of the NZCPS, but also the wider context whereby the policies are considered against the background of the relevant circumstances in which they are intended to and will operate. National directives like the NZCPS are by their nature expressed as broad principles.

[61] The language in which the policies are expressed will nevertheless be significant, particularly in determining how directive they are intended to be and thus how much or how little flexibility a subordinate decision-maker might have. As this Court said in *King Salmon*, the various objectives and policies in the NZCPS have been expressed in different ways deliberately. Some give decision-makers more flexibility or are less prescriptive than others. Others are expressed in more specific and directive terms. These differences in expression matter.

[62] A policy might be expressed in such directive terms, for example, that a decision-maker has no choice but to follow it, assuming no other conflicting directive policy. As this Court said in *King Salmon*:

... although a policy in a New Zealand coastal policy statement cannot be a “rule” within the special definition in the RMA, it may nevertheless have the effect of what in ordinary speech would be a rule.

[63] Conflicts between policies are likely to be rare if those policies are properly construed, even where they appear to be pulling in different directions. Any apparent conflict between policies may dissolve if “close attention is paid to the way in which the policies are expressed”. Those policies expressed in more directive terms will have

294 *Port Otago Limited v Environmental Defence Society Incorporated and Others* (SC 6/2022) [2023] NZSC 112

295 Footnotes omitted.

296 Legislation Act 2019, s 10(1) which applies to both Acts of Parliament and to secondary legislation: s 5 definition of “legislation”. A national policy statement is secondary legislation: RMA, s 52(4). See also RI Carter Burrows and Carter Statute Law in New Zealand (6th ed, LexisNexis, Wellington, 2021) at 206.

greater weight than those allowing more flexibility. Where conflict between policies does exist the area of conflict should be kept as narrow as possible.

....

[67] All of the above means that the avoidance policies in the NZCPS must be interpreted in light of what is sought to be protected including the relevant values and areas and, when considering any development, whether measures can be put in place to avoid material harm to those values and areas.

[385] Taking that approach, aside from being unanticipated by the CRPS, the outcomes sought in Chapter 6 which require an integrated and strategic approach to the development of land with strategic infrastructure is not at odds with the NPS-UD outcomes. We are comfortable that Policy 8 provides a lever to consider out of sequence and unanticipated plan changes notwithstanding they are not contemplated in Map A, however, as required by the NPS-UD any plan change in question must deliver significant development capacity and contribute to a well-functioning urban environment (underline our emphasis).

[386] As discussed at [95] we have concluded that RCP031 meets the definition of significant development capacity, even if restricted to 250 residential allotments due to the requirement for, and lack of certainty for, improvements to the Tram Road/ SH 1 interchange. We have also concluded at [118] above that RCP031 does not contribute to a well-functioning urban environment at either 850 allotments or at 250 allotments.

[387] Mr Walsh broadly referenced transport related objectives and policies in Chapter 6²⁹⁷ and Mr Willis specifically identified Objective 6.2.4 (Integration of transport infrastructure and land use) and Policy 6.3.4 (Transport Effectiveness) as being additional provisions relevant to our consideration.²⁹⁸

[388] Ms Mitten for Canterbury Regional Council submitted that the proposal does not give effect to Objective 6.2.4, Policy 6.3.4 and Policy 6.3.5 on the basis that it does not meet the wider transport network and land use integration outcomes sought by these provisions and

297 Request for Change to Waimakariri District Plan, Novo Group Report at [189-198]

298 s42 Report at [7.3.89]

does not promote public transport which would reduce the dependency on private vehicle use.²⁹⁹ Similarly, Mr Boyes in his planning evidence considered that the proposal does not give effect to these provisions, noting that *“the PC31 location adjacent to such a small existing ‘urban environment’ means that it is difficult to integrate strategic and other infrastructure and services”*.³⁰⁰ We note Mr Willis’ agreement where he concluded that the proposal does not adequately give effect to Objectives 6.2.1(9) & (11), 6.2.4 and Policies 6.3.4 and 6.3.5.³⁰¹

[389] Mr Willis considered CRPS Objectives 6.2.5 (Key activity and other centres) and 6.2.6 (business land development), and Policy 6.3.6 (business land) to be also directly relevant to the proposal.³⁰² As set out earlier at [333]-[350], we are satisfied that the proposal is consistent with those aspects of these provisions concerned with managing commercial distribution and avoiding significant adverse effects on the function and viability of the Central City, Key Activity Centres and Neighbourhood Centres.

[390] We have concluded that RCP031 does not give effect to Chapter 6 of the CRPS when considered in the round.

Chapter 15

[391] Ms Mitten for Canterbury Regional Council submitted that the proposal does not give effect to Policy 15.3.1 which seeks to ensure that land uses, and land management practices avoid significant long-term adverse effects on soil quality and to remedy or mitigate significant soil degradation.

[392] As we have earlier addressed at [120]-[149], we find that the proposal will result in a minimal loss of versatile soils within a district or regional context, noting that the current (and proposed) planning framework provides for subdivision on the site as a controlled activity into

299 Evidence in chief Ms Mitten at [5] and [98]

300 Evidence in chief Mr Boyes at [23-24]

301 s42 Report at [7.3.106-7.3.107]

302 s42 Report at [7.3.89]

4ha allotments, thereby significantly reducing the current productive capacity of the site. On this basis, we consider the proposal is consistent with Policy 15.3.1,

Chapter 16

[393] Mr Willis considered Objective 16.2.1 and Policy 16.3.1 relating to the efficient use of energy to be directly relevant to the proposal.³⁰³ Together these provisions seek to promote the efficient end-use of energy and development that is located and designed to enable the efficient use of energy. Mr Willis further noted that the explanation for the objective states that the use of energy can be made more efficient if development is designed and located to reduce the need to commute over significant distances, and services are closer to the population base. Mr Willis concluded based on the evidence that the subject site is not located in an area that would shorten trip distances, rather, development in this location (which is more isolated than other proposed district plan and Our Space identified growth locations) would likely increase trip distances as future residents will have to travel relatively greater distances for services, schooling and employment. On this basis he concluded that the proposal does not give effect to CRPS objective 16.3.1.

[394] We note Ms Mitten, Mr Boyes, and Mr Walsh did not address the provisions in Chapter 16 of the CRPS.

Chapters 7, 9, 10, 11, 17.

[395] As noted in the s42A Report there are other provisions contained in CRPS chapters that are relevant, albeit to a lesser extent.³⁰⁴ These include provisions in Chapter 7 (Freshwater), Chapter 9 (ecosystems and indigenous biodiversity); Chapter 10 (beds of rivers and lakes and their riparian zones), Chapter 11 (natural hazards) and Chapter 17 (contaminated land).

303 s42 Report at [7.3.112-113]

304 Ibid at [7.3.91]

[396] Having considered and discussed relevant matters in earlier sections of this report we are satisfied that either there are no remaining issues to be resolved on these topic areas or alternatively the assessment is better undertaken as part of the subdivision and development.

Is the proposal inconsistent with any relevant regional plan?

Canterbury Land and Water Regional Plan and Canterbury Air Regional Plan

[397] As noted in the s42A report, the establishment of activities within the plan change site will either need to meet the permitted activity conditions of these plans or be required to obtain a resource consent.³⁰⁵ The applicant briefly stated in its s32 assessment that the plan change proposal is not considered to be inconsistent with the Canterbury Land and Water Regional Plan (CLWRP) or the Canterbury Air Regional Plan (CARP).³⁰⁶

[398] As discussed at [150]-[173], we are sufficiently confident that the proposal has been designed to either meet permitted activity conditions of these plans, and if required to obtain a resource consent, that there is a legitimate consenting pathway available to the applicant. On this basis, we accept that RCP031 is not inconsistent with the CLWRP and the CARP.

Relevant management plans, strategies and iwi planning documents

Mahaanui – Iwi Management Plan 2013

[399] Mr Willis adopted the applicant's s32 assessment of the Iwi Management Plan, noting that consultation with the local Rūnanga via Mahaanui Kurataiao Limited had been undertaken, that a consultation report from Mahaanui Kurataiao Limited was included at Appendix J of the s32, and that the s32 responded to matters identified in the consultation report.

305 s42 Report at [7.3.114]

306 Request for Change to Waimakariri District Plan, Novo Group Report at [203]

[400] We accept that the proposal has taken into account the policy preferences of mana whenua as expressed in the Mahaanui Iwi Management Plan.

Waimakariri District Development Strategy

[401] The 2018 Waimakariri District Development Strategy 'Our District, Our Future – Waimakariri 2048' (DDS), which guides the district's anticipated residential and business growth over the next 30 years identifies the need for ongoing work needed to respond to the changing needs of the district including ensuring there is variety in housing choice in well-functioning urban environments, and access to jobs in a thriving local economy.

[402] As explained by Mr Willis in the s42A Report, the DDS was developed with significant community input, and directions signalled in the DDS were underpinned by environmental and cultural constraints and opportunities, expert advice, and background reports. While it predates the 2020 NPS-UD, it was developed under the now superseded 2016 NPS-UDC and still recognises the later NPS-UD's concepts, such as providing housing choice and the need to create well-functioning environments.³⁰⁷

[403] Both Mr Willis and Mr Boyes highlighted that the DDS provides for urban growth around the main towns or Rangiora, Kaiapoi, Woodend/Pegasus (including Ravenswood) and Oxford. The DDS intends that for Ōhoka, only existing vacant areas are to develop and promotes some further expansion opportunities, where generally consistent with historic growth rates. They both concluded that RCP031 does not accord with the anticipated scale of residential development/growth scenarios of the DDS.³⁰⁸

[404] The applicant's s32 Report did not address the DDS. During the hearing Mr Walsh addressed the DSS in the context of promoting the NPS-UD responsive decision-making

307 s42A Report at [7.3.118]

308 s42A Report at [7.3.122]; Evidence in chief Mr Boyes at [44]

directive. He considered that while expansion of Ōhoka is not part of the growth strategy, the proposal is required to address a shortfall of development capacity in the district.³⁰⁹

[405] We find that the proposed does not accord with the anticipated scale of residential development/growth scenarios of the DDS.

Proposed Waimakariri District Plan

[406] We accept Mr Willis' advice that there is no specific requirement under s74(2) of the RMA to consider RCP031 against the proposed plan. However, we are not precluded from having regard to the proposed plan.³¹⁰ We agree that our consideration of the proposed plan is useful to understand the current issues in the District in terms of the Council's obligations under s74(1) of the RMA³¹¹, and we accept Mr Walsh's view³¹² that given the proposed plan is subject to hearings, decisions and appeals, little weight can be afforded to the provisions of the proposed plan in our decision-making. We note for our understanding that the PDP zones the subject site Rural Lifestyle, and that it has not been identified for future urban growth, consistent with the CRPS, Our Space and the DDS.³¹³

Operative Waimakariri District Plan

[407] The s32 assessed RCP031 against the ODP and concluded overall that proposed plan change is generally consistent with the objectives and policies of the Waimakariri District Plan, that the resultant character, amenity and environmental effects of the proposal are consistent with those sought in the WDP, and that the proposal is an appropriate means of achieving the outcomes sought by the objectives and policies of the WDP.³¹⁴

309 Evidence in chief Mr Walsh at [236].

310 s42A Report at [7.3.123]

311 Ibid at [7.3.123]

312 Request for Change to Waimakariri District Plan, Novo Group Report at [212]

313 s42A Report at [7.3.124]

314 Ibid at [7.3.123]

314 Request for Change to Waimakariri District Plan, Novo Group Report at [151 & 152]

[408] Although by its very nature this plan change seeks to include provisions which are not currently anticipated within the WDP, we are required to assess each proposed objective in the district plan (change) by the extent to which it is the most appropriate way to achieve the purpose of the Act.³¹⁵ Although no new objectives are proposed, we approach the assessment on the basis of whether the objectives of the plan change, to provide a master planned residential and business zoning at Ōhoka as expressed by the application is the most appropriate way to achieve the purpose of the Act.

[409] The methods and rules, including those amended by the proposed plan change are to implement the objectives and the rules (if any) are to implement the policies.³¹⁶

[410] A territorial authority may include rules in a district plan for the purpose of carrying out its functions under the act and achieving the objectives and policies of the plan.³¹⁷ In making a rule, the territorial authority shall have regard to the actual or potential effect on the environment of activities including, in particular, any adverse effect.

[411] We are also to consider whether each proposed policy or method including each rule, having regard to its efficiency and effectiveness, is the most appropriate method for achieving the objectives of the proposal taking into account:

- (i) The benefits and costs of the proposed policies and methods (including rules); and
- (ii) The risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules or other methods.³¹⁸

[412] We address the matters at [435]-[454] in our s32 and s32AA evaluation of the proposal, but before doing so we have considered RCP031 in the context of the relevant

315 ss74 (1) and s32(1)(a) RMA

316 S75(1)(b) and (c) RMA and s76 (1)

317 S76(1) RMA

318 Section 32(2)(c) RMA

policies in the WDP and the extent to which RCP031 achieves those policies, having regard to the actual and potential effects of the proposal.

[413] **Policy 8.2.1.4** seeks to avoid, remedy, or mitigate the adverse effects of activities that impede or redirect the movement of floodwater on a site, and/or exacerbate flood risk. In paragraphs [151]-[157], we found that all relevant experts reached agreement that any on-site and off-site flood risk (including groundwater resurgence as identified by many submitters) can be adequately managed, including through the subdivision consenting phase. We are therefore satisfied that the rules proposed in RCP031 implement this policy.

[414] **Policy 11.1.1.3** seeks that subdivision and development should not proceed within areas that do not have access to appropriate utilities or where the utilities are operating at full capacity. The infrastructure report provided in the applicant's plan change request confirmed that electrical power, streetlighting and telecommunications can be provided to the site, and we accept this. Further, we have earlier found that the site can be serviced with three waters infrastructure and that detailed design matters can be appropriately addressed at subdivision stage. We are therefore satisfied that rules proposed in RCP031 implement this policy.

[415] **Policy 13.1.1.4** seeks to encourage patterns and forms of settlement, transport patterns and built environment that reduces the demand for transport, provides choice of transport modes, decreases the production of motor vehicle emissions, makes efficient use of regional transport networks, reduces the rate of non-renewable energy sources, and enables opportunities for intensification and redevelopment within town centres. As discussed at [181]-[234], we find that the proposal does not reduce demand for transport, nor support transport mode choice, nor make efficient use of the transport network. On this basis, we find RCP031 does not implement Policy 13.1.1.4.

[416] **Objective 14.1.1** seeks to maintain and enhance both rural production and the rural character of the Rural Zones. We find that on the face of it, RCP031 will not maintain or enhance rural production on the site and as such the proposal is contrary to Objective 14.1.1. However, in reaching this view, we note our finding at [120]-[149], that both the current and proposed planning frameworks provide for subdivision on the site as a controlled activity into

4ha allotments and that rural lifestyle use is the most likely outcome for the site if ideal demand scenarios were realised. This would have the effect of significantly reducing the current productive capacity of the site. Any change of use from rural to predominantly residential zoning will not achieve this objective and is not determinative of this plan change as it ceases to become relevant in the event of rezoning proposals.

[417] Supporting **Policy 14.1.1.1** seeks to avoid subdivision and/or dwellinghouse development that results in any loss of rural character or is likely to constrain lawfully established farming activities. We accept Mr Willis' view that reverse sensitivity effects are a common occurrence when areas are re-zoned for urban growth and that this is a matter that is generally accommodated unless there are specific and significant nearby activities that are demonstrated to be unduly affected. We were not made aware of any such activities that would be adversely affected by reverse sensitivity effects during the hearing process. We considered the loss of rural character at [235]-[305] where on balance the positive effect of increasing housing supply and choice outweighed the adverse effects of the proposal on changes to amenity values including rural landscape character.

[418] **Objective 14.6.1** seeks to facilitate the rebuild and recovery of Greater Christchurch by directing future developments to existing urban areas, priority areas, identified rural residential development areas and MR873 for urban and rural residential activities and development. Supporting **Policy 14.6.1.1** seeks to avoid new residential and rural residential activities and development outside of existing urban areas (and priority areas within the area identified in Map A in Chapter 6 of the Canterbury Regional Policy Statement; rural residential development areas identified in the Rural Residential Development Plan and MR873). The applicant did not address these provisions in its s32 Report.³¹⁹ As discussed in the context of the CRPS at [398]-[399] above, there is no dispute that RCP031 does not accord with objectives and policies seeking to avoid urban development outside the urban area on Map A. However, as we have discussed in the context of the CRPS, we are directed by the higher order NPS-UD to consider plan changes that would deliver significant development capacity

319 s42A Report at [7.3.136 &.137]

and contribute to a well-functioning urban environment, irrespective of the fact it is unanticipated by the existing plan.

[419] **Objective 15.1.1** seeks quality urban environments which maintain and enhance the form and function, the rural setting, character and amenity values of urban areas. **Policy 15.1.1.1** seeks to integrate new development, subdivision, and activities into the urban environments in a way that maintains and enhances the form, function and amenity values of the urban areas. At [235]-[305] above we found that the development proposed by RCP031 is not well integrated into the existing rural setting, nor would it maintain or enhance the form, function and amenity values of the existing Ōhoka Settlement. On this basis, we find the proposal does not implement the objective or policy.

[420] **Policy 16.1.1.1** seeks to recognise and provide for several Business Zones with different qualities and characteristics which meet the needs of people, businesses and community expectations while ensuring the town centres remain and provide the dominant location and focal point for business, social, cultural, and administration activities. As set earlier at [333]-[349], we are satisfied that the revised version of the rules proposed in RCP031, achieves those aspects of the policy concerned with managing commercial distribution and avoiding significant adverse effects on the function and viability of the Central City, Key Activity Centres and Neighbourhood Centres.

[421] **Policy 18.1.1.9** is specific to urban growth at Ōhoka settlement, and seeks to ensure that any growth and development of Ōhoka settlement it occurs in a manner that:

- *maintains a rural village character comprising a predominantly low density living environment with dwellings in generous settings;*
- *achieves, as far as practicable, a consolidated urban form generally centred around and close to the existing Ōhoka settlement;*
- *encourages connectivity with the existing village and community facilities;*
- *achieves quality urban form and function;*
- *allows opportunities for a rural outlook;*
- *encourages the retention and establishment of large-scale tree plantings and the use of rural style roads and fencing;*
- *limits the potential for reverse sensitivity effects;*
- *avoids significant flood hazards;*
- *promotes the efficient and cost-effective provision and operation of infrastructure;*
- *recognises the low lying nature of the area and the need to provide for stormwater drainage; and*

- *ensures that any residential development occurring in the Ōhoka settlement does not increase the flood risk within Ōhoka and adjoining areas.*

[422] The explanation to Policy 18.1.1.9 states:

Growth of Ōhoka settlement, defined by the Residential 3, 4A and 4B zones, is constrained by the need to ensure that any future residential development maintains its rural village character. This is most likely to be achieved by consolidating growth around or adjacent to the existing urban area and ensuring that development complements the existing low density rural residential environment. A consolidated growth pattern will provide opportunities for establishing connections with the existing settlement and community facilities, including the Ōhoka School. This form of development is also anticipated to promote the efficient provision of reticulated water and wastewater infrastructure and reduce the potential for reverse sensitivity effects on surrounding rural activities.

[423] At [235]-[305], we found that the proposal for approximately 850 allotments does not represent low density living as anticipated by Policy 18.1.1.9³²⁰ and as such would significantly and negatively impact the existing village character and would not contribute to a consolidated urban form for Ōhoka. As such we find the proposal does not achieve Policy 18.1.1.9. The applicant has not requested any change to this policy which specifically addresses the form and function of Ōhoka but rather seeks to adapt the explanation and reasons to fit RCP031.

Consistency with the plans of adjacent territorial authorities

[424] Section 74(2)(c) of the RMA requires an assessment of the extent to which the District Plan needs to be consistent with the plans or proposed plans of adjacent territorial authorities.

[425] We have not received a detailed consistency assessment from either the applicant or s42A author. Mr Walsh stated that the proposal does not involve any cross-territorial issues.³²¹ Mr Willis considered it unlikely that a consistency assessment would be determinative.³²² We are prepared to accept this evidence and record that we did not hear any matters raised during the hearing that would lead us to a different conclusion.

320 The explanation to Policy 18.1.1.9 states that the type of growth and development required to maintain the rural village character of Ōhoka is that of low density living, where dwellings are situated within generous settings comprising an average lot size of between 0.5-1.0 hectare.

321 Request for Change to Waimakariri District Plan, Novo Group Report at [156]

322 s42A Report at [7.3.149]

Part 2 matters

[426] RCP031 must accord with and assist the territorial authority to carry out its functions so as to achieve the purpose of the Act.³²³

[427] Part 2 sets out the purpose of the RMA (section 5), matters of national importance that must be recognised and provided for (section 6), other matters that particular regard is to be had to (section 7), and taking into account the principles of the Treaty of Waitangi (section 8).

[428] With regard to section 6 we agree there are no matters of national importance which are directly relevant to this site and to this proposal that are not otherwise addressed in the relevant national policy statements discussed above.

[429] Section 7 relates to the matters to which we are to have particular regard to, including 7(b) the efficient use and development of natural and physical resources, 7(c) the maintenance and enhancement of amenity values, 7(f) the maintenance and enhancement of the quality of the environment. Having considered all the evidence presented through the application and hearing process, we have found overall that the proposal does not represent an efficient use and development of natural and physical resources.

[430] Section 8 requires that we take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi). The applicant has engaged with agents supporting mana whenua and has incorporated a number of recommendations in the overall design. We are satisfied that the proposal adequately addresses the duty to consult and actively protect natural resources identified as being of importance to mana whenua and we have taken into account the outcomes of that engagement in our evaluation of RCP031.

323 s74(1)(a) and (b) RMA

Section 32 and 32AA Evaluation

[431] The applicant prepared a s32 evaluation of the proposal as part of the application. Mr Walsh led that assessment and concluded that there were minimal uncertainties with regard to the application and risks of acting, He considered the plan change was the most appropriate outcome. However, he acknowledged at the hearing that the assessment was premature, given the information that had come to light in the evidence of others before and during the hearing, particularly in relation to flooding, transport matters and stormwater and drinking water infrastructure. He explained that RCP031 was prepared under time pressure to coincide with the notification of the proposed plan. The consequences of which have been that a number of new rules and changes to the proposed ODP (as notified) have been presented during the hearing, culminating in the final revised version in Appendix 4.

[432] At the conclusion of the hearing Mr Walsh maintained that RCP031, having regard to its efficiency and effectiveness, is the most appropriate method for achieving the objectives of the proposal taking into account:

- (i) The benefits and costs of the proposed policies and methods (including rules); and
- (ii) The risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules or other methods.³²⁴

[433] While we appreciated the candidness of Mr Walsh in response to our questions, we note that he did not provide a comprehensive revised s32 analysis in his evidence to address changes to the proposal (as required by s32AA), rather his evidence focused on rebutting the matters raised in the s42A reports and submitter evidence. He proposed amended rules, including rules requiring future exercise of discretion at the time of subdivision to fill the gaps. No further s32AA evaluation was offered in support of these changes.

324 Evidence in chief of Mr Walsh at [258] –[260].

[434] The original s32 evaluation included a supporting economic assessment prepared by Mr Copeland from Brown, Copeland and Co Limited, however, the assessment is based on the original proposal and narrow assessment of transportation matters and flooding effects.

[435] The economic assessment undertaken by Mr Copeland provided a largely qualitative assessment of benefits and costs of the proposal. The benefits of more employment, wages, salaries, relative to the rural land use is not challenged in any substantive way in the s42A Report, which included an assessment of costs and benefits of the plan change prepared by Formative (Mr Yeoman and Mr Foy). It was also accepted by Mr Yeoman that RCP031 would deliver significant development capacity.

[436] The costs were also not quantified by the applicant. Mr Yeoman and Mr Foy identified costs related to the loss of agricultural production, infrastructure costs, transportation costs and impacts on well-functioning urban environments and amenity.

[437] The applicant did not call Mr Copeland at the hearing but instead called Mr Akehurst who disagreed with the conclusions in the Formative report, however, he focused his critique on the modelling work undertaken by Formative to assess available development capacity within the district. He disputed Formative's assessment on the impact on price outcomes and affordability. We have accepted that RCP031 at a yield of 850 or 250 allotments would be numerically significant, and that it will increase supply in the market of single dwelling homes on larger allotments in a rural setting. We have accepted that this is a benefit of rezoning.

[438] There is broad agreement between Mr Akehurst and Formative that the modelled loss of agriculture and horticulture is relatively small, but not zero, relative to total agricultural production of Waimakariri.³²⁵

[439] We accept on the evidence we received from Mr Bacon that the availability of development contributions, and possible developer agreements is such that the costs of the development, over and above those which benefit ratepayers more generally can be

325 Evidence in chief Mr Aekhurst at [201]

appropriately addressed at subdivision stage and would be designed not pose additional infrastructure costs on the community, however, the extent of costs associated with congestion, greenhouse gas emissions are less easily quantified, or accounted for. We also note that the applicant did not identify improvements to the Tram Road/SH1 interchange in the initial s32 report, has not engaged with Waka Kotahi, and has not provided any further evaluation under s32AA regarding such costs or the risk of improvements not taking place.

[440] Formative identified the applicant had not quantified GHG emissions or transportation costs. Further evidence was provided by Mr Farrelly which we have discussed above at [208] – [210].

[441] Mr Akehurst's response to Formative's assessment was to conclude that Formative have erred in comparing the site with other locations of urban capacity where future residents of RCP031 might otherwise have lived if RCP031 were refused. Mr Akehurst on the other hand has relied on the likely shortfall of residential capacity in the district in the medium and long terms which he said this means that there is not a counterfactual scenario where the actual transport costs are lower than for RCP031 because there may not be alternatives in the larger townships to accommodate those future households.

[442] Formative also rely on the lack of public transport, and Mr Akehurst's response is that the current lack of houses does not support public transport and that public transport routes will adapt to the development pattern.

[443] We do not accept Mr Akehurst's characterisation or evaluation of the costs associated with lack of public transport in this largely rural location. We have concluded that adequate public transport alternatives are unlikely in the medium term, and even if limited services were feasible in the longer term, the location of RCP031, would suggest that they are unlikely to be at a level that would significantly reduce the reliance on private motor vehicles. Further, the NPS-UD emphasises the importance of existing or planned public transport as a key part of a well-functioning urban environment. Mr Akehurst's approach is contrary to that policy approach.

[444] At the conclusion of the hearing, Mr Walsh presented a potential alternative reduced ODP. Although this was not presented as the applicant's proposal, it was provided to us in the event we considered that a smaller development was to be preferred, particularly in response to the evidence on the effects of rural character presented by Mr Goodfellow. We also note that the smaller ODP area is potentially worth consideration given the lack of certainty arising from the need for upgrading to the Tram Road/SH 1 interchange, however, it is even less likely to support public transport alternatives, the timing of a local commercial offering is unknown, and the prospect of the addition of a school and retirement village is also unknown at a reduced scale.

[445] Mr Akehurst assessed the potential of 250 allotments as still being significant development capacity in light of the shortfalls he has identified.

[446] We asked Mr Walsh to explain the difference between the full proposal and the reduced scale, in light of the matters in s32, particularly the requirement for us to have regard to the risk of acting or not acting.³²⁶ Ms Appleyard provided a record of Mr Walsh's oral response as Appendix 5 to her supplementary closing legal submissions. We understood that Mr Walsh was of the opinion that the primary risks of not approving RCP031 in its entirety was the lost opportunity in providing for increased housing capacity and the benefits of commercial services and retail activities in Ōhoka.

[447] In the absence of a comprehensive revised s32 and 32AA analysis from the applicant we have had particular regard to the benefits and costs, the efficiency, effectiveness and overall appropriateness of RCP031 in the context of the planning framework and the changes put forward by the applicant during the hearing. Many of the changes proposed did provide us with further certainty of outcomes, particularly those related to addressing ecological values (protection of the springs and protection of enhancement of waterways and wetlands) ensuring risks of three waters infrastructure delivery and local roading improvements are fully considered at subdivision stage and managing commercial distribution effects.

326 Section 32(2)(c) RMA

[448] We have concluded that there is insufficient certainty that the development yield of 850 allotments could be achieved in the medium term due to the limitations of the Tram Road and SH 1 interchange. We have also determined that drawing a conclusion as to whether the outcomes sought by RCP031 (beyond 250 allotments) could be achieved in the longer term, would be a purely speculative exercise (notwithstanding that in and of itself RCP031 at 250 allotments has the potential to provide significant development capacity if the Council finds itself with a shortfall).

[449] Overall, we have been unable to conclude on the evidence provided that the benefits of the full proposal, or the reduced scale ODP, of providing significant development capacity (in the context of a likely District shortfall in the medium term) outweigh the costs of locating development in an area that is not served with existing or planned public transport and does not support active transportation alternatives. The location of RCP031 would be reliant on private vehicle use and would not support a reduction in greenhouse gas emissions.

[450] We find that taking a “suck it and see” approach to the potential for public transport alternatives is not the most appropriate method given the objectives and policy direction in the NPS-UD, CRPS and WDP which, although using different language, all seek well-functioning urban environments, that are well connected to transportation corridors and a reduction of greenhouse gas emissions. The lack of certainty regarding the need for upgrades to the Tram Road/SH 1 interchange, public transport and the unlikely use of active transport modes in this location also makes it inappropriate to approve the plan change.

[451] We have considered the risk of not acting. We were cautioned by Ms Appleyard not to simply “kick the can down the road”, however, the planning context is relevant. There are positive actions required by the Council to address the potential shortfall identified by the applicant, including, alerting the Minister, addressing the issue on a district wide basis under the current plan review (which the applicant advised they were actively pursuing via a rezoning request), and an indication that the CRPS is due to be reviewed. We agree with Mr Yeoman when he said there is time to address any capacity shortfall, even if the WCGM22 overestimates capacity.

[452] We have considered the issue of whether, if declined, the site would simply be developed for rural lifestyle (an outcome that is currently anticipated by the operative and proposed plans), resulting in a loss of rural productivity and inefficient housing outcomes. We consider that the risks of simply saying yes to RCP031 because a large area of contiguous land is on the market and it can be overlaid with a well-designed ODP, is not sufficient to overcome the national policy directives with regard to planning decisions not only contributing significant development capacity but also contributing to well-functioning urban environments. We have assessed RCP031 as being part of the urban environments of Waimakariri District and Greater Christchurch. For the reasons set out above we have concluded RCP031 does not contribute to a well-functioning urban environment of Waimakariri District or Greater Christchurch.

[453] We therefore conclude that approving RCP031 in light of those uncertainties is not an efficient or effective way to achieve the objectives of the proposal and is not the most appropriate way to achieve the purpose of the Act.

8. DECISION

[454] We have considered in some detail the principal issues around the suitability of land for urban development, provision of infrastructure, transportation, and urban design and urban form. We have also carefully considered the need for additional residential zoning, the responsive planning framework and associated requirements of the NPS-UD, the application of the NPS-HPL, the CRPS and the objectives of the WDC.

[455] We have found that RCP031 does not give effect to the NPS-UD and CRPS.

[456] Having addressed the requirements of s32, 32AA, 74,75 and 76 of the RMA, we find that RCP031 is not the most appropriate means to achieve the purpose of the Act.

[457] For the reasons given in this report we decline RCP031 and accept, accept in part, reject or reject in part the submissions and further submissions as recommended in Appendix 2 to the s42A Report.

Dated this 27th day of October 2023



Cindy Robinson
Chair
Independent Hearings Panel



Ros Day- Cleavin
Panel Member
Independent Hearings Panel

Appendix 1 – Applicant's witnesses

Name	Expertise/Subject
Jo Appleyard	Counsel for Applicant
Tim Carter	Applicant
Bas Veendrick	Water resources
Chris Jones	Real Estate
Chris Sexton	Civil Engineer - GIS
Dave Compton-Moen	Urban Design
Garth Falconer	Urban Design and Landscape
Gary Sellars	Valuation
Greg Akehurst	Economics
Natalie Hampson	Economics
Nick Fuller	Transport
Nicole Lauenstein	Urban Design
Simon Milner	Public transport
Tony Milne	Landscape
Mark Taylor	Ecology
Ben Throssell	Engineer – water resources
Carl Steffens	Engineer – water resources

Eoghan O'Neill	Stormwater and wastewater
Dr Gabrielle Wall	Education
Laura Drummond	Ecology
Paul Farrelly	Greenhouse Gas Emissions
Tim McLeod	Civil Engineer
Tim Walsh	Planner
Victor Mthamo	Versatile Soils

SUBJECT TO DECISION OF COUNCIL

Evidence No.	Submitter	
23	204	Anna Arps representing: Kathie & Matt Nicolson Anna & Brent Arps Stacey & Jono Tee Deborah & Graeme Willis Belinda Turnbull & Larry Owens Sarah & Matt Jolene & Rod Stephanie & Shane Berry Gary & Jeanette Tee Judith & Mike Tucker Marinde Vermaat & James Rawsthorne
23	205	Anna Arps
-	431 / FS5	Ohoka Residents Association Presented by David Nixon
-	223	Mark Leggett
24	592, 634, 633, 632	Dominie (Nicki Kilner)
-	262	Brian and Barbara Chambers
-	103 FS4	Arthur Simmonds (not able to attend) Presented by Levina Joris
34	105	Levinea (Lilybeath) Joris
15	107	Mary (Helen) Sparrow
-	436	WJ Winter & Sons Ltd Dave & Des Winter
7	325, 328, 407	Rosin Magee
2	609	Tim Curran & Expert - Professor Peter Almond
9	135	Phillipa Driver
8	638	Niki Mealings
14	370	Oxford Ohoka Community Board Presented by Sarah Barkle & Thomas Robson
22	166	Roger Foy
12	502	Russell Pegler
10	260	Janet Hadfield Counsel: Lloyds Scully
11 (tabled)	193 (194, 288, 133,385, 384)	The Jones Family
5	191	Transpower Ainsley McLeod – Planner
16	551	Mandeville Village Partnership Ray Edwards
18	231	Ngairie Borlase
21	425	David & Marilyn Ayers

20	637	David Stringer
13	606	Grant Edge
-	50	Angela Gibbs
32	640 & 283	John & Christine Docherty
-	134	John Lynn
35	40	Pip Trumic
25	249/287	Edward and Justine Hamilton
	270, 336	Tina Dudley
-	458	Richard North
16	251	Ohoka Rural Drainage Advisory Group Doug Nichols – Chair
3	507	Environment Canterbury Counsel – I Edwards Joanne Mitten, Planner Ben Wilkins, Groundwater Scientist Callum Margetts, Natural Hazard Scientist Leonard Fleete, Senior Strategy Advisor Public Transport Greg Burrell Scientist
36	258	Bev Shepherd Wright John Wright
-	505	Lincoln Rayner
26	562	Sara & Grant Wells - Tom & Sam Wells
27	67/96	Richard Luisetti
-	351/435	Alan Hemmings, and on behalf of Christine Hemming
31	125	Mike Meade
28	416, 452, 377, 411	Angela Low Richard Low Emmerson Low Soren Low
4	216	Waimakariri District Council Counsel: A Schulte N Boyes – Planner A Metherall – Traffic S Bishop – Three Waters R Knott – Urban Design K Goodfellow – Landscape
1	154	Fire and Emergency NZ

Appendix 3 – Section 42A Report Writers and Expertise

Name	Evidence
Mr Willis	Planning – S42A lead author
Mr Ford Agriculture & Resource Economist	Productivity Assessment – Rural Productive Evidence
Mr Yeoman Specialising in economic, social, and urban form	Economic Review Evidence
Mr Bacon Team Leader Network Planning Waimakariri District Council	Natural Hazards Evidence
Mr Roxburgh Project Delivery Manager Waimakariri District Council	3 Waters Servicing Evidence
Mr Binder Senior Transportation Manager Waimakariri District Council	Transport Evidence
Mr Nicholson	Urban Design and Landscape Evidence

SUBJECT TO DECISION

Appendix 4 – Applicant’s Final Revised Provisions

SUBJECT TO DECISION OF COUNCIL

Appendix 6

OUTLINE DEVELOPMENT PLAN – ŌHOKA

Introduction

The Ōhoka Outline Development Plan ('ODP') provides for a comprehensive and carefully considered expansion of Ōhoka. The area covers approximately 156 hectares extending in a southwest direction from Mill Road and bounded on either side by Bradleys Road and Whites Road.

Key features of ODP area include:

- a village centre providing local convenience goods and services for residents and a small village square for community events/gatherings,
- provision for approximately 850 residential units, a school, and a retirement village (if a school is not developed, approximately 42 additional residential units could be established),
- provision for a polo field and associated facilities,
- a green and blue network providing for movement, recreation, and ecological enhancement of waterways, and
- high amenity streets appropriate for the rural setting.

All requirements specified below are to be designed/coordinated to the satisfaction of Council prior to approval of any subdivision consent application.

Land Use Plan

The development area shall achieve a minimum net density of 12 households per hectare, averaged over the Residential 2 zoned land. The zone framework supports a variety of site sizes to achieve this minimum density requirement. Staging is required to ensure the ODP area develops in a logical and appropriate manner in recognition of the current urban form of Ōhoka. Staging will proceed from the Mill Road end towards the southwest. Ōhoka Stream forms the first line of containment, the realigned and naturalised spring channel forms the second line, Ōhoka South Branch the third, and Landscape Treatment B the last.

Confirmation at the time of subdivision of each stage, and an assessment as to how the minimum net density of 12 households per hectare for the overall area can be achieved, will be required.

Residential activities are supported by key open spaces, waterbodies, and two small commercial centres, the larger of which is to become part of the village centre of Ōhoka. These commercial centres will provide good accessibility and help to meet some of the convenience needs of residents in the immediate area. Car parking within the village centre can provide a public transportation hub via the provision of park and ride services. It can also provide for ride sharing. The parking area will be of a high amenity standard enabling it to be integrated into a village square to provide additional hard surface area when required for community events, as well as providing for parking for the Ōhoka farmers market at the neighbouring Ōhoka Domain. Provision is also made to host the Ōhoka farmers market during winter months when ground conditions in the domain are unsuitable.

Provision is made for educational facilities in the area immediately adjoining the larger of the two commercial zones on Whites Road on the south side of the Ōhoka Stream. The prospect of developing such facilities will be subject to a needs assessment according to the Ministry of Education processes. If the Ministry decides that educational facilities are not required, additional residential properties will be developed at a minimum net density of 12 households per hectare.

Residential development shall retain rural village characteristics within the street environments and along property boundaries. Development controls and design guidelines specific to the development area shall be prepared and submitted to Council for approval. The guidelines will ensure that development is of the quality and character required to maintain the rural village character of Ōhoka. An independent design approval process will be established and most likely administered by a professional residents' association which would appoint an architect and landscape architect to review and approve proposals to demonstrate compliance with Rule 31.1.1.9A of the District Plan.

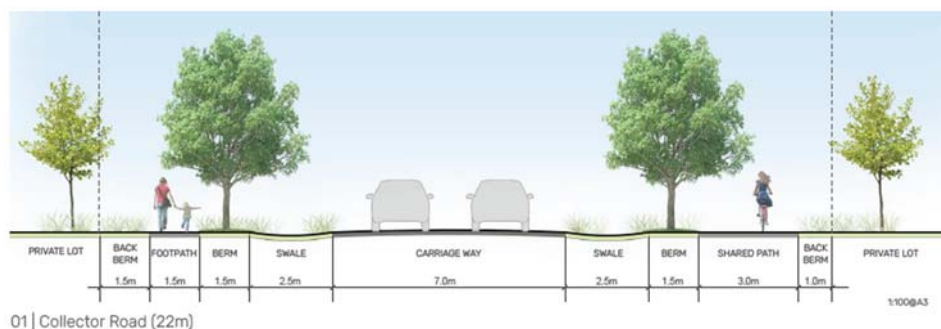
Movement Network

A road network and classification for the ODP site shall be developed that, together with the green network, delivers a range of integrated movement options. A key design principle of the movement network shall be facilitating movement towards the village centre and within the ODP site, particularly on foot or bicycle. In recognition of the character of the Ōhoka setting, several specific road types within the ODP area shall be developed with varying widths and layouts depending on the function and amenity. These are to be developed in collaboration with Council at subdivision consenting stage. Indicative cross-sections of the street types are shown in Figure 1.

Gateway treatments are located at the intersection of Mill Road and Bradleys Road, and on Whites Road at the intersection of Ōhoka Stream. The Mill Road / Bradleys Road gateway is directly at the intersection with a hard contrast from flat open rural land to a built-up edge supported by the verticality of landscape treatment. The Whites Road gateway will use the Ōhoka Stream as a distinct design feature. Combined with specific landscape treatment and bespoke design details, such as lighting and signage, this will create a strong rural gateway. The existing 100km/hr speed limit would ideally reduce to 60km/hr from the Ōhoka Stream gateway. There are potential minor traffic thresholds proposed at the southern boundaries of the ODP area at both Bradleys Road and Whites Road. The speed limit would ideally reduce to 80km/hr on Bradleys Road and Whites Road alongside the ODP frontage (outside the gateways). Regardless, two pedestrian/cycle crossings are to be provided across Whites Road, one near the Ōhoka Stream and the other near the commercial area.

The road classification shall deliver an accessible and coherent neighbourhood that provides safe and efficient access to the new development. The movement network for the area shall integrate into the existing and proposed pedestrian and cycle network beyond the ODP area. A 2.5m wide shared path is proposed with the Landscape Treatment Area A along Whites Road and Bradleys Road. Wherever possible, other bicycle and pedestrian routes shall be integrated into the green network within the ODP area. Cycling and walking shall otherwise be provided for within the road reserve and incorporated into the road design of the overall road network where applicable. Adequate space must be provided to accommodate bicycles and to facilitate safe and convenient pedestrian movements. The management, design and/or treatment of roads within the subdivision shall achieve an appropriately low-speed environment, accounting for the safety and efficiency of all road users.

Trees in the road reserve will assist in reducing the perceived width of the road corridors and provide a sense of scale. Further, the street trees will break up the roof lines of the denser areas and provide shade and texture. The trees may be located between carriageway and footpaths on larger roads, and closer to the carriageway on smaller roads. Swales will also assist in softening the road appearance, along with providing stormwater treatment. Aside from the functional aspects, the different street environments will significantly contribute to differentiating the ODP area from the typical suburban character found in the main centres of the District.



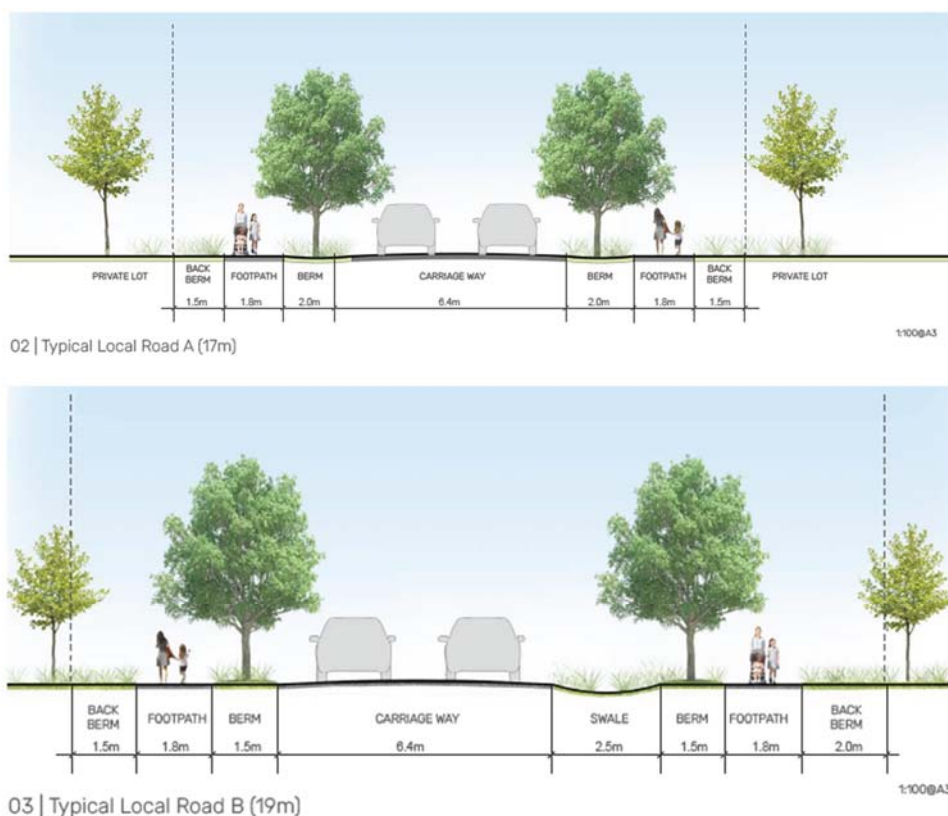


Figure 1: Indicative road cross-sections

The ODP provides road links to Mill Road, Bradleys Road and Whites Road. These intersections will be priority-controlled with priority given to the external road network. Direct vehicular access to private properties can be provided to Mill Road. Otherwise, no direct vehicular access to Bradleys Road and Whites Road is provided.

Consideration shall be given to whether the development warrants minor works to carriageways and roadside hazards, including roadside signage and/or line markings, on Whites and Bradleys roads (on the stretches between Tram Road to Mill Road), Mill Road (where impacted by the development) and Threlkelds Road. Further, consideration shall be given to whether and what (if any) interim safety improvements are required at the Tram Road / Whites Road intersection. Examples of the types of improvements that may be required include visibility splay / sightline improvements, improved signage on the approaches, and/or Rural Intersection Activated Warning Signs. Any required improvements shall be implemented prior to occupation of dwellings and commercial buildings.

Water and Wastewater Network

Water reticulation is to be provided by the establishment of a new community drinking water scheme. A site of approximately 1,000m² will be provided within the development for water supply headworks infrastructure including treatment plant, storage reservoirs and reticulation pumps. Fire-fighting flows to FW2 standards will be provided for Residential 2 and business-zoned properties. Hydrants will be provided for emergency requirements within the large lot property areas, zoned Residential 4A, in a similar manner to the neighbouring Mandeville and Ōhoka areas.

Wastewater will be reticulated to the Rangiora Wastewater Treatment Plant either via gravity reticulation or a local pressure sewer network or a combination of both. A new rising main connecting the development to the treatment plant is likely to be required.

Open Space, Recreation and Stormwater Management

The green network combines the open space, recreational reserves including pedestrian connections, and stormwater management throughout the ODP area. The green network largely follows waterways and provides access to open space for all future residents within a short walking distance of their homes. Pedestrian and cycle

paths will integrate into the green network to ensure a high level of connectivity is achieved, and to maximise the utility of the public space.

Detailed stormwater solutions shall be determined by the developer at subdivision stage and in accordance with Environment Canterbury requirements. Stormwater management facilities shall be designed to integrate into both the movement and open space networks where practicable. Groundwater monitoring will assist in the design of the stormwater management facilities.

The stormwater solutions shall be cognisant of a 26-hectare area adjacent the Whites Road boundary that cannot be attenuated. The stormwater solutions for development of the site shall demonstrate hydraulic neutrality up to the 50-year event. If neutrality cannot be achieved, the density of development within the 26-hectare area may need to be reduced.

The proposed green and blue network provides an opportunity to create ecological corridors. Plant species in the new reserves and riparian margins shall include native tree and shrub plantings. The plant species selection process shall involve consultation with local Rūnanga. The green network will ensure that dwellings are setback an appropriate distance from waterbodies.

Supporting reductions in greenhouse gas emissions

To support reducing greenhouse gas emissions, district plan rules require additional tree planting on all residential properties and at least 15% of site area to be planted in native vegetation on larger properties. Further, all dwellings shall be required to be electric vehicle charging ready. This is to be enforced through developer covenants.

Character and amenity through landscape and design

The character of Ōhoka is strongly reliant on landscaping, in particular trees, in both public and private environments. The landscape treatment of the waterway margins may include large specimen trees, but will mostly be comprised of planted natives. Space for street trees is to be provided on both sides of all road types and are to be placed strategically to create an organic street scene avoiding a typical suburban street appearance. Additional tree planting is required on private properties via district plan rules.

An overall planting strategy is to be developed for the ODP site at subdivision consent stage.

Specific measures to protect and enhance landscape values will be addressed at the time of subdivision, and development within the ODP area shall include:

- a. An assessment by a suitably qualified and experienced arborist, guided by a suitably qualified terrestrial ecologist, that:
 - i. Identifies trees that are to be retained and integrated into the development
 - ii. Specifies protection measures during construction to ensure survival of selected trees

To further support the distinct village character of Ōhoka, street furniture, lighting and all other structures in the public realm are to reflect the rural characteristics with regard to design, type, scale, material and colour. In particular, street lighting shall be specified to minimise light spill and protect the dark night sky. These can be considered as part of the development controls and design guidelines mentioned previously.

Landscape Treatment A

Landscape Treatment A shall be designed to assist in retaining a rural character along Whites and Bradley Roads and to screen development from public and private vantage points outside the ODP area. It shall consist of a 1.5-metre-wide grass strip at the site boundary with an adjoining 2.5-metre-wide gravel path and a 10-metre-wide native vegetation strip in the location identified on the ODP and include a post and rail fence or post and wire fence on the road side of the vegetation. Solid fencing within this strip is not permitted. This is combined with a 20m building setback, consistent with setbacks required in the rural zone.

The planting is to consist of the following species, or similar, planted at 1000mm centres to achieve a minimum height of 5m once established:

- *Griselinia littoralis*, Broadleaf;
- *Cordyline australis*, Ti kouka;
- *Pittosporum tenuifolium*, Kohuhu;
- *Podocarpus totara*, Totara;
- *Phormium tenax*, Flax;
- *Dacrycarpus dacrydioides*, Kahikatea;
- *Sophora microphylla*, SI Kowhai;
- Korokia species; and
- *Cortaderia richardii*, SI Toetoe.

Landscape Treatment B

Landscape Treatment B, as indicated on the ODP, shall be designed to provide a visual buffer between the ODP site and adjacent rural land to the southwest. The treatment shall consist of retention of the existing shelter belts running along the southern boundary of the ODP site and planting a 6m wide landscape strip consisting of either (or a mix of) the following trees, or similar, to achieve a minimum height of 5m with trees at a maximum spacing of 2000mm:

- *Pinus radiata*, Pine;
- *Cupressus Arizona*, Arizona cypress;
- *Chaemaecyparis lawsoniana*, Lawson's Cypress;
- *Populus nigra*, Lombardy Poplar;
- *Podocarpus totara*, Totara (native);
- *Pittosporum eugenioides*, Tarata (native);
- *Phormium tenax*, Flax;
- *Prunus lusitanica*, Portuguese laurel; and
- *Griselinia littoralis*, Kapuka / Broadleaf (native).

Landscape Treatment C

Landscape Treatment C is proposed to be located toward the northern extent of the ODP area and act as a buffer between the ODP area and the existing Ōhoka Village properties on the southern side of Mill Road. The treatment shall be a planted single row consisting of one of the below species, or similar, along the shared internal boundaries to achieve a minimum established height of 4m and a width of 2m, planted at a maximum spacing of 1500mm (within a 6m wide strip). This relates to the internal boundaries of 290 and 344 Bradleys Road; 507, 531 and 547 Mill Road; and 401 Whites Road.

- *Prunus lusitanica* (Portuguese Laurel)
- *Pittosporum eugenioides* (Tarata, Lemonwood)
- *Pittosporum tenuifolium* (Kohuhu, Black Matipo)
- *Griselinia littoralis* (Broadleaf)
- *Kunzea ericoides* (Kanuka)
- *Leptospermum scoparium* (Maunka)

Approval, Implementation and Maintenance

All proposed planting within Landscape Treatments A, B and C and the green and blue networks will be **is** subject to Council approval. A landscape management plan shall be developed to ensure a successful outcome and provided for approval at Engineering Approval Stage. The plan will provide direction on the establishment of planting, weed and pest control, replacement planting, irrigation and maintenance. The landscape maintenance period shall extend for five years following implementation.

The National Grid

The National Grid Islington – Southbrook A (ISL-SBK-A) 66kV transmission line traverses the site. The line starts at the Islington Substation in Christchurch and extends through the Christchurch, Waimakariri and Hurunui

districts. The following matters will assist in ensuring the ability for Transpower to operate, maintain, upgrade and develop the National Grid is not compromised by future subdivision and land use.

Consultation

Transpower shall be consulted as part of any application for subdivision consent affecting the National Grid. Evidence of this consultation shall be provided to Council as part of any subdivision consent application.

Planting and maintenance of landscaping beneath the National Grid

Any landscaping in the vicinity of the National Grid shall be designed and implemented to achieve compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) and the Electricity (Hazards from Trees) Regulations 2003, including when planting reaches maturity.

Water Bodies and Freshwater Ecosystems

The ODP area contains several waterbodies with varying characteristics. Development of the ODP area provides potential for higher ecological values to be re-established through restoration and enhancement. This could include protected reserve space, native planting, naturalisation, and instream enhancement. Development shall protect and enhance selected water bodies and freshwater ecosystems within the ODP area and incorporate these features into the wider green and blue network of the site.

In terms of specific measures to be addressed at the time of subdivision in order to protect and enhance freshwater values and ecosystems, development within the ODP area shall:

- a. Include an assessment by a suitably qualified and experienced practitioner that:
 - i. Provides the results of groundwater and spring water level and spring flow monitoring across the site to inform the construction methodologies that are applied in different parts of the site; and
 - ii. Specifies construction measures to ensure that shallow groundwater is not diverted away from its natural flow path for those areas where the shallow groundwater (in water bearing seams or layers) is likely to be intercepted by service trenches and hardfill areas.
- b. Be in accordance with an Ecological Management Plan prepared by a suitably qualified and experienced practitioner that, as a minimum, includes:
 - i. Plans specifying spring head restoration, riparian management, waterway crossing management, and segregation of spring water and untreated stormwater.
 - ii. Aquatic buffer distances, including minimum waterbody setbacks for earthworks and buildings of:
 - 30 metres from the large central springhead and Northern Spring head identified on the ODP.
 - 20 metres from the Ōhoka Stream and Groundwater Seep origin.
 - 15 metres from Northern and Southern Spring Channel and South Ōhoka Branch.
 - 10 metres from the Groundwater Seep channel.
 - 5 metres from the South Boundary Drain along the furthest southwest boundary of the ODP area.

Any additionally identified springs shall be assessed to determine the appropriate aquatic buffer distance.
 - iii. Ongoing maintenance and monitoring requirements that are to be implemented, including groundwater level, spring water level and spring flow monitoring.
- c. Maintain the perennial course of the lower Southern Spring Channel.

- d. Possible re-alignment of the Northern Spring Channel baseflow into the Southern Spring Channel downstream of the spring-fed ponds. Both channels are perennial and could be meandered and naturalised.
- e. Possible meandering and naturalisation of the Groundwater Seep.
- f. Riparian planting plans with a focus on promotion of naturalised ecological conditions, including species composition, maintenance schedules, and pest and predator controls.
- g. Stream ecology monitoring (i.e., fish, invertebrates, instream plants and deposited sediment surveys).

The aquatic buffers shall be protected by appropriate instruments (whether that be esplanade reserves/strips, recreation reserves or consent notice condition imposed setbacks) at the subdivision consent stage. Further, landscape design drawings of stream setbacks are to include input and approval from a qualified freshwater ecologist, with a minimum of the first 7 metres of the spring and stream setbacks to be reserved for riparian vegetation only, with no impervious structures and pathways as far as practicable away from the waterway.

Cultural

The importance of natural surface waterbodies and springs to Manawhenua is recognised and provided for by the ODP and the specific measures described above in respect of waterbodies and freshwater ecosystems that will support cultural values associated with the ODP area. The Ngāi Tahu Subdivision and Development Guidelines shall be referred to throughout the subdivision design process with guidance adopted where practical/applicable.

For all earthworks across the site, an Accidental Discovery Protocol will be implemented at the time of site development, in addition to appropriate erosion and sediment controls, to assist in mitigating against the potential effects on wahi tapu and wahi taonga values generally.

Detailed Site Investigation

Due to the previous agricultural land use including the storage and spreading of dairy effluent, a Detailed Site Investigation shall be carried out at subdivision consent stage. This investigation will identify what (if any) remediation is required to satisfy the requirements of the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.

The plan change request proposes the following changes to the Waimakariri District Plan:

1. To amend the Waimakariri District Plan Planning Maps, by rezoning the site to Residential 2, Residential 4A and Business 4.
2. To amend Waimakariri District Plan Planning Maps, by inserting the Outline Development Plan.
3. To amend the District Plan provisions as below (changes underlined or struck through, with a change indicated during the hearing on 11 September 2023 emphasised in red text).
4. Any other consequential amendments including but not limited to renumbering of clauses.

Objectives and Policy

Definitions

INSERT NEW DEFINITION

Educational facilities

means land or buildings used for teaching or training by childcare services, schools, or tertiary education services, including any ancillary activities.

16 Business Zones

AMEND POLICY

Policy 16.1.1.1

...

Reason

...

The Business 4 Zone provides for activities existing at 20 June 1998, and limited future expansion of retail and business activities with similar effects on the southwestern corner of Williams and Carew Streets in Kaiapoi (District Plan Maps 104 and 105), and the Lilybrook Shops on the corner of Percival Street and Johns Road, Rangiora (District Plan Maps 113 and 117). This zoning recognises the commercial zoning that these sites enjoyed under the Transitional District Plan. The Business 4 Zone also provides for a local community business zones at West Kaiapoi (District Plan Map 104), ~~and~~ within the Mandeville North settlement (District Plan Map 182) and at Ōhoka (District Planning Map 185).

INSERT NEW POLICY

Policy 16.1.1.12

Provide for retail and business activities in the Ōhoka Business 4 Zone, in a way that:

- a) maintains the characteristics of the Ōhoka settlement as set out in Policy 18.1.1.9;
- b) provides for limited business activities to provide for day-to-day convenience needs of the local community, is designed to achieve high quality urban design principles and a high standard of visual character and amenity; and

c) limits retail distribution effects on the nearby Business 4 Zone at Mandeville North.

AMEND

Principal Reasons For Adopting Objectives, Policies and Methods 16.1.4

...

The Business 4 Zone enables site-specific areas of existing retail and business activity located outside of the Kaiapoi and Rangiora town centres. The effects of activities are known for those already developed, including those impacting on adjoining residential areas. Activity and development standards constrain the scale and nature of possible future effects. A specific policy and rule framework exists for the Business 4 Zone in West Kaiapoi, ~~and the Business 4 Zone in~~ Mandeville North and Ōhoka to ensure suitable scale and characteristics of any development within the zone and with regard to Mandeville North to recognise community desires.

18. Constraints on Subdivision and Development

AMEND POLICY

Policy 18.1.1.9

Ensure that any growth and development of Ōhoka settlement occurs in a manner that:

- *maintains a rural village character comprising a predominantly low density living environment with dwellings in generous settings;*
- *achieves, as far as practicable, a consolidated urban form generally centred around and close to the existing Ōhoka settlement;*
- *encourages connectivity with the existing village and community facilities;*
- *achieves quality urban form and function;*
- *allows opportunities for a rural outlook;*
- *encourages the retention and establishment of large-scale tree plantings and the use of rural style roads and fencing;*
- *limits the potential for reverse sensitivity effects;*
- *avoids significant flood hazards;*
- *promotes the efficient and cost-effective provision and operation of infrastructure;*
- *recognises the low lying nature of the area and the need to provide for stormwater drainage; and*
- *ensures that any residential development occurring in the Ōhoka settlement does not increase the flood risk within Ōhoka and adjoining areas.*

Explanation

Growth of Ōhoka settlement, defined by the Residential ~~2, 3,~~ 4A and 4B zones, is constrained by the need to ensure that any future residential development maintains its rural village character. This is most likely to be achieved by consolidating growth around or adjacent to the

existing urban area and ensuring that development complements the existing low density rural residential environment. A consolidated growth pattern will provide opportunities for establishing connections with the existing settlement and community facilities, including the Ōhoka School. This form of development is also anticipated to promote the efficient provision of reticulated water and wastewater infrastructure and reduce the potential for reverse sensitivity effects on surrounding rural activities.

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 settlement.

It is expected that the type of growth and development required to maintain the rural village character of Ōhoka is that of low density living, where ~~larger allotments dwellings are situated within generous settings comprising an average lot size of between 0.5 – 1.0 hectare~~ surround smaller properties which form a walkable community around the village centre. The presence of rural village attributes within ~~such~~ the low density residential areas, including the retention and establishment of large-scale tree plantings and the use of rural style roads and fencing, will also assist in maintaining the settlement's rural themed characteristics. This type of settlement pattern is anticipated to generate a high level of amenity, including opportunities for a range of lifestyle living activities and an aesthetic rural outlook. This can be achieved either by enabling views into open green space or by the establishment of treed vegetation areas within or adjoining properties.

Another development constraint for growth at Ōhoka is the need to avoid land subject to significant flood risk. It will therefore be necessary for any proposed development to demonstrate that the land is suitable for its intended use and is not subject to undue risk of inundation. This includes the impact of cumulative effects on the area's drainage systems.

INSERT POLICY

Policy 18.1.1.9A

Provide for activities that support the Ōhoka settlement including educational facilities, a retirement village and a polo field and associated facilities.

Rules

27 Natural Hazards

INSERT RULE

27.1.1.34 Within the Outline Development Plan area shown on District Plan Map 185, any dwellinghouse shall have a floor level of 400mm above the 0.5% Annual Exceedance Probability flood event except within areas subject to Medium Flood Hazard where the floor level shall be 500mm above 0.5% Annual Exceedance Probability flood event.

31. Health, Safety and Wellbeing

Dwellinghouses

INSERT RULE

31.1.1.9A In the Residential 2 and 4A Zones, Ōhoka shown on District Plan Map 185, dwellinghouses shall be in accordance with any relevant Council approved design guidelines.

Structure Coverage

AMEND RULE

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

...

n) 55% in Business 4 Zone in Ōhoka as shown on the District Plan Map 185

Setbacks For Structures

AMEND TABLE

Table 31.1: Minimum Structure Setback Requirements

Location	A setback is required from	Setback depth (minimum)
Rural Zone	Any road boundary	20m for any dwellinghouse 10m for any structure other than a dwellinghouse
	Any internal site boundary	20m for any dwellinghouse 3m for any structure other than a dwellinghouse
	Any existing dwellinghouse on an adjoining site	10m for any structure (excluding a dwellinghouse)
Rural Zone Maori Reserve 873 cluster housing	Any road boundary, any site boundary external to the cluster, and any existing dwellinghouse on an adjoining site	15m
All Residential Zones other than the Residential 4A Zone (Wards Road, Mandeville North and Mill Road, Ōhoka), Residential 6A and 7, the Residential 4A Zone (Bradleys Road, Ōhoka) and the Mandeville Road – Tram Road Mandeville North Residential 4A Zone, and the Residential 4A Zone (Woodend Beach Road, Woodend) (excluding any comprehensive residential development) NOTE: See Rule 31.1.1.15	Any road boundary (other than a boundary to a strategic road or arterial road) or any accessway	2m
	The zone boundary within Tuahiwi at the northern, eastern and southern extent as shown on District Plan Map 176B	15m

<p><i>Comprehensive residential development within Residential 1, 2 and 6 Zones</i></p>	<p><i>The road boundary</i></p>	<p><i>2 m for any dwellinghouse</i></p> <p><i>4 m for any garage where the vehicle entrance is generally at a right angle to the road.</i></p> <p><i>5.5 m for a garage where the vehicle entrance faces the road, and the garage must not be located closer to the road boundary than the front façade of the associated dwellinghouse</i></p>
<p><i>Residential 4A Zone (Bradleys Road, Ōhoka) shown on District Plan Map 169 and the Mandeville Road – Tram Road Mandeville North Residential 4A Zone shown on District Plan Map 182</i></p>	<p><i>Any road boundary</i></p> <p><i>Any internal site boundary</i></p>	<p><i>15m</i></p> <p><i>5m</i></p>
<p><i>Residential 4A Zone (Wards Road, Mandeville North) shown on District Plan Map 162, Residential 4A Zone (Mill Road, Ōhoka) shown on District Plan Map 160 and Woodend Beach Road shown on District Plan Map 171)</i></p>	<p><i>Any boundary from a local road</i></p>	<p><i>10m</i></p>
<p><i>Residential 4A Zone (Mill Road, Ōhoka) shown on District Plan Map 160</i></p>	<p><i>Mill Road boundary</i></p> <p><i>Any internal site boundary</i></p>	<p><i>15m</i></p> <p><i>5m</i></p>
<p><i>All Residential Zones, other than Residential 6, 6A and 7, where the site fronts onto a strategic or arterial road</i></p>	<p><i>The road boundary of any strategic or arterial road</i></p>	<p><i>6m, or 4m for any garage where the vehicle entrance is generally at right angles to the road</i></p>
<p><i>Residential 5 Zone</i></p>	<p><i>Any site boundary adjoining an accessway for allotments 15, 16, 17, 27, 28 and 29 shown on District Plan Map 140</i></p>	<p><i>4m</i></p>
<p><i>Residential 6A Zone (other than areas identified on District Plan Map 142 as</i></p>	<p><i>Any internal site boundary, other than boundaries with accessways</i></p>	<p><i>2m for any structure other than garages and structures above garages</i></p>

<i>excluded from the setback requirement)</i>		
<i>Residential 6A</i>	<i>Boundaries with accessways</i>	<i>10m for any structure other than a garage and structures above garages NOTE: Refer to Figure 31.1 and Rule 31.1.1.16</i>
<i>Residential 7</i>	<i>Any road boundary (other than to an arterial road) or any accessway</i>	<i>2m for any dwellinghouse within Area A 3m for any dwellinghouse within Areas B and C 5.5m for any structure other than a dwellinghouse within Areas A, B and C</i>
	<i>The road boundary of any arterial road</i>	<i>6m</i>
	<i>Any internal site boundary</i>	<i>2m</i>
	<i>Any site boundary of 309 Island Road being Lot 1 DP 62400</i>	<i>20m</i>
<i>Business 2, 3 and 6 Zones, where the site fronts onto a strategic or arterial road</i>	<i>The road boundary of any strategic or arterial road</i>	<i>10m</i>
<i>Business 2, 3, 5 and 6 Zones, and Woodend Business 1 Zone where the site is adjacent to a Residential Zone or a Rural Zone boundary</i>	<i>The zone boundary, or where the zone boundary is a road, the road boundary</i>	<i>10m</i>
<i>Business 4: Williams/Carew Zone and Business 4: Mandeville North</i>	<i>Any road boundary</i>	<i>6m</i>
	<i>Any internal site boundary</i>	<i>5m</i>

<i>Business 5 Zone at Kaiapoi</i>	<i>The zone boundary, the Smith Street boundary, and any site boundary adjoining a reserve</i>	<i>10m</i>
<i>All Zones</i>	<p><i>All 110kV overhead high voltage electrical lines as shown on District Plan Maps</i></p> <p><i>All 220kV and 350kV overhead high voltage electrical lines as shown on District Plan Maps where the span length is less than 375 metres</i></p> <p><i>All 220kV overhead high voltage electrical lines as shown on District Plan Maps where the span length is 375 metres or greater</i></p> <p><i>All 350kV overhead high voltage electrical lines as shown on the District Plan Maps where the span length is greater than 375 metres</i></p>	<p><i>32 metres either side of the centreline</i></p> <p><i>32 metres either side of the centreline</i></p> <p><i>37 metres either side of the centreline</i></p> <p><i>39 metres either side of the centreline</i></p>
<i><u>Residential 4A Zone (Ōhoka) shown on District Plan Map 185</u></i>	<i><u>Any road boundary</u> <u>Any internal site boundary</u></i>	<i><u>10m</u> <u>5m</u></i>
<i><u>Business 4 (Ōhoka) shown on District Plan Map 185</u></i>	<i><u>Any residential zone</u></i>	<i><u>3m</u></i>

Structure Height

AMEND RULE

31.1.1.35 Any structure in the ~~Mandeville North~~ Business 4 Zone at Mandeville North or Ōhoka shall not exceed a height of 8 metres.

Screening and Landscaping

AMEND RULE

31.1.1.39 Where a site within any Business Zone, other than the Business 4 – West Kaiapoi Zone and Business 4 Zone at Ōhoka, shares a boundary with any Residential Zone, the site shall be screened from the adjoining Residential Zone site(s) to a minimum height of 1.8m except where a lesser height is required in order to comply with Rule 30.6.1.24, for unobstructed sight distances.

AMEND RULE

31.1.1.50 Within the Residential 4A Zone, Bradleys Road, Ōhoka identified on District Plan Map 169 and the Residential 4A Zone, Ōhoka identified on District Plan Map 185 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; and*
- b) limited to traditional post and wire or post and rail fences, and be at least 50% open; and*
- c) of a length equal to or greater than 80% of the length of the front boundary.*

INSERT NEW RULE

31.1.1.50A Within the Residential 2 Zone, Ōhoka identified on District Plan Map 185, fencing/walls shall be in accordance with any relevant Council approved design guidelines.

AMEND RULE

31.1.1.53 Within the Residential 2 and 4A zones shown on District Plan Map 185, landscaping for all residential properties (excluding retirement village activities) shall provide a minimum of:

- a) one tree within the road boundary setback for every 15 metres of road frontage (or part thereof) and;*
- b) one additional tree elsewhere on the property for every 400m² of site area (or part thereof);*
- c) all trees shall be not less than 1.5 metres high at the time of planting;*
- d) all trees and landscaping required by this rule shall be maintained and if dead, diseased or damaged, shall be replaced; and*
- e) for all allotments greater than 2,500m² in area, no less than 15% of the site shall be planted in native vegetation.*

INSERT NEW RULE

Land use near the National Grid – Residential 4A (Ōhoka)

31.1.1.67 Within the Residential 4A Zone (Ōhoka) identified on District Plan Map 185, any structure located within 12 metres from the outer visible edge of a foundation of a National Grid support structure or located within 10 metres of the centre line of an overhead 66kV National Grid transmission line shall comply with the following:

- a) The structure is not a school, dwellinghouse or hospital.*
- b) The structure complies with NZECP 34:2001 and is:*
 - i. a network utility;*
 - ii. a fence not exceeding 2.5m in height; or*
 - iii. a non-habitable building used for agricultural or horticultural activities other than a milking/dairy shed, a wintering barn, a building for intensive farming activities, a commercial greenhouse or produce packing facility.*
- c) The structure permitted under Rule 31.1.1.67.a must:*

i. not be used for the handling or storage of hazardous substances with explosive or flammable intrinsic properties in greater than domestic scale quantities;

ii. not permanently obstruct vehicle access to a National Grid support structure;

iii. be located at least 12 metres from the outer visible edge of a foundation of a National Grid support structure, except where it is a fence located at least 6 metres from the outer visible edge of a foundation of a National Grid support structure.

31.3 Discretionary Activities (Restricted)

INSERT RULE

31.3.9 A retirement village, in the Residential 2 Zone as shown on District Plan Map 185 that meets all applicable conditions for permitted activities under Rule 31.1, **except for Rule 31.1.1.4 and Rule 31.1.1.6**, shall be a restricted discretionary activity.

In considering any application for a resource consent under Rule 31.3.9 the Council shall, in deciding whether to grant or refuse consent, and in deciding whether to impose conditions, restrict the exercise of discretion to the following matters:

a) Whether the development, while bringing change to existing environments, is appropriate to its context, taking into account:

i. Context and character:

The extent to which the design, including landscaping, of the village is in keeping with, or complements, the scale and character of development anticipated for the surrounding area and relevant significant natural, heritage and cultural features.

ii. Relationship to the street, public open spaces and neighbours:

Whether the village

- engages with and contributes to adjacent streets and any other adjacent public open spaces to contribute to them being safe and attractive, and
- avoids unacceptable loss of privacy on adjoining residential properties.

iii. Built form and appearance:

The extent to which the village is designed to minimise the visual bulk of the buildings and provide visual interest, and consistency with any relevant Council approved design guidelines.

iv. Access, parking and servicing:

The extent to which the village provides for good access and integration of space for parking and servicing particularly to cater for the safety of elderly, disabled or mobility-impaired persons.

v. Safety:

The extent to which the village incorporate CPTED principles to achieve a safe, secure environment.

vi. Stormwater

The adequacy of proposed stormwater management within the site.

vii. Sustainability measures

The extent to which, where practicable, incorporation of environmental efficiency measures in the design, including passive solar design principles that provide for adequate levels of internal natural light and ventilation.

Any application arising from this rule shall not be publicly notified.

INSERT NEW RULE

31.3.10 Educational facilities in the Residential 2 Zone within the educational facilities overlay as shown on District Plan Map 185 that meets all applicable conditions for permitted activities under Rule 31.1, and where no more than 250 students are enrolled shall be a restricted discretionary activity.

In considering any application for resource consent under Rule 31.3.10, the Council shall, in deciding whether to grant or refuse consent, and in deciding whether to impose conditions, restrict the exercise of discretion to the following matters:

a) Whether the development, while bringing change to existing environments, is appropriate to its context, taking into account:

i. Context and character:

The extent to which the design of the educational facility is in keeping with, or complements, the scale and character of development anticipated for the surrounding area and relevant significant natural, heritage and cultural features.

ii. Relationship to the street and public open spaces:

Whether the educational facilities engage with and contribute to adjacent streets, and any other adjacent public open spaces to contribute to them being safe and attractive.

iii. Built form and appearance:

The extent to which the educational facilities are designed to minimise the visual bulk of the buildings and provide visual interest.

iv. Access, parking and servicing:

The extent to which the educational facilities provide for good access and integration of space for parking and servicing.

v. Safety:

The extent to which the educational facilities incorporate CPTED principles to achieve a safe, secure environment.

vi. Stormwater

The adequacy of proposed stormwater management within the site.

vii. Sustainability measures

The extent to which, where practicable, incorporation of environmental efficiency measures in the design, including passive solar design principles that provide for adequate levels of internal natural light and ventilation.

Any application arising from this rule shall not be publicly notified.

INSERT NEW RULE

31.2.11 A polo field and associated facilities in the Residential 2 Zone within the polo facilities overlay as shown on District Plan Map 185 where:

- a) structures so not exceed a height of 8m, and
- b) structures are set back no less than 10m from any residential site

shall be a restricted discretionary activity.

In considering any application for resource consent under Rule 31.2.11, the Council shall, in deciding whether to grant or refuse consent, and in deciding whether to impose conditions, restrict the exercise of discretion to the following matters:

a) Whether the development, while bringing change to existing environments, is appropriate to its context, taking into account:

i) landscape planting consistent with the rural village character of the Ōhoka settlement and to assist the integration of the proposed development within the site and neighbourhood.

ii. the location and design of vehicle and pedestrian access and on-site manoeuvring.

iii. creation of visual quality and variety through the separation of buildings and in the use of architectural design, detailing, glazing, materials, colour and landscaping.

viii consistency with any relevant Council approved design guidelines.

viii. where practicable, incorporation of environmental efficiency measures in the design, including passive solar design principles that provide for adequate levels of internal natural light and ventilation.

ix. the proposed stormwater management within the site

Any application arising from this rule shall not be publicly notified.

31.1.4 Discretionary Activities

INSERT NEW RULE

31.4.5 A retirement village, in the Residential 2 Zone as shown on District Plan Map 185 that does not meet all applicable conditions for permitted activities under Rule 31.1 shall be a discretionary activity.

INSERT NEW RULE

31.4.6 Educational facilities in the Residential 2 Zone within the educational facilities overlay as shown on District Plan Map 185 that does not meet all applicable conditions for permitted activities under Rule 31.1, or/and where more than 250 students are enrolled shall be a discretionary activity.

INSERT NEW RULE

31.4.7 A polo field and associated facilities in the Residential 2 Zone within the polo facilities overlay as shown on District Plan Map 185 that does not meet the conditions under Rule 31.3.11 shall be a discretionary activity.

INSERT NEW RULE

31.4.8 Any land use which does not comply with Rules 31.1.1.9A and 31.1.1.50A shall be a discretionary activity.

31.5 Non-complying Activities

INSERT NEW RULE

31.5.10 Any land use that does not comply with Rules 31.1.1.67 is a non-complying activity.

Retail Activities and Traffic Matters

31.26 Discretionary Activities

INSERT NEW RULE

31.26.4 Retail activity exceeding a total of 2,700m² Gross Floor Area within the Business 4 Zones, Ōhoka shown on District Plan Map 185 except any retail activity associated with a farmers market.

32. Subdivision

32.1.1 Standards and Terms

Residential 4A Zone

AMEND RULE

32.1.1.11 The minimum area for any allotment created by subdivision in any Residential 4A Zone shall be 2500m². The average area of all allotments in any Residential 4A Zone shall not be less than 5000m² except within the Residential 4A Zone (Ōhoka) identified on District Plan Map 185 where the average area of all allotments shall not be more than 3300m². Any allotment over 1ha in area is deemed to be 1ha for the purposes of this rule.

Outline Development Plans

AMEND RULE

32.1.1.28 Subdivision within the following areas shall generally comply with the Outline Development Plan for that area.

...

ak) The Residential 2 and 4A Zones and Business 4 Zone (Ōhoka) identified on District Plan Map 185 including the associated Outline Development Plan text.

32.2 Discretionary Activities (Restricted)

INSERT NEW RULE

National Grid – Residential 4A (Ōhoka)

32.2.16 Within the Residential 4A Zone (Ōhoka) identified on District Plan Map 185, any subdivision of land located within 32 metres of the centre line of an overhead 66kV National Grid transmission line is a restricted discretionary activity where a building platform is identified on the subdivision plan that is located more than 12 metres from the outer from the outer

visible edge of a foundation of a National Grid support structure and more than 10 metres from the centre line of an overhead 66kV transmission line, to be secured by way of a consent notice.

In considering any application for a resource consent under Rule 32.2.16 the Council shall, in deciding whether to grant or refuse consent, and in deciding whether to impose conditions, restrict the exercise of its discretion to the following matters:

i. The extent to which the subdivision allows for earthworks, buildings and structures to comply with the safe distance requirements of the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.

ii. The provision for the ongoing efficient operation, maintenance, development and upgrade of the National Grid, including the ability for continued reasonable access to existing transmission lines for maintenance, inspections and upgrading.

iii. The extent to which potential adverse effects (including visual and reverse sensitivity effects) are mitigated through the location of an identified building platform or platforms.

iv. The extent to which the design and construction of the subdivision allows for activities to be set back from the National Grid, including the ability to ensure adverse effects on, and from, the National Grid and on public safety and property are appropriately avoided, remedied or mitigated, for example, through the location of roads and reserves under the transmission lines.

v. The nature and location of any proposed vegetation to be planted in the vicinity of the National Grid.

vi. The outcome of any consultation with Transpower New Zealand Limited.

vii. The extent to which the subdivision plan clearly identifies the National Grid and identified building platform or platforms.

INSERT NEW RULE

32.2.17 In the Residential 2 and 4A Zones, Ōhoka shown on District Plan Map 185, subdivision of more than 250 residential allotments (cumulatively) shall be a restricted discretionary activity.

In considering any application for resource consent under Rule 32.2.17, the Council shall, in deciding whether to grant or refuse consent, and in deciding whether to impose conditions, restrict the exercise of discretion to the effects on the safety and efficiency of the Tram Road / State Highway 1 interchange.

Any application arising from this rule shall not be publicly notified but shall be limited notified to Waka Kotahi – New Zealand Transport Agency absent its written approval.

INSERT NEW RULE

32.2.18 In the Residential 2 and 4A Zones, Ōhoka shown on District Plan Map 185, any subdivision of land shall be a restricted discretionary activity.

In considering any application for resource consent under Rule 32.2.18, the Council shall, in deciding whether to grant or refuse consent, and in deciding whether to impose conditions, restrict the exercise of discretion to the outcome of a traffic assessment undertaken in consultation with the District Council to determine what upgrades (if any) are required in respect of either the Mill Road / Ohoka Road intersection or the Flaxton Road / Threlkelds Road and Mill Road / Threlkelds Road intersections prior to the issue of a completion certificate under section 224 of the Act.

Any application arising from this rule shall not be limited or publicly notified.

INSERT NEW RULE

32.2.19 In the Residential 2 and 4A Zones, Ōhoka shown on District Plan Map 185, subdivision of more than 250 residential allotments (cumulatively) shall be a restricted discretionary activity.

In considering any application for resource consent under Rule 32.2.19, the Council shall, in deciding whether to grant or refuse consent, and in deciding whether to impose conditions, restrict the exercise of discretion to the outcome of a traffic assessment undertaken in consultation with the District Council to determine what upgrades (if any) are required in respect of the Tram Road / Whites Road intersection prior to the issue of a completion certificate under section 224 of the Act.

Any application arising from this rule shall not be limited or publicly notified.

INSERT NEW RULE

32.2.20 In the Residential 2 and 4A Zones, Ōhoka shown on District Plan Map 185, subdivision of more than 450 residential allotments (cumulatively) shall be a restricted discretionary activity.

In considering any application for resource consent under Rule 32.2.20, the Council shall, in deciding whether to grant or refuse consent, and in deciding whether to impose conditions, restrict the exercise of discretion to the traffic safety and efficiency effects in respect of the Bradleys Road / Tram Road intersection. This rule shall not apply if a roundabout has been constructed at this intersection.

Any application arising from this rule shall not be limited or publicly notified.

32.3 Discretionary Activities

INSERT NEW RULE


























32.3.7 Any subdivision that does not comply with Rule 32.1.1.28.ak is a discretionary activity.

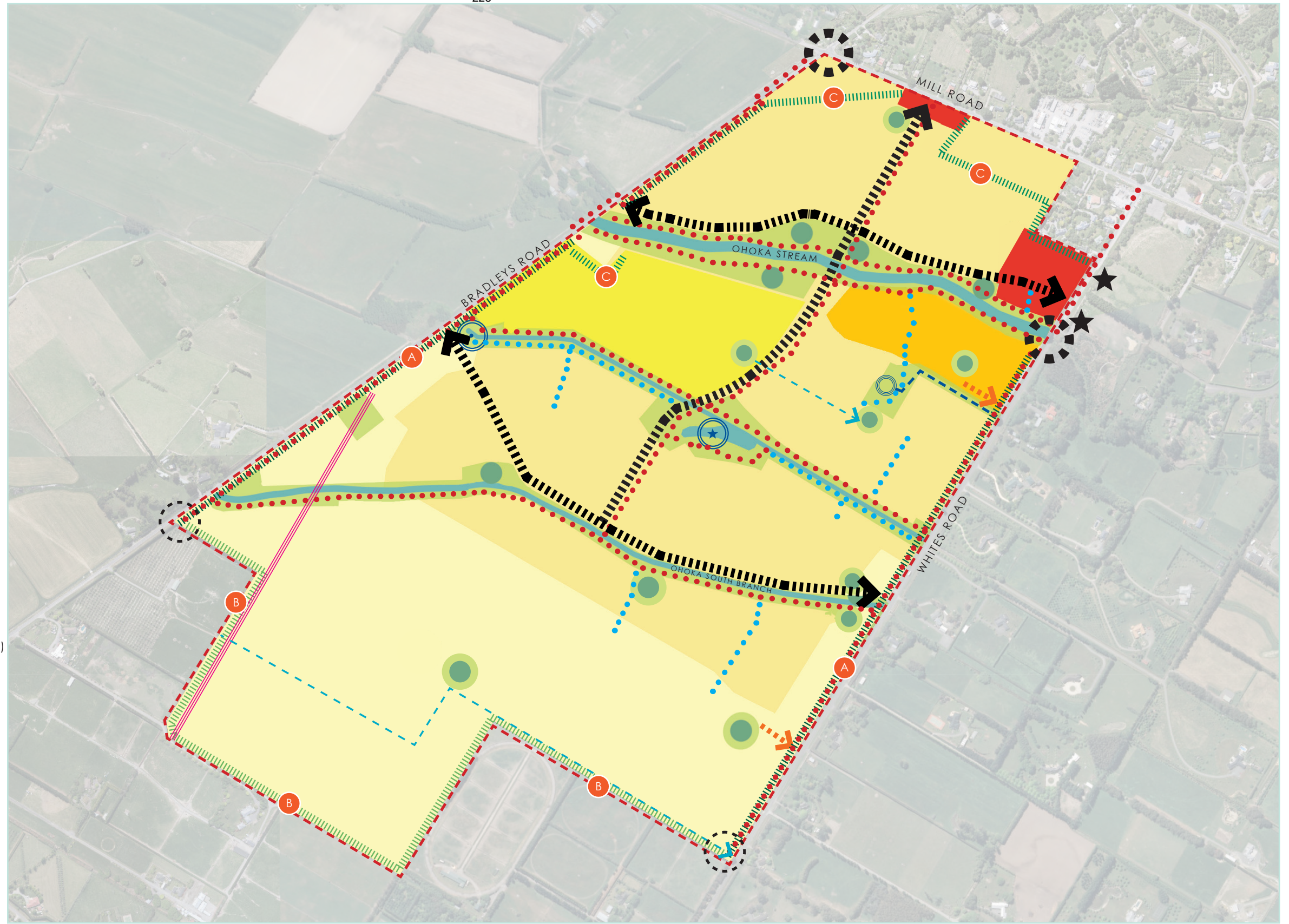
32.4 Non-complying Activities

INSERT NEW RULE

32.4.14 Any subdivision of land within the Residential 4A Zone (Ōhoka) identified on District Plan Map 185 that does not comply with Rule 32.2.16 is a non-complying activity.

LEGEND

-  Outline Development Plan Area
-  Residential 2
-  Residential 2 (Educational Overlay)
-  Residential 2 (Polo Grounds Overlay)
-  Residential 4a
-  Business 4 Zone
-  Indicative (Collector) Road
-  Indicative Local Road Connection
-  Village Threshold / Gateway
-  Potential Minor Threshold
-  Indicative Pedestrian-Cycle Network
-  Indicative Pedestrian Path
-  Indicative Stormwater Management Areas (size and location to be confirmed)
-  Existing / Modified Waterways
-  Existing Springs and Associated Setback (30m)
-  Stormwater Conveyance Flow Path
-  Groundwater seep and associated setback (20m)
-  Groundwater Seep Channel
-  Existing Pond (size and location to be confirmed)
-  Green Network
-  Landscape Treatment A
-  Landscape Treatment B
-  Landscape Treatment C
-  Pedestrian / Cycle Crossing
-  Overhead 66kV Power Lines



A. OUTLINE DEVELOPMENT PLAN - 535 MILL ROAD, OHOKA

LANDSCAPE AND VISUAL IMPACT ASSESSMENT

PROPOSAL - OUTLINE DEVELOPMENT PLAN

535 MILL ROAD, OHOKA - PLAN CHANGE



WAIMAKARIRI DISTRICT COUNCIL**REPORT FOR DECISION**

FILE NO and TRIM NO: Gov-01 11 / 230912142230

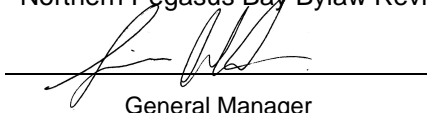
REPORT TO: COUNCIL

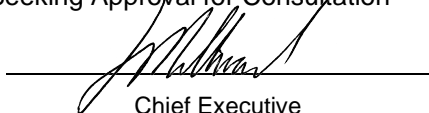
DATE OF MEETING: 7 NOVEMBER 2023

AUTHOR(S): Sylvia Docherty – Senior Policy Analyst

SUBJECT: Northern Pegasus Bay Bylaw Review Seeking Approval for Consultation

ENDORSED BY:
(for Reports to Council,
Committees or Boards)


General Manager


Chief Executive

1. SUMMARY

- 1.1. The purpose of this report is to obtain the Council's approval to consult the public on the Northern Pegasus Bay Bylaw 2016 (amended 2023) to inform a review and any potential changes to the Bylaw.
- 1.2. The Northern Pegasus Bay Bylaw 2016 (amended 2023) applies to all of the beaches within the Waimakariri District Council's jurisdiction and its purpose is to control activities on the beaches in order to manage conflicting recreational uses, minimise any environmental impacts arising from this activity, protect and promote public health and safety and minimise the potential for offensive behaviour in public places.
- 1.3. Effective implementation including enforcement of the bylaw, is critical to its success in reducing the issues identified through review and consultation processes.
- 1.4. The Northern Pegasus Bay Advisory Group provides stakeholder feedback to staff on the operational and enforcement implications of the Bylaw. Council staff work with the Advisory Group on an ongoing basis to monitor the effectiveness and implementation of the Bylaw.
- 1.5. Community feedback prior to developing a Statement of Proposal for the Northern Pegasus Bay Bylaw 2024 will allow community views to be considered along with stakeholder input. This approach reflects the extensive community consultation conducted in 2015/2016 as part of the first Bylaw review that required an updated Statement of Proposal following community consultation.

Attachments:

- i. Northern Pegasus Bay Bylaw Schedule 2 Map updated 2023 – 231025169980

2. RECOMMENDATION

THAT the Council:

- (a) **Receives** Report No. 230912142230.
- (b) **Approves** initiating the consultation process on the Northern Pegasus Bay Bylaw 2016 (amended 2023) from between mid-November 2023 and late-January 2024.
- (c) **Appoints** Councillors Blackie, Councillor and Councillor, Woodend Ashley Community Board Chair or nominee, and a Te Ngāi Tūāhuriri Rūnanga representative, to the Northern Pegasus Bay Bylaw 2016 (amended 2023) Hearing Panel to hear

submissions on the Bylaw and to recommend decisions to the Council (meeting dates to be confirmed).

- (d) **Invites** Te Ngai Tūāhuriri Runanga to appoint an advisor to the Hearings Panel to provide advice on cultural matters.
- (e) **Notes** that this consultation will inform development of a Statement of Proposal for the Proposed Northern Pegasus Bay Bylaw 2024. The Statement of Proposal will be made available to the wider public for input through the Special Consultative Procedure required by the Local Government Act 2002.
- (f) **Notes** that the Northern Pegasus Bay Bylaw 2016 (amended 2023) will not be required to be formally reviewed for another 10 years.
- (g) **Circulates** this report to the Kaiapoi-Tuahivi, Oxford-Ohoka and Rangiora-Ashley Community Boards for their information.

3. **BACKGROUND**

- 3.1. The Northern Pegasus Bay Bylaw 2016 (amended 2023) regulates recreational activities along the coastal strip of the District and includes the environmentally significant Ashley – Rakahuri River Estuary. Attachment i outlines the Bylaw area.
- 3.2. The aims of the Bylaw are to manage recreational use, minimise negative environmental impacts, promote public health and safety and minimise nuisance and offensive behaviour.
- 3.3. The Bylaw receives its empowerment through sections 145 and 146 of the *Local Government Act 2002*. Section 153 (3) enables the bylaw to be enforced on land owned by the Department of Conservation and section 22AB of the Land Transport Act 1998 to enable motorcycles to be prohibited from the beach.
- 3.4. The Northern Pegasus Bay Bylaw Implementation Plan was adopted by the Council on 5 December 2017. The Plan incorporated feedback from the consultation process and identified 60 actions across 11 themes including education, publicity, and signage. The Implementation Plan includes actions related to education and publicity. This resulted in leaflets and videos about the Bylaw targeting specific activities carried out by beach users.
- 3.5. The Plan includes establishing the Northern Pegasus Bay Advisory Group (Advisory Group) to ensure the purposes of the Bylaw are achieved with a responsibility to oversee the progress of the Implementation Plan.

4. **ISSUES AND OPTIONS**

- 4.1. The Council adopted the Northern Pegasus Bay Bylaw 2016 (amended 2023) on 2 May 2023 noting that this was an interim bylaw to meet critical operational timeframes and that a process would follow to fully review the Bylaw including stakeholders and community consultation.
- 4.2. The Bylaw has been instrumental in improving coastal management for Northern Pegasus Bay since it was introduced. However, there are environmental, health and safety, and implementation issues still affecting the coastal area and consideration needs to be given to what additional regulatory and non-regulatory measure could be taken to resolve or reduce the issues.
- 4.3. Prohibition of dogs from the Ashley/Rakahuri Estuary was introduced in the Northern Pegasus Bay Bylaw 2016 to offer additional protection to the area's internationally significant natural values. Bird monitoring undertaken by the Ashley Rakahuri Rivercare Group recognises declining bird numbers in the area over the last 25 years and that a single dog attack on an endangered species could have significant consequences. The Advisory Group recommends extending the prohibited area to include Ashworths Spit, this

could be a seasonal or permanent prohibited activity noting that seasonal would be for a significant proportion of the year based on bird activity in the area.

- 4.4. The legalistic nature of the Bylaw document does not lend itself to a particularly user-friendly format or style of expression. Stakeholder feedback has highlighted a need to be more specific as well as clear and simple to understand and enforce.
- 4.5. Feedback from the Advisory Group has highlighted the maps contained in schedules 2 to 6 are accurate at the time they are produced but that the geography of the coastal area changes frequently making accurate visual representation of the access areas more difficult. Staff will consider the written clauses of the Bylaw to include clear written definitions.
- 4.6. The Bylaw currently allows fires to be lit on the beaches during open season. Following the fire at Tūhaitara Coastal Park on 2 November 2022 consideration should be given to whether this continues as a restricted activity or whether it should be a prohibited activity.
- 4.7. The different Bylaw rules applying to the northern and southern stretches of the coastal strip can be problematic but manageable as long as good communication was established between the Waimakariri District Council and the Hurunui District Council. It is also acknowledged that there is a need to educate users entering the coastal strip from Ashworths Beach of the Waimakariri regulations.
- 4.8. Access for Fenton Reserve owners and holders of Fenton Entitlements to waterways associated with these Fenton Reserves and Entitlements for mahinga kai purposes is an issue that the council is legally obliged to address. The Mahaanui Iwi Management Plan identifies '*The need to protect and maintain Ngāi Tahu access to sites associated with wāhi tapu, wāhi taonga, mahinga kai and other cultural resources, including Fenton reserves, Fenton Entitlements and Nohoanga.*' An agreement between the Council, Environment Canterbury, and the Fenton Reserve Trustees consistent with the principles of Kaitiakitanga (the intergenerational responsibility and right of tāngata whenua to take care of the environment and resources upon which they depend) has been drafted and amended based on input from each party. The draft is currently awaiting feedback from Fenton Reserve Trustees before it can progress any further.
- 4.9. Effective targeted enforcement is a key component of managing the Bylaw and was a significant issue in previous consultation submissions. It can't be emphasised enough that effectively implementing the bylaw is vital to its success. Enforcement of the Bylaw helps to reduce the identified environmental, health and safety issues and user conflicts as well as support the good faith and enthusiasm of members of the local beach communities who are engaged in the bylaw development process. Environment Canterbury enforce the Bylaw through regular patrols of the coastal strip via a ranger service. The cost of this service is split between the Waimakariri District Council and Environment Canterbury.

5. Implications for Community Wellbeing

- 5.1. There are implications on community wellbeing by the issues and options that are the subject matter of this report. The Bylaw support the following community outcomes:
 - 5.1.1. There is a safe environment for all.
 - 5.1.2. There is a healthy and sustainable environment for all.
 - 5.1.3. Indigenous flora and fauna, and their habitats, especially Significant Natural Areas are protected and enhanced.
 - 5.1.4. The community's cultures, arts and heritage are conserved, developed, and celebrated.
 - 5.1.5. Effect is given to the principles of the Treaty of Waitangi.

- 5.1.6. Public spaces and facilities are plentiful, accessible, and high quality, and reflect cultural identity.
- 5.1.7. There are wide ranging opportunities for people to contribute to the decision making that affects our District.

6. **COMMUNITY VIEWS**

6.1. **Previous consultation**

An extensive public consultation process was undertaken for the first review of the Bylaw resulting in 291 submissions received from organisations and individuals which the Council considered over two formal hearings.

Community views on the proposed 2015 Bylaw were sought through a public consultation process in early 2015. 221 written submissions were received, and the Hearing Panel considered views of 18 individuals and 10 organisations. Comments from the submissions covered the following themes:

- Vehicle access (64%)
- Enforcement/implementation/review (60%)
- Equestrian (54%)
- Whole document/ miscellaneous (46%)
- Dog control (37%)
- Other activities such as land yachting, freedom camping and the scattering of human ashes (31%)
- Management of and activities in the Ashley/Rakahuri Estuary area (28%)
- Fire control (17%)

After consideration of submitters' views the Council decided to make a number of changes to the proposed Bylaw with some of these changes significant enough to require a further round of consultation.

In November 2015, a public discussion document outlining the decisions the Hearing Panel had made in response to the submissions was forwarded to all previous submitters and they were informed these decisions would provide the basis for the new proposal. Consultation was carried out on the Updated Proposed Bylaw in May 2016.

The Council received 70 submissions to the second round of consultation including compliments about the effort the bylaw review working party, hearing panel and Council had made to develop the bylaw and the Council's willingness to go out for another round of consultation. The Hearing Panel considered views of 19 individuals and organisations. A significant number of submitters agreed with the bylaw's focus on health and safety and approved of the balance achieved between conflicting uses and conflicting use/environmental values.

Public consultation on the draft Northern Pegasus Bay Bylaw Implementation Plan ran from in August 2017 resulting in 25 submissions. The future management and protection of the Ashley-Rakahuri Estuary was a clear priority for submitters, as was the education of beach users through effective communication, signage and enforcement. Other issues included vehicle access into the Estuary, educating beach users entering at Ashworths Beach about new Bylaw rules, the proposal to name the coastal strip a park, continuing to engage with the Hurunui District Council about coastal management and the need to adequately resource the advisory group and enforcement services.

Northern Pegasus Bay Advisory Group

Membership of the Northern Pegasus Bay Advisory Group is based on the organisations represented in the previous Northern Pegasus Bay Working Party and extended to include representation from user groups and beach communities. The following groups were invited to select one person to represent them on the Northern Pegasus Bay Advisory Group:

- Waimakariri District Council – Councillor (Chairperson)
- Kaiapoi-Tuahiwi Community Board

- Woodend-Sefton Community Board
- Department of Conservation
- Environment Canterbury
- Te Ngāi Tūāhuriri Rūnanga
- Te Kōhaka o Tūhaitara Trust
- Hurunui District Council
- Ashley-Rakahuri Rivercare Group
- Waikuku Beach Kite Surfers User Agreement Group
- Ashley Fishermen's Association Inc
- Woodend Beach Commercial Horse Trainers User Agreement Group
- Fenton Reserve Trustees
- A representative for Waikuku Beach residents (to be determined by the Northern Pegasus Bay Advisory Group)
- A representative for Pegasus Beach residents nominated by the Pegasus Residents Group Inc
- A representative for Pines/Kairaki Beach residents nominated by the Pines Kairaki Beaches Association
- A representative for Woodend Beach residents nominated by the Woodend Community Association.

While this appears to be a large group to manage, the level of commitment required from representatives varies depending on the nature of the actions being implemented at the time. Green Space Unit staff provide the Advisory Group with staff support and Strategy and Business Unit staff will assist with monitoring activities.

The Advisory Group advocates for the use of non-regulatory approaches where possible including education and publicity of the Bylaw, but also recognise that enforcement measures with more consequences may be required to manage repeat breaches and breaches of the Bylaw that have a significant impact on the environment or health and safety of users are also required. The Advisory Group also highlighted the education and publicity is currently targeted at residents of the District but the coastal strip receives many recreational visitors from out of the District that may not be aware of the Bylaw.

6.2. **Mana whenua**

A representative of Te Ngāi Tūāhuriri Rūnanga was appointed to the development of the Northern Pegasus Bay Bylaw 2010 and the 2015 Review Working Party.

Green Space, and Strategy and Business Unit staff attended the joint meeting between the Council and Te Ngāi Tūāhuriri Rūnanga on 7 September 2023 to provide an update on the bylaw review and ask for Te Ngāi Tūāhuriri Rūnanga representation on the Advisory Group and the review process.

The Northern Pegasus Bay Advisory Group and Council staff would like to work with Te Ngāi Tūāhuriri Rūnanga to ensure Māori views are taken into account in the review and development of the proposed Bylaw. This review will be effective for ten years with the next review then not required until 2034.

6.3. **Groups and Organisations**

There are groups and organisations likely to be affected by, or to have an interest in the subject matter of this report.

Organisations that previously submitted on the Bylaw include:

- Christchurch 4WD Club
- Te Kohaka o Tūhaitara Trust
- Braided River Aid Inc
- Woodend-Ashley Community Board
- Canterbury Windsports Association
- Pines Kairaki Beaches Association

- Ashley-Rakahuri Rivercare Group Inc
- Pegasus Riding Club Inc
- Pegasus Residents' Group Inc
- Cust Equestrian Group
- Department of Conservation
- Waikuku Kitesurfers
- North Canterbury Fishing Club 97
- North Canterbury Fish and Game Council
- Canterbury Recreational 4WD Club
- Windsurfing NZ
- Groundswell Sports Ltd
- Royal Forest and Bird Protection Society of NZ Inc
- Kaiapoi Community Board
- Environment Canterbury.

6.4. **Wider Community**

The wider community is likely to be affected by, or to have an interest in the subject matter of this report. This primarily relates to the residents and members of the wider public that may have concerns around the prohibited and restricted activities of the Bylaw and the impact on the coastal environment where breaches of the Bylaw occur.

6.5. **Consultation Process**

The public will be notified of the opportunity to make a submission to the Lets Talk About Beaches consultation through public notices in newspapers and information published on the Council's webpage and Facebook page. Submissions will be able to be made online via the Council's web page, by email or by posting or delivering a copy to the Council. Online polls will be run on a short-term basis (weekly or fortnightly) to get specific feedback on key areas such as access for dogs on Ashworths Spit and fires on the beach. This will provide staff with specific feedback to help develop the Statement of Proposal.

Community events are planned for the beach communities of the District prior to the Summer break, working in partnership with the community representatives of the Advisory Group.

A Beach User Survey will be undertaken similar to the surveys undertaken in 2019 and 2021 that provide specific feedback on awareness of the Bylaw and what people think are the current issues for the Bylaw.

7. **OTHER IMPLICATIONS AND RISK MANAGEMENT**

7.1. **Financial Implications**

The review of the Bylaw is being carried out using existing Green Space, and Strategy and Business Unit staff resources. The project is a programmed Strategy and Business Unit project for the 2023/24 financial year. Any associated costs, such as advertising costs and legal fees are being split between the Green Space, Strategy and Business Units.

Currently there are two budgets within the recreation account which are used for enforcement and infrastructure development related to the Northern Pegasus Bay Bylaw. An operational budget of \$21,530 and a capital budget of \$22,020 is available for this financial year.

Enforcement is undertaken by Environment Canterbury via a ranger service. The cost of this service is split between the Waimakariri District Council and Environment Canterbury with each organisation's share being \$29,760 per year. The schedule for ranger services is agreed between both Councils and is based on known high use periods, weather, and tides. For the winter months, when use of the beach is limited, the ranger service is reduced to half a day at weekends. During peak times, which include the white bait season and summer holiday period, the service is increased to 5 half days a week.

7.2. Sustainability and Climate Change Impacts

The recommendations in this report do have sustainability and/or climate change impacts.

The Bylaw prohibits vehicles and motorbikes from riding on the dunes. Previous research concluded that the higher the sand dunes were, the more they protected people from coastal hazards. Driving on dunes destroys vegetation that helps to bind the sand together and compacts the sand. This can lead to an unstable dune system that is more at risk from the climate change risks of extreme weather events and sea level rise.

The Bylaw also controls activities in the Ashley/Rakahuri Estuary which is recognised by the International Union for the Conservation of Nature (IUCN) as a wetland of 'international significance'. Over 90 species of birds have been recorded at the Ashley Rakahuri/Saltwater Estuary alone and many of these such as the black-billed gull, black-fronted tern, banded dotterel, and wrybill are rare and endangered species.

6.3 Risk Management

There are not risks arising from the adoption/implementation of the recommendations in this report.

6.3 Health and Safety

There are no health and safety risks arising from the adoption/implementation of the recommendations in this report.

8. CONTEXT

8.1. Consistency with Policy

This matter is not a matter of significance in terms of the Council's Significance and Engagement Policy.

8.2. Authorising Legislation

Local Government Act 2002
 Resource Management Act 1991
 Ngāi Tahu Claims Settlement Act 1998
 Marine and Coastal Area (Tukutai Moana) Act 2011
 Land Transport Act 1998
 Reserves Act 1977
 Conservation Act 1987
 Wildlife Act 1953
 Marine Mammals Protection Act 1978
 Dog Control Act 1996
 Fire and Emergency NZ Act 2017
 Freedom Camping Act 2011

8.3. Consistency with Community Outcomes

The Council's community outcomes are relevant to the actions arising from recommendations in this report.

- Harm to people from natural and manmade hazards is minimised and our district has the capacity and resilience to respond to natural disasters.
- Harm to the environment from the spread of contaminants into ground and water is minimised.
- Conservation of significant areas of vegetation and/or habitats is encouraged.
- Different cultures are acknowledged and respected.
- People enjoy clean water at our beaches and rivers.

- There are wide ranging opportunities for people to enjoy the outdoors.
- There are wide ranging opportunities for people of different ages to participate in community and recreational activities.
- The particular recreational needs of children and young people are met.

9. Authorising Delegations

- 9.1. The Community and Recreation Committee has delegated authority to administer bylaws for its activities. The most relevant of the listed activities is parks and reserves but only a small parcel of Council-owned reserve land at Kairaki Beach is located within the Northern Pegasus Bay Bylaw 2016 area.
- 9.2. The District Planning and Regulation Committee is responsible for the administration of bylaws other than those clearly under the jurisdiction of another standing committee, but the full Council rather than this Committee has traditionally been involved in the preparation of the 2010 and 2016 Northern Pegasus Bay Bylaws due to the significance of the coastal area.

Vehicle Access Waikuku

(See Schedule 3 for details)



RESTRICTED NORTHERN VEHICLE ACCESS

- Access is only for the purposes of boat launching or retrieval, fishing, whitebaiting, and mahinga kai gathering.
- Below last high tide, unless it is unsafe to do otherwise.

RESTRICTED ASHLEY / RAKAHURI RIVER MOUTH VEHICLE ACCESS

- Permit required
- Key access only
- Available during annual whitebait season
- On marked route and then below last high tide, unless it is unsafe to do otherwise
- Exemptions apply to owners of Fenton Reserves and holders of Fenton Entitlements

Bylaw applies to area within the Waimakariri District Council Boundary

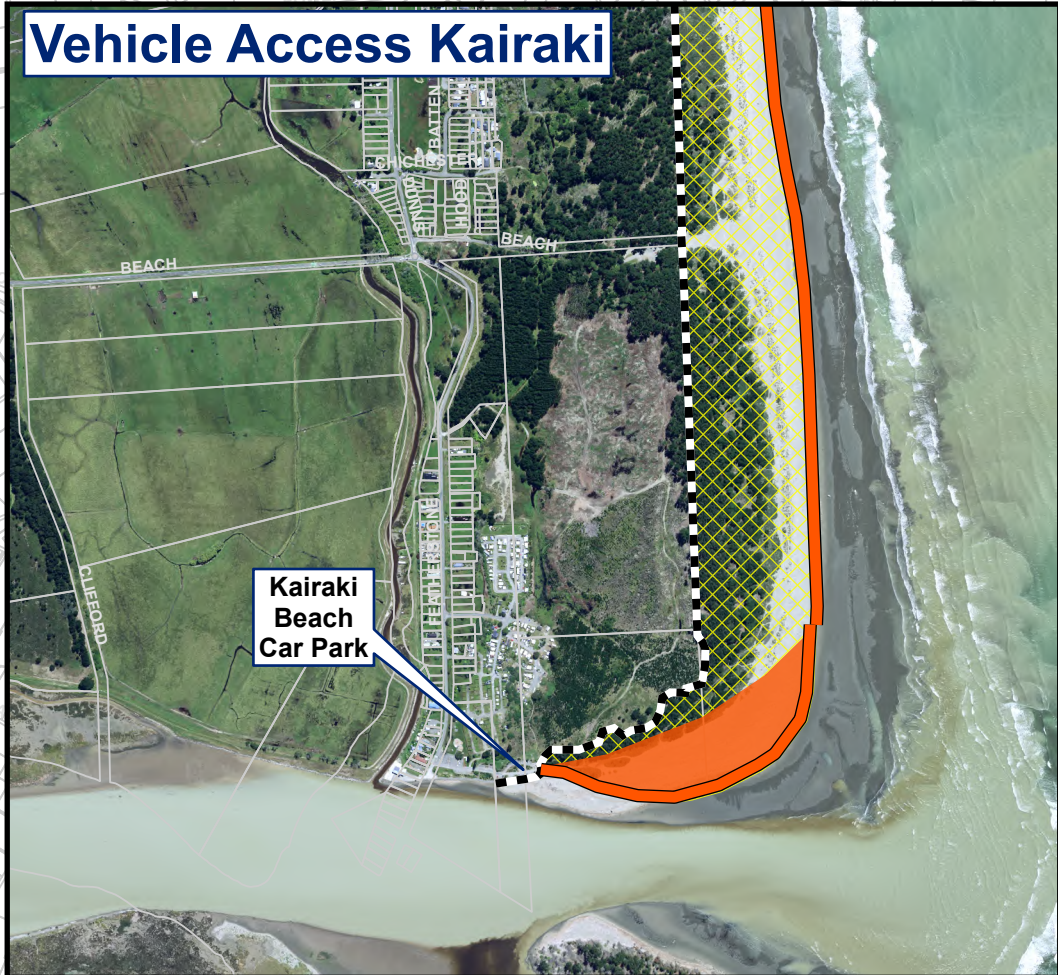


The beach is a prohibited area for 2 wheeled motorbikes

PROHIBITED VEHICLE ACCESS

- No Public Vehicle Access
- Exemptions apply to emergency and authorised maintenance and service vehicles

Vehicle Access Kairaki



RESTRICTED SOUTHERN VEHICLE ACCESS

- Access is only for the purposes of boat launching or retrieval and taking machinery and equipment used for legitimate recreational purposes to the water's edge, fishing, whitebaiting, mahinga kai gathering and holders of mobility parking permits.
- Below last high tide only, apart from at the Waimakariri River Mouth & unless it is unsafe to do otherwise

Pegasus Beach Car Park

Pegasus Beach

Woodend Beach Car Park

Woodend Beach

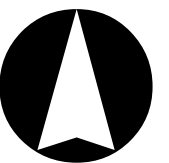
Woodend Beach Ferry Road Horse Access Trail

Kairaki Beach Car Park

Ocean Outfall

WAIMAKARIRI DISTRICT COUNCIL

Eagle Technology, Land Information New Zealand
CHRISTCHURCH CITY COUNCIL



WAIMAKARIRI DISTRICT COUNCIL**REPORT FOR DECISION**

FILE NO and TRIM NO: GOV-07-02, RDG-01 / 231024169428

REPORT TO: COUNCIL

DATE OF MEETING: 7 November 2023

AUTHOR(S): Hearing Panel – Road Reserve Management Policy

SUBJECT: Adoption of Road Reserve Management Policy

ENDORSED BY:
(for Reports to Council,
Committees or Boards)

General Manager



Chief Executive

1. SUMMARY

- 1.1. The purpose of this report is to seek Council approval to adopt the Road Reserve Management Policy.
- 1.2. This report presents the recommendation from the Hearing Panel for the Road Reserve Management Policy deliberations and written submissions received from the consultation for the Council's draft Road Reserve Management Policy, which opened on Monday 7 August and closed Thursday 7 September 2023.
- 1.3. In total, four submissions were received with three submitters presenting their views to the Hearing Panel.
- 1.4. The Hearing Panel consisted of Councillors Redmond, Blackie, and Fulton.
- 1.5. A small number of minor changes have been included within the proposed policy following the consultation and deliberations. These have been included in attachment i (TRIM: 221117200292) as track changes.

Attachments:

- i. Draft Road Reserve Management Policy track changes version (TRIM: 221117200292)
- ii. Minutes of Hearing and Deliberations on submissions made on Road Reserve Management Policy 20 October 2023 (TRIM: 231019166889)
- iii. Report to the Hearing Panel including attachments (TRIM: 231017165731)

2. RECOMMENDATION

THAT the Council:

- (a) **Receives** Report No. 231024169428;
- (b) **Adopts** the Road Reserve Management Policy as included in attachment i (TRIM: 221117200292);
- (c) **Circulates** this report to the Community Boards for their information, and;
- (d) **Notes** a separate targeted consultation will be carried out with rural landowners who could be affected by any proposed changes to roadside grazing areas and reported back to Council at a future date.

3. BACKGROUND

- 3.1. The driver for this policy review is to ensure that the Council's published policies remain current and relevant. As a result of evolving service delivery processes and regulatory changes, it is timely to ensure policies reflect the Council's current intent and practices.

- 3.2. During the review process, several existing Rooding policies have been reviewed, updated, and amalgamated into a single policy, to ensure an effective and efficient policy structure. Maintaining these documents separately over time is more resource intensive, as well as having the potential to generate duplication or inconsistency.
- 3.3. The draft policy is a combination of the following existing policies:
- Rural Seal Extension Policy
 - Private Funding of Seal Extension Policy
 - Formation of Unformed Roads Policy
 - Road Reserves Fencing & Grazing Policy
 - Stock Underpasses Policy
 - Vehicle Crossings, Entranceway and Driveway Surfacing Materials Policy
- 3.4. The absence of formal guidance with regards to certain responsibilities within the road reserve has led to confusion and conflicting expectations among adjacent landowners and road network users. Thus, new sections have been added based on current practice, to provide clarity on expectations for use and maintenance of all elements in the road reserve.
- 3.5. The draft policy also includes new sections for other rooding functions including:
- Road surfacing – based on the previously agreed levels of service for surfacing roads as approved by the Utilities & Rooding Committee in 2007 (TRIM: 071108035864)
 - Roadside berms – clarifying maintenance responsibilities for urban and rural berms as well as expectations for existing and potential trees and hedges
 - Unformed legal roads – specifying responsibility for maintenance and criteria for occupation, formation, and stopping
 - Road corridor usage including storage – defining conditions for temporary berm use
 - Utilities – identifying expectations for installing utilities in the roadside
 - Work zones – setting requirements for safe traffic management planning
- 3.6. Two existing related policies, the “Street Naming Policy” and the “Street and Reserve Trees Policy,” were not included in this amalgamation. The Street Naming Policy has now been incorporated into the new “Naming Policy” (TRIM: 230321039443) while the Street and Reserve Trees Policy remains under with the Greenspace Unit.
- 3.7. Council at its meeting on 6 June 2023 authorized officers to undertake a public consultation process on the outcomes and approved the nomination of Councillors Blackie, Fulton, and Redmond to a Hearing Panel Committee.
- 3.8. The consultation ran from 7 August to 7 September.
- 3.9. A hearing on the draft policy occurred on 20 and 24 October and the minutes are attached to this report (TRIM: 231019166889).
- 3.10. Submitters provided feedback on the considerations for sealing rural roads; requirements to occupy unformed legal roads; conditions around public access on unformed legal roads; guidelines for fencing, stock underpasses, and gates; and specific definitions (e.g., road reserve vs. road corridor) and references.
- 3.11. North Canterbury Federated Farmers had concerns around whether sufficient engagement had occurred with rural landowners directly affected by proposed changes to roadside grazing areas.
- 3.12. The Hearing Panel considered points raised by the submitters and officers report. The Panel recommended a small number of changes and additions to reinforce the balance between road user needs and adjacent landowner concerns. They also recommended deferring consideration of any changes to grazing restrictions until after more consultation could be carried out with potentially affected rural landowners.

4. ISSUES AND OPTIONS

- 4.1. The draft policy has been reviewed and updated to ensure that it includes all of the existing policies as well as gaps which have been identified.

- 4.2. The absence of formal guidance with regards to responsibilities within the road reserve has led to confusion and conflicting expectations among adjacent landowners and road network users.
- 4.3. While the majority of the draft Road Reserve Management Policy comes from existing Council policies, new sections have been added based on current practice, to provide clarity on expectations for use and maintenance of all elements in the road reserve.
- 4.4. The draft policy has been through substantive internal development across all relevant Council teams as well as consultation with the broader community, stakeholders, and elected members to ensure that it reflected the best practices in managing the roading network.
- 4.5. As regards the policy, the following options are available to Council:
- 4.6. Option One – Adopt the draft Road Reserve Management Policy:

This option would see Council adopt the draft policy as shown in attachment i. The draft policy has been updated following the consultation and deliberations feedback and reflects the recommendations of the Hearing Panel. As such, this is the recommended option.

Note that this option will include a next step of targeted consultation with rural landowners who could be affected by any proposed changes to roadside grazing areas, which will be reported back to Council at a future date

- 4.7. Option Two – Retain the six existing roading-related policies without changes:
- This option would see Council retain six separate policies and maintain these as separate documents. Maintaining these documents separately over time is more resource intensive, as well as having the potential to generate duplication or inconsistency. This option also does not address gaps in the current policies. As such this is not the recommended option.
- 4.8. Option Three – Further amend the draft Road Reserve Management Policy before adopting it:

This option would see Council further amend the draft policy by adding or removing sections of the policy. There has been a significant amount of work go into the draft policy so that it provides clear guidance which reflect current practice and addresses gaps in the current policies. It has also been through a monthlong public consultation effort with resulting submissions considered by the hearing panel. As such this is not the recommended option.

Implications for Community Wellbeing

- 4.9. There are implications on community wellbeing from the issues and options that are the subject matter of this report. The draft policy has been reviewed and updated by relevant staff across Council, to ensure it reflects current requirements and practices as these affect activities and responsibilities of Council and the general public.
- 4.10. Policies have an underlying purpose of ensuring the Council undertakes its activities and manages its assets where there is an interface with the public in a way that provides for safety and transparency while also demonstrating fairness and equity for our community. These documents establish responsibilities and obligations for third parties, in situations where requirements and/or roles are not otherwise clearly specified through legislation, regulation, standards, or industry guidance.
- 4.11. The Management Team has reviewed this report and support the recommendations.

5. **COMMUNITY VIEWS**

5.1. **Mana whenua**

Te Ngāi Tūāhuriri hapū are not likely to be affected by or have an interest in the policy's subject matter beyond a general interest as members of the community.

5.2. **Groups and Organisations**

There are groups and organisations that are likely to be affected by, or to have an interest in the subject matter of this report. They have been given an opportunity to be heard as part of the public consultation process.

Submissions were received from North Canterbury Federated Farmers and Herenga ā Nuku Outdoor Access Commission. North Canterbury Federated Farmers considered changes to funding for road sealing, requirements for licenses to use unformed legal roads, expectations for stock movement and underpasses, and fencing requirements. They also raised concerns around whether sufficient engagement had occurred with rural landowners directly affected by proposed changes to roadside grazing areas.

Herenga ā Nuku Outdoor Access Commission provided feedback around wording in the policy objectives, definitions, references, and comments on the unformed legal road and roadside maintenance sections.

5.3. **Wider Community**

The wider community is likely to be affected by, or to have an interest in the subject matter of this report. Council has undertaken public consultation to afford interested parties the opportunity to have their say and be heard.

Submissions from two individuals were received with one presenting at the hearing on the impacts of farming in an area with increasing peri-urban subdivision and potential effects of changes to the nearby unformed legal road. Concerns raised in relation to the policy included the potential for antisocial behaviour in unformed legal roads and conflicts between existing farming operations and new residential subdivisions.

6. **OTHER IMPLICATIONS AND RISK MANAGEMENT**

6.1. **Financial Implications**

There are no direct financial implications of the decisions sought by this report. The changes proposed in the policy will not lead to any significant changes to Council's operational costs.

6.2. **Sustainability and Climate Change Impacts**

The recommendations in this report do not have major sustainability or climate change impacts, although these impacts are considered in ongoing roading operations. It is noted that the policy within this report will improve the ecological footprint of the District's roading network through preservation and cultivation of indigenous vegetation.

6.3 **Risk Management**

There is not a significant change in risks arising from the adoption of the recommendations in this report. It is noted that there are risks inherent in the management of the District's roading network, but the policy sought to minimise any increase in these risks. Adoption of the policy will ensure current practice addresses risks to both Council and third parties.

6.3 **Health and Safety**

There are health and safety risks arising from the adoption/implementation of the recommendations in this report. The policy sought to ensure health and safety risks for staff and the public are addressed during activities managed by the Council as far as is practicable. The policy will help ensure that the road reserve is managed in a way which provides for safety of the public.

7. **CONTEXT**

7.1. **Consistency with Policy**

This matter is not a matter of significance in terms of the Council's Significance and Engagement Policy.

7.2. **Authorising Legislation**

The Local Government Act 1974 details the role and responsibilities of local government in relation to setting Policy and public consultation.

7.3. **Consistency with Community Outcomes**

The Council's community outcomes are relevant to the actions arising from recommendations in this report. In particular, the following community outcomes are of relevance to the issue under discussion:

Transport is accessible, convenient, reliable, and sustainable:

- The standard of our District's roads is keeping pace with increasing traffic numbers.
- Communities in our District are well linked with each other and Christchurch is readily accessible by a range of transport modes.

There are wide ranging opportunities for people to contribute to the decision making that effects our District:

- The Council makes information about its plans and activities readily available.
- The Council takes account of the views across the community including mana whenua.
- The Council makes known its views on significant proposals by others affecting the District's wellbeing.
- Opportunities for collaboration and partnerships are actively pursued.

There is a safe environment for all:

- Harm to people from natural and man-made hazards is minimised.
- Our district has the capacity and resilience to quickly recover from natural disasters and adapt to the effects of climate change.
- Crime, injury and harm from road crashes, gambling, and alcohol abuse are minimised.

7.4. **Authorising Delegations**

Council at its 6 June 2023 meeting delegated responsibility to the Hearings Panel to hear and consider submissions to the Road Reserve Management Policy consultation.

Council is responsible for the approval of all policies.

Road Reserve Management Policy

1. Introduction

This policy sets out the Waimakariri District Council's (the Council) approach to managing activities within the road reserve. It addresses uses and management requirements in the road reserve that can affect private activities or impose costs on residents, and provides clear guidance to staff and the community.

2. Purpose

The purpose of this policy is to clarify controls, responsibilities, and any associated costs for use of the road reserve affecting a wide range of private and public activities.

These expectations are clearly set out so that the requirements are visible to, and can be clearly understood by, all users of the road corridor.

3. Scope

This policy provides guidance on management of Council road reserves and establishes:

- Criteria for sealing unsealed rural roads, including funding requirements
- Specifications for the use of unformed legal roads and forming unformed legal roads, [and the process for stopping unformed legal roads](#)
- Responsibilities for use, fencing, and maintenance of the road berm
- Requirements for sealing roads and vehicle crossings
- Criteria for forming stock underpasses
- Expectations for temporary traffic management activities.

4. Policy objectives

The overarching objective of this policy is to assist the Council to consistently and transparently apply management requirements and cost-share agreements for use of the road reserves, and to ensure fair and equitable outcomes for all parties.

4.1. The policy sets out the criteria for sealing unsealed rural roads so that costs and benefits are fairly distributed in accordance with set criteria.

4.2. The policy clarifies responsibilities for accessing and using unformed legal roads. It provides a process to consider privately-constructed assets on or under such roads.

4.2.4.3. [The policy ensures that the public right of passage along unformed legal road corridors is preserved.](#)

4.3.4.4. The policy ensures that the responsibility for forming and maintaining private accesses on an unformed legal road is clearly with the party requesting and benefiting from the access.

4.4.4.5. The policy manages rural road boundary fencing and berm grazing to ensure safety for vehicles, pedestrians, and stock and to reduce road maintenance issues.

4.5.4.6. The policy specifies suitable materials for vehicle crossings to ensure standardisation and

limit impacts from future works within the road reserve.

4.6.4.7. The policy manages the construction of stock underpasses to safely allow stock and farmers to travel from one side of the road to another, and allow road users to pass unhindered.

5. Sealed roads

5.1. Rural seal extension

This policy is used to assess any requests to seal rural roads with speed limits of 60km/h or greater.

The Council will only seal unsealed rural roads in the following situations:

- When co-funding is approved by the New Zealand Transport Agency (Waka Kotahi)
- When roading financial contributions from subdivisions of at least 30% of the cost of sealing the road have been received by the Council
- When privately funded, as detailed below.

See [Appendix C: Appendix C](#) for seal extension technical requirements.

5.1.1. New Zealand Transport Agency Approved Projects

5.1.1.1. The New Zealand Transport Agency has set criteria for the funding of seal extensions and few projects are likely to be eligible for, or receive New Zealand Transport Agency co-funding.

5.1.1.2. Any roads which meet the New Zealand Transport Agency criteria will be identified and submitted to the Long Term Plan and Regional Land Transport Plan (RLTP) processes for consideration of funding allocation.

5.1.1.3. The Council may programme the seal extension in the earliest year funding is available, or bring forward the funding to the following financial year.

5.1.2. Roothing Financial Contribution Projects

5.1.2.1. The Council will consider sealing a rural unsealed road when receipted Roothing Financial Contributions from subdivisions reach at least 30% of the cost of sealing the road.

5.1.2.2. Funding for these projects will come from the Subdivision contribution budget.

5.1.2.3. The Council may at its discretion, attempt to obtain subsidy from the New Zealand Transport Agency either fully or by using the contributions to offset the capital cost of the work. However, the sealing will be programmed for completion, whether New Zealand Transport Agency approval is obtained or not.

5.1.3. Private Funding of Seal Extension

5.1.3.1. The Council will consider sealing existing roads where the adjoining property owner(s) is willing to fund 50% of the cost of the sealing.

5.1.3.2. Seal extensions up to a total length of 1km per year may be approved by the General Manager, Utilities and Roothing, under delegated authority, subject to the following conditions:

- Those requesting the work will pay 50% of the cost. The balance shall be funded as a deficit balance within the current years roading account.
- Any additional works required to support the seal extension (e.g., signs, markings, drainage) will be included in the cost apportionment. Any works

required to address existing deficiencies will be covered by Council.

- The design and tender for the seal extension work will normally be prepared by the Council and all physical work will be organised by the Council. Those requesting the work will pay 50% of the costs of design, tender and construction of the physical works.
- The sealed road will remain the property of the Council in accordance with the Local Government Act 1974 s317.
- Future maintenance, including resealing, will be the responsibility of the Council.

5.2. Sealed road surfacing

- 5.2.1. Generally, the most appropriate and cost-effective sealed road surfacing is chip seal. By default, all roads and streets which Council agree to seal shall be surfaced with chip seal to ensure the lowest lifecycle cost is achieved, unless other surfacing is considered appropriate based on the technical grounds noted below.
- 5.2.2. Asphaltic concrete (hotmix) is more durable with less noise and vibration, but its usage incurs a higher lifecycle cost. Its use will require approval by the General Manager, Utilities and Roading.
- 5.2.3. Asphaltic concrete (hotmix) may be used to seal Strategic and Arterial Roads with speed limits of 50 km/hr or less, and with urban scale development on both sides of the road.
- 5.2.4. Asphaltic concrete (hotmix) or similar surfacing may also be used on selected streets within the town centres or on other roads and bridges on a case-by-case basis.
- 5.2.5. Asphaltic concrete (hotmix) or similar surfacing may be used in cul-de-sac heads, at intersections with large numbers of heavy turning vehicles, and in any other area where it is the most appropriate technical and cost-effective option. It is used in situations where there are high vehicle turning movements to reduce the wear and tear from turning vehicles.
- 5.2.6. Asphaltic concrete (hotmix) or similar surfacing may also be used, on an exceptions basis, where it is technically considered the most appropriate solution to address inconsistencies in vertical and horizontal alignment in some streets.
- 5.2.7. In situations where streets are already surfaced with asphaltic concrete (hotmix) or similar material, but are not consistent with this policy and require resurfacing, they will be resurfaced with asphaltic concrete (hotmix) or similar surfacing unless there are compelling technical and / or cost reasons for not doing so.

6. Unformed legal roads

This policy specifies controls on the use, access, and maintenance of unformed legal roads, also known as paper roads.

6.1. Public use of unformed legal roads

- 6.1.1. The Council has [a responsibility statutory powers to manage and control roads](#) under the Local Government Act 1974 (Part 21) and Land Transport Act 1998 (Part 3) to ensure that the public right of passage along unformed legal road corridors is preserved while protecting the environment, the road and adjoining land, and the safety of road users.
- 6.1.2. Herenga ā Nuku Aotearoa - the Outdoors Access Commission was established pursuant to the Walking Access Act 2008 to lead, support, negotiate, establish, retain, and improve access to the outdoors. The rights and responsibilities in the Outdoors Access

Commission's Outdoor Access Code should be adhered to when using unformed legal roads.

- 6.1.3. While there is no specific statutory right to use a motor vehicle on any road, where the terrain permits, vehicles may be used on unformed legal roads, unless this is prevented or restricted through a bylaw or other enactment.
- 6.1.4. Road corridor users must not modify, obstruct, or damage the surface of unformed legal roads, except in accordance with the provisions of this policy.
- 6.1.5. Most unformed legal roads will not have clearly delineated areas set aside for different types of users. Vehicles, pedestrians, bicycles, and horses are likely to share the same space. Unformed legal roads are considered "shared zones" available for use by pedestrians, cyclists, equestrians, and motorists, as per the purpose of Land Transport (Road User) Rules 2004. This means that motorists must give way to pedestrians, but pedestrians must not unduly impede the passage of any vehicle.
- 6.1.6. Due to the risk posed to other road users, the road surface, and adjoining property and vegetation, the Council does not permit the lighting of fires on unformed legal roads.
- 6.1.7. Unformed legal roads are public places for the purposes of the Arms Act 1983. Therefore, the discharging of a firearm on an unformed legal road so as to endanger property, annoy, or frighten any person is prohibited.

6.2. Maintenance of unformed legal roads

6.2.1. The Council is not obligated to, and does not generally intend to:

- Maintain or repair damage to unformed legal roads
- Fence unformed legal roads
- Inspect, identify, or mitigate any road safety issues on unformed legal roads
- Signpost or otherwise mark unformed legal roads.

6.2.2. The Council is obligated to inspect and maintain non-roading assets that it has purposefully installed in unformed legal roads, such as drainage or [plantation forestry blocks](#).

6.2.2-6.2.3. [Any existing or new Council non-roading assets within unformed legal roads should not obstruct public access.](#)

6.2.3-6.2.4. Adjacent landowners are generally responsible for fencing, vegetation control, and pest plant management. The Council should be consulted before removing any exotic non-pest trees or hedges. Naturally-occurring indigenous vegetation shall not be removed or disturbed without written approval from the Council. This is particularly relevant where there are features of ecological importance or Significant Natural Areas; refer to the District Plan for more details. Exceptions may be considered on a case-by-case basis.

6.3. Private occupation and encroachments in unformed legal roads

- 6.3.1. The Council recognises that a range of activities may wish to make use of, or locate on, unformed legal roads. The Council will consider requests for occupation of an unformed legal road on a case-by-case basis.
- 6.3.2. Approved requests for occupation will be formalised through a Licence to Occupy and must comply with this policy and the conditions of that Licence to Occupy. See the [draft Council Rural Land Lease and Licence Policy](#) for additional terms; [in the event of any conflict with terms within the Rural Land Lease and License Policy, the terms of this policy shall prevail.](#)

6.3.3. Should the Property Team recommend against granting a Licence to Occupy for occupation of an unformed legal road, such approval is reserved for the Utilities and Roothing Committee.

6.3.4. The Council recognises that there are a large number of existing occupied unformed legal roads that are not subject to a formal lease or Licence to Occupy. While the Council will endeavour over time to standardise these occupancy activities, this will be governed by the availability of Council staff resources. Priority may be given to unformed legal roads where issues arise in relation to an existing use.

6.3.5. See ~~Appendix C: Technical requirements~~ Appendix C: Technical requirements for conditions for unformed legal road occupation.

~~6.3.5-6.3.6.~~ Failure to obtain the necessary authority from Council to occupy or encroach onto an unformed legal road is an offence under the Local Government Act 1974.

6.4. **Unauthorised ~~occupation~~ encroachment**

6.4.1. Where there is an unauthorised encroachment on an unformed legal road, the Council:

- Will investigate complaints about encroachments
- Will first attempt to resolve encroachments through voluntary removal, Licence to Occupy, or road stopping (as appropriate, see section 6.6 below) before considering legal action
- May consider an appropriate alternative public access, where such an alternative is equal to or better than the existing unformed legal road and can be provided at no cost to Council
- May remove, or require removal of, unauthorised encroachments that obstruct or impede public access, at the cost of the party responsible, unless exceptional circumstances exist in relation to the encroachment (including a public benefit).

6.5. **Formation of unformed legal roads**

6.5.1. The Council is not obligated to, and does not generally intend to, form, or improve unformed legal roads.

6.5.2. However, the Council will consider requests from adjacent property owners, developers, and interest groups to construct carriageways, cycle tracks, bridle paths, and footpaths within unformed legal roads at the applicant's expense, where this is vital for development or where significant public benefits are clearly demonstrated.

6.5.3. A written application is to be made and approval given in writing by the General Manager, Utilities and Roothing, before any physical works start in the road reserve.

~~6.5.3-6.5.4.~~ When considering applications to facilitate use of unformed legal roads by walkers, cyclists, or equestrians, Council will consider the proposed extent of modification required to the surface of the unformed legal road, potential for liability, and future maintenance. Any use of Council resources to modify an unformed legal road will need to be approved by Council.

~~6.5.4-6.5.5.~~ Developers and subdividers seeking to use unformed legal roads are required to seek approval to form and/or upgrade roads to a Council-standard as part of the subdivision process.

~~6.5.5-6.5.6.~~ When a request is received for a formation on an unformed legal road, the applicant will be advised that, should the request be approved, the following options are available:

- The applicant forms the road to the Council's roading standards and specifications, or better. Approval of a Council-standard road is to be subject to the following conditions:
 - All work is to be at the expense of those requesting it.
 - All work is to be in accordance with the Council's specifications and to its standards.

- The standards and specifications used for the work are to be those adopted and in use for similar access to similar properties upon subdivision.
- Where it is agreed by the Council that the road is to be vested, future maintenance of the road (to appropriate standards) will become the responsibility of the Council following acceptance of the construction work from the contractor or completion of the civil maintenance period.
- The applicant forms the road to a lesser standard than the Council requires, in which case on-going maintenance will be at the property owner's expense. The applicant is also advised that if this option is chosen, they will not be able to restrict or control public access to or along the upgraded section of public road. Approval of a lesser-standard access requires an encumbrance to be registered against the title(s) of the applicant's lot(s) recording their responsibility to maintain that part of the road.
- The applicant may alternately request the Council stop the road. This would remove the legal road status and enable the sale of the section of land if approved. See Section 6.6 for more details on road-stopping.

6.5.6-6.5.7. Where a formed access is requested for a section of unformed legal road that adjoins two or more properties, notice will be given to the other adjoining landowner(s) of the application, giving them 20 working days to respond with their view. Where more than one adjoining landowner wishes to use the same section of unformed legal road along a shared boundary, the Council will encourage all parties to agree on the arrangements. Where agreement is not reached, the Council will use its discretion as to how the occupation is divided.

6.5.7-6.5.8. Where any dwelling house was lawfully erected prior to 23 January 1992, and it has sole access to an unformed or substandard legal road, then the Council will contribute up to 50% of the cost of upgrading to the Council's standard, to be funded as a subdivision commitment.

6.6. Stopping unformed legal roads

6.6.1. Where a road is proposed to be stopped, the Council will generally follow the Local Government Act 1974, section 342 process. The Public Works Act 1981, section 116 process will only be used in exceptional circumstances where ~~there is no likelihood of a valid objection being received and~~ doing so is deemed to be in the public's interest.

6.6.2. Any applicant requesting to stop an unformed legal road should give regard to:¹

- a. The Council may or may not support the request.
- b. The full costs will be borne by the applicant and the applicant will need to enter into a cost agreement and may be required to pay a deposit for such costs prior to any work being undertaken.
- c. The process the application must follow includes provision for public submissions and the Council has no control over the outcome of that process.
- d. Ultimately, any decision made in the road stopping process is appealable through the Environment Court.
- e. If the stopping is completed, the applicant will be required to purchase the stopped road at an agreed value and amalgamate it with their existing title, at their expense.

6.6.3. In considering applications to stop an unformed legal road, the Council will evaluate the

¹ Section 6.6.2 (c) to (e) only apply in respect of road stopping carried out under the Local Government Act 1974 but would not apply to road stopping carried out under the Public Works Act 1981.

application against:

- Current use – e.g., public walking/driving access, service to land-locked sections
- Strategic value – e.g., connections to water bodies, reserves, conservation land, or some other future strategic need
- Alternatives for public access
- Biodiversity and ecological value – e.g., value of the land to ecosystem services; rarity, representativeness, and density of native flora or fauna
- Future use of the road as proposed by the applicant
- Intended or potential alternative future uses – e.g., walk- or cycle ways, drainage, amenity, recreation uses, significant landscape amenity
- Corridor user safety
- Existing or anticipated infrastructure, encumbrances, and easements.

6.6.4. Where a section of unformed legal road is stopped and freehold title issued, subject to the requirements of the Public Works Act 1981 or any other relevant legislation, the Council may choose to dispose of the land accordingly.

7. Roadside management

This portion of the policy specifies requirements for private use of the road reserve for fencing, grazing, storage, and berm management.

7.1. Fencing on road reserve

- 7.1.1. New boundary fences adjacent to Council road reserves shall be located on the surveyed property boundary.
- 7.1.2. Replacement boundary fences on Council road reserves not located on the surveyed property boundary are to be relocated onto the surveyed property boundary when replaced.
- 7.1.3. In exceptional cases, when agreed by the Utilities and Roding Committee, existing boundary fences may be retained onto a line that is not on the surveyed property boundary when the adjacent property owner wishes to retain this alignment, [providing that public access is not obstructed](#).

7.2. Private entry structures

- 7.2.1. Private entry signs, features, artwork, and monuments will not be permitted within the road reserve.
- 7.2.2. Subdivision entry structures shall be situated on private land and maintained at the cost of the property owner.
- 7.2.3. Private gates must not open into or otherwise obstruct the road reserves.

7.3. Grazing on road reserve

- 7.3.1. The grazing of road reserve frontages is not permitted on the following roads:
- Within the urban area
 - On the roads listed in ~~Appendix A: Grazing-restricted roads~~ [Appendix A: Grazing-restricted roads](#)
 - On the mown verge of sections of road regularly mown by the Council or its contractors
- 7.3.2. The grazing of road reserve frontages is permitted along Council-controlled roads within

the District, except those set out above, and is subject to the conditions found in [Appendix C: Technical requirements](#).

7.4. Temporary storage on road reserve

- 7.4.1. Generally, the Council does not permit temporary storage within the road reserve. Material may not be stored under any circumstances on roads classified as Collector, Arterial, or Strategic Roads within the rural area. See the District Plan for a list of classified roads.
- 7.4.2. Temporary storage may be considered on a case-by-case basis with written approval from the Council. Any temporary storage on the road reserve is subject to the conditions found in [Appendix C: Technical requirements](#).
- 7.4.3. An unformed legal road may not be used for storage of any kind, or the long-term parking of any vehicles.

7.5. Roadside berm maintenance

This policy does not cover sealed or unsealed Council-maintained footpaths or shared paths.

7.5.1. Berms Adjacent to Council Property

The Council will maintain grass berms outside Council property including reserves, cemeteries, community facilities (e.g., pools, halls, community centres, and libraries), gravel pits, forestry blocks, and rental housing. The mowing will be managed either directly by the Council, via committees, or in accordance with lease conditions where the Council property is leased.

7.5.2. Berms Adjacent to Private Property

- 7.5.2.1. The Council will not maintain berms or frontages of private property, except where otherwise provided for in this policy.
- 7.5.2.2. The Council expects that berms will be covered in natural turf and maintained in a clean and tidy condition by the adjoining property owner to ensure safe space for all road users and prevent erosion of roadside drains.
- 7.5.2.3. Refer to [Appendix D: Approved berm planting](#) for a list of natural turf species approved for planting on a berm.
- 7.5.2.4. Permanent landscaping and decoration are not permitted on or in berm areas as these areas are reserved for utility and public access only.
- 7.5.2.5. Berms along many rural Collector and Arterial Roads are mown regularly for a nominal distance off the road for traffic safety reasons. Adjoining property owners are responsible for maintaining the remainder of the berm.
- 7.5.2.6. Adjoining property owners are responsible for the removal of any noxious weeds or pest plants growing in rural berms. A list of pest plants is maintained by Environment Canterbury; for more details, see the *Canterbury Regional Pest Management Plan*.
- 7.5.2.7. The Council does not generally maintain berms that contain stormwater conveyance and treatment such as swales, drains, or overland flow paths, although within Drainage Rated Areas, the Council does maintain a limited number of designated drains located within berms. Adjoining property owners are encouraged to maintain these berms, but may apply to the Council for an exemption as per section 7.5.3.
- 7.5.2.8. Stockwater races in the berm are required to be maintained by adjoining property

owners in accordance with the Council's *Stockwater Race Bylaw*.

7.5.2.9. The owner or occupier of any undeveloped residential zone property shall ensure that grass and other vegetation within the property boundaries is maintained in accordance with the Council's *Property Maintenance Bylaw*.

7.5.3. Exceptions for Berms Adjacent to Private Property

7.5.3.1. Property owners can apply in writing to the Council for an exemption to the requirement to maintain the berm adjoining their property.

7.5.3.2. Any requests for an exemption will be evaluated on a case-by-case basis using the following criteria:

- Whether the berm is a stormwater conveyance and treatment area that requires mowing to ensure it operates efficiently or it meets regulatory requirements
- The berm design and whether its maintenance can be safely carried out by the adjoining property owner (e.g., berms that are too steep to be maintained by a hand mower or line trimmer)
- Whether the berm's maintenance could impact the safety of road network users (e.g., vehicular, pedestrian, equestrian, or cycle traffic)
- Whether the mowable area of the roadside berm is greater than 400 m² (urban only)
- Special circumstances may be considered on compassionate grounds.

7.5.3.3. Any exemption granted in accordance with section 7.5.3.2 will be at the Council's discretion.

7.5.4. Trees and Hedges Within Berms

7.5.4.1. This policy does not cover consented street trees and street gardens; refer to the Council *Street and Reserve Trees Policy*.

7.5.4.2. Tree and hedge planting within urban and rural road reserves is not permitted without written approval from the Council, to ensure road safety and avoid the Council incurring maintenance costs when the property changes hands.

7.5.4.3. Trees and hedges established before adoption of this policy shall be allowed to remain, provided the plantings are not considered to be a nuisance by the Council.

7.5.4.4. Plantings will be considered a nuisance by Council if they create a safety risk or interfere with road maintenance, drainage, ~~or~~ utility services, or public access. The Council may direct the adjoining property owner to remove nuisance trees or hedges at the expense of that owner. The Council should be consulted before removing any nuisance trees.

7.5.4.5. Where historical plantings (other than consented street trees) are allowed to remain within the road reserve, the adjoining property owner is responsible for their maintenance; refer to [Appendix C: Technical requirements](#) ~~Appendix C: Technical requirements~~ for a list of responsibilities.

7.5.4.6. The Council should be consulted before removing any exotic non-pest trees or hedges. Naturally-occurring indigenous vegetation shall not be removed or disturbed unless the Council considers it to be a nuisance. This is particularly relevant where there are features of ecological importance; refer to the District Plan for more details.

7.5.5. Overhanging trees and vegetation

Overhanging vegetation or other obstructions from property adjacent to any road reserve will be managed as per Section 355 of the Local Government Act 1974. Refer to [Appendix B: Roadway clearance](#) for more details.

7.5.6. New berms

- 7.5.6.1. Council contractors are responsible for the establishment and mowing of new grass berms that are sown as part of roadworks, footpath resurfacing, or trenching during the defects liability period. Once the maintenance period of the work has expired, berm mowing will be managed in accordance with this policy.
- 7.5.6.2. Developers and subdividers are responsible for the establishment and mowing of new grass berms that are sown as part of new development. Once the maintenance period of the work has expired, the berm mowing will be managed in accordance with this policy.
- 7.5.6.3. When new road reserve is vested with the Council through subdivision or new construction, the land will generally be fully cleared by the property owner prior to vesting. Any Protected Trees or Significant Natural Areas in the District Plan shall be protected. Other significant or notable vegetation should be evaluated on a case-by-case basis by the Council's Roading and Greenspace Units for possible retention by the Council as street trees.

The following factors will be taken into consideration as part of this evaluation:

- Impacts on [public access](#), traffic safety, and sightlines
- Ability to realign or redesign proposed works
- Amenity and / or historic value
- Botanical and / or ecological value
- Tree health and form
- Risk of falling limbs or other potential damage to the tree arising from construction processes

7.5.7. Construction works

- 7.5.7.1. Where existing grass berms are required to be excavated or altered as part of Council maintenance or capital works (including works by utility operators), the Council or the relevant utility operator will re-establish the grass and any Council-installed street trees, plantings, and associated irrigation. Private trees and plantings will not be reinstated. Letter boxes will be reinstated.
- 7.5.7.2. Any construction work undertaken in the berm will require written consent from the Council. Where a property owner arranges work to excavate or alter the berms as a result of works to their property or neighbouring property, the cost of reinstatement of a berm will be met by that owner.

7.6. Services in the road reserve

Any activity undertaken which involves excavation or disturbance of the ground within the road reserve requires the Council's authorisation. This includes work which has been granted a resource consent.

Permits to undertake work within the road reserve are issued in accordance with the requirements of the *National Code of Practice for Utility Operators' Access to Transport Corridors* in the form of Corridor Access Requests.

7.6.1. Location of overhead services within the road reserve

- 7.6.1.1. The preferred location for all overhead services will be as far from the road

carriageway as practicable, and away from corners and intersections.

- 7.6.1.2. Road safety features which meet recognised standards (e.g., barriers) are required where overhead services cannot be located away from corners and intersections, or within 3m of the edge of the road carriageway. This distance may vary depending on the classification of the road, the size of the service, and the topography at the site.

All associated cabinets and kiosks shall be situated to avoid limiting sight distance, and shall be frangible or protected as per the *National Code of Practice for Utility Operators' Access to Transport Corridors*.

- 7.6.1.3. All new service installations and replacement or changes to existing service installations within the road reserve must have the prior approval of the Council.

7.6.2. Private services within the road reserve

- 7.6.2.1. Installation of private services within the road reserve is generally not supported except in unusual circumstances (e.g., where no alternative exists on private property) and with authorisation by the Council through a Licence to Occupy and registration of an encumbrance on the private service owner's property.

- 7.6.2.2. A private service owner will be responsible for the cost of preparing a Licence to Occupy and encumbrance (including registration), installing the service, making good the road surface as required, maintaining the service during the term of that Licence, and relocating the service should construction of new Council infrastructure within the road reserve create a conflict.

- 7.6.2.3. As-built plans shall be provided to the Council by the service owner once installation is complete.

8. Vehicle crossing surfacing

8.1. Surfacing standard

- 8.1.1. The Council defines standard surfacing material for driveways as follows:

- Urban areas: asphaltic concrete or broomed concrete
- Rural areas (including rural residential zones) for access off sealed roads, other than access solely to paddocks: asphaltic concrete or chip seal
- Rural area unsealed roads and paddock-only access: metal / gravel

- 8.1.2. Prohibited materials for surfacing vehicle crossings are:

- Stamped concrete and other decorative finishes that do not provide a safe, firm, relatively smooth and comfortable walking surface, are prohibited where they would cross a footpath or be on a main pedestrian route.
- Loose surfaces that could migrate onto the adjacent footpath or roadway, or into nearby drainage channels and gutters, will not be permitted.

- 8.1.3. If there is a sealed footpath or shared-use path across the property frontage, then the area of path must be reinstated in the same material as the adjoining path, including markings, unless permitted otherwise by the Council.

- 8.1.4. The path shall be continuous across the vehicle crossing to convey priority to footpath or shared-use path users.

- 8.1.5. Vehicle crossings at footpaths or shared-use paths may require reinforcing or additional depth of material to accommodate the additional loads from vehicles crossing the path;

refer to the Council Engineering Code of Practice for details.

- 8.1.6. All vehicle crossings shall be constructed and maintained in accordance with the Council's *Vehicle Crossing Bylaw*.

8.2. Non-standard vehicle crossing surfaces

Other finishes such as stamped or coloured concrete, exposed aggregate, bevelled or smooth edge cobbles, etc. are considered to be non-standard finishes and may be approved for use subject to the conditions in [Appendix C: Technical requirements](#).

Form

9. Stock underpass

9.1. Underpass standard

- 9.1.1. Refer to the New Zealand Transport Agency *Stock under control (crossing and droving) guidelines* for options to cross stock over a road.
- 9.1.2. Permission to construct a stock underpass will normally be granted by the General Manager, Utilities and Roding, who is hereby delegated that authority. [Approval for a stock underpass will not be unreasonably withheld.](#)
- 9.1.3. Where the General Manager, Utilities and Roding considers that the request should not be approved, and the matter cannot be resolved through negotiation with the applicant, only the Utilities and Roding Committee may refuse such permission.
- 9.1.4. In granting permission for construction of an underpass, the General Manager, Utilities and Roding shall ensure that the following conditions are imposed:
- The applicant completes a Stock Underpass Construction Agreement
 - The applicant completes a Stock Underpass Use Agreement and Subsoil Lease Agreement
 - An encumbrance is registered against the title(s) of the applicant's lot(s) recording their responsibilities under the Stock Underpass Use Agreement and Subsoil Lease Agreement.
 - The Council will financially support the construction of each stock underpass only to the extent that the work meets the New Zealand Transport Agency formula for financial support detailed in the New Zealand Transport Agency Planning and Investment Knowledge Base, as it may be amended from time to time.
 - The maximum contribution available is 25% of the total cost of the work. The actual contribution depends on the volume of traffic on the road.
 - The New Zealand Transport Agency policy requires that the funding be from the Minor Safety Improvements Programme. In the event that such funding is not available in the current financial year, the Council will make provision for that expenditure in the next financial year. In this event, should the applicant wish to proceed with the construction earlier than when the Council can provide the financial assistance, the applicant shall carry the full cost and invoice the Council for its share after the commencement of the year in which programme provision is made. Deferral of the Council's contribution shall not alter the requirement for the grantee to comply with the Competitive Pricing Procedures requirements of the Construction Agreement.
 - The General Manager, Utilities and Roding shall report to the Utilities and Roding Committee each grant of a Stock Underpass Construction Agreement that attracts Council financial support.
 - Removal of a stock underpass, in accordance with the conditions contained in the

Stock Underpass Use Agreement, may be authorised by the General Manager, Utilities and Roading when requested to do so by the grantee. Alternatively, should the General Manager, Utilities and Roading recommend the closure of an underpass against the wishes of the grantee, such approval is reserved to the Utilities and Roading Committee.

9.2. Gates and cattle stops on unformed legal roads

9.2.1. With approval from the Council, a person may erect a ~~fence with a suitable swing~~ gate or cattle stop, ~~and associated fencing~~, across an unformed legal road in accordance with s 344 ~~or 357~~ of the Local Government Act 1974. A sign must be affixed to the gate indicating it is a public road.

9.2.2. The Gates and Cattlestops Order 1955 prescribes the form and construction of swing gates and cattle stops which have been authorised to be placed across roads.

10. Temporary traffic management

10.1.1. All requests to undertake an activity that varies from the normal operating condition of the legal road, whether it is on a carriageway, footpath, or adjacent to the road, shall include a Traffic Management Plan (TMP). TMPs are also needed for activities outside the legal road, which will affect the normal operating conditions of the road.

10.1.2. Activities such as the ones listed below are all situations that are likely to require a TMP to undertake the activity (this is not an exhaustive list):

- Road construction or maintenance activities
- Construction or maintenance of assets within the road corridor
- Construction of vehicle crossings
- Concrete pours where the concrete pump or concrete truck will affect legal road, including a footpath or carriageway
- Scaffolding installation on or near the footpath
- Crane or lifting work that requires safety zones to close a traffic lane, footpath or grass berm
- Multiple deliveries to a site causing congestion on adjacent roadway
- Tree felling and vegetation maintenance works that require exclusion zones which extend into the legal road or are undertaken from the roadside
- Community or sporting events that impact the normal operating condition of the legal road.

[10.1.3. The movement of stock is covered under the WDC Stock Movement Bylaw, which outlines the requirements for permitting and traffic control while moving stock along or across the road.](#)

~~10.1.3.~~[10.1.4.](#) Prior to any such activities starting, a TMP complying with the New Zealand Transport Agency Code of Practice for Temporary Traffic Management (CoPTTM) or relevant temporary traffic management guidance document must be submitted to the Council, and approved by a Traffic Management Coordinator (TMC).

~~10.1.4.~~[10.1.5.](#) Where these requirements are not met, or where activities are deemed to be dangerous or not installed as per an accepted TMP, the Council will require all activity varying the normal operating condition of the road to stop and the area made safe.

~~10.1.5.~~[10.1.6.](#) If the area is not made safe as per CoPTTM or other adopted guidance, Worksafe New Zealand will be notified. The Health & Safety at Work Act 2015 requires Persons Conducting a Business or Undertaking must, so far as is reasonably practicable, provide

and maintain an environment that is without health and safety risks.

11. Responsibilities

This policy will be implemented by the Roading and Transport Unit of the Council. ~~All-cost sharing agreements under the policy must be approved by the Roading and Transport Manager with additional approvals required as specified in section 5.1.3.2 of this policy.~~

12. Definitions

Berm (also Verge) – grassed, soiled, or metalled area between the carriageway and the property boundary.

Council – the Waimakariri District Council and includes any person, authorised by the Council to act on its behalf.

District Plan – the Council's District Plan and includes any amendments and replacements.

Fencing – a barrier or partition enclosing an area to prevent or control access.

Indigenous Vegetation – a plant community, of a species indigenous to that part of New Zealand, containing throughout its growth the complement of native species and habitats normally associated with that vegetation type or having the potential to develop these characteristics.

Licence to Occupy – a licence which provides permission to use land for an agreed purpose. A licence does not confer a right to exclusive possession of the land.

Permanent Landscaping – an area that has been laid out and maintained with plants, including associated structures.

Road – has the same meaning as in section 315 of the Local Government Act 1974; and includes a motorway as defined in section 2(1) of the Government Roading Powers Act 1989.

Road Encroachment (also Road Occupation) - any action or physical obstruction upon, over, or under any portion of a road. Encroachments not covered by this policy (e.g., covered in other Council bylaws and policies) include stock movement, private mailboxes, outdoor advertising, and outdoor dining.

Road Reserve (also Road Corridor) – the area from the property boundary on one side of the legal road to the property boundary on the other side of the legal road, including (but not requiring) any berm or formed footpath and carriageway land held by the Council or the New Zealand Transport Agency or any other party as road reserve containing a formed road.

Rural Area – an area zoned rural in the District Plan.

Significant Natural Area – an area of significant indigenous vegetation and/or significant habitat of indigenous fauna that meets one or more of the ecological significance criteria listed in the District Plan.

Street Trees – trees permitted, planted, and maintained by the Council Greenspace Unit within road reserve.

Unformed Legal Road (also sometimes referred to as Paper Road) – land that has been legally established as a legal public road prior to 1996 but which is not formed or maintained by the Council or the New Zealand Transport Agency as a public road.

Urban Area – an area of land that is, or is intended to be, predominantly urban in character and part of a housing and labour market of at least 10,000 people. Refer to the District Plan for a list of urban areas in the Waimakariri District.

Vehicle Crossing – the area within public road or other public land from a road carriageway to a property boundary intended for use by vehicles accessing the property.

13. Relevant documents and legislation

- Building Act 2004 and Building Regulations (stock underpasses)
- Canterbury Regional Pest Management Plan
- Government Policy Statement on [Land](#) Transport
- Government Roding Powers Act 1989
 - s.55 to 57 (removal of trees, hedges, etc.)
- [Guidelines for the Management of Unformed Legal Roads \(Herenga ā Nuku Aotearoa Outdoor Access Commission\)](#)
- Land Transport Act 1998
 - s.22AB (making certain bylaws)
- Land Transport Management Act
- Local Government Act 2002
 - s.175 Power to recover for damage by wilful or negligent behaviour (berm management)
- Local Government Act 1974
 - part 21 (managing [unformed](#) roads)
 - s.317 (private funding of seal extension)
 - s.319 (formation of paper roads)
 - s.353 (fencing and grazing of roadsides – general road safety provisions)
 - s.355 (control of vegetation on road berm)
- National Code of Practice for Utility Operators' Access to Transport Corridors
- [New Zealand Outdoor Access Code](#)
- NZTA Bridge Manual
- NZTA Code of Practice for Temporary Traffic Management
- NZTA New Zealand Guide to Temporary Traffic Management
- NZTA Planning and Investment Knowledge Base
- Property Law Act 2007
 - S.332 to 338 (trees and unauthorised improvements on neighbouring land)
- Public Works Act 1981
 - s.116 (stopping roads)
- Street and Reserve Trees Policy
- Transport Act 1962
 - s.72 (making certain bylaws)
- Vehicle Crossing Bylaw [2007/2019](#)
- Vehicle Crossing Information Pack (QP-C289)
- Waimakariri District Council QS-K401: Information regarding installation of stock underpasses
- Walking Access Act 2008

14. Questions

Any questions regarding this policy should be directed to the General Manager, Utilities and Roothing, in the first instance.

15. Effective date

Date Month 7 November 2023

16. Review date

Date Month 7 November 2029

17. Policy owned by

General Manager, Utilities and Roothing

18. Approval

Adopted by Waimakariri District Council on Date Month 7 November 2023

DRAFT

Appendix A: Grazing-restricted roads

Local Roads
Loburn Whiterock Road (Hodgsons Road to Chapel Road)
Collector Roads
<p>Ashley Gorge Road</p> <p>Ashworths Road (Mill Road to Plaskett Road)</p> <p>Beach Road</p> <p>Birch Hill Road</p> <p>Boys Road</p> <p>Carrs Road</p> <p>Fernside Road</p> <p>Fishers Road</p> <p>Gressons Road</p> <p>Harleston Road</p> <p>High Street (Oxford)</p> <p>Hodgsons Road</p> <p>Island Road (Ohoka Road to Tram Road)</p> <p>Johns Road</p> <p>Lower Sefton Road (Toppings Road to Wyllies Road)</p> <p>Marshmans Road</p> <p>Mill Road (Ashworths Road to Ohoka Road)</p> <p>Plaskett Road (Oxford Road to Ashworths Road)</p> <p>Rangiora-Woodend Road (Gressons Road to SH1)</p> <p>River Road (Rangiora)</p> <p>South Eyre Road (diversion bridge to Tram Road)</p> <p>South Eyre Road (Depot Road to Tram Road)</p> <p>Swannanoa Road</p> <p>Threlkelds Road</p> <p>Toppings Road (Lower Sefton Road to Upper Sefton Road)</p> <p>Two Chain Road (Swannanoa Road to South Eyre Road)</p> <p>Waikuku Beach Road</p> <p>Wyllies Road</p>
Arterial Roads
<p>Cones Road (Fawcetts Road to Dixons Road)</p> <p>Dixons Road (Loburn)</p> <p>Fawcetts Road</p> <p>Flaxton Road</p> <p>Kippenberger Avenue</p> <p>Loburn Whiterock Road (Dixons Road to Hodgsons Road)</p> <p>Main North Road (Kaiapoi)</p> <p>Ohoka Road (SH1 to Skewbridge Road)</p> <p>Rangiora-Woodend Road (Kippenberger Avenue to Gressons Road)</p> <p>Skewbridge Road</p>

Tram Road Williams Street
Strategic Roads
Ashley Street Cones Road (Milton Avenue to Fawcetts Road) Cust Road Depot Road Milton Avenue Oxford Road Upper Sefton Road

DRAFT

Appendix B: Roadway clearance

HEDGEROW CLEARANCE AT FOOTPATHS

Clearance Envelope Required:
All vegetation in line with fence or back of path, and 2.5m above footpath

NOTES

1. PROTECTED OR SIGNIFICANT VEGETATION REQUIRES SITE SPECIFIC ASSESSMENT.
2. VEGETATION CLEARANCE FOR SIGHT DISTANCE SHALL ALSO MEET THE FOLLOWING STANDARDS:
 - VEHICLE CROSSINGS & ROW=DISTRICT PLAN FIG. 30.3 & 30.4
 - RAILWAY CROSSINGS: DISTRICT PLAN FIG. 30.13
 - INTERSECTIONS: SEE TABLE BELOW
3. CONSULT WITH COUNCIL REGARDING VEGETATION CLEARANCES REQUIRED OVER STOCKWATER RACES OR DESIGNATED COUNCIL-MAINTAINED DRAINS.

OVERHEAD VEGETATION CLEARANCE AT FOOTPATHS

Clearance Envelope Required:
2.5m above footpath and berm

MINIMUM INTERSECTION SIGHT DISTANCES			
Side Road Speed	ASD (m)	Main Road Speed	SISD (m)
40	40	40	73
50	55	50	97
60	73	60	123
70	92	70	151
80	114	80	181
90	151	90	228
100	179	100	262

Consult with Council if intersection sight distances cannot be achieved.

INTERSECTION SIGHT DISTANCE DIAGRAM

VEGETATION CLEARANCE FROM EDGE OF ROADWAY

Clearance Envelope Required:
5.0m above crown of road

WAIMAKARIRI DISTRICT COUNCIL

ROAD RESERVE MANAGEMENT POLICY - DRAFT

ROADWAY CLEARANCE

SCALE (A4)	DATE
NTS	03/05/2023
DRAWING	4119
SHEET	REVISION
1	A

Appendix C: Technical requirements

Seal Extension Requirements

The width of the seal is to be approved by the General Manager, Utilities and Roading in accordance with the Engineering Code of Practice and the District Plan.

Normally this will be 6.0m; however, this may be altered when the nature of the road and its traffic density indicate another width is more appropriate. The absolute minimum width in any circumstance is 4.0m.

All private seal extensions shall have a two-coat wet-coat chip seal surface to ensure that future maintenance costs are able to be shared with the Crown.

Nominal minimum length of seal extension is 100m. The actual length to be sealed is to be approved by the General Manager, Utilities and Roading who will agree an appropriate end-point, having consideration for the road alignment.

The gap to the nearest section of seal is not to be less than 400m providing:

- That the “minimum gap” requirements shall only be enforced at the end of the seal-extension closest to the adjacent sealed surface; and
- Any gap less than that detailed above is to be sealed in accordance with Section 5.1.3.1.

Unformed Legal Road Occupation Requirements

Any requests to occupy an unformed legal road are subject to the following requirements:

- Public access along the road must not be obstructed, [and such access could be by modes such as motorised vehicles, bicycles, foot, and/or horses](#). A minimum traversable width of 4m must be maintained at all times.
- Temporary fencing may be installed within an unformed legal road for purposes of stock control but must still allow public access. Permanent fencing may be installed across an unformed legal road at public boundaries but must include an unlocked gate or other means of public passage, where agreed with the Council.
- Occupiers are responsible for maintaining the surface of the unformed legal road to the same or better condition than prior to the occupation commencing. Damage caused to existing infrastructure or fencing through the occupation of the unformed legal road is the responsibility of the occupier to remedy at their cost.
- Occupiers are responsible for controlling all noxious pests and weeds, including as required under the Canterbury Regional Council Pest Management Plan
- Livestock that presents a hazard to the public (e.g., bulls) shall not be permitted to occupy or graze unformed legal roads and must be fenced if grazing or occupying adjoining land.
- ‘Private Property,’ ‘Keep Out’ signs, or similar are only allowed on private buildings and must not be posted in such a way that they are seen as applying to the unformed legal road itself.
- Generally, new structures, permanent landscaping, or planting of trees will not be permitted by the Council within unformed legal roads.
- A Licence to Occupy does not negate any requirement for building or resource consents and the Licence holder is responsible for obtaining all other relevant approvals.

Road Reserve Grazing Requirements

The grazing of road reserve frontages subject to the following requirements:

- ~~The period of grazing shall be 14 days or less at any one time.~~
- Stock owners, or their agents, shall not graze the frontage of a third party's property without the permission of that property owner. It is advisable that the stock owner obtains this permission in writing (this does not apply to driven stock)
- Grazed stock shall be fenced so that they cannot stray onto the carriageway. The fence should be clearly visible.
- The fence shall consist of temporary electric fencing to be secured by electric fence standards – i.e., fiberglass, plastic, or light metal standards. The use of waratahs, posts and other more substantial type fencing is not allowed on berms.
- Fences shall comply with the requirements of the Electricity Act 1992 and the Electricity Regulations 1993
- Suitable labels shall be used to notify the public that the fence is live.
- The fence shall be completely clear of the carriageway and road shoulder.
- Public access on the frontage / berm should be accommodated where practicable.
- Horses shall only be grazed upon road reserves when tethered or accompanied by a person and fastened to a lead rope.
- All grazing shall be in accordance with the Animal Welfare Regulations 2018
- Livestock that presents a hazard to the public (e.g., bulls) shall not be permitted to occupy or graze formed or unformed legal roads and must be fenced if grazing or occupying adjoining land.
- Where road reserve is used for grazing the adjoining landowner is responsible for sowing and maintaining a grass surface appropriate for both the stock and the public's use of the road.

Road Reserve Temporary Storage Requirements

Temporary storage on the road reserve is subject to the following requirements:

- Written approval must be granted prior to any storage on the road reserve.
- Appropriate temporary traffic management may be required by the Council.
- Materials shall be located a minimum of 5m away from the edge of rural road carriageways.
- Materials storage and access must not cause damage to roading assets, including pavement, berms, kerbs, drainage, and edge marker posts.
- Material may not be stored in a location that obstructs a vehicle crossing, footpath, cycle facility, drainage facility or race, or sight distance, or otherwise impacts road corridor user safety.

Berm Trees and Hedges Requirements

Where permitted or historical plantings are allowed to remain within the road reserve, the adjoining property owner is responsible for the following requirements:

- Removing plantings within the road reserve which impede visibility along the road, at intersections, property access ways, road corners, and signs
- Removing plantings within the road reserve which cause shading of the roadway to the extent that there are significant and identified risks to road users related to mobility and road safety

- Removing overhanging branches or fallen trees which obstruct pedestrians, cyclists, and vehicles, and all tree trimmings and tree debris from the roadside
- Paying costs associated with repairing or reinstating services or damage to the road as a result of the plantings
- Carrying out any tree maintenance required to avoid services or overhead utilities
- Ensuring that roadside drains are kept clear of tree roots, tree trimmings, and tree debris
- Removing any noxious weeds and pest plants (e.g., gorse and broom).

Vehicle Crossing Non-Standard Finish Requirements

Non-standard finishes may be approved for use on vehicle crossings subject to the following requirements:

- That in the event of an excavation across their frontage it is unlikely that a non-standard surface will be restored to its original appearance.
- That a minimum of 3-100Ø ducts to be provided across the full width of the proposed driveway with the information being recorded on the Property Information File and GIS records to enable services to be laid under the driveways without the need for excavating the driveways unless specifically otherwise required
- That the property owner accepts full responsibility for repair and maintenance of the portion of the driveway that is located on road reserve
- That should a footpath ever be built across the frontage of their property the portion of the non-standard driveway that would form part of the path may be replaced with a standard surface.

Appendix D: Approved berm planting

The following species are considered suitable for planting on berms:

- Perennial dwarf ryegrass
- *Dichondra repens*
- *Selliera radicans*
- *Acaena inemis*
- *Pratia angulata*
- *Leptinella sp.*

DRAFT

WAIMAKARIRI DISTRICT COUNCIL

MINUTES OF THE HEARING OF THE ROAD RESERVE MANAGEMENT POLICY REVIEW HELD IN THE COUNCIL CHAMBER, 215 HIGH STREET, RANGIORA ON FRIDAY 20 OCTOBER 2023, COMMENCING AT 11AM AND RECONVENED ON TUESDAY 24 OCTOBER AT 10AM.

HEARING PANEL MEMBERS PRESENT

Councillor Al Blackie
Councillor Tim Fulton (via Teams)
Councillor Philip Redmond

IN ATTENDANCE

J McBride (Roading and Transport Manager), S Binder (Senior Transportation Engineer) and K Rabe (Governance Advisor).

Three members of the public were present during the hearing.

K Rabe opened the hearing and called for nominations for a Chairperson for the Hearing Panel.

1. APPOINT A HEARING PANEL CHAIRPERSON

Moved: Councillor Blackie Seconded: Councillor Fulton

That Councillor Redmond be appointed as Chairperson of the Housing Policy Review Hearing Panel.

CARRIED

At this time Councillor Redmond took the chair for the duration of this hearing and deliberations. He welcomed all parties present at the hearing and requested parties to introduce themselves.

2. APOLOGIES

Moved: Council Redmond Seconded: Councillor Fulton

That an apology for early departure be received and accepted from Councillor Blackie who retired from the meeting at 12pm.

CARRIED

3. CONFLICTS OF INTEREST

There were no conflicts of interest declared by the Hearing Panel members, however, Councillors Blackie and Fulton informed the hearing that they had unformed legal roads on their properties.

4. HEARING OF SUBMISSIONS

NAME	ORGANISATION	COMMENTS
David Ashby	Pineleigh Farm Limited 256 Hicklands Road	<p>D Ashby presented his submission (Trim: 230911141571) noting that he generally supported the draft policy and understood the need for public access in certain circumstance. However, the unformed road on his property was not accessible due to a drain and a power pole blocking the access to the road.</p> <ul style="list-style-type: none"> • Currently the unformed road did not lead to any destination such as a river, forest, or a significant ecological feature. • The unformed road was in the middle of a paddock that often had stock, including bulls. • There was no reason for people to want access to the road other than to dump rubbish or for possible criminal intent. • There were biodiversity risks from people transferring possibly dangerous viruses, weeds or dogs bringing in diseases which may be harmful to stock.
Karl Dean	Federated Farmers of New Zealand	<p>K Dean spoke to the Federated Farmers submission (Trim: 230911141572) which raised the following concerns:</p> <ul style="list-style-type: none"> • Unformed roads often ran through paddocks which housed stock or crops and often were not maintained as a 'roadway'. • The unnecessarily bureaucratic process by forcing farmers to apply for a licence to occupy road reserve. • The policy could impact farmers' businesses negatively and make running a business uneconomic. • Safety concern in relation to increased theft and other anti-social behaviour by enabling unrestricted access.
Geoff Holgate	Herenga ā Nuku (Outdoor Access Commission)	<p>G Holgate spoke to the Herenga ā Nuku's submission (Trim: 231004156856) which was concerned that the common law ruling for public access on all roads, including unformed roads, would be contravened. The following points were raised:</p> <ul style="list-style-type: none"> • In relation to the cost share of sealing roads it was suggested that this was primarily a Council responsibility and therefore the Council should contribute more than 50% of the cost. • Concern that if a business or farmer developed or expands operation and formalise the unformed road that this would become perceived as a private road and dissuade public access. • Concern raised regarding the provision for road closures through the Public Works Act, 1981.

		<ul style="list-style-type: none"> • The Council had a duty not to contravene the law. Public access was protected and each possible road closure or licence to occupy should be considered on its own merit rather than a blanket ruling. • The option of issuing a licence to occupy was not considered legal, however, the Council could authorise occupation if there was a definite timeframe and a licence to occupy but not a lease was considered appropriate. • Road stopping was not supported, however, in certain instances, Herenga ā Nuku would not object. • All submissions should be weighted on merit as no two submissions were equal. Numbers did not automatically force a decision in their favour. Content and law should always trump 'popular belief'.
--	--	---

The Hearing was adjourned at 12 noon and reconvened on Tuesday 24 OCTOBER AT 10AM.

HEARING PANEL MEMBERS PRESENT

Councillor Philip Redmond (Chairman)
 Councillor Al Blackie
 Councillor Tim Fulton

IN ATTENDANCE

J McBride (Roading and Transport Manager), S Binder (Senior Transportation Engineer) and K Rabe (Governance Advisor).

5. HEARING PANEL DELIBERATIONS

The Panel considered the various points raised by the submitters as summarised in pages 5 to 13 of the in the Road Reserve Management Policy Review agenda.

Under 'General Comments' Herenga ā Nuku had suggested that the term 'road reserve' should be amended to 'road corridor' throughout the policy. The Panel believed that the term 'road reserve' was already understood by the general public and changing the term may cause confusion, therefore, the Panel agreed that the term 'road reserve' would be retained.

Under the request to include the sentence "*Public access is a right on all legal roads*" in the Introduction to the policy, the Panel felt that public access was already widely understood and agreed with the staff recommendation that this section did not highlight any of the other legislative or legal foundations for the policy, which instead were expanded upon in the Policy's Objectives. The Panel, however, did agree to the staff recommendation of including a new objective to the Objective section which would read as follows; "*4.7 The policy ensures that the public right of passage along unformed legal road reserve is preserved.*"

The Panel also agreed to the proposed change to the second bullet point in Section 3. 'Scope' and to include "*and the process for stopping unformed legal road*" to the end of the sentence.

Section 5.0 Sealing Roads

The Panel accepted the staff recommendation that sealing low volume roads was not affordable. After consideration of the comments in relation to cost share for sealing roads, whether by Waka Kotahi or residents the Panel agreed that the Council's current policy should remain unchanged.

Section 6.0 Unformed Legal Roads (General)

The Panel considered the matter of grazing or moving stock on unformed roads noting that the matter of moving stock was covered by the 'Stock Movement Bylaw'. In relation to the matter of grazing stock the Panel considered if this activity could be considered as an 'encroachment' of an unformed road and believed that by its nature grazing was a temporary activity and should be allowed as long as public access was not hindered in the long term. The Panel also considered the matter of Licence' to Occupy verses Leases and agreed that licences to occupy were for a shorter fixed term and therefore intended to be temporary, whereas Leases were for a longer term and transferable and therefore not suitable in this instance. In general, the Panel agreed with the staff recommendation and therefore agreed that no changes be made to the policy in relation to the points raised by Federated Farmers in their submission on this section.

In relation to Herenga ā Nuku's suggested amendment to 6.1.1 of the policy which was to include *"has statutory powers to manage and control road a responsibility under the Local Government Act 1974 (Part 21) and Land Transport Act 1998 (Part 3) and has a duty to ensure"*. The Panel agreed to the inclusion of "statutory powers" however did not support the word duty and decided that the word responsibility be retained. The Panel agreed that the term 'plantation forestry' be used instead of 'forestry blocks' and that the following sentence be included. *"Any existing or new Council non-roading assets within unformed legal roads should not obstruct public access"* (6.2.3).

Section 6.3 Private Occupation and Encroachments in Unformed Legal Roads

While the Panel sympathised with farmers concerns regarding security, biodiversity risks and health and safety matters, it acknowledged that the public's right of access on unformed roads could not be denied, and therefore supported the staff's comment that Council's intent was to do so in a manner that discouraged illegal and malicious behaviour. It was also acknowledged that in most cases where there was no desired destination or feature it was unlikely that the public would access unformed roads, and signage would only be required on unformed roads that had such a feature. Section 9.2 dealt with required signage and gates. In relation to the possibility of a disgruntled neighbour staff noted that a licence to occupy would not be permitted for any long term requirements and staff would seek clarity on how neighbours could be involved in the process. The Panel therefore decided that no changes be made to the Policy at this time in relation to these points raised by D Ashby.

In relation to Herenga ā Nuku's suggested addition of a new 6.3.1 which stated, *"Failure to obtain the necessary authority from Council to occupy or encroach onto unformed legal road is an offence under the Local Government Act 1974"*, the Panel believed that this should be included and be numbered as 6.3.6 with the remaining items renumbered as appropriate.

In considering the suggested changes to 6.3.2 the Panel believed that the additions were repetitive and added no benefit and therefore should be excluded, however the word *'must'* be changed to *'should'* and a further note be added stating that *"in case of any conflict this policy shall prevail"* at the end of the sentence. It was also agreed that the word "Draft" should be added to read *"the Draft Council Rural Land Lease and Licence Policy"*.

In relation to the last point the Panel noted that the Council's practice was not to issue leases for unformed road.

6.4 to 6.6 Private Occupation and Encroachment in Unformed Legal Roads

The Panel agreed to the inclusion of *(see section 6.6 below)* in 6.4.1 as suggested and agreed to the staff suggested wording for a new bullet point in 6.4.1 to read *"May consider an appropriate alternative public access, where such an alternative is equal to or better than the existing unformed legal road and can be provided at no cost to the Council."*

The 6.4 section heading was changed to *Unauthorised Encroachment*.

The Panel also supported the staff wording for a new 6.5.3 to read *“When considering application to facilitate use of unformed legal roads by walkers, cyclists or equestrians, Council will consider the proposed extent of the modification required to the surface of the unformed legal road, potential for liability, and further maintenance. Any use of Council resources to modify an unformed legal road will need to be approved by the Council.”*

In regard to the following three points made by the submitter regarding development on land with an unformed road, the deletion of the provision for the Public Works Act and that Council consult Herenga ā Nuku when considering the stopping of roads, the Panel agreed with the staff recommendation that these changes should not be deleted, but agreed to adopt *“there is no likelihood of a valid objection being received and ...”* from section 6.6.1.

7.0 Roadside Management

The Panel agreed to the suggested text changes to 7.1.3 and 7.5.4.4 and suggested that *“impacts on public access”* be added to the first bullet point of 7.5.6.3 so as to read *“Impact on public access and on traffic safety and sightlines.”*

7.3 Grazing on Road Reserve

Staff acknowledged that grazing on berms had benefits for farmers and the Council in berm management however given the risk of higher speeds and traffic volumes on some roads this may be considered a safety concern. The Panel agreed with the staff recommendation which stated that *“Consideration of a deferral of any changes to the grazing restrictions list in Appendix A at this time. A list of the existing grazing restriction areas can be found in Attachment viii. Staff further recommend that the properties affected by the change are clearly identified and a targeted letter is sent to all properties within the affected areas that do not already have a total grazing ban along their frontage. As a result of this targeted consultation, staff will prepare a future report for consideration of changes to the grazing restrictions list.”*

8.0 Vehicle Crossing Surfacing

Staff informed the Panel that the Engineering Code of Practice was currently being revised to take measures to mitigate flooding due to blocked and unsuitable vehicle crossings. The Panel requested that staff notify Me Beckett regarding this point. The Panel accepted the staff recommendation not to adopt the submitters suggestion.

9.0 Stock Underpass

The Panel agreed to the Federated Farmers amendment which read *“Approval for a stock underpass will not be unreasonably withheld”*, noting that the Council did not withhold approval unnecessarily and the amendment be added to Section 9.1.4 as a bullet point.

The Panel also agreed to the amended wording of 9.2.1 made by Herenga ā Nuku which read; *“With approval from the Council, a person may erect a swing gate or cattle stop, and associated fencing, across an unformed legal road in accordance with s 344 of the Local Government Act 1974. A sign must be affixed to the gate indicating it is a public road.”*

10.0 Temporary Traffic Management

The Panel agreed that the staff recommendation which read *“The movement of stock is covered under the Waimakariri District Council Stock Movement Bylaw, which outlines the requirements for permitting and traffic control while moving stock along or across the road”* should be included as 10.1.3 to clarify where relevant information on traffic management for the movement of stock could be found. Subsequent sub clauses were to be renumbered accordingly.

12.0 to 13.0 Definitions, Relevant Documents and Legislation

The Panel agreed to the staff recommendation that the changes suggested by Herenga ā Nuku (re page 12 of the summary) be included other than the change from road reserve to road corridor as detailed at the beginning of its deliberations. The Panel also agreed that the “Guidelines for the Management of Unformed Legal Roads by Herenga ā Nuku be cited as a relevant document and adding a definition of ‘encroachment’ in Section 12.

The Panel agreed to amend the definition of “Unformed Legal Road” (sometimes referred to as Paper Road) and that has been established as a legal public road but which is not formed or maintained by the Council or the New Zealand Transport Agency (Waka Kotahi), and that unformed be removed from Local Government Act 1974 Part 21 and further that S344 (gates and cattle stops) and S.357 (penalties for damage to roads) be added to the bullet points.

Appendix C - Unformed Legal Road Occupation Requirements

The Panel agreed with the staff recommended text in relation to the first bullet point in Appendix C to read *"Public access along the road must not be obstructed, and such access could be by modes such as motorised vehicles, bicycles, foot, and/or horses..."*

Appendix C – Road Reserve Grazing Requirements

After discussing the matter of 14 days grazing the Panel believed that there should be no stipulation to the time allowed for grazing and therefore recommended that the first bullet point be deleted altogether.

In relation to the point regarding horses being grazed on road reserves the Panel requested that the word tethered be included so as to read *"Horses shall only be grazed upon road reserves when tethered or accompanied by a person"*

The Panel acknowledged that waratahs were a hazard to road users and the public and agreed that the policy remain unchanged in this regard and also that labels be affixed to all live (hot) wires.

In relation to the request from Herenga ā Nuku regarding public access where animals were grazing on berms that the staff wording be included which would read *"Public access on the frontage / berm should be accommodated where practicable."*

After the deliberations were completed S Binder noted that the heading for 6.4 “Unauthorised Occupation” would be amended to “Unauthorised Encroachment”, and a definition of encroachment would be added to the definition section (item 12).

After consideration by staff, the definition for Road Reserve was amended to better reflect that this Policy dealt with both sealed, unsealed and unformed roads.

The following wording was later circulated to the Panel to ensure it was supportive of the new definitions which read as follows:

- Road Encroachment (also Road Occupation)
Any action or physical obstruction upon, over, or under any portion of a legal road which restricts public access or use. Obstructions not covered by this policy (e.g., excluded or covered elsewhere) include: stock movement, private mailboxes, security bollards, private bus shelters, gates and cattle stops, fencing, verandah supports, outdoor advertising, electric vehicle charging stations, and public or private utilities.
- Road Reserve (also Road Corridor)
The area from the property boundary on one side of the legal road to the property boundary on the other side of the legal road, including (but not requiring) any berm or formed footpath and carriageway.

The Panel approved the definitions provided by staff and directed that these be included in the draft policy.

5.1 **Road Reserve Management Policy Review Report – S Binder (Senior Transportation Engineer) and J McBride (Roading and Transport Manager)**

S Binder took the report as read.

Moved: Councillor Redmond

Seconded: Councillor Blackie

THAT the Road Reserve Management Policy Hearing Panel:

- (a) **Receives** Report No. 231010160380.
- (b) **Receives and considers** all submissions on the Road Reserve Management Policy.
- (c) **Defers** consideration of changes to grazing restrictions as listed in Appendix A (Grazing-restricted roads) and retains existing grazing restrictions as listed in Attachment viii.
- (d) **Notes** a targeted consultation of changes to grazing restrictions would be carried out and reported back to the Council at a future date.
- (e) **Notes**, subject to any recommended changes by the Panel, staff would prepare a report to the Council on behalf of the Hearings Panel recommending the adoption of the reviewed Road Reserve Management Policy.

CARRIED

Councillor Redmond thanked S Binder for his work on this Policy and noted that while he sympathized with farmers regarding issues posed by public access to unformed roads, he believed that the policy was a balanced and sensible approach to a challenging issue.

Councillor Blackie concurred.

THERE BEING NO FURTHER BUSINESS, THE HEARING AND DELIBERATIONS CONCLUDED AT 12.17PM.

CONFIRMED



Councillor Redmond
Chairperson
Road Reserve Management Policy Review Hearing Panel

30 October 2023

Date

WAIMAKARIRI DISTRICT COUNCIL**REPORT FOR DECISION**

FILE NO and TRIM NO: GOV-07-02, RDG-01 / 231010160380

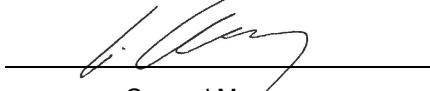
REPORT TO: ROAD RESERVE MANAGEMENT POLICY HEARING PANEL

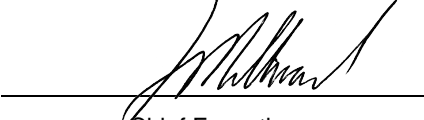
DATE OF MEETING: 20 October 2023

AUTHOR(S): Shane Binder, Senior Transportation Engineer
Joanne McBride, Roding & Transport Manager

SUBJECT: Road Reserve Management Policy Submissions – Hearing Panel Report and Recommendations

ENDORSED BY:
(for Reports to Council, Committees or Boards)


 General Manager


 Chief Executive

1. SUMMARY

- 1.1. This report presents for consideration, written submissions received from the consultation for the review of Council's draft Road Reserve Management Policy, which opened on Monday 7 August and closed Thursday 7 September 2023.
- 1.2. In total, four submissions were received with three submitters wishing to present their views to the Hearing Panel.
- 1.3. Included in this report are the submissions received along with staff analysis and recommendations to the Panel.

Attachments:

- i. Draft Road Reserve Management Policy (TRIM: 221117200292)
- ii. Public Consultation Submissions (Bang the Table) Survey (TRIM: 231011162243)
- iii. Public Consultation Submission – David Ashby (TRIM: 230911141571)
- iv. Public Consultation Submission – North Canterbury Federated Farmers (TRIM: 230911141572)
- v. Public Consultation Submission – Herenga ā Nuku (TRIM: 231004156856)
- vi. Ombudsman 1992 Case note W28151 (TRIM: 231004156859)
- vii. Herenga ā Nuku 2022 *Guidelines for the Management of Unformed Legal Roads* (TRIM: 231004156858)
- viii. WDC Road Reserves Fencing & Grazing Policy, "Grazing" excerpt (TRIM: 231017165419)

2. RECOMMENDATION

THAT the Road Reserve Management Policy Hearing Panel:

- (a) **Receives** Report No. 231010160380.
- (b) **Receives and considers** all submissions on the Road Reserve Management Policy.
- (c) **Defers** consideration of changes to grazing restrictions as listed in Appendix A (Grazing-restricted roads) and retains existing grazing restrictions as listed in Attachment viii.
- (d) **Notes** a targeted consultation of changes to grazing restrictions will be carried out and reported back to Council at a future date.
- (e) **Notes**, subject to any recommended changes by the panel, staff will prepare a report to Council on behalf of the Hearings Panel recommending the adoption of the reviewed Road Reserve Management Policy.

3. BACKGROUND

- 3.1. The driver for this policy review is to ensure that the Council's published policies remain current and relevant. As a result of evolving service delivery processes and regulatory changes, it is timely to ensure policies reflect the Council's current intent and practices.

- 3.2. During the review process, several existing Roothing policies have been reviewed, updated, and amalgamated into a single policy, to ensure an effective and efficient policy structure. Maintaining these documents separately over time is more resource intensive, as well as having the potential to generate duplication or inconsistency.
- 3.3. The draft policy is a combination of the following existing policies:
- Rural Seal Extension Policy
 - Private Funding of Seal Extension Policy
 - Formation of Unformed Roads Policy
 - Road Reserves Fencing & Grazing Policy
 - Stock Underpasses Policy
 - Vehicle Crossings, Entranceway and Driveway Surfacing Materials Policy
- 3.4. The absence of formal guidance with regards to certain responsibilities within the road reserve has led to confusion and conflicting expectations among adjacent landowners and road network users. Thus, new sections have been added based on current practice, to provide clarity on expectations for use and maintenance of all elements in the road reserve.
- 3.5. The draft policy also includes new sections for other roading functions including:
- Road surfacing – based on the previously agreed levels of service for surfacing roads as approved by the Utilities & Roothing Committee in 2007 (TRIM No. 071108035864)
 - Roadside berms – clarifying maintenance responsibilities for urban and rural berms as well as expectations for existing and potential trees and hedges.
 - Unformed legal roads – specifying responsibility for maintenance and criteria for occupation, formation, and stopping
 - Road corridor usage including storage – defining conditions for temporary berm use
 - Utilities – identifying expectations for installing utilities in the roadside
 - Work zones – setting requirements for safe traffic management planning
- 3.6. Two existing related policies, the “Street Naming Policy” and the “Street and Reserve Trees Policy,” were not included in this amalgamation. The Street Naming Policy has now been incorporated into the new “Naming Policy” (TRIM No. 230321039443) while the Street and Reserve Trees Policy remains under with the Greenspace Unit.
- 3.7. Council at its meeting on 6 June 2023 authorized officers to undertake a public consultation process on the outcomes and approved the nomination of Councillors Blackie, Fulton, and Redmond to a Hearings Panel Committee.
- 3.8. The consultation ran from 7 August to 7 September. This report has been prepared to support the panel in its deliberations on the findings from the public consultation exercise.

4. ISSUES AND OPTIONS

- 4.1. Although the consultation was promoted extensively through social media outlets and print media, only four submissions were received. The engagement statistics are broken down as follows:
- 4.1.1. 256 visitors to the consultation page.
 - 4.1.2. 198 clicked on consultation.
 - 4.1.3. 74 of those sought further information, including reading the policy.
 - 4.1.4. 8 of those provided feedback, including five quick poll responses, one survey, and three emailed submissions.
- 4.2. From the engagement, there was mixed feedback on the draft policy. 60% (3) of the quick poll responses supported the changes overall, along with the online survey response, and a submission from Herenga ā Nuku. 40% (2) of the quick poll responses did not support the changes. Submissions from D Ashby and North Canterbury Federated Farmers made comments on specific provisions but did not comment on overall support or opposition.
- 4.3. Appendix A should be modified to note that River Road refers to the Rangiora segment and Island Road refers to the Kaiapoi segment.
- 4.4. Suggestions were made through submissions to either modify or remove some elements of the proposed policy. These are discussed in greater detail below including a staff commentary on suggested changes.

4.5. Analysis of Submission Points Received

General comments	
<p>Herenga ā Nuku:</p> <ul style="list-style-type: none"> • That the term 'road corridor' be substituted for the term 'road reserve', throughout the document. The title of the Policy would therefore be "Road Corridor Management Policy". • That the introduction be expanded as follows; "This policy sets out the Waimakariri District Council's (the Council) approach to managing activities within the road corridor reserve. It addresses uses and management requirements on berms and unformed legal roads in the road reserve that can affect private activities or impose costs on residents and provides clear guidance to staff and the community. Public access is a right on all legal roads." • That the second bullet point in the Scope be expanded as follows: Specifications for the use of unformed legal roads and forming unformed legal roads and the process for stopping unformed legal roads". • That a new point 4.1 be inserted to read; "To ensure that the public right of passage along unformed legal road corridors is preserved while protecting the environment, the road and adjoining land, and the safety of road users." 	<p>Staff support a change from "road reserve" to "road corridor."</p> <p>We do not recommend inclusion of a new sentence focused on public access to the introduction. This section does not highlight any of the other legislative or legal foundations for the policy, which instead are expanded upon in the Policy objectives.</p> <p>Staff recommend accepting changes to the Scope bullet on unformed legal roads.</p> <p>Staff also recommend adding a new objective "The policy ensures that the public right of passage along unformed legal road corridors is provided."</p>

5.0 Sealing roads

M. Beckett:

- You have failed to recognise safety along dust mitigation and simply made it about money or specifically when the government contributes.

North Canterbury Federated Farmers:

- Unsealed roads are an issue for many of our members due to dust, mud, run-off and potholes. Council needs to be doing more for rural road users, including sealing and rebuilding the base of over graded roads. Three situations are details in the policy where the Council will seal unsealed rural roads: (1) where co-funding by Waka Kotahi is provided, (2) where a 30% financial contribution is provided from an affected subdivision, and (3) when privately funded. These criteria are limiting and do not provide the Council with discretion to elevate priority roads which may result from complaints being received. It is suggested that a fourth criterion is added: (4) when high traffic volume, dust exposure and/or safety reasons warrant sealing of the road, in the opinion of the Council.
- The contribution rural ratepayers make to the Council's rating income is significant. Therefore, the cost of sealing rural roads should be at the Council's expense.
- Under the Policy, private funding for seal extension is considered when the adjoining property owner(s) contributes 50% of the cost. However, it would be more appropriate to request 30-40% of the cost of sealing. It is not only the private property owners who benefit from sealing rural public roads. The safety benefits of sealing a road are experienced by all members of the community. Roads are a public good therefore the cost of sealing should fall primarily to the Council.

We acknowledge the concerns around safety, surfacing, and dust from unsealed rural roads. However, the current rates take by Council does not allow for an ongoing programme of sealing the unsealed rural road network.

Sealing for safety reasons is carried out at Council discretion, independent of this policy.

The majority of low-volume unsealed rural roads carry traffic primarily generated by local traffic rather than through traffic. Higher-traffic volume (around 300-400 vpd) roads are already accounted for in the existing policy and are considered for sealing. Staff do not recommend accepting these changes.

6.0 Unformed legal roads (general)

North Canterbury Federated Farmers:

- The Walking Access Commission states that councils have no express statutory powers to grant a lease or licence over part of a road for private benefit. Yet Council's Policy states: Approved requests for occupation will be formalised through a Licence to Occupy. We suggest the Council remove this requirement.
- We are aware that at times our members utilise some or parts of paper roads, i.e. for stock movement. The use of these roads is vital for their business operation, for example when accessing a dairy shed. The process of having to apply for a licence to occupy a paper road is overly onerous. The policy does not detail when a licence to occupy would be granted or withheld and we imagine this will cause a lot of stress for farmers in this situation. There may also be implications for those selling farms whose businesses rely on the use of paper roads. The Council should remove this requirement from the policy.

Herenga ā Nuku:

- That section 6.1.1 be amended as follows;
"The Council has **statutory powers to manage and control roads a responsibility** under the Local Government Act 1974 (Part 21) and Land Transport Act 1998 (Part 3), **and has a duty** to ensure that the public right of passage along unformed legal road corridors is preserved while protecting the environment, the road and adjoining land, and the safety of road users."
- That section 6.1.2 includes the following link to a summary of the Outdoor Access Code <https://www.herengaanuku.govt.nz/home/outdoor-access>
- That section 6.2.2 be reworded and expanded as follows;
"The Council is obligated to inspect and maintain non-roading assets that it has purposefully installed in unformed legal roads, such as drainage or **plantation forestry blocks. These assets must not obstruct public access.**"

Staff note the guidelines by NCFE further state "[T]here is an inferred and general authority for a council to permit temporary occupation or encroachment of part of a road — providing such occupation or encroachment does not interfere with the public's right to pass and repass along the road or create some other nuisance." There is a general legal precedent supporting Road Controlling Authorities' ability to temporarily permit use of unformed legal roads so long as public access is not limited.

On the other hand, stock movement is covered by the Stock Movement Bylaw and there is no intention to require a Licence to Occupy to use an unformed legal road given the short timeframe for such uses.

Staff do not recommend accepting changes proposed by NCFE.

Staff recommend inclusion of Council's "statutory powers," but do not support accepting wording imposing a "duty" to ensure public right of passage. We have received legal advice that this wording could create a higher bar for Council to adhere to than is required by the relevant legislation.

Staff recommend accepting other changes proposed by Herenga ā Nuku, including changing to "plantation forestry," and adding a new bullet that existing or new Council non-roading assets within unformed legal roads should not obstruct public access.

6.3 Private occupation and encroachments in unformed legal roads

D Ashby:

- We feel that a clause giving long standing farmers some form of existing use right would be appropriate.(or guarantee us a License to Occupy) We milk 600 cows, contribute to the local economy employ 3 fulltime staff and 2 casuals. and use local contractors. This policy puts our business at risk.
- Two main issues concern us, including:
 - Public access is a license to give the public the back door keys to your business. It promotes crime and is possibly a health and safety issues. Down Hicklands Road we have issues with Boy racers already.
 - A disgruntled neighbour could make it very difficult for us under this draft policy.

Herenga ā Nuku:

- That a new 6.3.1 be inserted as follows;
“Any unauthorised encroachment on a road is an offence under Section 357 Local Government Act 1974”
- That section 6.3.2 be amended as follows;
“Approved requests for occupation will be formalised through a Licence to Occupy and must comply with this policy and the conditions of that Licence to Occupy, **including that public access must not be obstructed**. See the Council Rural Land Lease and Licence Policy for additional terms.”
- That the Rural Land Lease & Licence Policy referenced in section 6.3.2 be noted as “draft”
- That any Licence to Occupy unformed legal road be for a fixed term and be able to be terminated by Council.
- That Council does not issue any lease over the surface of an unformed legal road, and that any leases that may already be in place are converted to Licences to Occupy.

Staff acknowledge the obligation that public users of unformed legal roads need to responsibly travel adjacent to private property. While Council has an obligation to allow for public access to these roads, the intent is to do so in a manner that discourages illegal and malicious behaviour.

Adjacent landowners may apply for a License to Occupy unformed legal roads under the proposed policy, but any guaranteed use or long-term use would likely not be permitted under unformed legal road requirements.

Staff note that proposed wording does not specifically discuss consultation with neighbours. However, it would be good to seek clarity from submitter how they envisage ‘disgruntled neighbours’ being involved in the process. Staff do not recommend accepting any further changes.

Staff recommend accepting as a new clause 6.3.6 -"Failure to obtain the necessary authority from Council to occupy or encroach onto unformed legal road is an offence under the Local Government Act 1974."

Staff recommend accepting other changes proposed by Herenga ā Nuku. Staff further recommend that the WDC Rural Land Lease & Licence Policy be carried forward for review and adoption by Council.

6.4-6.6 Private occupation and encroachments in unformed legal roads

Herenga ā Nuku:

- That the second bullet point in section 6.4.1 references section 6.6 Stopping unformed legal roads e.g.; “Will first attempt to resolve encroachments through voluntary removal, Licence to Occupy, or road stopping (see section 6.6 below)(as appropriate,) before considering legal action.”
- That a new third bullet point be inserted in section 6.4.1, along the lines of; Council “May agree to appropriate alternative public access, at no cost to Council, where an encroachment prevents public access”.
- That a new section be inserted after 6.5.3, along the lines of;
“When considering applications to facilitate use of unformed legal roads by walkers, cyclists or horse riders, Council will take into account the proposed extent of modification to the surface of the unformed legal road and seek to enable such use wherever possible.”
- That the words “where this is vital for development or” be deleted from section 6.5.2.
- That the words “there is no likelihood of a valid objection being received and” be deleted, as they are not appropriate to the use of section 116 of the Public Works Act 1981.
- That Council work with Herenga ā Nuku when considering applications to stop unformed legal roads.

Staff recommend accepting the reference addition to section 6.4.1.
Staff agree with the potential benefit of a mutually-agreed alternative access but want to ensure this is only considered when appropriate. Staff recommend a new bullet be added to Section 6.4.1- "May consider an appropriate alternative public access, where such an alternative is equal to or better than the existing unformed legal road and can be provided at no cost to Council."

Staff agree with the intent to enable simple access requests but are concerned about the increase in liability (and potentially ongoing maintenance) when Council purposefully clears vegetation or other obstructions from an unformed legal road. Staff recommend reword to “When considering applications to facilitate use of unformed legal roads by walkers, cyclists, or equestrians, Council will consider the proposed extent of modification required to the surface of the unformed legal road, potential for liability, and future maintenance. Any use of Council resources to modify an unformed legal road will need to be approved by Council.”

Staff are not aware of a clear issue caused by developers accessing from unformed legal roads. Staff do not recommend accepting this change.

Staff note the policy is set up to frame outreach to relevant affected parties and would recommend against prioritising one potential stakeholder over others.

7.0 Roadside management

Herenga ā Nuku:

- That section 7.1.3 is expanded by adding “.. providing that public access is not obstructed.”
- That the first sentence in section 7.5.4.4 be amended to read “Plantings will be considered a nuisance by Council if they create a safety risk or interfere with road maintenance, drainage, ~~or~~ utility services **or public access.**”
- That an additional bullet point be included in section 7.5.6.3 - “Public access, community connectivity and active transport”

Staff recommend accepting changes for sections 7.1.3 and 7.5.4.4. Staff recommend including "Impacts on public access," in first bullet of section 7.5.6.3.

7.3 Grazing on road reserve

North Canterbury Federated Farmers:

- We are concerned that the new ‘grazing restricted areas’ proposed in the policy are overly restrictive. Many farmers benefit from being able to graze stock in the road reserve, and removing this ability may disrupt their farming operations. We suggest the Council do not proceed with restricting grazing on any roads until targeted landowner consultation has been carried out. We have been advised that no consultation has taken place in the development of this policy to date.

Staff agree with the benefit farmers gain from grazing in the road reserve as well as the benefit that Council gains in this land management of the berm. The proposed change aims for consistency by including all rural Collector and Arterial Roads, whereas the present policy only includes some of this network. This change is proposed because the risk of higher speed and higher volumes (most roads proposed for addition to the policy have 100 km/h speed limits and volumes > 1,000 ADT) means roadside grazing poses a safety concern.

Staff estimate that approximately half of the properties noted in the submission have frontages with total grazing bans under the existing policy.

Almost all affected properties also have partial grazing restrictions (present policy bans grazing on portion of berms mown by Council contractor, which includes all rural Collector and Arterial Roads).

Staff recommend consideration of the full proposed policy but deferral of any changes to the grazing restrictions list in Appendix A at this time. A list of the existing grazing restriction areas can be found in Attachment viii. Staff further recommend that the properties affected by the change are clearly identified and a targeted letter is sent to all properties within the affected areas that do not already have a total grazing ban along their frontage. As a result of this targeted consultation, staff will prepare a future report for consideration of changes to the grazing restrictions list.

8.0 Vehicle crossing surfacing	
<p>M. Beckett:</p> <ul style="list-style-type: none"> The CP for vehicle Crossings (and the council checking and enforcing) is inadequate where the crossing crosses or interrupts the flow of a swale. There are several on North Eyre Rd between Two Chain and Browns, that interrupt a swale and as a consequence flood out onto the road. This is a significant hazard as when it's wet and dark it is not possible to see and vehicles get dragged off the road into even deeper water. I would like to see the policy include wording (and compliance with enforcement) to include something to ensure the natural water flows are not interrupted when a vehicle crossing is consented. It would also be useful if the swales and natural drainage flow paths are maintained and silt and buildup is removed. Many times water sits and soaks the road base which means that at some stage the council will be required to fix it at an even greater cost, than prevention by clearing every few years. 	<p>Council is considering more drainage detail and requirements for new vehicle crossings within an update to the ECoP Rooding chapter and associated standard drawings. Staff do not recommend accepting this change.</p>
9.0 Stock underpass	
<p>North Canterbury Federated Farmers:</p> <ul style="list-style-type: none"> Stock underpasses allow for increased road safety and savings on road maintenance. The Policy delegated discretion for stock underpass approval to the General Manager, Utilities and Rooding. We agree with this delegation but request the Policy include a statement: Approval for a stock underpass will not be unreasonably withheld. <p>Herenga ā Nuku:</p> <ul style="list-style-type: none"> That section 9.2.1 be amended along the lines of; "With approval from the Council, a person may erect a swing fence with a suitable gate or cattle stop, and associated fencing, across an unformed legal road in accordance with s 344 or 357 of the Local Government Act 1974. A sign must be affixed to the gate indicating it is a public road." 	<p>Staff note this policy wording has not materially changed from existing policy and are concerned that "will not be unreasonably withheld" creates a vague expectation for approval which cannot be measured. Staff are unaware of historical issues with underpasses being refused without proper justification. Staff do not recommend addition of text as requested by North Canterbury Federated Farmers.</p> <p>Staff recommend accepting the change from Herenga ā Nuku.</p>
10.0 Temporary traffic management	
<p>North Canterbury Federated Farmers:</p> <ul style="list-style-type: none"> While not the likely intention of the Council, we note that the temporary traffic management section (section 10) does not disclose whether a Traffic Management Plan is required for stock movement. As per the Council's Stock Movement Bylaw 2020, stock droving is permitted (provided conditions are met). For clarity purposes, we therefore recommend the Policy includes a statement to this effect. 	<p>Staff recommend addition of "The movement of stock is covered under the WDC Stock Movement Bylaw, which outlines the requirements for permitting and traffic control while moving stock along or across the road."</p>

12.0-13.0 Definitions, Relevant documents and legislation

Herenga ā Nuku:

- Definition of "Road Reserve" - That Council use the term 'road corridor' and not 'road reserve'.
- Definition of "Unformed Legal Road" - That the definition be amended to read;
"Unformed Legal Road (~~sometimes referred to as also~~ Paper Road) – land that has been ~~legally~~ established as a ~~legal~~ public road ~~prior to 1996~~ but which is not formed or maintained by the Council or the New Zealand Transport Agency ~~as a public road~~"
- That under the Local Government Act 1974, the note to Part 21 be (managing ~~unformed~~ roads), and that s.344 (gates and cattle stops) and s357 (penalties for damage to roads) be added to the bullet points.
- That "Guidelines for the Management of Unformed Legal Roads" (Herenga ā Nuku Aotearoa) be cited as a relevant document.

Staff recommend accepting the changes from Herenga ā Nuku.

Appendix C – Unformed legal road occupation requirements

Herenga ā Nuku:

- That the first bullet point in Appendix C (ULR occupation) be expanded to read;
"Public access along the road must not be obstructed, ~~and such access may include with~~ ~~motorised vehicles, bicycles and horses~~. A minimum traversable width of 4m must ~~always~~ be maintained ~~at all times~~ and the access must be as practical and desirable for the user as possible."

Staff note that the legal right for unrestricted public access should be balanced against adjacent landowners' rights not to have their stock or land disturbed, as well as the benefits of land management when an adjacent landowner is responsibly caring for an unformed legal road. Physical barriers outside of the control of Council or the adjacent landowner obstruct complete access along unformed legal roads in many circumstances (e.g., streams). As such, staff recommend modification of the first bullet to "Public access along the road must not be obstructed, and such access could be by modes such as motorised vehicles, bicycles, foot, and/or horses..."

Appendix C – Road reserve grazing requirements

North Canterbury Federated Farmers:

- We suggest Appendix C (Grazing requirements) is updated to state: The period of grazing shall be 14 days or less at any one time unless there are ten or less animals grazing. Alternatively, this statement could be removed in entirety.
- The use of waratahs is not allowed for use in berms under the policy. Waratahs provide a more stable type of fencing than other temporary fences and therefore are more useful to ensure stock do not get out when grazing the road reserve. However, we do acknowledge a potential safety concern with their use. We suggest the policy is updated to permit waratahs provided they are marked or painted with a bright colour to ensure they are easily visible.
- The Policy requires 'suitable labels' to notify the public of live fences. This is appropriate in areas of high foot traffic (such as urban fringes) but is less relevant in rural areas.

Herenga ā Nuku:

- That an additional bullet be included in Appendix C (Grazing Requirements), along the lines of; "Where public access on the frontage/berm is expected and/or warranted, it shall be provided for."

Staff note that the grazing period restriction in Appendix C has not changed from existing policy, and are concerned that any increase in length of grazing could result to impacts to berm vegetation or animal welfare.

Waratahs represent a hazard to vehicles and non-motorised users, which is not mitigated by highlighting with a bright colour. Their use is commonly banned on roads in other RCAs, as when hit they can become a projectile.

Pedestrians and equestrians may be present on the berm across the bulk of the rural road network, as there is a very limited rural off-road pathway network. It is noted that similar signage requirements are often in place in other RCAs without any limitation on areas. Staff do not recommend accepting requested changes from NCFF.

Staff recommend insertion of "Public access on the frontage / berm should be accommodated where practicable." This wording is intended to balance between where roadside users are more likely to be encountered (and thus be accommodated).

Implications for Community Wellbeing

- 4.6. There are implications on community wellbeing from the issues and options that are the subject matter of this report. The draft policy has been reviewed and updated by relevant staff across Council, to ensure it reflects current requirements and practices as these affect activities and responsibilities of Council and the general public.
- 4.7. Policies have an underlying purpose of ensuring the Council undertakes its activities and manages its assets where there is an interface with the public in a way that provides for safety and transparency while also demonstrating fairness and equity for our community. These documents establish responsibilities and obligations for third parties, in situations where requirements and/or roles are not otherwise clearly specified through legislation, regulation, standards, or industry guidance.
- 4.8. The Management Team has reviewed this report and support the recommendations.

5. COMMUNITY VIEWS

5.1. Mana whenua

Te Ngāi Tūāhuriri hapū are not likely to be affected by or have an interest in the policy's subject matter beyond a general interest as members of the community.

5.2. Groups and Organisations

There are groups and organisations that are likely to be affected by, or to have an interest in the subject matter of this report. They have been given an opportunity to be heard as part of the public consultation process.

5.3. Wider Community

The wider community is likely to be affected by, or to have an interest in the subject matter of this report. Council has undertaken public consultation to afford interested parties the opportunity to have their say and be heard.

6. OTHER IMPLICATIONS AND RISK MANAGEMENT

6.1. Financial Implications

There are not financial implications of the decisions sought by this report.

6.2. Sustainability and Climate Change Impacts

The recommendations in this report do not have sustainability or climate change impacts.

6.3 Risk Management

There are no risks arising from the adoption/implementation of the recommendations in this report. The implementation of the policy within this report ensures current practice addresses risks to both Council and third parties.

6.3 Health and Safety

There are health and safety risks arising from the adoption/implementation of the recommendations in this report. The policy is drafted to ensure health and safety risks for staff and the public are addressed during activities managed by the Council as far as is practicable. The policy will help ensure that the road corridor is managed in a way which provides for safety of the public.

7. CONTEXT

7.1. Consistency with Policy

This is not a matter of significance in terms of the Council's Significance and Engagement Policy.

7.2. Authorising Legislation

The Local Government Act 1974 details the role and responsibilities of local government in relation to setting Policy and public consultation.

7.3. Consistency with Community Outcomes

The Council's community outcomes are relevant to the actions arising from recommendations in this report. In particular, the following community outcomes are of relevance to the issue under discussion:

Transport is accessible, convenient, reliable, and sustainable:

- The standard of our District's roads is keeping pace with increasing traffic numbers.
- Communities in our District are well linked with each other and Christchurch is readily accessible by a range of transport modes.

There are wide ranging opportunities for people to contribute to the decision making that effects our District:

- The Council makes information about its plans and activities readily available.
- The Council takes account of the views across the community including mana whenua.
- The Council makes known its views on significant proposals by others affecting the District's wellbeing.
- Opportunities for collaboration and partnerships are actively pursued.

There is a safe environment for all:

- Harm to people from natural and man-made hazards is minimised.
- Our district has the capacity and resilience to quickly recover from natural disasters and adapt to the effects of climate change.
- Crime, injury and harm from road crashes, gambling, and alcohol abuse are minimised.

7.4. Authorising Delegations

Council at its 6 June 2023 meeting delegated responsibility to the Hearings Panel to hear and consider submissions to the Road Reserve Management Policy consultation.

A further report will be taken to Council from the Hearings Panel for final decision on the Policy.

Road Reserve Management Policy

1. Introduction

This policy sets out the Waimakariri District Council's (the Council) approach to managing activities within the road reserve. It addresses uses and management requirements in the road reserve that can affect private activities or impose costs on residents, and provides clear guidance to staff and the community.

2. Purpose

The purpose of this policy is to clarify controls, responsibilities, and any associated costs for use of the road reserve affecting a wide range of private and public activities.

These expectations are clearly set out so that the requirements are visible to, and can be clearly understood by, all users of the road corridor.

3. Scope

This policy provides guidance on management of Council road reserves and establishes:

- Criteria for sealing unsealed rural roads, including funding requirements
- Specifications for the use of unformed legal roads and forming unformed legal roads
- Responsibilities for use, fencing, and maintenance of the road berm
- Requirements for sealing roads and vehicle crossings
- Criteria for forming stock underpasses
- Expectations for temporary traffic management activities.

4. Policy objectives

The overarching objective of this policy is to assist the Council to consistently and transparently apply management requirements and cost-share agreements for use of the road reserves, and to ensure fair and equitable outcomes for all parties.

- 4.1. The policy sets out the criteria for sealing unsealed rural roads so that costs and benefits are fairly distributed in accordance with set criteria.
- 4.2. The policy clarifies responsibilities for accessing and using unformed legal roads. It provides a process to consider privately-constructed assets on or under such roads.
- 4.3. The policy ensures that the responsibility for forming and maintaining private accesses on an unformed legal road is clearly with the party requesting and benefiting from the access.
- 4.4. The policy manages rural road boundary fencing and berm grazing to ensure safety for vehicles, pedestrians, and stock and to reduce road maintenance issues.
- 4.5. The policy specifies suitable materials for vehicle crossings to ensure standardisation and limit impacts from future works within the road reserve.
- 4.6. The policy manages the construction of stock underpasses to safely allow stock and farmers to travel from one side of the road to another, and allow road users to pass unhindered.

5. Sealed roads

5.1. Rural seal extension

This policy is used to assess any requests to seal rural roads with speed limits of 60km/h or greater.

The Council will only seal unsealed rural roads in the following situations:

- When co-funding is approved by the New Zealand Transport Agency (Waka Kotahi)
- When roading financial contributions from subdivisions of at least 30% of the cost of sealing the road have been received by the Council
- When privately funded, as detailed below.

See *Appendix C*: for seal extension technical requirements.

5.1.1. New Zealand Transport Agency Approved Projects

- 5.1.1.1. The New Zealand Transport Agency has set criteria for the funding of seal extensions and few projects are likely to be eligible for, or receive New Zealand Transport Agency co-funding.
- 5.1.1.2. Any roads which meet the New Zealand Transport Agency criteria will be identified and submitted to the Long Term Plan and Regional Land Transport Plan (RLTP) processes for consideration of funding allocation.
- 5.1.1.3. The Council may programme the seal extension in the earliest year funding is available, or bring forward the funding to the following financial year.

5.1.2. Roading Financial Contribution Projects

- 5.1.2.1. The Council will consider sealing a rural unsealed road when receipted Roading Financial Contributions from subdivisions reach at least 30% of the cost of sealing the road.
- 5.1.2.2. Funding for these projects will come from the Subdivision contribution budget.
- 5.1.2.3. The Council may at its discretion, attempt to obtain subsidy from the New Zealand Transport Agency either fully or by using the contributions to offset the capital cost of the work. However, the sealing will be programmed for completion, whether New Zealand Transport Agency approval is obtained or not.

5.1.3. Private Funding of Seal Extension

- 5.1.3.1. The Council will consider sealing existing roads where the adjoining property owner(s) is willing to fund 50% of the cost of the sealing.
- 5.1.3.2. Seal extensions up to a total length of 1km per year may be approved by the General Manager, Utilities and Roading, under delegated authority, subject to the following conditions:
 - Those requesting the work will pay 50% of the cost. The balance shall be funded as a deficit balance within the current years roading account.
 - Any additional works required to support the seal extension (e.g., signs, markings, drainage) will be included in the cost apportionment. Any works required to address existing deficiencies will be covered by Council.
 - The design and tender for the seal extension work will normally be prepared by the Council and all physical work will be organised by the Council. Those requesting the work will pay 50% of the costs of design, tender and construction of the physical works.

- The sealed road will remain the property of the Council in accordance with the Local Government Act 1974 s317.
- Future maintenance, including resealing, will be the responsibility of the Council.

5.2. Sealed road surfacing

- 5.2.1. Generally, the most appropriate and cost-effective sealed road surfacing is chip seal. By default, all roads and streets which Council agree to seal shall be surfaced with chip seal to ensure the lowest lifecycle cost is achieved, unless other surfacing is considered appropriate based on the technical grounds noted below.
- 5.2.2. Asphaltic concrete (hotmix) is more durable with less noise and vibration, but its usage incurs a higher lifecycle cost. Its use will require approval by the General Manager, Utilities and Roading.
- 5.2.3. Asphaltic concrete (hotmix) may be used to seal Strategic and Arterial Roads with speed limits of 50 km/hr or less, and with urban scale development on both sides of the road.
- 5.2.4. Asphaltic concrete (hotmix) or similar surfacing may also be used on selected streets within the town centres or on other roads and bridges on a case-by-case basis.
- 5.2.5. Asphaltic concrete (hotmix) or similar surfacing may be used in cul-de-sac heads, at intersections with large numbers of heavy turning vehicles, and in any other area where it is the most appropriate technical and cost-effective option. It is used in situations where there are high vehicle turning movements to reduce the wear and tear from turning vehicles.
- 5.2.6. Asphaltic concrete (hotmix) or similar surfacing may also be used, on an exceptions basis, where it is technically considered the most appropriate solution to address inconsistencies in vertical and horizontal alignment in some streets.
- 5.2.7. In situations where streets are already surfaced with asphaltic concrete (hotmix) or similar material, but are not consistent with this policy and require resurfacing, they will be resurfaced with asphaltic concrete (hotmix) or similar surfacing unless there are compelling technical and / or cost reasons for not doing so.

6. Unformed legal roads

This policy specifies controls on the use, access, and maintenance of unformed legal roads, also known as paper roads.

6.1. Public use of unformed legal roads

- 6.1.1. The Council has a responsibility under the Local Government Act 1974 (Part 21) and Land Transport Act 1998 (Part 3) to ensure that the public right of passage along unformed legal road corridors is preserved while protecting the environment, the road and adjoining land, and the safety of road users.
- 6.1.2. Herenga ā Nuku Aotearoa - the Outdoors Access Commission was established pursuant to the Walking Access Act 2008 to lead, support, negotiate, establish, retain, and improve access to the outdoors. The rights and responsibilities in the Outdoors Access Commission's Outdoor Access Code should be adhered to when using unformed legal roads.
- 6.1.3.
- 6.1.4. While there is no specific statutory right to use a motor vehicle on any road, where the terrain permits, vehicles may be used on unformed legal roads, unless this is prevented or restricted through a bylaw or other enactment.
- 6.1.5. Road corridor users must not modify, obstruct, or damage the surface of unformed legal roads, except in accordance with the provisions of this policy.
- 6.1.6. Most unformed legal roads will not have clearly delineated areas set aside for different types of users. Vehicles, pedestrians, bicycles, and horses are likely to share the same space. Unformed legal roads are considered "shared zones" available for use by pedestrians, cyclists, equestrians, and motorists, as per the purpose of Land Transport (Road User) Rules 2004. This means that motorists must give way to pedestrians, but pedestrians must not unduly impede the passage of any vehicle.
- 6.1.7. Due to the risk posed to other road users, the road surface, and adjoining property and vegetation, the Council does not permit the lighting of fires on unformed legal roads.
- 6.1.8. Unformed legal roads are public places for the purposes of the Arms Act 1983. Therefore, the discharging of a firearm on an unformed legal road so as to endanger property, annoy, or frighten any person is prohibited.

6.2. Maintenance of unformed legal roads

- 6.2.1. The Council is not obligated to, and does not generally intend to:
 - Maintain or repair damage to unformed legal roads
 - Fence unformed legal roads
 - Inspect, identify, or mitigate any road safety issues on unformed legal roads
 - Signpost or otherwise mark unformed legal roads.
- 6.2.2. The Council is obligated to inspect and maintain non-roading assets that it has purposefully installed in unformed legal roads, such as drainage or forestry blocks.
- 6.2.3. Adjacent landowners are generally responsible for fencing, vegetation control, and pest plant management. The Council should be consulted before removing any exotic non-pest trees or hedges. Naturally-occurring indigenous vegetation shall not be removed or disturbed without written approval from the Council. This is particularly relevant where there are features of ecological importance or Significant Natural

Areas; refer to the District Plan for more details. Exceptions may be considered on a case-by-case basis.

6.3. Private occupation and encroachments in unformed legal roads

- 6.3.1. The Council recognises that a range of activities may wish to make use of, or locate on, unformed legal roads. The Council will consider requests for occupation of an unformed legal road on a case-by-case basis.
- 6.3.2. Approved requests for occupation will be formalised through a Licence to Occupy and must comply with this policy and the conditions of that Licence to Occupy. See the Council *Rural Land Lease and Licence Policy* for additional terms.
- 6.3.3. Should the Property Team recommend against granting a Licence to Occupy for occupation of an unformed legal road, such approval is reserved for the Utilities and Roading Committee.
- 6.3.4. The Council recognises that there are a large number of existing occupied unformed legal roads that are not subject to a formal lease or Licence to Occupy. While the Council will endeavour over time to standardise these occupancy activities, this will be governed by the availability of Council staff resources. Priority may be given to unformed legal roads where issues arise in relation to an existing use.
- 6.3.5. See *Appendix C: Technical requirements* for conditions for unformed legal road occupation.

6.4. Unauthorised occupation

- 6.4.1. Where there is an unauthorised encroachment on an unformed legal road, the Council:
- Will investigate complaints about encroachments
 - Will first attempt to resolve encroachments through voluntary removal, Licence to Occupy, or road stopping (as appropriate) before considering legal action
 - May remove, or require removal of, unauthorised encroachments that obstruct or impede public access, at the cost of the party responsible, unless exceptional circumstances exist in relation to the encroachment (including a public benefit).

6.5. Formation of unformed legal roads

- 6.5.1. The Council is not obligated to, and does not generally intend to, form, or improve unformed legal roads.
- 6.5.2. However, the Council will consider requests from adjacent property owners, developers, and interest groups to construct carriageways, cycle tracks, bridle paths, and footpaths within unformed legal roads at the applicant's expense, where this is vital for development or where significant public benefits are clearly demonstrated.
- 6.5.3. A written application is to be made and approval given in writing by the General Manager, Utilities and Roading, before any physical works start in the road reserve.
- 6.5.4. Developers and subdividers seeking to use unformed legal roads are required to seek approval to form and/or upgrade roads to a Council-standard as part of the subdivision process.
- 6.5.5. When a request is received for a formation on an unformed legal road, the applicant will be advised that, should the request be approved, the following options are available:
- The applicant forms the road to the Council's roading standards and specifications, or

better. Approval of a Council-standard road is to be subject to the following conditions:

- All work is to be at the expense of those requesting it.
- All work is to be in accordance with the Council's specifications and to its standards.
- The standards and specifications used for the work are to be those adopted and in use for similar access to similar properties upon subdivision.
- Where it is agreed by the Council that the road is to be vested, future maintenance of the road (to appropriate standards) will become the responsibility of the Council following acceptance of the construction work from the contractor or completion of the civil maintenance period.
- The applicant forms the road to a lesser standard than the Council requires, in which case on-going maintenance will be at the property owner's expense. The applicant is also advised that if this option is chosen, they will not be able to restrict or control public access to or along the upgraded section of public road. Approval of a lesser-standard access requires an encumbrance to be registered against the title(s) of the applicant's lot(s) recording their responsibility to maintain that part of the road.
- The applicant may alternately request the Council stop the road. This would remove the legal road status and enable the sale of the section of land if approved. See Section 6.6 for more details on road-stopping.

6.5.6. Where a formed access is requested for a section of unformed legal road that adjoins two or more properties, notice will be given to the other adjoining landowner(s) of the application, giving them 20 working days to respond with their view. Where more than one adjoining landowner wishes to use the same section of unformed legal road along a shared boundary, the Council will encourage all parties to agree on the arrangements. Where agreement is not reached, the Council will use its discretion as to how the occupation is divided.

6.5.7. Where any dwelling house was lawfully erected prior to 23 January 1992, and it has sole access to an unformed or substandard legal road, then the Council will contribute up to 50% of the cost of upgrading to the Council's standard, to be funded as a subdivision commitment.

6.6. Stopping unformed legal roads

6.6.1. Where a road is proposed to be stopped, the Council will generally follow the Local Government Act 1974, section 342 process. The Public Works Act 1981, section 116 process will only be used in exceptional circumstances where there is no likelihood of a valid objection being received and doing so is deemed to be in the public's interest.

6.6.2. Any applicant requesting to stop an unformed legal road should give regard to:¹

- a. The Council may or may not support the request.
- b. The full costs will be borne by the applicant and the applicant will need to enter into a cost agreement and may be required to pay a deposit for such costs prior to any work being undertaken.
- c. The process the application must follow includes provision for public submissions and the Council has no control over the outcome of that process.
- d. Ultimately, any decision made in the road stopping process is appealable through the Environment Court.
- e. If the stopping is completed, the applicant will be required to purchase the stopped

¹ Section 6.6.2 (c) to (e) only apply in respect of road stopping carried out under the Local Government Act 1974 but would not apply to road stopping carried out under the Public Works Act 1981.

road at an agreed value and amalgamate it with their existing title, at their expense.

6.6.3. In considering applications to stop an unformed legal road, the Council will evaluate the application against:

- Current use – e.g., public walking/driving access, service to land-locked sections
- Strategic value – e.g., connections to water bodies, reserves, conservation land, or some other future strategic need
- Alternatives for public access
- Biodiversity and ecological value – e.g., value of the land to ecosystem services; rarity, representativeness, and density of native flora or fauna
- Future use of the road as proposed by the applicant
- Intended or potential alternative future uses – e.g., walk- or cycle ways, drainage, amenity, recreation uses, significant landscape amenity
- Corridor user safety
- Existing or anticipated infrastructure, encumbrances, and easements.

6.6.4. Where a section of unformed legal road is stopped and freehold title issued, subject to the requirements of the Public Works Act 1981 or any other relevant legislation, the Council may choose to dispose of the land accordingly.

DRAFT

7. Roadside management

This portion of the policy specifies requirements for private use of the road reserve for fencing, grazing, storage, and berm management.

7.1. Fencing on road reserve

7.1.1. New boundary fences adjacent to Council road reserves shall be located on the surveyed property boundary.

7.1.2. Replacement boundary fences on Council road reserves not located on the surveyed property boundary are to be relocated onto the surveyed property boundary when replaced.

7.1.3. In exceptional cases, when agreed by the Utilities and Roding Committee, existing boundary fences may be retained onto a line that is not on the surveyed property boundary when the adjacent property owner wishes to retain this alignment.

7.2. Private entry structures

7.2.1. Private entry signs, features, artwork, and monuments will not be permitted within the road reserve.

7.2.2. Subdivision entry structures shall be situated on private land and maintained at the cost of the property owner.

7.2.3. Private gates must not open into or otherwise obstruct the road reserves.

7.3. Grazing on road reserve

7.3.1. The grazing of road reserve frontages is not permitted on the following roads:

- Within the urban area
- On the roads listed in *Appendix A: Grazing-restricted roads*
- On the mown verge of sections of road regularly mown by the Council or its contractors

7.3.2. The grazing of road reserve frontages is permitted along Council-controlled roads within the District, except those set out above, and is subject to the conditions found in *Appendix C: Technical requirements*.

7.4. Temporary storage on road reserve

7.4.1. Generally, the Council does not permit temporary storage within the road reserve. Material may not be stored under any circumstances on roads classified as Collector, Arterial, or Strategic Roads within the rural area. See the District Plan for a list of classified roads.

7.4.2. Temporary storage may be considered on a case-by-case basis with written approval from the Council. Any temporary storage on the road reserve is subject to the conditions found in *Appendix C: Technical requirements*.

7.4.3. An unformed legal road may not be used for storage of any kind, or the long-term parking of any vehicles.

7.5. Roadside berm maintenance

This policy does not cover sealed or unsealed Council-maintained footpaths or shared paths.

7.5.1. Berms Adjacent to Council Property

The Council will maintain grass berms outside Council property including reserves,

cemeteries, community facilities (e.g., pools, halls, community centres, and libraries), gravel pits, forestry blocks, and rental housing. The mowing will be managed either directly by the Council, via committees, or in accordance with lease conditions where the Council property is leased.

7.5.2. Berms Adjacent to Private Property

- 7.5.2.1. The Council will not maintain berms or frontages of private property, except where otherwise provided for in this policy.
- 7.5.2.2. The Council expects that berms will be covered in natural turf and maintained in a clean and tidy condition by the adjoining property owner to ensure safe space for all road users and prevent erosion of roadside drains.
- 7.5.2.3. Refer to *Appendix D: Approved berm planting* for a list of natural turf species approved for planting on a berm.
- 7.5.2.4. Permanent landscaping and decoration are not permitted on or in berm areas as these areas are reserved for utility and public access only.
- 7.5.2.5. Berms along many rural Collector and Arterial Roads are mown regularly for a nominal distance off the road for traffic safety reasons. Adjoining property owners are responsible for maintaining the remainder of the berm.
- 7.5.2.6. Adjoining property owners are responsible for the removal of any noxious weeds or pest plants growing in rural berms. A list of pest plants is maintained by Environment Canterbury; for more details, see the *Canterbury Regional Pest Management Plan*.
- 7.5.2.7. The Council does not generally maintain berms that contain stormwater conveyance and treatment such as swales, drains, or overland flow paths, although within Drainage Rated Areas, the Council does maintain a limited number of designated drains located within berms. Adjoining property owners are encouraged to maintain these berms, but may apply to the Council for an exemption as per section 7.5.3.
- 7.5.2.8. Stockwater races in the berm are required to be maintained by adjoining property owners in accordance with the Council's *Stockwater Race Bylaw*.
- 7.5.2.9. The owner or occupier of any undeveloped residential zone property shall ensure that grass and other vegetation within the property boundaries is maintained in accordance with the Council's *Property Maintenance Bylaw*.

7.5.3. Exceptions for Berms Adjacent to Private Property

- 7.5.3.1. Property owners can apply in writing to the Council for an exemption to the requirement to maintain the berm adjoining their property.
- 7.5.3.2. Any requests for an exemption will be evaluated on a case-by-case basis using the following criteria:
 - Whether the berm is a stormwater conveyance and treatment area that requires mowing to ensure it operates efficiently or it meets regulatory requirements
 - The berm design and whether its maintenance can be safely carried out by the adjoining property owner (e.g., berms that are too steep to be maintained by a hand mower or line trimmer)
 - Whether the berm's maintenance could impact the safety of road network users (e.g., vehicular, pedestrian, equestrian, or cycle traffic)
 - Whether the mowable area of the roadside berm is greater than 400 m²

(urban only)

- Special circumstances may be considered on compassionate grounds.

7.5.3.3. Any exemption granted in accordance with section 7.5.3.2 will be at the Council's discretion.

7.5.4. Trees and Hedges Within Berms

7.5.4.1. This policy does not cover consented street trees and street gardens; refer to the Council *Street and Reserve Trees Policy*.

7.5.4.2. Tree and hedge planting within urban and rural road reserves is not permitted without written approval from the Council, to ensure road safety and avoid the Council incurring maintenance costs when the property changes hands.

7.5.4.3. Trees and hedges established before adoption of this policy shall be allowed to remain, provided the plantings are not considered to be a nuisance by the Council.

7.5.4.4. Plantings will be considered a nuisance by Council if they create a safety risk or interfere with road maintenance, drainage, or utility services. The Council may direct the adjoining property owner to remove nuisance trees or hedges at the expense of that owner. The Council should be consulted before removing any nuisance trees.

7.5.4.5. Where historical plantings (other than consented street trees) are allowed to remain within the road reserve, the adjoining property owner is responsible for their maintenance; refer to *Appendix C: Technical requirements* for a list of responsibilities.

7.5.4.6. The Council should be consulted before removing any exotic non-pest trees or hedges. Naturally-occurring indigenous vegetation shall not be removed or disturbed unless the Council considers it to be a nuisance. This is particularly relevant where there are features of ecological importance; refer to the District Plan for more details.

7.5.5. Overhanging trees and vegetation

Overhanging vegetation or other obstructions from property adjacent to any road reserve will be managed as per Section 355 of the Local Government Act 1974. Refer to *Appendix B: Roadway clearance* for more details.

7.5.6. New berms

7.5.6.1. Council contractors are responsible for the establishment and mowing of new grass berms that are sown as part of roadworks, footpath resurfacing, or trenching during the defects liability period. Once the maintenance period of the work has expired, berm mowing will be managed in accordance with this policy.

7.5.6.2. Developers and subdividers are responsible for the establishment and mowing of new grass berms that are sown as part of new development. Once the maintenance period of the work has expired, the berm mowing will be managed in accordance with this policy.

7.5.6.3. When new road reserve is vested with the Council through subdivision or new construction, the land will generally be fully cleared by the property owner prior to vesting. Any Protected Trees or Significant Natural Areas in the District Plan shall be protected. Other significant or notable vegetation should be evaluated on a case-by-case basis by the Council's Roading and Greenspace Units for possible retention by the Council as street trees.

The following factors will be taken into consideration as part of this evaluation:

- Impacts on traffic safety and sightlines
- Ability to realign or redesign proposed works
- Amenity and / or historic value
- Botanical and / or ecological value
- Tree health and form
- Risk of falling limbs or other potential damage to the tree arising from construction processes.

7.5.7. Construction works

- 7.5.7.1. Where existing grass berms are required to be excavated or altered as part of Council maintenance or capital works (including works by utility operators), the Council or the relevant utility operator will re-establish the grass and any Council-installed street trees, plantings, and associated irrigation. Private trees and plantings will not be reinstated. Letter boxes will be reinstated.
- 7.5.7.2. Any construction work undertaken in the berm will require written consent from the Council. Where a property owner arranges work to excavate or alter the berms as a result of works to their property or neighbouring property, the cost of reinstatement of a berm will be met by that owner.

7.6. Services in the road reserve

Any activity undertaken which involves excavation or disturbance of the ground within the road reserve requires the Council's authorisation. This includes work which has been granted a resource consent.

Permits to undertake work within the road reserve are issued in accordance with the requirements of the *National Code of Practice for Utility Operators' Access to Transport Corridors* in the form of Corridor Access Requests.

7.6.1. Location of overhead services within the road reserve

- 7.6.1.1. The preferred location for all overhead services will be as far from the road carriageway as practicable, and away from corners and intersections.
- 7.6.1.2. Road safety features which meet recognised standards (e.g., barriers) are required where overhead services cannot be located away from corners and intersections, or within 3m of the edge of the road carriageway. This distance may vary depending on the classification of the road, the size of the service, and the topography at the site.

All associated cabinets and kiosks shall be situated to avoid limiting sight distance, and shall be frangible or protected as per the *National Code of Practice for Utility Operators' Access to Transport Corridors*.

- 7.6.1.3. All new service installations and replacement or changes to existing service installations within the road reserve must have the prior approval of the Council.

7.6.2. Private services within the road reserve

- 7.6.2.1. Installation of private services within the road reserve is generally not supported except in unusual circumstances (e.g., where no alternative exists on private property) and with authorisation by the Council through a Licence to Occupy and registration of an encumbrance on the private service owner's property.
- 7.6.2.2. A private service owner will be responsible for the cost of preparing a Licence to

Occupy and encumbrance (including registration), installing the service, making good the road surface as required, maintaining the service during the term of that Licence, and relocating the service should construction of new Council infrastructure within the road reserve create a conflict.

- 7.6.2.3. As-built plans shall be provided to the Council by the service owner once installation is complete.

DRAFT

8. Vehicle crossing surfacing

8.1. Surfacing standard

8.1.1. The Council defines standard surfacing material for driveways as follows:

- Urban areas: asphaltic concrete or broomed concrete
- Rural areas (including rural residential zones) for access off sealed roads, other than access solely to paddocks: asphaltic concrete or chip seal
- Rural area unsealed roads and paddock-only access: metal / gravel

8.1.2. Prohibited materials for surfacing vehicle crossings are:

- Stamped concrete and other decorative finishes that do not provide a safe, firm, relatively smooth and comfortable walking surface, are prohibited where they would cross a footpath or be on a main pedestrian route.
- Loose surfaces that could migrate onto the adjacent footpath or roadway, or into nearby drainage channels and gutters, will not be permitted.

8.1.3. If there is a sealed footpath or shared-use path across the property frontage, then the area of path must be reinstated in the same material as the adjoining path, including markings, unless permitted otherwise by the Council.

8.1.4. The path shall be continuous across the vehicle crossing to convey priority to footpath or shared-use path users.

8.1.5. Vehicle crossings at footpaths or shared-use paths may require reinforcing or additional depth of material to accommodate the additional loads from vehicles crossing the path; refer to the Council Engineering Code of Practice for details.

8.1.6. All vehicle crossings shall be constructed and maintained in accordance with the Council's *Vehicle Crossing Bylaw*.

8.2. Non-standard vehicle crossing surfaces

Other finishes such as stamped or coloured concrete, exposed aggregate, bevelled or smooth edge cobbles, etc. are considered to be non-standard finishes and may be approved for use subject to the conditions in *Appendix C: Technical requirements*.

9. Stock underpass

9.1. Underpass standard

- 9.1.1. Refer to the New Zealand Transport Agency *Stock under control (crossing and driving) guidelines* for options to cross stock over a road.
- 9.1.2. Permission to construct a stock underpass will normally be granted by the General Manager, Utilities and Roading, who is hereby delegated that authority.
- 9.1.3. Where the General Manager, Utilities and Roading considers that the request should not be approved, and the matter cannot be resolved through negotiation with the applicant, only the Utilities and Roading Committee may refuse such permission.
- 9.1.4. In granting permission for construction of an underpass, the General Manager, Utilities and Roading shall ensure that the following conditions are imposed:
- The applicant completes a Stock Underpass Construction Agreement
 - The applicant completes a Stock Underpass Use Agreement and Subsoil Lease Agreement
 - An encumbrance is registered against the title(s) of the applicant's lot(s) recording their responsibilities under the Stock Underpass Use Agreement and Subsoil Lease Agreement.
 - The Council will financially support the construction of each stock underpass only to the extent that the work meets the New Zealand Transport Agency formula for financial support detailed in the New Zealand Transport Agency Planning and Investment Knowledge Base, as it may be amended from time to time.
 - The maximum contribution available is 25% of the total cost of the work. The actual contribution depends on the volume of traffic on the road.
 - The New Zealand Transport Agency policy requires that the funding be from the Minor Safety Improvements Programme. In the event that such funding is not available in the current financial year, the Council will make provision for that expenditure in the next financial year. In this event, should the applicant wish to proceed with the construction earlier than when the Council can provide the financial assistance, the applicant shall carry the full cost and invoice the Council for its share after the commencement of the year in which programme provision is made. Deferment of the Council's contribution shall not alter the requirement for the grantee to comply with the Competitive Pricing Procedures requirements of the Construction Agreement.
 - The General Manager, Utilities and Roading shall report to the Utilities and Roading Committee each grant of a Stock Underpass Construction Agreement that attracts Council financial support.
 - Removal of a stock underpass, in accordance with the conditions contained in the Stock Underpass Use Agreement, may be authorised by the General Manager, Utilities and Roading when requested to do so by the grantee. Alternatively, should the General Manager, Utilities and Roading recommend the closure of an underpass against the wishes of the grantee, such approval is reserved to the Utilities and Roading Committee.

9.2. Gates and cattle stops on unformed legal roads

- 9.2.1. With approval from the Council, a person may erect a fence with a suitable gate or cattle stop across an unformed legal road in accordance with s 344 or 357 of the Local Government Act 1974. A sign must be affixed to the gate indicating it is a public road.

9.2.2. The Gates and Cattlestops Order 1955 prescribes the form and construction of swing gates and cattle stops which have been authorised to be placed across roads.

DRAFT

10. Temporary traffic management

- 10.1.1. All requests to undertake an activity that varies from the normal operating condition of the legal road, whether it is on a carriageway, footpath, or adjacent to the road, shall include a Traffic Management Plan (TMP). TMPs are also needed for activities outside the legal road, which will affect the normal operating conditions of the road.
- 10.1.2. Activities such as the ones listed below are all situations that are likely to require a TMP to undertake the activity (this is not an exhaustive list):
- Road construction or maintenance activities
 - Construction or maintenance of assets within the road corridor
 - Construction of vehicle crossings
 - Concrete pours where the concrete pump or concrete truck will affect legal road, including a footpath or carriageway
 - Scaffolding installation on or near the footpath
 - Crane or lifting work that requires safety zones to close a traffic lane, footpath or grass berm
 - Multiple deliveries to a site causing congestion on adjacent roadway
 - Tree felling and vegetation maintenance works that require exclusion zones which extend into the legal road or are undertaken from the roadside
 - Community or sporting events that impact the normal operating condition of the legal road.
- 10.1.3. Prior to any such activities starting, a TMP complying with the New Zealand Transport Agency Code of Practice for Temporary Traffic Management (CoPTTM) or relevant temporary traffic management guidance document must be submitted to the Council, and approved by a Traffic Management Coordinator (TMC).
- 10.1.4. Where these requirements are not met, or where activities are deemed to be dangerous or not installed as per an accepted TMP, the Council will require all activity varying the normal operating condition of the road to stop and the area made safe.
- 10.1.5. If the area is not made safe as per CoPTTM or other adopted guidance, Worksafe New Zealand will be notified. The Health & Safety at Work Act 2015 requires Persons Conducting a Business or Undertaking must, so far as is reasonably practicable, provide and maintain an environment that is without health and safety risks.

11. Responsibilities

This policy will be implemented by the Roding and Transport Unit of the Council. All-cost sharing agreements under the policy must be approved by the Roding and Transport Manager with additional approvals required as specified in section 5.1.3.2 of this policy.

12. Definitions

Berm (also Verge) – grassed, soiled, or metalled area between the carriageway and the property boundary.

Council – the Waimakariri District Council and includes any person, authorised by the Council to act on its behalf.

District Plan – the Council's District Plan and includes any amendments and replacements.

Fencing – a barrier or partition enclosing an area to prevent or control access.

Indigenous Vegetation – a plant community, of a species indigenous to that part of New Zealand, containing throughout its growth the complement of native species and habitats normally associated with that vegetation type or having the potential to develop these characteristics.

Licence to Occupy – a licence which provides permission to use land for an agreed purpose. A licence does not confer a right to exclusive possession of the land.

Permanent Landscaping – an area that has been laid out and maintained with plants, including associated structures.

Road – has the same meaning as in section 315 of the Local Government Act 1974; and includes a motorway as defined in section 2(1) of the Government Roding Powers Act 1989.

Road Reserve (also Road Corridor) – land held by the Council or the New Zealand Transport Agency or any other party as road reserve containing a formed road.

Rural Area – an area zoned rural in the District Plan.

Significant Natural Area – an area of significant indigenous vegetation and/or significant habitat of indigenous fauna that meets one or more of the ecological significance criteria listed in the District Plan.

Street Trees – trees permitted, planted, and maintained by the Council Greenspace Unit within road reserve.

Unformed Legal Road (also Paper Road) – land that has been legally established as a public road prior to 1996 but which is not formed or maintained by the Council or the New Zealand Transport Agency as a public road.

Urban Area – an area of land that is, or is intended to be, predominantly urban in character and part of a housing and labour market of at least 10,000 people. Refer to the District Plan for a list of urban areas in the Waimakariri District.

Vehicle Crossing – the area within public road or other public land from a road carriageway to a property boundary intended for use by vehicles accessing the property.

13. Relevant documents and legislation

- Building Act 2004 and Building Regulations (stock underpasses)
- Canterbury Regional Pest Management Plan

- Government Policy Statement on Transport
- Government Roding Powers Act 1989
 - s.55 to 57 (removal of trees, hedges, etc.)
- Land Transport Act 1998
 - s.22AB (making certain bylaws)
- Land Transport Management Act
- Local Government Act 2002
 - s.175 Power to recover for damage by wilful or negligent behaviour (berm management)
- Local Government Act 1974
 - part 21 (managing unformed roads)
 - s.317 (private funding of seal extension)
 - s.319 (formation of paper roads)
 - s.353 (fencing and grazing of roadsides – general road safety provisions)
 - s.355 (control of vegetation on road berm)
- National Code of Practice for Utility Operators' Access to Transport Corridors
- NZTA Bridge Manual
- NZTA Code of Practice for Temporary Traffic Management
- NZTA New Zealand Guide to Temporary Traffic Management
- NZTA Planning and Investment Knowledge Base
- Property Law Act 2007
 - S.332 to 338 (trees and unauthorised improvements on neighbouring land)
- Public Works Act 1981
 - s.116 (stopping roads)
- Street and Reserve Trees Policy
- Transport Act 1962
 - s.72 (making certain bylaws)
- Vehicle Crossing Bylaw 2007
- Vehicle Crossing Information Pack (QP-C289)
- Waimakariri District Council QS-K401: Information regarding installation of stock underpasses
- Walking Access Act 2008

14. Questions

Any questions regarding this policy should be directed to the General Manager, Utilities and Roding in the first instance.

15. Effective date

Date Month 2023

16. Review date

Date Month 2029

17. Policy owned by

General Manager, Utilities and Roding

18. Approval

Adopted by Waimakariri District Council on Date Month 2023

DRAFT

Appendix A: Grazing-restricted roads

Local Roads	
Loburn Whiterock Road (Hodgsons Road to Chapel Road)	
Collector Roads	
Ashley Gorge Road	<div style="border: 1px solid black; padding: 5px; width: fit-content;"> <p>Highlighted road sections have been added to list in existing Grazing Policy</p> </div>
Beach Road	
Birch Hill Road	
Boys Road	
Carrs Road	
Fernside Road	
Fishers Road	
Gressons Road	
Harleston Road	
High Street (Oxford)	
Hodgsons Road	
Island Road (Ohoka Road to Tram Road)	
Johns Road	
Lower Sefton Road (Toppings Road to Wyllies Road)	
Marshmans Road	
Mill Road (Ohoka)	
Plaskett Road (Oxford Road to Ashworths Road)	
Rangiora-Woodend Road (Gressons Road to SH1)	
River Road (Rangiora)	
South Eyre Road (diversion bridge to Tram Road)	
South Eyre Road (Depot Road to Tram Road)	
Swannanoa Road	
Threlkelds Road	
Toppings Road (Lower Sefton Road to Upper Sefton Road)	
Two Chain Road (Swannanoa Road to South Eyre Road)	
Waikuku Beach Road	
Wyllies Road	
Arterial Roads	
Cones Road (Fawcetts Road to Dixons Road)	
Dixons Road (Loburn)	
Fawcetts Road	
Flaxton Road	
Kippenberger Avenue	
Loburn Whiterock Road (Dixons Road to Chapel Road)	
Main North Road (Kaiapoi)	
Ohoka Road (SH1 to Skewbridge Road)	
Rangiora-Woodend Road (Kippenberger Avenue to Gressons Road)	
Skewbridge Road	
Tram Road	

Williams Street
Strategic Roads
Ashley Street Cones Road (Milton Avenue to Fawcetts Road) Cust Road Depot Road Milton Avenue Oxford Road Upper Sefton Road

DRAFT

Appendix B: Roadway clearance

DRAFT

Clearance Envelope Required:
All vegetation in line with fence or back of path, and 2.5m above footpath

HEDGEROW CLEARANCE AT FOOTPATHS

NOTES

- PROTECTED OR SIGNIFICANT VEGETATION REQUIRES SITE SPECIFIC ASSESSMENT.
- VEGETATION CLEARANCE FOR SIGHT DISTANCE SHALL ALSO MEET THE FOLLOWING STANDARDS:
 - VEHICLE CROSSINGS & ROWs: DISTRICT PLAN FIG. 30.3 & 30.4
 - RAILWAY CROSSINGS: DISTRICT PLAN FIG. 30.13
 - INTERSECTIONS: SEE TABLE BELOW
- CONSULT WITH COUNCIL REGARDING VEGETATION CLEARANCES REQUIRED OVER STOCKWATER RACES OR DESIGNATED COUNCIL-MAINTAINED DRAINS.

Clearance Envelope Required:
2.5m above footpath and berm

OVERHEAD VEGETATION CLEARANCE AT FOOTPATHS

Clearance Envelope Required:
5.0m above crown of road

VEGETATION CLEARANCE FROM EDGE OF ROADWAY

MINIMUM INTERSECTION SIGHT DISTANCES

Side Road Speed	ASD (m)	Main Road Speed	SISD (m)
40	40	40	73
50	55	50	97
60	73	60	123
70	92	70	151
80	114	80	181
90	151	90	228
100	179	100	282

Consult with Council if intersection sight distances cannot be achieved.

INTERSECTION SIGHT DISTANCE DIAGRAM

	ROAD RESERVE MANAGEMENT POLICY - DRAFT	ROADWAY CLEARANCE	SCALE (A4) NTS	DATE 03/05/2023
			DRAWING 4119	
			SHEET 1	REVISION A

Appendix C: Technical requirements

Seal Extension Requirements

The width of the seal is to be approved by the General Manager, Utilities and Roading in accordance with the Engineering Code of Practice and the District Plan.

Normally this will be 6.0m; however, this may be altered when the nature of the road and its traffic density indicate another width is more appropriate. The absolute minimum width in any circumstance is 4.0m.

All private seal extensions shall have a two-coat wet-coat chip seal surface to ensure that future maintenance costs are able to be shared with the Crown.

Nominal minimum length of seal extension is 100m. The actual length to be sealed is to be approved by the General Manager, Utilities and Roading who will agree an appropriate end-point, having consideration for the road alignment.

The gap to the nearest section of seal is not to be less than 400m providing:

- That the “minimum gap” requirements shall only be enforced at the end of the seal-extension closest to the adjacent sealed surface; and
- Any gap less than that detailed above is to be sealed in accordance with Section 5.1.3.1.

Unformed Legal Road Occupation Requirements

Any requests to occupy an unformed legal road are subject to the following requirements:

- Public access along the road must not be obstructed. A minimum traversable width of 4m must be maintained at all times.
- Temporary fencing may be installed within an unformed legal road for purposes of stock control but must still allow public access. Permanent fencing may be installed across an unformed legal road at public boundaries but must include an unlocked gate or other means of public passage, where agreed with the Council.
- Occupiers are responsible for maintaining the surface of the unformed legal road to the same or better condition than prior to the occupation commencing. Damage caused to existing infrastructure or fencing through the occupation of the unformed legal road is the responsibility of the occupier to remedy at their cost.
- Occupiers are responsible for controlling all noxious pests and weeds, including as required under the Canterbury Regional Council Pest Management Plan
- Livestock that presents a hazard to the public (e.g., bulls) shall not be permitted to occupy or graze unformed legal roads and must be fenced if grazing or occupying adjoining land.
- ‘Private Property,’ ‘Keep Out’ signs, or similar are only allowed on private buildings and must not be posted in such a way that they are seen as applying to the unformed legal road itself.
- Generally, new structures, permanent landscaping, or planting of trees will not be permitted by the Council within unformed legal roads.
- A Licence to Occupy does not negate any requirement for building or resource consents and the Licence holder is responsible for obtaining all other relevant approvals.

Road Reserve Grazing Requirements

The grazing of road reserve frontages subject to the following requirements:

- The period of grazing shall be 14 days or less at any one time.
- Stock owners, or their agents, shall not graze the frontage of a third party's property without the permission of that property owner. It is advisable that the stock owner obtains this permission in writing (this does not apply to driven stock)
- Grazed stock shall be fenced so that they cannot stray onto the carriageway. The fence should be clearly visible.
- The fence shall consist of temporary electric fencing to be secured by electric fence standards – i.e., fiberglass, plastic, or light metal standards. The use of waratahs, posts and other more substantial type fencing is not allowed on berms.
- Fences shall comply with the requirements of the Electricity Act 1992 and the Electricity Regulations 1993
- Suitable labels shall be used to notify the public that the fence is live.
- The fence shall be completely clear of the carriageway and road shoulder.
- Horses shall only be grazed upon road reserves when accompanied by a person and fastened to a lead rope.
- All grazing shall be in accordance with the Animal Welfare Regulations 2018
- Livestock that presents a hazard to the public (e.g., bulls) shall not be permitted to occupy or graze formed or unformed legal roads and must be fenced if grazing or occupying adjoining land.
- Where road reserve is used for grazing the adjoining landowner is responsible for sowing and maintaining a grass surface appropriate for both the stock and the public's use of the road.

Road Reserve Temporary Storage Requirements

Temporary storage on the road reserve is subject to the following requirements:

- Written approval must be granted prior to any storage on the road reserve.
- Appropriate temporary traffic management may be required by the Council.
- Materials shall be located a minimum of 5m away from the edge of rural road carriageways.
- Materials storage and access must not cause damage to roading assets, including pavement, berms, kerbs, drainage, and edge marker posts.
- Material may not be stored in a location that obstructs a vehicle crossing, footpath, cycle facility, drainage facility or race, or sight distance, or otherwise impacts road corridor user safety.

Berm Trees and Hedges Requirements

Where permitted or historical plantings are allowed to remain within the road reserve, the adjoining property owner is responsible for the following requirements:

- Removing plantings within the road reserve which impede visibility along the road, at intersections, property access ways, road corners, and signs
- Removing plantings within the road reserve which cause shading of the roadway to the extent that there are significant and identified risks to road users related to mobility and road safety
- Removing overhanging branches or fallen trees which obstruct pedestrians, cyclists, and vehicles, and all tree trimmings and tree debris from the roadside
- Paying costs associated with repairing or reinstating services or damage to the road as a

result of the plantings

- Carrying out any tree maintenance required to avoid services or overhead utilities
- Ensuring that roadside drains are kept clear of tree roots, tree trimmings, and tree debris
- Removing any noxious weeds and pest plants (e.g., gorse and broom).

Vehicle Crossing Non-Standard Finish Requirements

Non-standard finishes may be approved for use on vehicle crossings subject to the following requirements:

- That in the event of an excavation across their frontage it is unlikely that a non-standard surface will be restored to its original appearance.
- That a minimum of 3-100ø ducts to be provided across the full width of the proposed driveway with the information being recorded on the Property Information File and GIS records to enable services to be laid under the driveways without the need for excavating the driveways unless specifically otherwise required
- That the property owner accepts full responsibility for repair and maintenance of the portion of the driveway that is located on road reserve
- That should a footpath ever be built across the frontage of their property the portion of the non-standard driveway that would form part of the path may be replaced with a standard surface.

Appendix D: Approved berm planting

The following species are considered suitable for planting on berms:

- Perennial dwarf ryegrass
- *Dichondra repens*
- *Selliera radicans*
- *Acaena inemis*
- *Pratia angulata*
- *Leptinella* sp.

DRAFT

Survey Responses

21 February 2020 - 10 September 2023

Road Reserve Management Policy Survey

Let's Talk Waimakariri

Project: Road Reserve Management



VISITORS					
14					
CONTRIBUTORS			RESPONSES		
1			1		
1	0	0	1	0	0
Registered	Unverified	Anonymous	Registered	Unverified	Anonymous

Project Report

21 February 2020 - 10 September 2023

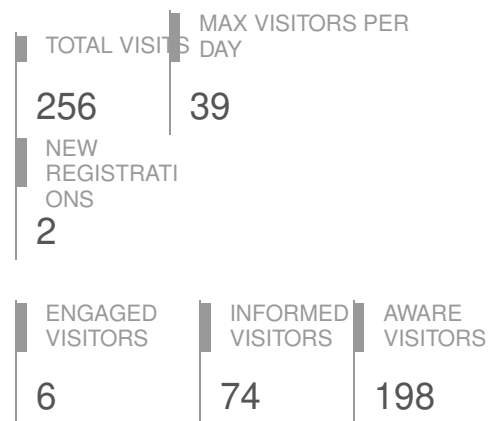
Let's Talk Waimakariri Road Reserve Management



Visitors Summary



Highlights



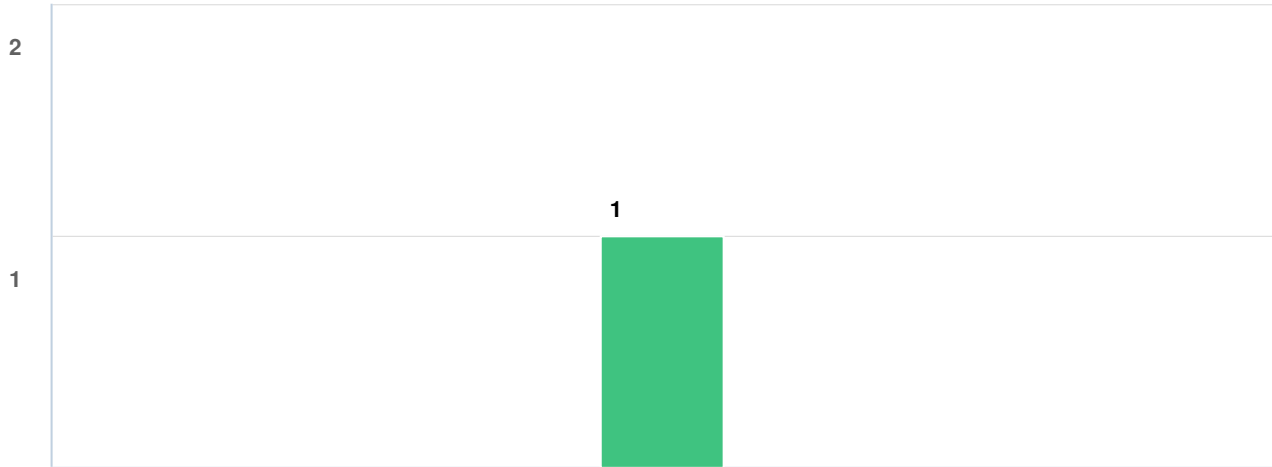
Aware Participants	198	Engaged Participants	6		
Aware Actions Performed	Participants	Engaged Actions Performed	Registered	Unverified	Anonymous
Visited a Project or Tool Page	198	Contributed on Forums	0	0	0
Informed Participants	74	Participated in Surveys	1	0	0
Informed Actions Performed	Participants	Contributed to Newsfeeds	0	0	0
Viewed a video	0	Participated in Quick Polls	3	2	0
Viewed a photo	0	Posted on Guestbooks	0	0	0
Downloaded a document	53	Contributed to Stories	0	0	0
Visited the Key Dates page	0	Asked Questions	0	0	0
Visited an FAQ list Page	0	Placed Pins on Places	0	0	0
Visited Instagram Page	0	Contributed to Ideas	0	0	0
Visited Multiple Project Pages	59				
Contributed to a tool (engaged)	6				

ENGAGEMENT TOOL: SURVEY TOOL

Road Reserve Management Policy Survey

Visitors 14	Contributors 1	CONTRIBUTIONS 1
--------------------	-----------------------	------------------------

Do you agree with the broad purpose, scope and objectives of the draft Policy?



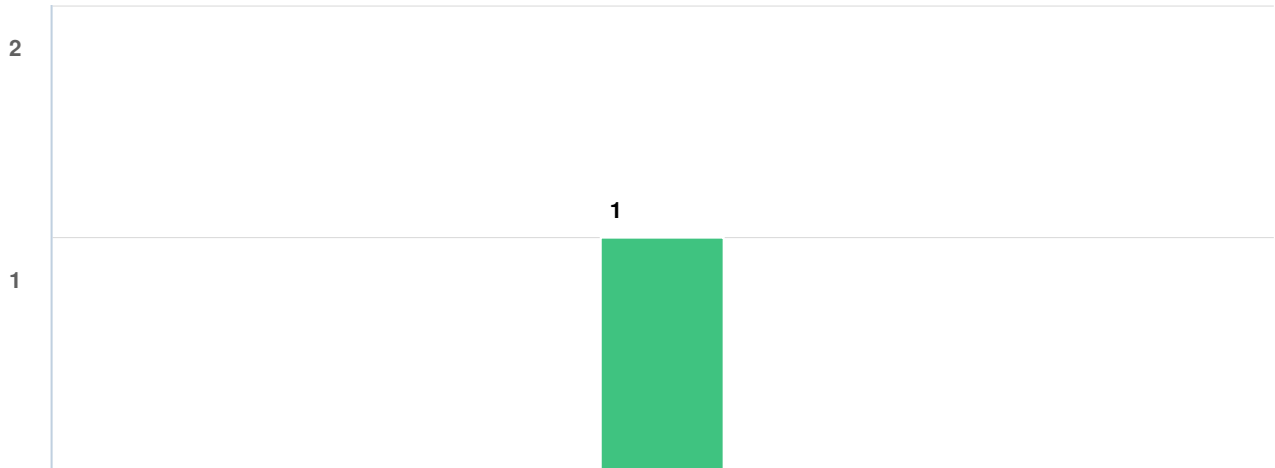
Question options

- Yes

Optional question (1 response(s), 0 skipped)

Question type: Checkbox Question

Do you agree with the sealed road section of the draft Policy?



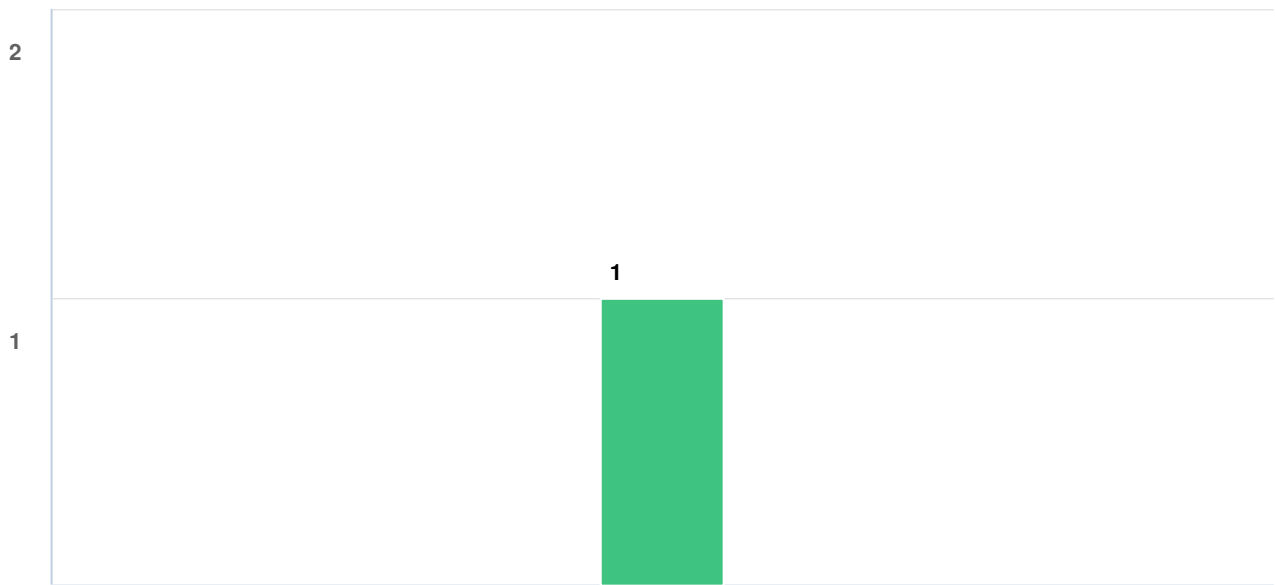
Question options

- No

Optional question (1 response(s), 0 skipped)

Question type: Checkbox Question

Do you agree with the proposed management of paper roads?



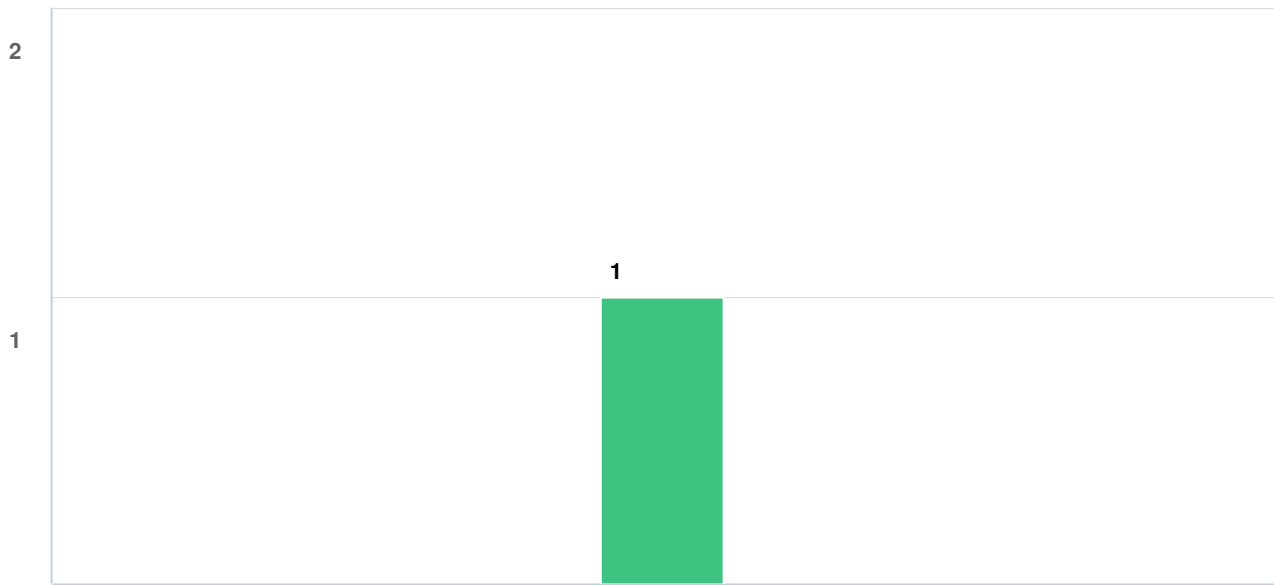
Question options

- Yes

Optional question (1 response(s), 0 skipped)

Question type: Checkbox Question

Do you agree with the limitations on temporary storage allowed on road reserve?



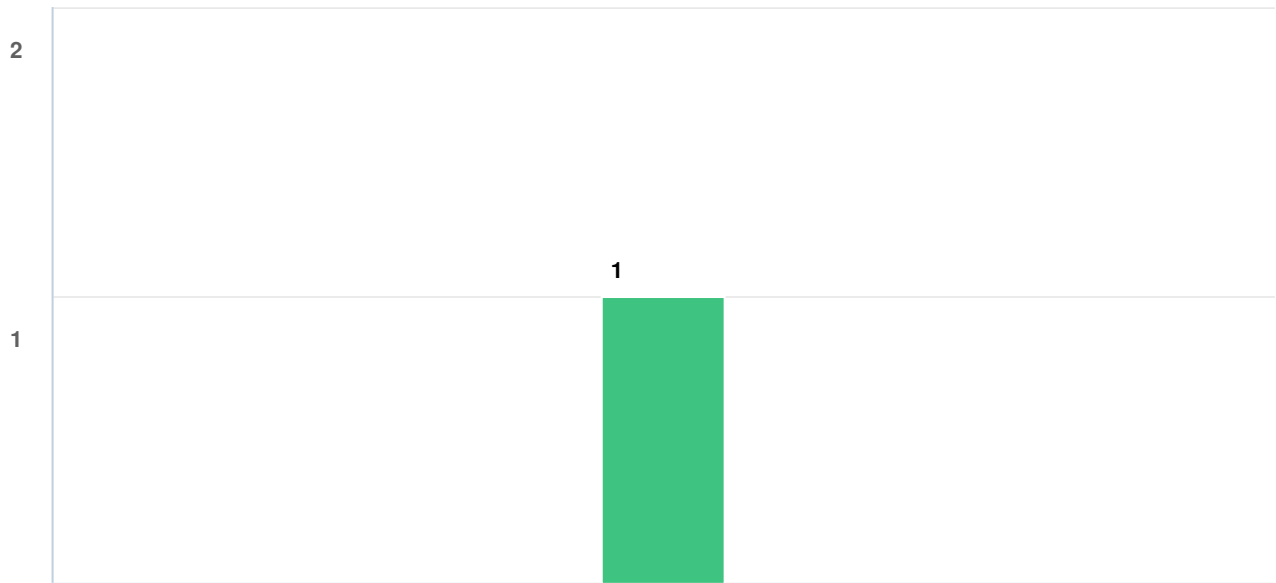
Question options

- Yes

Optional question (1 response(s), 0 skipped)

Question type: Checkbox Question

Do you agree with formalising the current practice of berm maintenance (adjacent residents are responsible)?



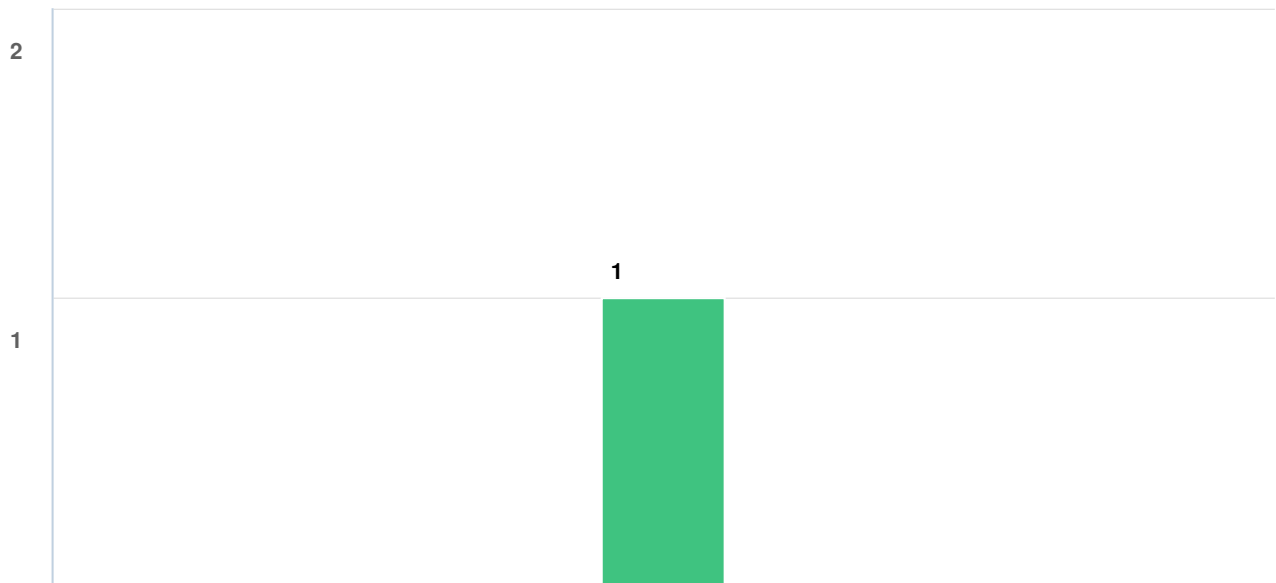
Question options

- No

Optional question (1 response(s), 0 skipped)

Question type: Checkbox Question

Do you agree with the list of proposed permitted berm plantings in Appendix D?



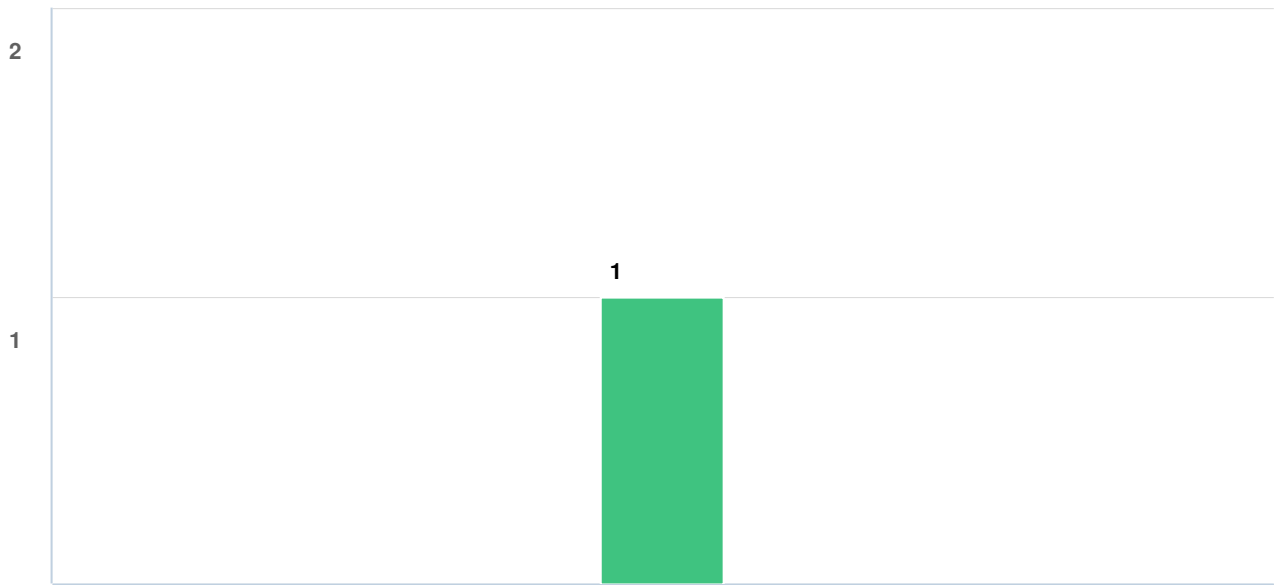
Question options

- No

Optional question (1 response(s), 0 skipped)

Question type: Checkbox Question

Do you agree with the process for the Council to take on selected berm maintenance?



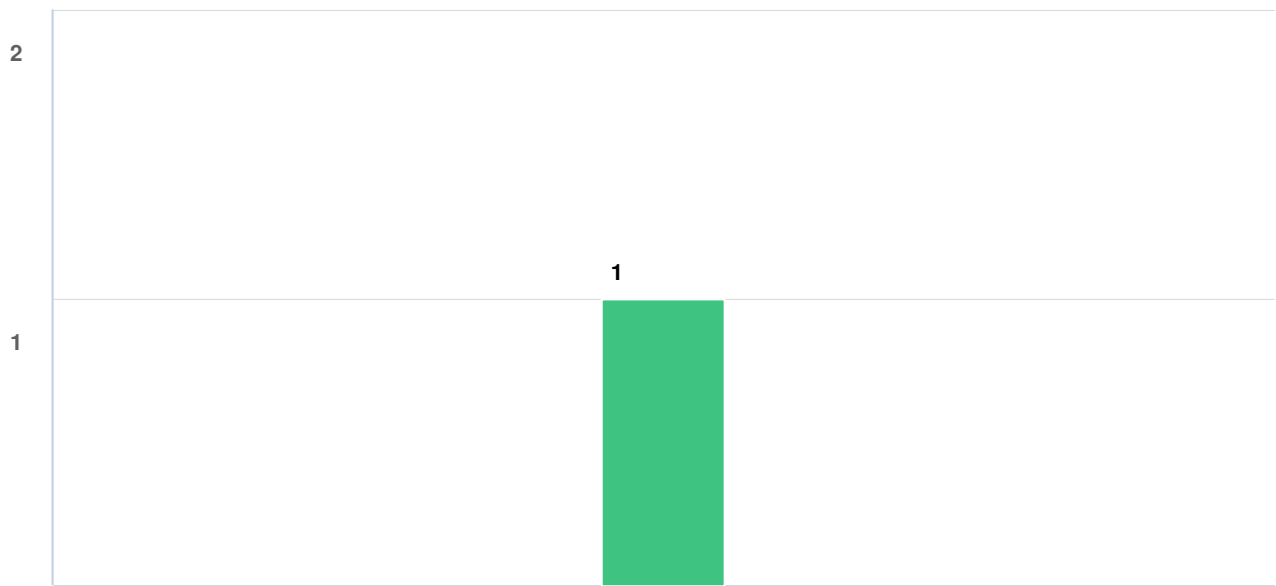
Question options

- Yes

Optional question (1 response(s), 0 skipped)

Question type: Checkbox Question

Do you wish to be speak to the Hearings Panel about you submission?



Question options

- No

Optional question (1 response(s), 0 skipped)

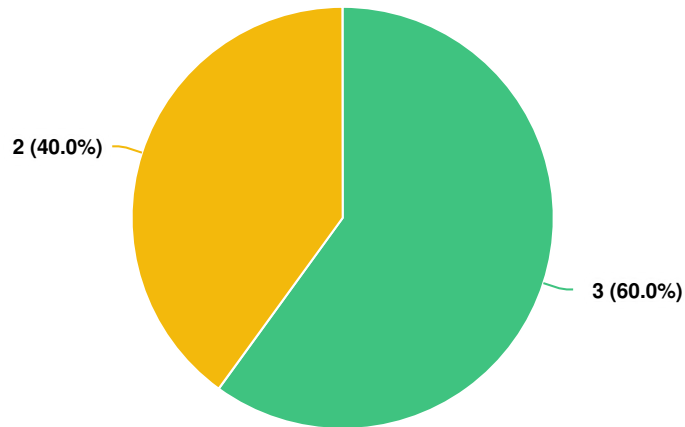
Question type: Checkbox Question

ENGAGEMENT TOOL: QUICK POLL

Do you support changes in the draft Policy?

Visitors 5	Contributors 5	CONTRIBUTIONS 5
-------------------	-----------------------	------------------------

Do you support changes in the draft Policy?



Question options

- Yes
- No

Mandatory Question (5 response(s))

Question type: Radio Button Question



Respondent No: 1

Login: [REDACTED]

Email: [REDACTED]

Responded At: Aug 08, 2023 17:12:22 pm

Last Seen: Sep 02, 2023 04:41:10 am

IP Address: [REDACTED]

Q1. **Do you agree with the broad purpose, scope and objectives of the draft Policy?** Yes

Q2. **Any other comments?**

not answered

Q3. **Do you agree with the sealed road section of the draft Policy?** No

Q4. **Any other comments?**

You have failed to recognise safety along dust mitigation and simply made it about money or specifically when the government contributes.

Q5. **Do you agree with the proposed management of paper roads?** Yes

Q6. **Any other comments?**

not answered

Q7. **Do you agree with the limitations on temporary storage allowed on road reserve?** Yes

Q8. **Any other comments?**

not answered

Q9. **Do you agree with formalising the current practice of berm maintenance (adjacent residents are responsible)?** No

Q10. **Any other comments?**

The berm is council property. WIL do not consider the landowner when they clear the stock water race and just dump it onto the berm. Same as the clearance of a diverted natural watercourse on North Eyre Rd. Why should the landowner wreck their equipment looking after the council land.

Q11. **Do you agree with the list of proposed permitted berm plantings in Appendix D?** No

Q12. **Any other comments?**

7.5.5 Overhanging Trees. Not once has the council made any effort to remove the trees overhanging into the diverted natural watercourse on the north side of North Eyre east of Browns Rd.

Q13. **Do you agree with the process for the Council to take on selected berm maintenance?** Yes

Q14. Any other comments?

Council has been remiss for many years on clearing of swales and other natural drainage. This has resulted in property damage and ratepayers inconvenienced when it was preventable.

Q15. Please let us know if you have any other general feedback or comments?

WDC seems to have an ECP which is " for developers to follow" but fails to lead by example. How can you expect ratepayers to adhere to the guidelines and rules, when the council and it's contractors fail. There are multiple occasions when prevention would save the ratepayers money but is missed.

Q16. Do you wish to be speak to the Hearings Panel about you submission? No

Q17. If you answered yes to the above please provide your name: not answered

Q18. Email Address: not answered

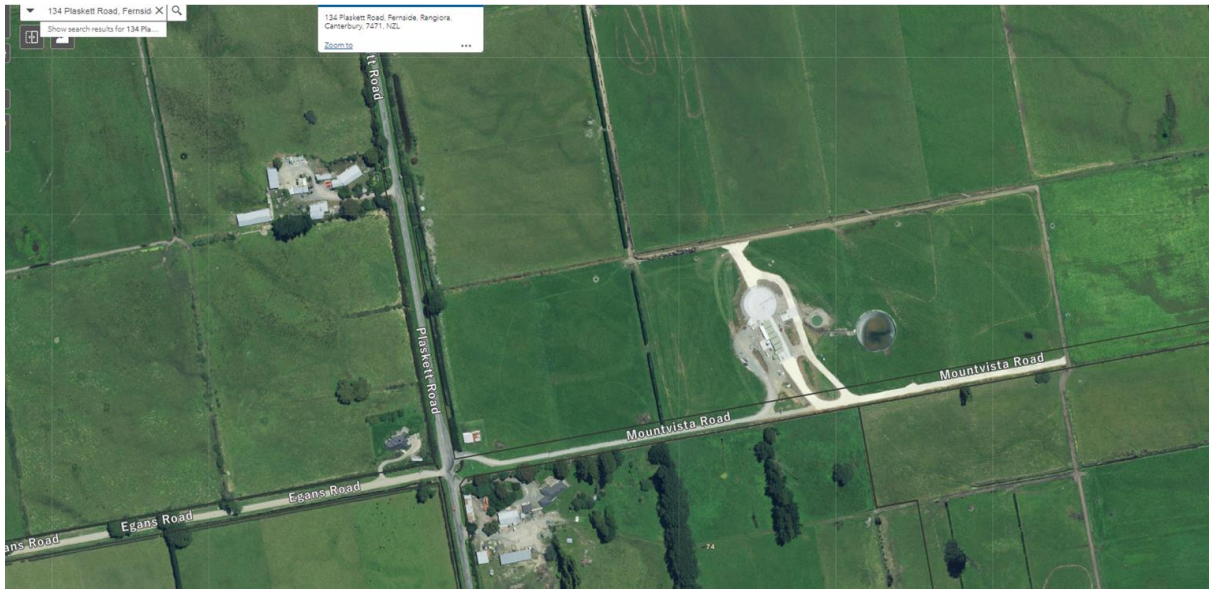
Q19. Phone number: not answered

Submission on Road Reserve Management Policy-Pineleigh Farm Limited 256 Hicklands Road

Background:

I David Leslie and Maria Henriette Ashby dairy farmers of Rangiora state:

1. We are dairy farmers at 134/148 Plasketts Road Rangiora.



2. Mountvista(Eigans Road) is a paper road that runs through the middle of our property. We have used part of the paper road as the tanker track to our dairy shed . The entry off Plasketts Road is on our own land as there is a power pole and water race preventing access through the paper road.
3. I have concerns regarding the draft policy(6.3.1-6.3.5) We have been here since 1992 and during that time the paper road has been mainly paddock and undeveloped. In recent years a subdivision has been carried out off Easterbrook Road and the name of the road was changed to Mountvista Road and developed to our boundary. As an adjoining landholder we were not consulted.(just like this process) Land use has changed also with the neighbouring 40ha dairy farm now 4ha blocks with houses being built close to our effluent spreading area and shed.
4. We feel that a clause giving long standing farmers some form of existing use right would be appropriate.(or guarantee us a License to Occupy) We milk 600 cows ,contribute to the local economy employ 3 fulltime staff and 2 casuals. and use local contractors. This policy puts our business at risk.
5. Two main issues concern us including:

1 Public access is a license to give the public the back door keys to your business. It promotes crime and is possibly a health and safety issues. Down Hicklands Road we have issues with Boy racers already.

2 A disgruntled neighbour could make it very difficult for us under this draft policy.

6. We wish to be heard in support of our submission.



Federated Farmers of New Zealand

Feedback to Waimakariri District Council on: Road Reserve Management Policy

8 September 2023



0800
327
646 | FED
FARM
.ORG.NZ

FEEDBACK ON: ROAD RESERVE MANAGEMENT POLICY

To: Waimakariri District Council

Name of submitter: North Canterbury Federated Farmers

Contact person: Rachel Thomas
Senior Policy Advisor - Regional

Address for service: Federated Farmers of New Zealand
P.O. Box 20448
Bishopdale
Christchurch 8543

Phone: 0800 327 646
Mobile: 021 087 36912
Email: rthomas@fedfarm.org.nz

.

Introduction

- 1 Federated Farmers thanks Waimakariri District Council for the opportunity to give feedback on the Road Reserve Management Policy.
- 2 Federated Farmers of New Zealand is a voluntary, primary sector organisation that represents farming and other rural businesses. Federated Farmers has a long and proud history of representing the needs and interests of New Zealand farmers and their communities.
- 3 Federated Farmers aims to add value to its members' farming businesses by ensuring that New Zealand provides an economic and social environment within which:
 - Our members may operate their businesses in a fair and flexible commercial environment;
 - Our members' families and their staff have access to services essential to the needs of the rural community; and
 - Our members adopt responsible management and environmental practices.
- 4 The economic importance of the agricultural sector to New Zealand's economy is well recognised. Its direct and indirect contribution to New Zealand's economy is about 15%. Land-based primary sector exports comprise over 70% of New Zealand's total exports. Any legislation or regulation which affects farm businesses has the potential to also impact, positively or negatively, on district, regional and national economies and social structure.
- 5 This submission was developed in consultation with the members and policy staff of Federated Farmers. It is important that this submission is not viewed as a single submission, but as a collective one, that represents the opinions and views of our members.

Road reserve grazing requirements

- 6 The ability to graze road reserves benefits farmers as grazing assists with maintaining overgrowth in these areas.
- 7 The Policy stipulates a period of road reserve grazing to be no more than 14 days at any one time. In the majority of situations, we agree this is appropriate, however there may be situations where grazing includes only a small number of stock. In these cases, grazing may be acceptable for a period of longer than 14 days. For example, a lifestyle block owner with less than ten sheep may be able to graze these sheep for a longer timeframe. Likewise a singular animal, such as a goat, may also be able to graze for longer than 14 days.
- 8 We suggest the Policy is updated to state: *The period of grazing shall be 14 days or less at any one time unless there are ten or less animals grazing.* Alternatively, this statement could be removed in entirety.
- 9 The use of waratahs is not allowed for use in berms under the policy. Waratahs provide a more stable type of fencing than other temporary fences and therefore are more useful to ensure

stock do not get out when grazing the road reserve. However, we do acknowledge a potential safety concern with their use. We suggest the policy is updated to permit waratahs provided they are marked or painted with a bright colour to ensure they are easily visible.

- 10 The Policy requires 'suitable labels' to notify the public of live fences. This is appropriate in areas of high foot traffic (such as urban fringes) but is less relevant in rural areas.

New grazing restricted areas

- 11 We are concerned that the new 'grazing restricted areas' proposed in the policy are overly restrictive. Many farmers benefit from being able to graze stock in the road reserve, and removing this ability may disrupt their farming operations.
- 12 We suggest the Council do not proceed with restricting grazing on any roads until targeted landowner consultation has been carried out. We have been advised that no consultation has taken place in the development of this policy to date.
- 13 From our analysis, we note there are approximately 1,440 rural properties impacted which includes 261 farms larger than 20ha.
- 14 We have included a map (Appendix 1) which shows the extent of the new proposed restrictions. The map shows many areas of the district would be grazing restricted under the new policy. We have included 'floating' properties here which are properties that are not next to an affected road but the owner of which has a property nearby that has been affected. An argument could be made that they are also affected due to stock movement and run-off properties.
- 15 Having discussed our map with a Council officer, there may be some properties included in the map which are excluded from the policy due to these being urban. From our discussions, it is apparent that the policy would benefit from the inclusion of a map to clearly distinguish where grazing is restricted.

Unsealed roads

- 16 Unsealed roads are an issue for many of our members due to dust, mud, run-off and potholes. Council needs to be doing more for rural road users, including sealing and rebuilding the base of over graded roads.
- 17 Three situations are details in the policy where the Council will seal unsealed rural roads: (1) where co-funding by Waka Kotahi is provided, (2) where a 30% financial contribution is provided from an affected subdivision, and (3) when privately funded. These criteria are limiting and do not provide the Council with discretion to elevate priority roads which may result from complaints being received. It is suggested that a fourth criterion is added: *(4) when high traffic volume, dust exposure and/or safety reasons warrant sealing of the road, in the opinion of the Council.*
- 18 The contribution rural ratepayers make to the Council's rating income is significant. Therefore, the cost of sealing rural roads should be at the Council's expense.

- 19 Under the Policy, private funding for seal extension is considered when the adjoining property owner(s) contributes 50% of the cost. However, it would be more appropriate to request 30-40% of the cost of sealing. It is not only the private property owners who benefit from sealing rural public roads. The safety benefits of sealing a road are experienced by all members of the community. Roads are a public good therefore the cost of sealing should fall primarily to the Council.

Unformed legal roads

- 20 The Walking Access Commission¹ states that councils have no express statutory powers to grant a lease or licence over part of a road for private benefit. Yet Council's Policy states: *Approved requests for occupation will be formalised through a Licence to Occupy.* We suggest the Council remove this requirement.
- 21 We are aware that at times our members utilise some or parts of paper roads, i.e. for stock movement. The use of these roads is vital for their business operation, for example when accessing a dairy shed. The process of having to apply for a licence to occupy a paper road is overly onerous. The policy does not detail when a licence to occupy would be granted or withheld and we imagine this will cause a lot of stress for farmers in this situation. There may also be implications for those selling farms whose businesses rely on the use of paper roads. The Council should remove this requirement from the policy.

Stock underpass

- 22 Many farmers have a need to move stock both across roads, and along road corridors. Many farms are now comprised of different holdings, which may be across the road from each other. For example, a farm may consist of paddocks on the opposite side of the road to a milking shed. The ability to freely and safely move stock is therefore important to our members.
- 23 Stock underpasses allow for increased road safety and savings on road maintenance. The Policy delegated discretion for stock underpass approval to the General Manager, Utilities and Roding. We agree with this delegation but request the Policy include a statement: *Approval for a stock underpass will not be unreasonably withheld.*

Temporary traffic management

- 24 While not the likely intention of the Council, we note that the temporary traffic management section (section 10) does not disclose whether a Traffic Management Plan is required for stock movement.
- 25 As per the Council's Stock Movement Bylaw 2020, stock droving is permitted (provided conditions are met). For clarity purposes, we therefore recommend the Policy includes a statement to this effect.

¹ Walking Access Commission. (2021). Guidelines for the Management of Unformed Legal Roads. Available online: [2021_Dec_GMULR_final_Draft_rev02\(002\).pdf](#)

Conclusion

NCFF thanks Waimakariri District Council for the opportunity to present feedback. NCFF wishes to speak in support of its submission.

A handwritten signature in black ink, appearing to read 'Karl Dean', with a horizontal line extending to the right.

Karl Dean
North Canterbury Provincial President

Appendix 1 – Map of impacted properties in the Waimakariri District in relation to grazing restrictions



SUBMISSION ON DRAFT ROAD RESERVE MANAGEMENT POLICY

Contact: Geoff Holgate, Kaitohutohu ā-Rohe, Regional Field Advisor,
Herenga ā Nuku Aotearoa, the Outdoor Access Commission

Email: geoff.holgate@herengaanuku.govt.nz

Phone: 021 190 1984

Herenga ā Nuku Aotearoa, the Outdoor Access Commission

Herenga ā Nuku Aotearoa, the Outdoor Access Commission, is the Crown agent responsible for providing leadership on outdoor access issues. Our role is to advise on — and advocate for — free, certain, enduring, and practical access to the outdoors.

We administer a national strategy on outdoor access, including tracks and trails. We map public outdoor access, provide information to the public, oversee a code of responsible conduct in the outdoors, help resolve access issues and negotiate new access.

Within our work, a large portion of cases we manage relate to the provision, management and use of unformed legal roads as a key public resource providing connectivity for recreation and active transport.

Draft Road Reserve Management Policy

Herenga ā Nuku commends the Council on producing this draft policy and are supportive of Council's intent. We wish to make the following comments, generally with reference to specific sections relevant to public access.

Title of policy

The title of the draft policy does not adequately reflect the contents of the draft policy.

Road Reserve (also Road Corridor) is defined in the document as land held by the Council or the New Zealand Transport Agency or any other party as road reserve containing a formed road; Berm (also Verge) is defined as grassed, soiled, or metalled area between the carriageway and the property boundary; and Unformed Legal Road (also Paper Road) is land that has been legally established as a public road prior to 1996 but which is not formed or maintained by the Council or the New Zealand Transport Agency as a public road. The draft policy applies to all three of these areas.

We believe that the term 'road reserve', while in common use within councils, is confusing to the general public, and is inaccurate. There is no 'reserve' associated with a road, there is simply a road parcel or corridor. The road corridor may include a formed road, and a berm, and if there is no formed road, it is an unformed legal road.

Recommendation 1: That the term 'road corridor' be substituted for the term 'road reserve', throughout the document. The title of the Policy would therefore be "Road Corridor Management Policy".

1. Introduction

An expanded Introduction could clarify what aspects of the road corridor are being considered.

Recommendation 2: That the introduction be expanded as follows;

“This policy sets out the Waimakariri District Council’s (the Council) approach to managing activities within the road ~~corridor~~reserve. It addresses uses and management requirements on berms and unformed legal roads~~in the road reserve~~ that can affect private activities or impose costs on residents and provides clear guidance to staff and the community. Public access is a right on all legal roads.”

3. Scope

It would be helpful to reference that there is also guidance on the road stopping process.

Recommendation 3: That the second bullet point be expanded as follows:

Specifications for the use of unformed legal roads and forming unformed legal roads and the process for stopping unformed legal roads”.

4. Policy Objectives

Ensuring the right of public access over unformed legal roads should be affirmed as a policy objective, and can be achieved with an additional point, and using part of the wording from section 6.1.1.

Recommendation 4: That a new 4.1 be inserted to read;

“To ensure that the public right of passage along unformed legal road corridors is preserved while protecting the environment, the road and adjoining land, and the safety of road users.”

6.1.1

The Local Government Act 1974 and the Land Transport Act 1998 provide the powers for Council to manage and control roads. Section 357 Local Government Act identifies offences including the general obstructing of public access., and it is an offence under the Summary Offences Act 1981 (s 22) to obstruct a public way. Unfortunately, the responsibility/duty to ensure public access on roads is not clearly prescribed in legislation and relies more on common law and historical precedent. The section could be re-worded to be more technically correct.

Recommendation 5: That section 6.1.1 be amended as follows;

“The Council has statutory powers to manage and control roads ~~a responsibility~~ under the Local Government Act 1974 (Part 21) and Land Transport Act 1998 (Part 3), and has a duty to ensure that the public right of passage along unformed legal road corridors is preserved while protecting the environment, the road and adjoining land, and the safety of road users.”

6.1.2

Herenga ā Nuku is pleased to see our Outdoor Access Code being referenced and suggests that the section include a link to a summary of the code.

Recommendation 6: That section 6.1.2 includes the following link to a summary of the Outdoor Access Code <https://www.herengaanuku.govt.nz/home/outdoor-access>

6.1.4 -6.1.8

We note that 6.1.3 is superfluous.

Herenga ā Nuku supports sections 6.1.4 to 6.1.8 of the draft policy.

6.2.2

The use of the term ‘plantation forestry’ may be more appropriate than ‘forestry blocks’, as an example of an asset that Council may have purposefully installed in unformed legal roads. As part of the inspection and maintenance of any Council assets, it should be noted that the assets, particularly trees, must not obstruct public access.

Recommendation 7: That section 6.2.2 be reworded and expanded as follows;

“The Council is obligated to inspect and maintain non-roading assets that it has purposefully installed in unformed legal roads, such as drainage or plantation forestry blocks. These assets must not obstruct public access.”

6.3

In relation to private occupation and encroachments on unformed legal roads, Herenga ā Nuku believes it is important to make it clear that any unauthorised occupation or encroachment is illegal, before acknowledging any mitigations.

Recommendation 7: That a new 6.3.1 be inserted as follows;

“Any unauthorised encroachment on a road is an offence under Section 357 Local Government Act 1974”

6.3.2

We note Council’s intention to formalise approved encroachments/occupations through Licences to Occupy. The conditions of such licences will be very important, and we have been unable to view Council’s draft Rural Land Lease and Licence Policy. As per Appendix C, it should be made clear that any licence over unformed legal road must not obstruct public access.

We believe that any Licence to Occupy must be for a fixed term and be able to be terminated by Council (see Guidelines for the Management of Unformed Legal Roads section 6.3

<https://www.herengaanuku.govt.nz/assets/Publication/Files/ULR-Guidelinesfor-web.pdf>).

Recommendation 9: That section 6.3.2 be amended as follows;

“Approved requests for occupation will be formalised through a Licence to Occupy and must comply with this policy and the conditions of that Licence to Occupy, including that public access must not be obstructed. See the Council Rural Land Lease and Licence Policy for additional terms.”

Recommendation 10: That any Licence to Occupy unformed legal road be for a fixed term and be able to be terminated by Council.

6.3.4

We note that Council “recognises that there are a large number of existing occupied unformed legal roads that are not subject to a formal lease or Licence to Occupy”. Herenga ā Nuku is concerned that there may be occupations of unformed legal roads subject to a lease. There is no express statutory power for councils to grant a lease of a road surface, and any lease over unformed legal road should be exchanged for a Licence to Occupy at the first opportunity.

Recommendation 11: That Council does not issue any lease over the surface of an unformed legal road, and that any leases that may already be in place are converted to Licences to Occupy.

6.4.1

As this is the first-time road stopping has been mentioned, a reference to section 6.6 would be helpful.

An additional possible resolution of public access being obstructed may be for the occupant/owner of an encroachment to provide suitable alternative public access e.g., an easement around the obstruction/encroachment, subject to appropriate conditions ensuring public access in perpetuity.

Recommendation 12: That the second bullet point references section 6.6 Stopping unformed legal roads e.g.; “Will first attempt to resolve encroachments through voluntary removal, Licence to Occupy, or road stopping (see section 6.6 below){as appropriate,} before considering legal action.”

Recommendation 13: That a new third bullet point be inserted, along the lines of; Council “May agree to appropriate alternative public access, at no cost to Council, where an encroachment prevents public access”.

6.5. Formation of unformed legal roads

Section 6.5.2. provides that Council will consider requests from a range of groups, including interest groups to construct cycle tracks, bridle paths, and footpaths within unformed legal roads. Often interest groups require minimum change to the surface of an unformed legal road to enable their proposed activity. In some areas, simple requests to clear vegetation to facilitate walking on an unformed legal road have effectively been stymied by what might be seen as excessive bureaucracy. It would be helpful to indicate Council’s approach when considering such applications.

Recommendation 14: That a new section be inserted after 6.5.3, along the lines of; “When considering applications to facilitate use of unformed legal roads by walkers, cyclists or horse riders, Council will take into account the proposed extent of modification to the surface of the unformed legal road and seek to enable such use wherever possible.”

6.5.2

The section provides that Council will consider requests from developers, and others. We believe the term “where this is vital for development” is too subjective, and unnecessarily offers a potential to encourage developers to incorporate unformed legal roads into a development.

Recommendation 15: That the words “where this is vital for development or” be deleted.

6.6.1

Herenga ā Nuku fully endorses Council following the Local Government Act 1974 section 342 process where a road is proposed to be stopped.

We note that section 116 of the Public Works Act 1981 does not provide a statutory power or authority for Council to initiate and stop an unformed legal road at the request of and solely for the convenience of any private person. It may be appropriate for the Minister of Lands to stop a road under the Public Works Act where doing so is deemed to be in the public’s interest.

The perception that there is no likelihood of a valid objection to a proposed road stopping is NOT a valid reason for the Public Woks Act to be used to stop a road. This suggestion should be removed from the section.

Recommendation 16: That the words “there is no likelihood of a valid objection being received and” be deleted, as they are not appropriate to the use of section 116 of the Public Works Act 1981.

6.6. Stopping unformed legal roads

Herenga ā Nuku has extensive experience in the management of unformed legal roads, including road stopping applications. To avoid unnecessary time and/or costs for an applicant when a road stopping application is made, we already assist several councils by considering the present and potential recreational use of the road. This can be by working with a potential applicant before an application is made or working with the council in considering an application as early in the process as possible. Councils often find value in having an independent third party assess what are sometimes contentious issues. Herenga ā Nuku would be happy to assist Council when considering road stopping applications.

Recommendation 17: That Council work with Herenga ā Nuku when considering applications to stop unformed legal roads.

7.1.3

Herenga ā Nuku supports any boundary fencing being on the legal boundary line. We accept that there may be cases where existing fences not on the boundary may be acceptable to Council, subject to the proviso that public access is not obstructed.

Recommendation 18: That section 7.1.3 is expanded by adding “.. providing that public access is not obstructed.”

7.5.4.4

It is important that public access on berms, for example for pedestrians or with horses, is not obstructed. It would be helpful for this to be specifically noted as an example of when plantings may be considered a nuisance.

Recommendation 19: That the first sentence in section 7.5.1.4 be amended to read “Plantings will be considered a nuisance by Council if they create a safety risk or interfere with road maintenance, drainage, ~~or~~ utility services or public access.”

7.5.6.3

The evaluation of significant or notable vegetation on a proposed new road is for possible retention by the Council as street trees. An additional bullet point may be warranted to ensure that some wider factors are considered.

Recommendation 20: That an additional bullet point be included;
“Public access, community connectivity and active transport”

9.2.1

Section 344 Local Government Act 1974 provides that the Council may permit the erection of a suitable swing gate, or cattle stop, across any road. It also provides for fencing across the road up to that swing gate or cattle stop. Section 357 identifies offences associated with damage/obstruction of roads where the activity has not been authorised but does not actually provide for the erection of a gate across a road.

We believe that emphasis should be placed on permission to erect a swing gate or cattle stop and associated fencing, rather than fencing across the road, and that reference to section 357 should be removed.

Recommendation 21: That the section be amended along the lines of;
“With approval from the Council, a person may erect a ~~swingfence with a suitable~~ gate or cattle stop, and associated fencing, across an unformed legal road in accordance with s 344 ~~or 357~~ of the Local Government Act 1974. A sign must be affixed to the gate indicating it is a public road.”

Definitions - Road Reserve (also Road Corridor)

As identified under “Title of Policy” above, Herenga ā Nuku believes that use of the term ‘road reserve’ is confusing, and factually inaccurate. ‘Road corridor’ may be less confusing, although technically ‘road parcel’ would be more accurate.

Recommendation 22: That Council use the term ‘road corridor’ and not ‘road reserve’.

Definitions – Unformed Legal Road (also Paper Road)

Herenga ā Nuku accepts that the term ‘paper road’ has been commonly used when referring to unformed legal roads. We discourage use of the term as it implies that unformed legal roads are somehow less relevant/more ephemeral than formed roads. The public access rights are the same on any legal road, formed or unformed.

Unformed legal roads are not confined to being created prior to 1996. Councils can still effectively create an unformed legal road, for example where there is an effective land swap with an existing unformed legal road being stopped and an alternative road (unformed) created. Herenga ā Nuku is aware of at least two examples in the Canterbury region.

Recommendation 23: That the definition be amended to read;
 “Unformed Legal Road (~~sometimes referred to as a~~ Paper Road) – land that has been legally established as a legal public road ~~prior to 1996~~ but which is not formed or maintained by the Council or the New Zealand Transport Agency ~~as a public road~~”

Relevant documents and legislation

With reference to the Local Government Act 1974, Part 21 is much wider than managing unformed legal roads and may better be noted as ‘management of roads’ The draft policy has specifically referred to other sections of the Act, and these should be cited as well.

Recommendation 24: That under the Local Government Act 1974, the note to Part 21 be (managing unformed roads), and that s.344 (gates and cattle stops) and s357 (penalties for damage to roads) be added to the bullet points.

Recommendation 25: That “Guidelines for the Management of Unformed Legal Roads” (Herenga ā Nuku Aotearoa) be cited as a relevant document.

Appendix C: Technical requirements - Unformed Legal Road Occupation Requirements

Herenga ā Nuku is pleased to see that unobstructed public access is clearly identified as a requirement for any request to occupy an unformed legal road. It is important to note that such public access may include with motorised vehicles, bicycles and horses, and these examples should be included for completeness. Sometimes public access on unformed legal roads is taken as being limited to walking access. The access should also be practical and along ‘desire-lines’.

Recommendation 26: That the first bullet point be expanded to read;
 “Public access along the road must not be obstructed, and such access may include with motorised vehicles, bicycles and horses. A minimum traversable width of 4m must always be maintained ~~at all times~~ and the access must be as practical and desirable for the user as possible.”

Appendix C: Technical requirements – Road Reserve Corridor Grazing Requirements

The grazing of road frontages can be mutually beneficial for the adjoining landholder and the Council. While the road is assumed to be unobstructed, access for other users on the frontage/berm, particularly horse riders, should also be considered.

Recommendation 27: That an additional bullet point be included, along the lines of;
 “Where public access on the frontage/berm is expected and/or warranted, it shall be provided for.”

Conclusion

Herenga ā Nuku again commends the Council on producing this draft policy. We believe it is a significant step particularly in relation to ensuring public access on unformed legal roads and clarifying the possible use of berms and unformed legal roads. While the legal and technical aspects can be complex, it is important that they are accurately and clearly reflected.

Herenga ā Nuku appreciates being able to make this submission and believes that acceptance of the recommendations would enhance the draft policy.

We welcome further engagement with Council on this draft policy, and any other public access matter.

Geoff Holgate

Kaitohutohu ā-Rohe - Regional Field Advisor

Herenga ā Nuku Aotearoa Outdoor Access Commission

Council should have berm maintenance policy

Legislation	Ombudsmen Act 1975
Agency	Local authority
Ombudsman	John Robertson
Case number(s)	W28151
Date	1992

Maintenance of berms—Council should have consistent policy

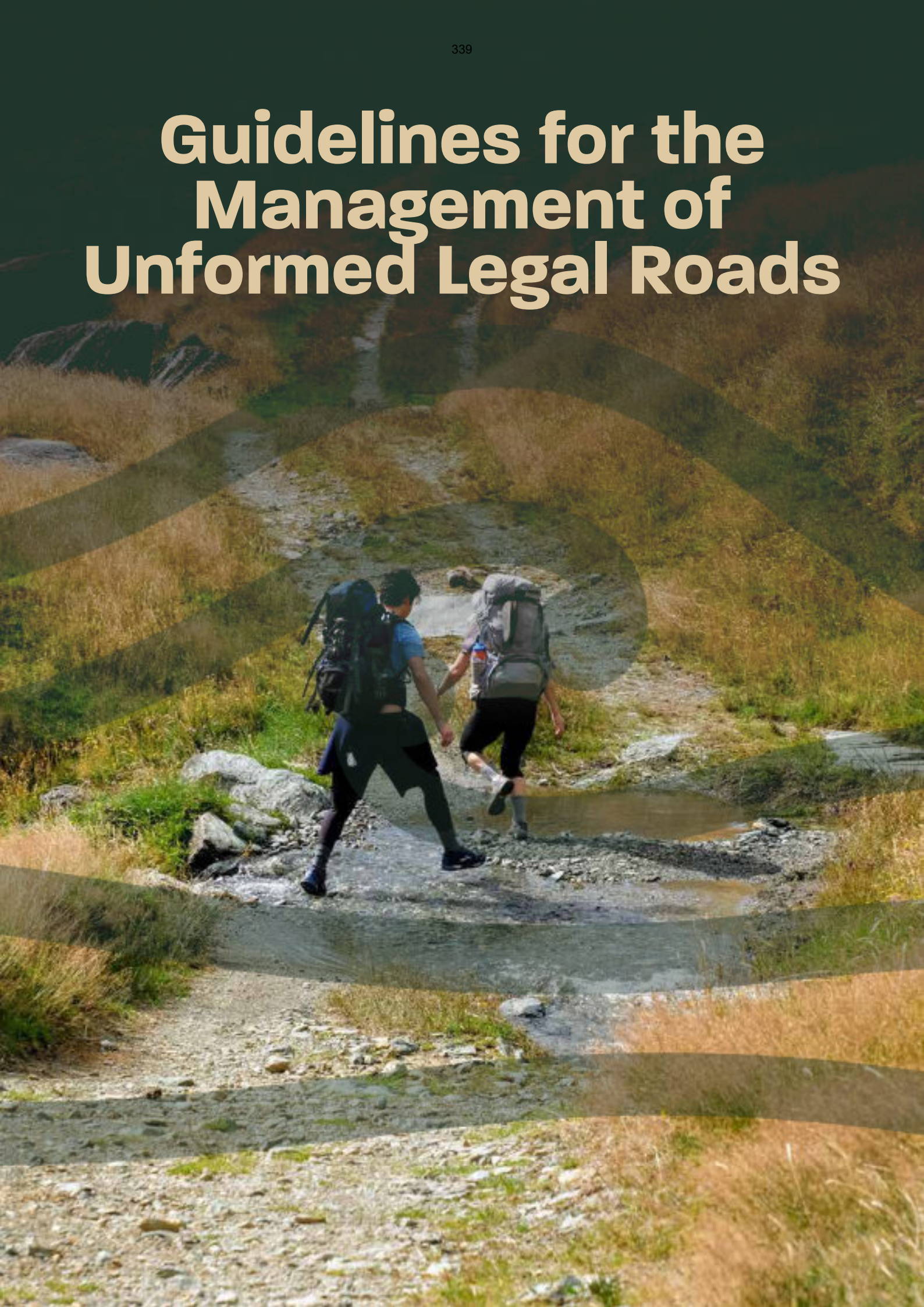
The complainant, an elderly widow, approached the Council several times without result for assistance maintaining the berm outside her property. She was paying \$20 per fortnight to a private contractor to undertake the work and she submitted that it was unreasonable to expect her to spend this amount maintaining Council property.

The Council advised the Ombudsman that it did not have a berm maintenance policy with universal application throughout the city. However Council officers were sympathetic to the complainant's concerns, and undertook to put the issue before the appropriate Council Committee.

The Committee considered the matter at two meetings, and the complainant and other members of the public were permitted to speak. It then formulated a policy which recognised that most residents voluntarily mowed their berm areas within the road reserve. However the Committee resolved that where residents were unwilling or unable to mow the berm areas the Council would undertake the mowing on the basis of up to four rough cuts a year, so that the berm would not become a hazard to traffic or pedestrian movement. It also decided to monitor and review the operation of the policy to determine whether there might be some requirement to make provision for special cases. It seemed that this policy was a reasonable one, as well as being very similar to the practice the Ombudsman understood had been adopted by most local authorities. Accordingly the complainant was advised that the Ombudsman's enquiries had led to the development of a policy which should help alleviate her difficulties and the investigation was discontinued.

This case note is published under the authority of the [Ombudsmen Rules 1989](#). It sets out an Ombudsman's view on the facts of a particular case. It should not be taken as establishing any legal precedent that would bind an Ombudsman in future.

Guidelines for the Management of Unformed Legal Roads



Herenga ā Nuku Aotearoa

PO Box 11181
Manners St
Wellington 6142

Telephone 04 815 8502

www.herengaanuku.govt.nz

info@herengaanuku.govt.nz

ISBN 978-0-473-65617-1 (print)

ISBN 978-0-473-65619-5 (PDF)

ISBN 978-0-473-65618-8 (ePub)

Creative Commons Attribution 4.0 International
Licence. Please note however, that the NZ
Government logo is protected by law. You must not
copy or use any logo or trademark without express
permission.



**Te Kāwanatanga
o Aotearoa**
New Zealand Government

Forward

The *Guidelines for the Management of Unformed Legal Roads* was first published in 2011 by Herenga ā Nuku (the New Zealand Walking Access Commission at that time) as a practical way of bringing the law into focus for the range of people who deal with unformed legal roads.

The first edition proved to be a valuable resource for both administrators tasked with addressing issues concerning unformed legal roads and their general management, and also for those members of our communities who are interested in establishing or protecting public access.

This new edition has been informed by the many issues that Herenga ā Nuku and local authorities have faced over the past 11 years. And, like its predecessor, it is informed by the seminal research undertaken by the former Registrar-General of Lands, Brian Hayes, including *Water Margins and Riverbeds: the law on public access*.

The role of unformed legal roads, as part of New Zealand's "recreational highways" (a term coined by Brian Hayes) holds even greater relevance today than it did when the first edition was published, as public access for outdoor recreation and active transport is increasingly important.

It is therefore important that councils, which hold roads in fee simple in trust on behalf of the public, have access to the best practice material available for administering unformed legal roads.

This new edition of the Guidelines, developed with input from councils, will continue to enhance the working partnerships between councils and Herenga ā Nuku and will help standardise administrative processes to reduce impediments that might otherwise hinder public access over unformed legal roads.



Ric Cullinane
Tumuaki | Chief Executive
Herenga ā Nuku Aotearoa



Susan Freeman-Greene
Chief Executive
Local Government New Zealand



**Herenga
ā Nuku**
AOTEAROA



Contents

1.	Introduction	3
2.	Background	4
3.	Disclaimer	4
4.	Unformed legal roads – a legacy and a taonga	5
5.	The law and unformed legal roads	6
	5.1 Public highways at common law	6
	5.2 Meaning of 'road' is set out in two key statutes	6
	5.3 Public areas referred to as road in legislation are not always legal road	8
	5.4 Councils hold title to roads – in trust for the public	8
	5.5 Statutes refer to unformed roads	9
	5.6 Courts recognise unformed roads as public highways vested in councils	9
	5.7 Statutory authority for controlling road users	10
6.	General powers of councils in respect of roads	11
	6.1 Councils may restrict access on a road	11
	6.2 No express statutory power for councils to grant lease of road	11
	6.3 Councils' general authority to permit occupation of part of a road	12
	6.4 Maintenance and liabilities for unformed roads	13
	6.5 Maintenance of roads by adjoining landholders or third parties	16
7.	Stopping of roads	17
	7.1 The Minister may stop a road under the Public Works Act 1981	17
	7.2 Councils may stop roads under the Local Government Act 1974	18
	7.3 Unused road over Māori land may be stopped by court	19
8.	Appendix A – Locating unformed legal roads	20

1. Introduction

Enjoying free and enduring access to New Zealand's unique and spectacular outdoors is part of our culture and identity. A rich recreational heritage, enabled by access to rivers, lakes, beaches, and alpine areas, has contributed significantly to our health and wellbeing – as well as enhancing our awareness of our natural environment. Unformed legal roads provide significant public access routes to the outdoors.

However, changing attitudes, more intensive land use and increasing private development in rural areas can compromise access opportunities. Further, public access to some recreational areas is not always clear and understood which, for a few, can cause unnecessary conflict – especially when access previously available is stopped.

The Walking Access Act 2008 established Herenga ā Nuku to provide, among other functions, national leadership on walking access at a strategic level and also local and regional leadership on walking access in collaboration with local authorities.

Herenga ā Nuku has developed a strong reputation for facilitating public access dispute resolution – often related to unformed legal roads.

The resources that Herenga ā Nuku has developed include its highly valued mapping system, information about land over which there is public access and guidelines – including *Guidelines for the Management of Unformed Legal Roads*, published in February 2011.

This 2nd edition of the Guidelines is a revised and updated resource providing an overview of unformed legal roads from both common law and legislation perspectives and includes administration guidance. This resource is designed to facilitate a greater understanding of unformed legal roads and to improve standardisation and consistency in their administration and issues resolution.



Stock grazing sign at the start of a fenced in unformed legal road – Kurow River, 2013

2. Background

Herenga ā Nuku developed its mapping system in 2010 – one of the first national digital mapping and information systems in New Zealand. Using the Herenga ā Nuku current digital maps,¹ and assisted by smart technology, users may now more readily identify public access including the general locality of unformed legal roads.² Herenga ā Nuku's mapping system helped enhance people's understanding of the extent of New Zealand's unformed legal road network and the public access opportunities that network provides.

Herenga ā Nuku published the first edition of *Guidelines for the Management of Unformed Legal Roads* in 2011 to facilitate a greater awareness of unformed legal roads by both road users and administrators.

This 2022 revised and updated edition has been informed by a decade of issues and questions fielded by Herenga ā Nuku and local authorities – broadly summarised as:

- concerns over unformed legal roads being publicly identified in mapping systems

- disputes over the legal status and location of unformed roads
- obstructions preventing public access along unformed legal roads
- responsibility for maintaining and controlling unformed legal roads and council's liabilities, and
- issues around consistency – standardising administration of unformed legal roads including road stopping.

For any reader wishing to delve deeper into the background and law relating to public access and unformed legal roads, the following authoritative publication is available on the Herenga ā Nuku website:

B.E. Hayes Road, *Water Margins and Riverbeds: The Law on Public Access* (2008).

For readers wishing to reference related court case decisions, many are available at: www.nzlii.org/databases.html

3. Disclaimer

Every effort has been made to ensure that this publication is accurate and current at date of publication. However, this guideline is not a substitute for legislation or council policy and bylaws. The courts remain the final arbiter.

1 <https://herengaanuku.govt.nz/maps>

2 Appendix A identifies navigation challenges arising from varying positional accuracies of unformed roads as spatially represented in geographic information systems.

Image by David Mark from Pixabay

4. Unformed legal roads – a legacy and a taonga

Unformed legal roads are an infrastructural legacy from early New Zealand development. They resulted from necessity, as reflected by Justice Williams when he said:

In nearly every case where land is Crown granted, and described as bounded by a road, the road at the time when the land was granted was not made.³

Many of these unformed roads were established in the period of provincial government, 1854 to 1876, with the majority in place by 1905.⁴ In managing the demand for land during this early settlement period, not only were most rural roads not constructed at the time the adjoining land was granted, but many roads were only identified in the (paper) survey records – hence the colloquial name ‘paper roads’.⁵ Some such roads have subsequently been found to follow totally impractical

alignments as they were included on maps with little or no supporting field reconnaissance.

Over one and a half centuries later, an estimated 56,000 kilometres of legal road remain unformed with the majority of them in rural areas.⁶ Most of these roads remain unfenced (or fenced on one and sometimes two sides if abutting separate titles) and are generally indistinguishable from the adjacent rural land.

While they are a legacy from the past, these unformed roads are increasingly valued for their recreational opportunities. These include new horse and cycle trails as well as additional public access routes to the conservation estate, rivers, lakes and the coast. Unformed legal roads are a taonga, and the national and regional economic development opportunities they provide cannot be overstated.

³ *Mueller v Taupiri Coal Mines Ltd* (1900) 20 NZLR 89, (1901) 3 GLR 138 (CA) at 147 per Williams J.

⁴ Hayes B. E. (2008) *Roads, Water Margins and Riverbeds: The Law on Public Access* at page 49.

⁵ In this context their existence is only identifiable on ‘paper’ plans and maps. Unless quoting from a court case, the term ‘unformed road’ or ‘unformed legal road’ is used in this document.

⁶ Ministry of Agriculture and Forestry (2007). Internal paper.



5. The law and unformed legal roads

The law relating to highways (roads) is embodied in centuries of common law inherited from England. Since 1876, this has been included in New Zealand statutory law. Yet, as Lord Briggs noted recently in *London Borough of Southwark and another v Transport for London*:

The word highway has no single meaning in the law but in non-technical language it is a way over which the public have rights of passage, whether on foot, on horseback or in (or on) vehicles.⁷

5.1 Public highways at common law

Halsbury's Laws of England describes a highway at common law as:

...a way over which all members of the public are entitled to pass and repass; and, conversely, every piece of land which is subject to such public right of passage is a highway or part of a highway.⁸

...The common law maxim or rule is "once a highway always a highway." The public cannot release rights once acquired by them, no authority can bind them in purporting to release such rights, and there is no extinctive presumption or prescription arising from non-exercise thereof.⁹

Under common law, a way (public right of way, highway, or road) may be established through express or implied dedication (offer and acceptance of a public right of way). The offer may be made by the Crown¹⁰ or by other rightful owners of the land. This common law process to dedicate roads is still good law that continues to be used in New Zealand – the *Man O' War Station Ltd v Auckland City Council* decision being a recent example.¹¹

However, New Zealand Statutes that define what is a road¹² rebut the common law presumption that the

owner of land adjoining a highway is the owner also of the soil of one half of the highway.¹³

Legal roads established by express or implied dedication under common law will need to have been marked on record maps and captured into the cadastre, or shown on approved survey plans if they are to be identified in the official digital cadastral record. Roads need to be identified in the digital cadastral record to enable importing to generic mapping systems such as those of Herenga ā Nuku and local authorities.

5.2 Meaning of 'road' is set out in two key statutes

In addition to the common law meaning of a public highway, two principal statutes – the Local Government Act 1974 and the Government Rounding Powers Act 1989 expand on the meaning of a legal road.

5.2.1 Meaning of road as defined in the Local Government Act 1974

The statutory authority for the control and management of legal roads vested in local authorities is the Local Government Act 1974, which states in the interpretation section 315(1):

road means the whole of any land which is within a district, and which –

- (a) immediately before the commencement of this Part was a road or street or public highway; or
- (b) immediately before the inclusion of any area in the district was a public highway within that area; or
- (c) is laid out by the council as a road or street after the commencement of this Part; or

⁷ *London Borough of Southwark and another v Transport for London* [2018] UKSC 63, per Lord Briggs SCJ at 6.

⁸ Halsbury's *Laws of England* (1911) vol 16, Highways Streets and Bridges, at [1].

⁹ *Ibid* at [103].

¹⁰ *Ibid* at [46].

¹¹ *Man O' War Station Ltd v Auckland City Council* (2002) 2 NZLR 267.

¹² s80 Public Works Act 1876 and subsequent acts include the soil under a road in the definition of a road.

¹³ Halsbury's *Laws of England* (1911) vol 16, Highways Streets and Bridges, [71].

- (d) is vested in the council for the purpose of a road as shown on a deposited survey plan; or
- (e) is vested in the council as a road or street pursuant to any other enactment;—¹⁴

Section 315 also addresses status of accretion and erosion to road.

Section 315(4) states:

Every accretion to any road along the bank of a river or stream or along the mean high-water mark of the sea or along the margin of any lake caused by the action of the river or stream or of the sea or lake shall form part of the road.

Section 315(5) states:

Where any road along the bank of a river or stream or along the mean high-water mark of the sea or along the margin of any lake is eroded by the action of the river or stream or of the sea or lake, the portion of road so eroded shall continue to be a road.

5.2.2 Meaning of road clarified by the Government Roading Powers Act 1989

The interpretation of 'road' is made clearer, particularly in the context of unformed legal roads, by the Government Roading Powers Act 1989 which, in section 43(1), states:

road means a public highway, whether carriageway, bridle path, or footpath; and includes the soil of –

- (a) Crown land over which a road is laid out and marked on the record maps:
- (b) land over which right of way has in any manner been granted or dedicated to the public by any person entitled to make such grant or dedication:
- © land taken for road under the provisions of this Act, the Public Works Act 1981, or any other Act or Provincial Ordinance formerly in force:
- (d) land over which a road has been or is in use by the public which has been formed or

improved out of the public funds, or out of the funds of any former province, or out of the ordinary funds of any local authority, for the width formed, used, agreed upon, or fenced, and a sufficient plan of which, approved by the Chief Surveyor of the land district in which such road is situated, has been or is hereafter registered by the District Land Registrar against the properties affected by it; and the Registrar is hereby authorised and required to register any such plans accordingly, anything in any other Act notwithstanding, when the plans are presented for registration by or on behalf of the Minister:

- (e) land over which any road, notwithstanding any legal or technical informality in its taking or construction, has been taken, constructed, or used under the authority of the Government of any former province, or of any local authority, and a sufficient plan of which is registered in the manner provided for in paragraph (d), –

and, unless repugnant to the context, includes all roads which have been or may hereafter be set apart, defined, proclaimed, or declared roads under any law or authority for the time being in force, and all bridges, culverts, drains, ferries, fords, gates, buildings, and other things thereto belonging, upon the line and within the limits of the road.

Section 43(1) Government Roading Powers Act 1989 also states:

stopping, in relation to a road, includes diverting.

5.2.3 Historical statutes defining road

The first national statute applying to the control and management of roads was the Public Works Act 1876 which defined a road under section 79 as:

The word "road" means a public highway, whether carriage way, bridle path, or footpath, and includes the soil of –

¹⁴ Refer to section 315 of the Local Government Act 1974 for the full list of sub-clauses relating to the interpretation of "road".

- (1) waste lands of the Crown over which a road is laid out and marked on the survey maps
- (2) lands over which right of way is granted to the public by deed by any person entitled to make such grant;
- (3) lands taken for roads under the provisions of this or any other Act or Ordinance;

and includes also all bridges, culverts, drains, ferries, fords, gates, buildings, and other things thereto belonging, upon the line and within the limits of the road.

This initial statutory definition of road was enhanced by the Public Works Act 1882 which added a catch-all provision which is shown in bold below. Under section 78 the expanded definition of “road” became:

Throughout this Act, the word “road” means a public highway, whether carriage-way, bridle-path, or footpath, and includes the soil of–

- (1) Crown lands over which a road is laid out and marked on the survey maps;
- (2) Lands over which right of way has in any manner been granted or dedicated to the public by any person entitled to make such grant or dedication;
- (3) Lands taken for roads under the provisions of this Act or any other Act or Ordinance:

and, unless repugnant to the context, includes all roads which have been or may hereafter be set apart, defined, proclaimed; or declared roads under any law or authority for the time being in force, and all bridges, culverts, drains, ferries, fords, gates, buildings, and other things thereto belonging, upon the line and within the limits of the road.

This enhanced definition continued unchanged (but with additional subsections) in the subsequent Public Work Acts and is now contained in the current Government Roding Powers Act 1989, as set out above under [5.2.2](#).

5.3 Public areas referred to as road in legislation are not always legal road

The following statutes refer to roads – but only for the purpose and in the context of that specific legislation. Some are not legal roads in terms of being a public highway, or road as referred to in the Local Government

Act 1974 and the Government Roding Powers Act 1989.

5.3.1 Land Transport Act 1998

Section 2 – Interpretation

(1) In this Act, unless the context otherwise requires,—...

road includes–

- (a) street; and (b) a motorway; and (c) a beach; and (d) a place to which the public have access, whether as of right or not; and (e) all bridges, culverts, ferries, and fords forming part of a road or street or motorway, or a place referred to in paragraph (d); and (f) all sites at which vehicles may be weighed for the purposes of this Act or any other enactment

Refer to section [5.7](#) for contextual use in this guideline.

5.3.2 Impounding Act 1955

Section 2 – Interpretation

(1) In this Act, unless the context otherwise requires,—...

road–

- (a) means any place open to or used by the public as of right; and (b) includes a river bed and riparian land under the control of any local authority or regional council, unless any occupier of land adjoining the river bed or riparian land is also the lawful occupier of that river bed or riparian land

Refer to section [6.3.3](#) for contextual use in this guideline.

5.4 Councils hold title to roads – in trust for the public

Initially all roads were vested in the Crown under the Public Works Act 1876. In 1973, the ownership of county roads (and therefore most unformed legal roads) transferred to the then county councils.¹⁵

Since 1979, by force of section 316 of the Local Government Act 1974, all roads (other than government roads or state highways) and the soil under the roads and the materials laid on any road now vest in fee simple in the relevant council.

¹⁵ Counties Act 1956, section 191A as inserted by s2 of the Counties Amendment Act 1972.

The context of this vesting in trust on behalf of the public is clarified in *Man O' War Station Ltd v Auckland City Council* in which Blanchard J states:

...Despite the vesting in the local authority the right of passage over a road is one possessed by the public, not the local authority, which holds its title and exercises its powers in relation to a road as upon a trust for a public purpose...¹⁶

This puts the onus on councils to ensure, among other things, that the rights of public access along unformed legal roads are protected in perpetuity from obstruction or other nuisance¹⁷.

5.4.1 No rights of ownership to unformed legal road through occupation

Many unformed legal roads appear to be incorporated into adjoining farms and forests.

But adjoining landholders have no rights of occupation or ownership of unformed legal roads, irrespective of how many years they have been utilising the land as their own. The right of the general public to pass and repass over any road is held in perpetuity.

Legislation (Land Act 1948 and Land Transfer Act 2017) prevents claims of adverse possession of a road, Crown land or other land vested in trust for public use.¹⁸

Further, a person may not acquire title to a public road if the road has been included in a record of title unlawfully or acquired under an unauthorised instrument. The legal road remains in existence.¹⁹

5.4.2 The Crown holds residual rights in roads in certain circumstances

Notwithstanding the Crown, in 1979, vesting roads in fee simple in councils, the Crown retains some residual rights and control as noted in the following section and also under [Section 7](#).

5.5 Statutes refer to unformed roads

There is no statutory definition for an unformed legal road but they are referred to in legislation.

16 *Man O' War Station Ltd v Auckland City Council* (2002) 2 NZLR 267, 22.

17 Halsbury's *Laws of England* (1911) vol 16, Highways Streets and Bridges, at [265] states that it is a nuisance at common law either to neglect any legal duty in respect of a highway, or to hinder or prevent the public from passing freely, safely and conveniently along it...

18 Land Act 1948 section 172(2) – No title by user or adverse possession.

19 Land Transfer Act 2017 section 53 – No title to public road or reserve unless authorised.

20 Local Government Act 1974. Section 323(1)&(2).

21 Land Act 1948. Section 43 (1).

22 Land Transport Act 1998. Section 22AB (1)(g).

23 *Snushall v Kaikoura County* (1923) NZPCC 670.

Section 2 of the Local Government Act 1974 does provide a definition of formation:

“Formation, in relation to any road, has the same meaning as the construction of the road, and includes gravelling, metalling, sealing, or permanently surfacing the road...”

Therefore an unformed road may be taken to be a road that has not been constructed or improved by the council by adding metal, seal or any other type of surface.

While the law relating to the use of roads does not differentiate between formed and unformed roads the Local Government Act 1974, Land Act 1948 and Land Transport Act 1998 provide for specific administrative actions relating to unformed roads:

- the Crown may resume certain unformed roads²⁰
- unformed roads and unused roads intersecting or adjoining certain Crown land may be closed (in this context meaning stopped) and declared Crown land²¹
- road controlling authorities have the power to make bylaws that restrict the use of vehicles on unformed roads to protect the environment, the road, adjoining land or for the safety of road users.²²

5.6 Courts recognise unformed roads as public highways vested in councils

Concerns, issues and disputes, including the origin and proof of undefined and unformed roads being public highways, have arisen since colonisation.

This has resulted in a body of case law confirming unformed roads are legal with the same status as formed roads. Further, courts have confirmed that unformed roads are legal notwithstanding they may not have been marked out on the ground. A leading case often referred to, which went up to the Privy Council, is *Snushall v Kaikoura County*.²³

Referring to the Snushall case, in *Tauranga City Council v Faulkner*, Whata J said

....section 78 (Public Works Act 1882) states “throughout the Act road means a public highway”, and includes “Crown Land over which a road is laid out.” Tautology aside, it is obviously a deeming provision, intended to encompass all roads laid out on Crown land so as to bring them within the public works umbrella. It was not necessary for them to be expressly set aside for, or in, public use, or even physically laid out at the time. That has been the settled position since decision of the Court of Appeal in *Kaikoura County v Snushall*.²⁴

... The effect of this is that the strip was treated in fact as a public road, as shown on subsequent survey plans, and subject to the Public Works Act 1882 with the result that it was deemed to be a public highway. Subsequent legislation, culminating in the Local Government Act 1974, meant that the strip was vested as a paper road in the Council.²⁵

5.7 Statutory authority for controlling road users

The principal statute for controlling road users (as distinct from administering and maintaining roads) is the Land Transport Act 1998 which sets out the relevant law and provision for regulations and rules governing road user behaviour.

It defines, for the purposes of enforcing traffic rules, a wider definition of ‘road’ over which the public may have access (such as carparks and beaches) but which are not ‘public highways’ as defined under the Local Government Act 1974.


It also authorises councils to make specific bylaws prohibiting or restricting the use of vehicles on beaches²⁶ and restricting the use of motor vehicles on unformed legal roads – to protect the environment, the road and adjoining land, and the safety of road users.²⁷

²⁴ *Tauranga City Council v Faulkner* [2016] NZHC, 45.

²⁵ *Ibid*, 50.

²⁶ Land Transport Act 1998 section 22AB (1) (f).

²⁷ Land Transport Act 1998 section 22AB (1) (g).



An unformed legal road near Hurunui, North Canterbury. Photo credit: Mary-Anne Baxter.

6. General powers of councils in respect of roads

The Local Government Act 2002 sets out, among other things, a council's purpose and powers of general competence and includes powers for making bylaws. Councils must meet current and future needs of communities for good quality local, network and community infrastructure – appropriate to present and anticipated future circumstances.²⁸ Infrastructure includes existing unformed legal roads which can provide current and future recreational opportunities – contributing to the health and wellbeing outcomes of local communities.

Councils' general powers in respect of roads are set out under section 319 of the Local Government Act 1974. These powers include construction, maintenance and repair of roads. Councils' powers also extend to stopping or temporarily closing a road, in the manner and upon the conditions set out in section 342 and Schedule 10.

Except for permitting utilities or granting a lease of airspace or subsoil, as discussed under section 6.2, there is no express statutory power for a council to lease part of a road surface for private benefit. However, as discussed under section 6.3, there is an inferred and general authority for a council to permit temporary occupation or encroachment of part of a road – providing such occupation or encroachment does not interfere with the public's right to pass and repass along the road or create some other nuisance.

6.1 Councils may restrict access on a road

In their proper control and administration of roads a council may, in certain circumstances, restrict public access along a road. Such restrictions, which may only be initiated under specific statutory powers, include:

- determining, under section 319(1)(f) Local Government Act 1974, what part of a road shall be a carriageway, and what part a footpath or cycle track only;

- temporarily closing a road, under section 342(1)(b) of the Local Government Act 1974; and
- restricting use of motor vehicles on unformed legal roads under a bylaw authorised by section 22AB(1)(g) of the Land Transport Act 1998.

6.2 No express statutory power for councils to grant lease of road

Apart from the following instances, a council has no express statutory powers to grant a lease or licence over part of a road for private benefit.

Section 341 of the Local Government Act 1974 provides explicit statutory powers to grant a lease of airspace or subsoil of a road. But that is subject to the council ensuring sufficient airspace above the surface of the road for the free and unobstructed passage of vehicles and pedestrians lawfully using the road.

Under section 338, a council may grant an easement or other right for the laying of conduit pipes along or under a road. Such agreements may only be for periods not exceeding 50 years.

The Tramways Act 1908 provided express powers authorising councils to grant licences for private tramways on roads. This Act was repealed in 1992.²⁹

Section 340 of the Local Government Act 1974 authorises a council to issue a permit to erect a private motor garage between the building line and the road line, but this is adjacent to, not over a legal road. Notwithstanding, some councils provide in their by-laws that parking pads, for example, may encroach onto a legal road.

The clear absence of a council's express statutory authority to lease an unformed legal road can be compared with the following express authority the Crown holds to lease unformed highway.

²⁸ Local Government Act 2002 sections 5 and 10.

²⁹ The Tramways Act 1908 was repealed by the Railway Safety and Corridor Management Act 1992.

6.2.1 Crown may lease unformed State highways – but road status suspended

Under the heading of State highways, section 61A of the Government Roading Powers Act 1989, (previously section 45(2) Public Works Act 1981) provides for the leasing of part or all of any Government road or State highway while it is unformed. While leased (until needed for construction of State highway, for example) the status of the land as a road or highway is suspended.

Given this specific wording and also the principles set out in the Interpretation Act 1999, it is clear that this unformed road leasing provision may only apply to State highways³⁰ and Government roads, not unformed legal roads vested in councils.

6.3 Councils' general authority to permit occupation of part of a road

Notwithstanding that there is no express statutory power for councils to grant a lease of a road surface, the Local Government Act 1974 section 341(3), in providing for leases of airspace or subsoil of roads, confirms that:

Nothing in this section shall be construed so as to restrict any right a council may have to permit any person to use for a temporary period any part of the surface or of the airspace above the surface of any road.

In addition to section 341(3), a general authority to authorise encroachments may also be inferred from section 357(1)(a) which states:

Every person commits an offence who, not being authorised by the council or by or under any Act, encroaches on a road by making or erecting any building, fence, ditch, or other obstacle or work of any kind upon, over, or under the road, or by planting any tree or shrub thereon...

Also, as seen in the following two decisions, the courts confirm that as the owner of the fee simple of legal roads councils do have a general authority to authorise occupation of part of a road. But that authority does

not extend to cause interference with the public's right to pass and repass or to cause a public nuisance.

Denniston J stated:

I know of nothing to prevent a Corporation allowing the exclusive occupation of a part of its streets to a particular person or persons so long as such occupation does not constitute a nuisance to the general public.³¹

Cooper J stated:

...the Borough Corporation had no express power to consent...but that as owner of the fee simple ... it had the general authority to allow W.S.and Co. to occupy a portion of Tweed Street, with this limitation, that the occupation permitted must not amount to a nuisance, or interfere with individual rights...³²

Applications for road encroachments, such as for electric vehicle charging stations, tourist operator utilities and car parking pads, will principally relate to formed roads in urban areas.

Most encroachments over rural unformed legal roads are farm buildings, fences, ditches and irrigation channels.

Many of the encroachments over unformed legal roads may require retrospective approvals as they are only recently being identified through overlaying modern imagery with the digital cadastral road parcel record in councils' geographic information systems.

Comprehensive policies enable councils to address applications for road encroachments in a consistent and transparent manner.³³

To address exceptional situations, section 80 of the Local Government Act 2002 provides for decisions to be made that are inconsistent with council policy – provided that the inconsistency, reason and intention is clearly identified.

Authorised encroachments or occupation of part of a road must be for a fixed term and able to be terminated by the council, with conditions to ensue protection of the general public's right to pass and repass along the road without the encroachment causing a nuisance.

30 Interpretation Act 1999 Section (2): The matters that may be considered in ascertaining the meaning of an enactment include the indications provided in the enactment. Section (3): Examples of those indications are preambles, the analysis, a table of contents, headings to Parts and sections, marginal notes, diagrams, graphics, examples and explanatory material, and the organisation and format of the enactment.

31 *The Mayor of Christchurch v Shah* SC Christchurch (1902) 21 NZLR 578.

32 *Mayor, Councillors, and Burgesses of Borough of Invercargill and Wright, Stephenson, & Co v Hazlemore* SC Invercargill (1905) 8 GLR 252 (25 September 1905).

33 Wellington City Council's Consolidated Bylaw 2008 and Christchurch City Council's Structures on Roads Policy 2020, for example, provide for road encroachments.

Historic structures encroaching a legal road may still leave sufficient space to allow practical public access, otherwise the council would have to require the obstruction to be removed or, alternatively, require the establishment of new practical public access.

6.3.1 Fencing, gates and cattle stops on unformed legal road

In addressing public safety and convenience, councils may require a landholder to take appropriate mitigation action including fencing the boundary of the road or any dangerous place, as provided for under section 353 of the Local Government Act 1974.

To manage, protect and contain livestock, a landholder may construct gates and cattle stops across unformed legal roads, but only with the council's written permission. Section 344 of the Local Government Act 1974 and the Gates and Cattle Stops Order 1955 provide for this.

Any gates across a road must not be locked and a board with the words "Public Road" legibly printed must be affixed to each side of the gate.

Any authorised structures on a road must not create a nuisance or prevent the public from using the road. With the council's permission, a land holder may erect a temporary fence across a road for the purpose of stock control – but it must not inhibit public access.

In addition, a local authority may pass a resolution providing for stock depasturing on a road, as noted in [6.3.3](#).

6.3.2 Offence to damage or for structures to obstruct an unformed legal road

Local councils have a duty to ensure roads are free of obstructions and damage. Section 357 of the Local Government Act 1974 sets out the enforcement provisions and penalties in detail, including for damage to or encroachment over a road. Offences include making or erecting an obstruction or work that has not been authorised by the council.

Obstructions on unformed legal roads include fences, locked gates, buildings and trees – which the council may request be removed.

Section 133 Public Works Act 1981 provides an additional authority for roading authorities to require the owner or occupier of any land adjoining a road to

trim or cut down vegetation that may obstruct the lawful use of a road or damage a road or be detrimental to the road.

In exceptional circumstances the police may be able to help deal with a person deliberately obstructing an unformed legal road – as it is an offence under section 22 of the Summary Offences Act 1981 to obstruct a public way. But it requires a clear and specific warning by police before it becomes an offence under this provision.³⁴

6.3.3 Offence if livestock obstruct road – unless council resolves otherwise

Section 33 of the Impounding Act 1955 provides for the impounding of livestock wandering or tethered on any road in such a manner as to obstruct or be reasonably likely to obstruct the road. Further, the definition of road in the Impounding Act 1955 means any place open to or used by the public as of right, including riverbed and riparian land under the control of any local authority or regional council – unless any occupier of land adjoining the riverbed or riparian land is also the lawful occupier of that riverbed or riparian land.

Notwithstanding, section 34 provides that the local authority may, by resolution publicly notified, declare that the provisions of section 33 shall not apply to any road or any portion of a road where depasturing stock create little inconvenience or danger. In such cases warning notices, to the effect that stock is depasturing on or adjacent to the road, are required. These notices must be displayed in a form and locations approved by the local authority which may also require, subject to section 344 of the Local Government Act 1974, construction of gates or cattle stops.

6.4 Maintenance and liabilities for unformed roads

The responsibilities and liabilities of councils in relation to unformed legal roads, as summarised by Brian Hayes, are drawn from the general law relating to roads and are:³⁵

- The council has no obligation to form or maintain an unformed legal road.³⁶
- If the council carries out no work there is no liability.³⁷

³⁴ See *Langford v Police* [2015] NZHC 2424 for the requirement for warning.

³⁵ Hayes B. E. (2008) *Roads, Water Margins and Riverbeds: The Law on Public Access* at page 83.

³⁶ *Inhabitants of Kowai Road Board v Ashby* (1891) 9 NZLR 658; *Tuapeka County Council v Johns* (1913) 32 NZLR 618.

³⁷ *Hocking v Attorney-General* (1963) NZLR 513 (CA); *Tombleson v Far North District Council* [2020] NZDC 12171.





- The council's immunity from liability on unformed roads has been held to extend to the filling of holes on part of a long line of unformed road, but there is no duty to repair the whole road.³⁸
- The council is immune from liability for the operation of natural causes.³⁹
- If the council undertakes any artificial work such as a culvert or bridge on a road which is generally unformed it has a duty of reasonable care in construction, and also a duty of ongoing reasonable observation of that work to ensure that any dangerous change in condition is discovered and remedied.⁴⁰
- The council may require the occupier of any land that contains a hole or other place dangerous to people passing along any road to fill in, cover, or enclose the danger.⁴¹
- Whenever the safety or convenience of the public applies, the council may require the owner or occupier of any land not separated from a road by a sufficient fence, to enclose the land with a fence that complies with council requirements.⁴²

There are additional responsibilities applying to secondary-use roads,⁴³ such as old 'ferry roads' leading to a river but no longer maintained by the council.⁴⁴

In summary, councils are not liable for repair and maintenance of unformed legal roads or for any damage to the unformed road through erosion, degradation or general wear and tear.⁴⁵

6.5 Maintenance of roads by adjoining landholders or third parties

Unformed legal roads are generally in a natural state, or in pasture where the adjoining landholder has incorporated the road into their farming operation.

Although they have no legal right of ownership or occupation, landholders adjoining unformed legal

roads may sometimes improve them by laying down gravel, for example.

Third parties, such as conservation groups, tramping clubs, horse trekking groups, mountain bike clubs or 4WD groups may also desire to develop sections of unformed legal roads to improve public access.

Councils, in addressing such requests, should ensure that their policies, by-laws and maintenance standards clearly set out responsibilities including, where appropriate, the level of council's reasonable observation of such work in order to mitigate possible risks and liabilities.

A council may decline any request to undertake work on an unformed legal road.

38 *Inhabitants of Kowai Road Board v Ashby* (1891) 9 NZLR 658; *Tuapeka County Council v Johns* (1913) 32 NZLR 618.

39 *Tarry v the Taranaki County Council* (1894) 12 NZLR 487 (CA); *Hokianga County v Parlane Brothers* (1940) NZLR 315; *Newsome v Darton Urban District Council* (1938) 3 All ER 9; *Hocking v Attorney-General* (1963) NZLR 513 (CA).

40 *Hocking v Attorney-General* (1963) NZLR 513 (CA).

41 Local Government Act 1974. Section 353 (b).

42 Local Government Act 1974. Section 353 (c).

43 In this context, a secondary-use road is one which is generally superseded by another newer road but which retains its legal status as a public road. It reverts to use which is largely recreational. A ferry access road down to the water replaced by a bridge, for example.

44 Hayes B. E. (2007). *Roading law as it applies to Unformed Roads* – at page 84.

45 *Tarry v the Taranaki County Council* (1894) 12 NZLR 487 (CA); *Hokianga County v Parlane Brothers* (1940) NZLR 315; *Newsome v Darton Urban District Council* (1938) 3 All ER 9; *Hocking v Attorney-General* (1963) NZLR 513 (CA).

7. Stopping of roads

The principle of the perpetual nature of a road may only be rebutted if the road is legally stopped.

In his decision in *Dawes v Hawkins*, Byles J said:

There can be no dedication of a way to the public for a limited time, certain or uncertain.

If dedicated at all, it must be dedicated in perpetuity.

It is also an established maxim 'once a highway always a highway' for the public cannot release their rights, and there is no extinctive presumption or prescription. The only methods of legally stopping a highway are, either by the old writ of *ad quod damnum*, or by proceedings before magistrates under the statute.⁴⁶

The early Public Works Acts from 1876, which vested all roads in the Crown, set out very prescriptive conditions for stopping roads,⁴⁷ including for stopping of roads solely for the convenience of a private person.⁴⁸ In this latter case, that private person was required to pay all the costs incurred, including the costs of constructing a new replacement road, if necessary. In all cases, detailed public notification and public participation was required to be undertaken by the road controlling authority before a road could be stopped.

Various Land Acts, from 1877, provided a separate and different authority for taking and closing (stopping) roads – for the purposes of settlement and development – to enable the Crown to effect road alterations, deviations, closing and exchanges by consent.⁴⁹

Hayes,⁵⁰ outlines in detail the chronological development of these statutory road stopping authorities and notes that:

...the legislative history of the separate processes shows that they were intended for use in different circumstances.⁵¹

The Native Land Act 1909 (as amended 1928) also provides for road stopping.

These three but separate road stopping processes of the early Public Works Acts, the Land Acts and the Native Land Acts served three very different purposes which continue into current statutes.

The current statutory powers for stopping roads are vested in:

- the Minister of Lands under the Public Works Act 1981 (previously the Land Acts);
- councils under the Local Government Act 1974 (previously the Public Works Acts and the Counties Act 1956); and
- the Māori Land Court under Te Ture Whenua Māori Act 1993 (previously the Native Land Acts).

7.1 The Minister may stop a road under the Public Works Act 1981

Under section 116 of the Public Works Act 1981, subject to conditions including the Minister of Lands giving the relevant council at least 10 working days prior notice – but not requiring public notification – the Minister may declare any road or part of a road to be stopped.

Section 116 does not provide a statutory power or authority for councils to initiate and stop an unformed legal road at the request and solely for the convenience of any private person. (Compare section 152 of the Public Works Act 1928 which road stopping powers are mostly now incorporated into the Local Government Act 1974).

As B E Hayes states:

The powers of the Minister, which may be exercised on the election of the Minister, but not on that of the territorial authority, are indicative of an administrative role which places the public interest as an overriding consideration. As an alternative to stopping unformed legal roads continue to be subject to return to the Crown on the request of the Minister

⁴⁶ *Dawes v Hawkins* [1860] EngR 968; (1860) 8 CB NS 848; 144 ER 1399.

⁴⁷ Public Works Act 1876. Section 93 lists 12 prescriptive conditions for stopping a road.

⁴⁸ Public Works Act 1928. Section 152 – road stopped for private benefit.

⁴⁹ Land Act 1877, section 162, Land Act 1892 section 13.

⁵⁰ Hayes B. E. (2008) *Roads, Water Margins and Riverbeds*, pages 85-90.

⁵¹ *Ibid* at page 87.

of Lands under s 323 of the Local Government Act 1974.⁵²

7.1.1 Esplanade reserves and marginal strips required

When the Minister stops any road or portion of a road under section 116, and the road is along the mark of mean high-water springs of the sea, or along the bank of any river, or the margin of any lake, then Section 118(1) of the Public Works Act 1981 mandates that the provisions of:

- (a) section 345(3) of the Local Government Act 1974 (relating to esplanade reserves) shall apply if that land was formerly road vested in the local authority, and
- (b) Part 4A of the Conservation Act 1987 (relating to marginal strips) shall apply if that land was formerly a Government road or a State highway or other road vested in the Crown.

7.2 Councils may stop roads under the Local Government Act 1974

Section 319(1) (h) sets out the statutory authority and power for a council to stop a road. (Section 319 (1) (d) also gives Councils the power to divert or alter the course of any road).

A council electing to stop an unformed legal road will have made its decision in terms of its policies and general statutory decision making framework developed according to the Local Government Act 2002. Section 342 and schedule 10 of the Local Government Act 1974 set out the specific manner and conditions for progressing the road stopping.

The road stopping process includes detailed public notification with robust objection and appeal requirements. In the event of the council disallowing a public objection, and the objector not subsequently withdrawing their objection, the road stopping proposal and objections must then go to the Environment Court for a final decision.

7.2.1 Stopping a road for private benefit – managing wider public interest

Most requests to stop unformed legal roads are initiated by adjoining landholders, not councils.

Stopping roads for private convenience and benefit was specifically provided for in the early legislation – but with requirement to construct new road, if necessary, and with stringent public notice requirements.⁵³ Those public notice requirements are now incorporated into the Local Government Act 1974. Public notification is particularly important when it comes to stopping unformed legal roads which are generally invisible and absorbed into the rural working

⁵² Hayes B. E. (2008) *Roads, Water Margins and Riverbeds*, at page 85 (Local Government Act 1974 - section 323(1) clarifies which unformed roads may be resumed by the Crown).

⁵³ Compare section 99 Public Works Act 1882 and section 152 Public Works Act 1928 – road stopped for private convenience and benefit was at the cost of applicant, including costs for constructing new road.



landscape. New recreation opportunities may only become apparent from public feedback arising from the public notification of a private land holder's request to stop a road.

The statutory decision making framework of the Local Government Act 2002 and the detailed road stopping processes and controls of the Local Government Act 1974 help councils to place the wider interests of the public ahead of private interests.

The courts uphold the priority of the public's right of passage over private interests.

Blanchard J emphasised this in the *Man O' War* case when he stated:

The integrity of the roading infrastructure is of such importance to the economic and social welfare of any society that it is to be anticipated that the public right to the use of roads will be given a measure of priority when it comes in conflict with private claims.⁵⁴

7.2.2 Minister's prior consent required before proceeding to stop rural roads

Section 342(1) (a) of the Local Government Act 1974 directs that a council shall not proceed to stop any road (or part) in a rural area without the prior consent of the Minister of Lands. This reflects the Crown's residual interest in rural roads and the statutory

provision enabling the Crown to resume unformed legal roads, which are generally rural.

7.2.3 Stopped roads along water bodies vest as esplanade reserves

Stopped roads with river, lake or coastal boundaries must vest as an esplanade reserve. That is for stopped roads along rivers of average width 3m or more, or around the margins of any lake with an area of 8 ha or more, or along the coast. The esplanade reserve shall be 20m wide, or the full width of the stopped road whichever is the lesser.⁵⁵ Any accretion that has added to a road being stopped also needs to be accounted for.⁵⁶

7.3 Unused road over Māori land may be stopped by court

Section 324 of the Te Ture Whenua Māori Act 1993 enables the Māori Land Court to make an order to stop a road constituted over any Māori freehold land – or any defined portion of it. Prior to making such an order, the court must have written consent to stop the road, from both the Minister of Transport and the authority having control of the road. The local authority will follow its standard consultation/public notification processes before giving such consent.

⁵⁴ *Man O' War Station Ltd v Auckland City Council* (2000) 2 NZLR 267, at p286.

⁵⁵ Local Government Act 1974 section 345 (3) and (4). The esplanade reserve width may be subject to a district plan rule.

⁵⁶ Section 315(4) Local Government Act 1974 confirms that accretion shall form part of the road.

Wharekai – Te Kau Walkway in Jackson Bay closely follows an unformed legal road.

8. Appendix A – Locating unformed legal roads

The public's right to pass and repass over unformed legal road does not extend to crossing private land adjoining the road – unless landholder's permission is given. Therefore people need to navigate unformed roads carefully, as they may be indistinguishable from the surrounding countryside – unless fenced or identified by regular use.

Property boundaries, including most unformed legal roads, are identified in the official cadastral survey record held by Toitū Te Whenua Land Information New Zealand (LINZ). This information is publicly available and forms one of the core mapping layers ubiquitous in most geographic information systems (GIS) including those of Herenga ā Nuku, local authorities, and Google Map applications.

People can deduce the position of most unformed legal roads, with varying degrees of accuracy, by overlaying current imagery with property boundary lines.

Given the quality and accuracy of new imagery, much of the variability between image features and digital cadastral boundary lines can be explained by the historic method of capturing rural property boundaries which was by digitising paper record maps.

Notwithstanding subsequent efforts to improve the accuracy of previously digitised boundaries, many unformed legal road parcels, depicted in the various GIS mapping applications, may differ from their correct position – up to tens of metres in some cases.

Recreational hand-held navigation and positioning technology will typically achieve a 5-10 metre accuracy range. This navigation accuracy is improving as technology develops. But the challenge remains

in coordinating unformed legal roads from GIS applications given the absence of physical boundary marks and other physical structures to correlate against.

We may estimate the mapping accuracy of a road, in the vicinity of the area of interest, using a GIS application. We do this by observing the correlation between boundary fence lines identified on imagery and the corresponding cadastral property boundary lines from the digital cadastral boundary layer.

Landholders have the right of undisturbed possession of their land and the public have the right to pass and repass over an unformed legal road. The challenge is how to navigate these respective rights when the existence of the road is acknowledged but the boundary positions are disputed.

In the event of a significant dispute a cadastral land surveyor may be required to confirm the legal road alignment.

In practice, the precise location of boundaries may not be critical. Rather, an acknowledgement by all parties of the road's existence, providing legal public access from 'A' to 'B', may be enough to achieve pragmatic agreement on a practical public access route.

Landholders, concerned about road users straying onto their land, may wish to identify their property boundary with appropriate markers.

Any issues should be raised with the roading authority, the council, in the first instance.

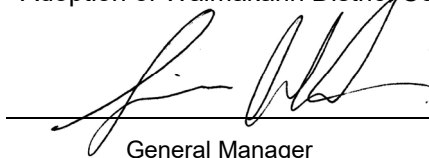
Depending on the circumstances, Herenga ā Nuku and local recreation groups may also be able to assist.

Waimakariri District Council**Road Reserves Fencing and Grazing Policy (S-CP 4560, dated 12 November 2013)**

Para 4.2 Grazing

4.2.1 The grazing of road reserve frontages is not permitted on the following roads:

- Tram Road
- Oxford Road
- Rangiora-Woodend Road
- Millton Avenue
- Cones Road (River Road to Carrs Road)
- Fawcetts Road
- Ashley Gorge Road
- Lineside Road
- Depot Road
- Upper Sefton Road
- Dixons Road (Loburn)
- Loburn-Whiterock Road (Dixons Road to Chapel Road)
- Kippenberger Avenue
- River Road (West Belt to Millton Avenue)
- Main North Road
- Williams Street
- Smith Street
- Island Road
- Skewbridge Road
- Flaxton Road
- South Eyre Road from diversion bridge to Tram Road
- All roads within urban areas
- On the mown verge of sections of road regularly mown by the Council or its contractors.

WAIMAKARIRI DISTRICT COUNCIL**REPORT FOR DECISION****FILE NO and TRIM NO:** LTC-03-20 / 231012163082**REPORT TO:** COUNCIL**DATE OF MEETING:** 7 November 2023**AUTHOR(S):** Témi Allinson, Senior Policy Analyst**SUBJECT:** Adoption of Waimakariri District Community Outcomes**ENDORSED BY:**
(for Reports to Council,
Committees or Boards)


General Manager



Chief Executive

1. SUMMARY

- 1.1 Community outcomes are the outcomes that a local authority aims to achieve in order to promote the social, economic, environmental, and cultural well-being of its district or region, in the present and for the future.
- 1.2 Community outcomes describe the aspirations and priorities of New Zealand's communities and can therefore provide a guide for groups and organisations serving the community.
- 1.3 The Local Government Act (2002) (the Act) requires local authorities to always have a Long-Term Plan. The purpose of the Long-Term Plan is amongst other things, to describe the community outcomes of the local authority's district or region.
- 1.4 As part of the work being done towards preparing for the 2024-34 draft Long-Term Plan, officers have undertaken a review of the existing community outcomes set out in Council's 2021-31 Long-Term Plan. Public consultation has been undertaken on the community outcome statements and minor edits by a Hearings Panel have ensued.
- 1.5 The purpose of this report is to seek Council's approval to adopt the community outcomes so they can become operational and able to be used by Council officers.

Attachments:

- i. Draft Community Outcomes (TRIM 230620091148)
- ii. Minutes of Hearing and Deliberations on submissions made on Community Outcomes 27 September 2023 (TRIM 230924149758)

2. RECOMMENDATION**THAT** the Council:

- (a) **Receives** Report No. 231012163082.
- (b) **Adopts the** community outcomes for use by Council in its draft Long-Term Planning, annual planning, and strategy development. (TRIM 230620091148).

- (c) **Circulates** this report and the attached community outcomes to the Community Boards for their information; and
- (d) **Notes** that the community outcomes are no longer linked to the United Nations Sustainable Development Goals but rather targeted to align with the four dimensions of well-being.
- (e) **Notes** that officers will continue to seek to work with Te Ngāi Tūāhuriri representatives to get their feedback on the community outcomes and that there may be targeted indicator statements resulting from this process which will be tabled before Council as they arise in the future.

3. **BACKGROUND**

- 3.1. The Local Government Act (2002) (the Act) requires local authorities to always have a Long-Term Plan. The purpose of the Long-Term Plan is, amongst other things, to describe the community outcomes of the local authority's district or region.
- 3.2. Community outcomes are outcomes that a local authority aims to achieve in order to promote the well-being of its district or region, both in the present and for the future. They are important because they provide the opportunity for communities to articulate their aspirations and therefore provide a guide for groups and organisations serving the community.
- 3.3. Community outcomes inform and guide the plans of local authorities and other organisations who work in the community; helping to make sure that these groups know what is important to the communities they are serving. Having clearly articulated and understandable community outcomes enables Council's departments to better align their planning and service levels with community aspirations, and to work more closely together to find effective ways of achieving these common goals.
- 3.4. No single organisation has responsibility for achieving community outcomes. Council bears responsibility for describing the community outcomes for the district in its Long-Term Plan. However, it does not bear sole responsibility for achieving these outcomes as a wide range of organisations and groups have a part to play in improving the well-being of local communities.
- 3.5. As part of the work being done towards preparing for the 2024-34 draft Long-Term Plan, officers have undertaken a review of the existing community outcomes set out in Council's 2021-31 Long-Term Plan. Council at its meeting on 4 July 2023 authorized officers to undertake a public consultation process on the outcomes and approved the nomination of Councillors Ward, Redmond and Goldsworthy to a Hearings Panel Committee.
- 3.6. The consultation ran from 9 August to 8 September. The consultation period was followed by a public hearing and deliberations process held on 27 September. During the hearing, feedback from received submissions were considered and a review of the recommended changes from submitters was undertaken.
- 3.7. From the submissions received, there was little direct opposition to the draft outcomes and their sub-indicators. However, a few suggestions were made to either alter some phrasing or to introduce additional sub-indicators. The Panel considered these, and their recommended changes have been reflected in the draft Community Outcomes document attached to this report.
- 3.8. The full details of the hearing and deliberations panel proceedings are captured in the hearing minutes that accompany this report (TRIM 230924149758).
- 3.9. During the deliberations process, the panel members expressed a desire for specific Te Ngāi Tūāhuriri hapū-centric outcomes and/or sub-indicators. They also agreed that the

crafting of such statements is best left to be hapū-led. It was decided that the outcomes should be recommended for adoption as they currently are, with the caveat that opportunities to explore hapū-led and centric community outcome statements will be pursued by officers as they arise.

- 3.10. Any future modifications arising from engagement with Te Ngāi Tūāhuriri will need to be brought to Council for review and adoption before they are made operational.

4. ISSUES AND OPTIONS

- 4.1. The draft community outcomes have been reviewed and updated to ensure that they retain the aspirations that underlay the existing outcomes as well as gaps being expanded to better reflect emerging issues and aspirations.
- 4.2. While most of the draft outcomes have been derived from existing outcome statements, they have been restructured to better align with the four well-being pillars and provide greater clarity to Council units and other organisations on how to better target their activities and planning to deliver desired outcomes across all four well-being elements.
- 4.3. These draft outcomes are the results of a comprehensive process and multiple iterative meetings with council officers, the management team, elected members, and the community to help ensure that they are as robust and comprehensive as possible.

- 4.4. As regards the community outcome statements and sub-indicators, the following options are available to Council:

- 4.5. Option One – Retain the existing list of 14 community outcome statements and 55 indicators:

This option would see Council retain the current set of community outcome statements and accompanying indicators. Having so many outcome and indicator statements means there is a great deal of overlap and repetition across the statements. This option also does not address the opportunity to align the outcomes in line with community well-being responsibilities that the Local Government Act 2002 now gives Councils and local authorities responsibility for fulfilling. Most importantly, this option does not give Council the opportunity to refresh its community outcomes and have them better reflect emerging trends and community aspirations. As such this is not the recommended option.

- 4.6. Option Two – Accepts the draft community outcomes including the edits recommended by the hearings panel becoming operational:

This option would see Council adopt the draft statements as they currently stand. This is the recommended option.

- 4.7. Option Three – Further amend the draft community outcomes before adopting them:

This option would see Council further amend the draft statements and indicators. A significant amount of work has already gone into the draft of these statements and indicators. A series of iterative workshops have been held with Council department heads, the management team, members of the community and the Council itself to get to this stage. The draft statements are the better for having undergone such a robust process to get to this stage and have been modified to reflect emerging community aspirations. As such this is not the recommended option.

Implications for Community Wellbeing

There are implications on community wellbeing by the issues and options that are the subject matter of this report.

- 4.8. The Act gives local authorities the broad mandate to promote community well-being, beyond merely being empowered to undertake particular tasks or activities that may

contribute to well-being. Essentially, promoting and advancing community well-being is one of the purposes of local government.

- 4.9. Community outcomes are about improving the well-being of communities over time, and in a sustainable manner. Well-being happens when people and communities feel fulfilled and satisfied that their needs are being met.
- 4.10. Well-being is seen as being made up of four inter-related dimensions – social, environmental, economic and cultural. Promoting all four aspects of well-being is critical to sustainable development as this will not be achieved if only one or two of the four are delivered upon. Laying out the draft community outcomes in line with well-being dimensions will help to ensure appropriate focus on all aspects of well-being.
- 4.11. When adopted, the new outcomes will help to guide the development of Council's plans and strategies for inclusion in its 2024-34 draft Long-Term Plan,
- 4.12. The Management Team has reviewed this report and support the recommendations.

5. COMMUNITY VIEWS

5.1. Mana whenua

Te Ngāi Tūāhuriri hapū are likely to have an interest in the subject matter of this report. Council officers will seek to undertake further targeted consultation with the hapū as guided by rūnanga.

5.2. Groups and Organisations

There are groups and/or organisations that are likely to be affected by, or to have an interest in the subject matter of this report. They have been afforded an opportunity to be heard as part of the wider public consultation process.

5.3. Wider Community

The wider community is likely to be affected by, or to have an interest in the subject matter of this report. In recognition of this, Council officers have undertaken consultation with the wider community on the proposed statements and indicators.

6. OTHER IMPLICATIONS AND RISK MANAGEMENT

6.1. Financial Implications

There are no financial implications of the decisions sought by this report. Where any financial obligations of Council are referenced, these are already specifically provided for in the Annual Plan / Long Term Plan funding or fees and charges manual. This information is publicly available and has been previously consulted through these processes.

6.2. Sustainability and Climate Change Impacts

The recommendations in this report have sustainability and/or climate change impacts. Some of the statements reference specific sustainability and/or climate change aspirations as part of the community outcomes.

6.3 Risk Management

There are no risks arising from the adoption/implementation of the recommendations in this report.

6.3 Health and Safety

There are no health and safety risks arising from the adoption/implementation of the recommendations in this report.

7. CONTEXT

7.1. Consistency with Policy

This matter is a matter of significance in terms of the Council's Significance and Engagement Policy.

"The impact or consequences of the decision or proposal will have a substantial impact on more than 2.5% of the resident population of the District based on estimates by Statistics New Zealand at 30 June each year."

7.2. Authorising Legislation

The Local Government Act 2002

The matter comes within scope of the Council's lawful powers, including satisfying the purpose statement of Section 10 of the Local Government Act 2002. That section of the Act states that the purpose of local government is (a) to enable democratic local decision-making and action by, and on behalf of, communities; and (b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future.

It is considered that social / cultural/ economic / environmental well-beings are of relevance to this matter.

7.3. Consistency with Community Outcomes

Council's community outcomes are relevant to all the actions arising from and recommendations in this report.

7.4. Authorising Delegations

The Council has the responsibility for making decisions that advance the well-being and development of the district and its communities. These community outcomes have been developed in accordance with this responsibility.

Draft Community Outcomes - 2024

<p>Social</p> <p>A place where everyone can have a sense of belonging...</p> <ul style="list-style-type: none"> • Public spaces are diverse, respond to changing demographics and meet local needs for leisure and recreation. • Council commits to promoting health and wellbeing and minimizing the risk of social harm to its communities. • Housing is available to match the changing needs and aspirations of our community. • Our community groups are sustainable and able to get the support they need to succeed. • Our community has access to the knowledge and skills needed to participate fully in society and to exercise choice about how to live their lives. • People are able to enjoy meaningful relationships with others in their families, whanau, communities, iwi and workplaces. • Our community has equitable access to the essential infrastructure and services required to support community wellbeing. 	<p>Cultural</p> <p>...where our people are enabled to thrive and give creative expression to their identity and heritage...</p> <ul style="list-style-type: none"> • Public spaces express our cultural identities and help to foster an inclusive society. • The distinctive character of our takiwā / district, arts and heritage are preserved and enhanced. • All members of our community are able to engage in arts, culture and heritage events and activities as participants, consumers, creators or providers. • Waimakariri's diversity is freely expressed, respected and valued. • There is an environment that supports creativity and innovation for all. • Local arts, culture and heritage are able to make a growing contribution to the community and economy.
<p>Environmental</p> <p>...that values and restores our environment...</p> <ul style="list-style-type: none"> • People are supported to participate in improving the health and sustainability of our environment. • Land use is sustainable; biodiversity is protected and restored. • Our district is resilient and able to quickly respond to and recover from natural disasters and the effects of climate change. • Our district transitions towards a reduced carbon and waste district. • The natural and built environment in which people live is clean, healthy and safe. • Our communities are able to access and enjoy natural areas and public spaces. 	<p>Economic</p> <p>...and is supported by a resilient and innovative economy.</p> <ul style="list-style-type: none"> • Enterprises are supported and enabled to succeed. • There is access to meaningful, rewarding, and safe employment within the district. • Our district recognizes the value of both paid and unpaid work. • Infrastructure and services are sustainable, resilient, and affordable. • Our district readily adapts to innovation and emerging technologies that support its transition to a circular economy. • There are sufficient and appropriate locations where businesses can set up in our District. • There are sufficient skills and education opportunities available to support the economy.

WAIMAKARIRI DISTRICT COUNCIL**MINUTES OF THE HEARING AND DELIBERATIONS OF THE REVIEW OF THE COUNCIL'S COMMUNITY OUTCOMES SUBMISSIONS HELD IN THE COUNCIL CHAMBER, RANGIORA SERVICE CENTRE, 215 HIGH STREET, RANGIORA ON WEDNESDAY 27 SEPTEMBER 2023 WHICH COMMENCED AT 9AM****PRESENT**

Councillors J Ward (Chairperson), J Goldsworthy and P Redmond

IN ATTENDANCE

M Maxwell (Strategy and Business Manager), T Allinson (Senior Policy Analyst), A Smith (Governance Coordinator)

1. APPOINTMENT OF A HEARING PANEL CHAIRPERSON

A Smith opened the meeting and called for nominations for a Chairperson for the Hearing Panel.

Moved Councillor Redmond

Seconded Councillor Goldsworthy

THAT Councillor Ward be appointed as Chairperson of the Review of Community Outcomes Hearing Panel.

CARRIED

At this time, Councillor Ward assumed the Chair for the duration of the hearing and deliberations.

2. APOLOGIES

There were no apologies.

3. CONFLICTS OF INTEREST

No conflicts of interest were recorded.

4. HEARING OF SUBMISSIONS

No submitters wished to speak to their submission at the hearing.

5. DELIBERATIONS

All submissions received were included as attachments (ii) to (v) to the staff report Trim 230913142800. Eight submissions were received through the Bang the Table engagement process, with three further submissions received from the Waimakariri Youth Council, Te Whatu Ora (Health New Zealand) and North Canterbury Federated Farmers.

Hearing panel members were provided with a copy of the Draft Community Outcomes that went out for public consultation.

The hearing panel considered all the submissions received through this Special Consultative Procedure.

Submissions received through the Bang the Table Engagement

Of the eight responses received through the Bang the Table engagement process, there was little opposition to the draft outcomes and their sub-indicators. One submitter did not support the Economic Community Outcomes and also did not agree with including Community Outcomes into the Council's Long-Term Plan. It was confirmed that there was a statutory requirement for these to be included.

General comment from the responses suggested that the emphasis should be on outcomes that Council can directly control and are responsible for.

Waimakariri Youth Council submission

The Youth Council had discussed their submission on the Review of Community Outcomes at a recent Youth Council meeting, and there had been comments made at that meeting on more pedestrian areas for young people, for example, in High Street Rangiora. Some other submitters had also suggested that there needed to be more places in the district for young people to gather safely.

The Hearing Chairperson also appreciated the effort that the Youth Council had taken to submit on this process.

T Allinson added that the Council Communications Team had provided some support to the Youth Council in constructing their submission.

Councillor Redmond observed that most submitters had raised specific matters that were covered more broadly in the Community Outcomes. T Allinson responded that this was the case with some specific submission points and it was not considered that the Community Outcomes was an appropriate place to capture these points.

Te Whatu Ora submission

Following a query from Councillor Ward, T Allinson explained that Te Mana Ora is the Community and Public Health branch of the National Public Health Service (Te Whatu Ora Waitaha).

Councillor Redmond noted this submission also raised specific matters which were covered largely in the Cultural Outcomes of the Community Outcomes.

This submission recommended the explicit inclusion of Maori and Pasifika culture within the Cultural Community Outcomes, noting that 8.6% of the population in the Waimakariri district were Maori and 1.4% were Pacific peoples. Councillor Redmond observed that Iwi were not referred to specifically in the Cultural Outcomes, nor was Pasifika, but there was also a lot of other cultural groups in the district. Councillor Ward noted that there had not been any comments received from Ngai Tuahuriri during this consultation process.

T Allinson responded that there had been considerable discussion on the inclusion on Mana Whenua during the process of drafting the Community Outcomes. It was also noted that it would be appropriate that if this was to be included, it would be in the words and terms of Mana Whenua. It was also observed that the specific inclusion of Mana Whenua and Pasifika varied between different regions and how each local Iwi or Hapu engage.

It was pointed out that this submission was coming from the health outcomes perspective of Te Whatu Ora and M Maxwell considered that Mana Whenua was a separate entity from all other cultures.

North Canterbury Federated Farmers of New Zealand

This submission came from a rural and farming aspect which was acknowledged and respected. Farming was a valued part of the Waimakariri community. The points of submission from Federated Farmers were respected but it was considered that some of their comments did not necessarily add value to the Community Outcomes and some comments were already captured in the Outcomes.

Referring to mental health, Councillor Ward believed that this was something that needed to be focused on throughout all communities. Regarding climate change, noted that central government were imposing more regulations on producers which was making it challenging for them. It was important to be mindful of these challenges as farming plays a big part of the economy of the district. Farmers are responsible and care about their environment.

M Maxwell pointed out that some of the submission points raised, for example on economy, would be covered in various Strategies, such as the Economic Development Strategy. Sometimes it could be small acts of support to the rural communities from Councils that help support engagement with the rural communities.

Amendments to the Community Outcomes.

Note that these recommended amendments (as highlighted) are included in the recommendation (below) from the Hearing Panel to Council

Following consideration of each submitters recommended changes to the Community Outcomes, the hearing panel agreed to the following amended bullet point sub-indicators:

Social Community Outcomes

- *Council commits **to promoting health and wellbeing** and minimizing the risk of social harm to its communities.*
- *Our community has **equitable** access to the essential infrastructure and services required to support community wellbeing.*

Members agreed that the new social sub-indicator suggested by North Canterbury Federated Farmers was covered by the amended wording, as above, “.....to promoting health and wellbeing.....”.

Cultural Community Outcomes

There were no suggested amendments through the Bang the Table responses.

Councillor Redmond believed it was an omission that there was no reference to maori culture in this section of the Community Outcomes. On referring to the Te Mana Ora suggestion of an additional Cultural sub-indicator, he proposed the following:

Maori culture and identity are celebrated an empowered.

Councillor Goldsworthy noted his concern that unless it was headed by Ngai Tuahuriri, it would not be the Council's place to take the lead on this.

Following discussion on including this sub-indicator, it was agreed that developing an appropriate sub-indicator should be left to Te Ngai Tuahuriri hapu to take the lead on.

Councillor Ward referred to bullet points (sub-indicators) two and four under Cultural, both covered this in a broad sense. Staff advised that there would be further endeavours to initiate discussions with Ngai Tuahuriri on this matter. While it was commendable that Council would like to include an outcome promoting Māori culture as a Māori specific sub-indicator, guidance around promoting Māori culture was already provided for in legislation and anything Council does in this space would be supplementary to this. Rather, it was best that any Māori specific sub-indicator be left to local iwi to determine.

Councillor Redmond acknowledged the comments and discussion and it was agreed by all panel members to not include this additional proposed Cultural sub-indicator.

The Waimakariri Youth Council suggested the inclusion of the word “all” at the beginning of the third bullet point. Hearing Panel members agreed with this suggestion.

- *All members of the community are able to engage in arts, culture and heritage events and activities as participants, consumers, creators, or providers.*

Environmental

There were no specific changes to the outcomes suggested from the Bang the Table responses.

From the Waimakariri Youth Council - there were no suggested changes to the wording of the Community Outcomes, but suggestions on educating the community about recycling, waste management, sustainability and health of the environment.

Comments from Te Mana Ora - Acknowledges their suggested outcome, but did not believe this needed to be added, as the second to last bullet point covered this outcome.

NC Federated Farmers comments – the challenges that farmers are facing with directions from central government.

The hearing panel agreed to the following updated wording for the first bullet point:

“People are supported to participate in improving the health and sustainability of our environment.

Economic

There was significant discussion on the suggested new sub-indicator from NC Federated Farmers, comments from staff acknowledged. It was noted that the Council already provided support to industries in the district and encouraged new businesses into the district.

The Hearing Panel agreed to the inclusion of a new Economic sub-indicator and to an updated order of these, as follows:

- *Enterprises in our district are supported and enabled to succeed.*
- *There is access to meaningful, rewarding, and safe employment within the district.*
- *Our district recognises the value of both paid and unpaid work.*
- *Infrastructure and services are sustainable, resilient, and affordable.*
- *Our district readily adapts to innovation and emerging technologies that support its transition to a circular economy.*
- *There are sufficient and appropriate locations where businesses can set up in our District.*
- *There are sufficient skills and education opportunities available to support the economy.*

6. STAFF REPORT

6.1. Community Outcomes Submissions - Hearings Panel Report and Recommendations – T Allinson (Senior Policy Analyst)

T Allinson referred to her report, which was taken as read. The modest number of responses and submissions received was highlighted. Particular mention was made of the well-considered submission from the Waimakariri Youth Council. It was pointed out that there had been an analysis of the submissions received included in the report, and the hearing panel referred to this, in conjunction with consideration of the submissions. There had been very little direct opposition to the draft outcomes and the sub-indicators. Submitters made some suggestions for amendments to existing sub-indicators, or in some cases, newly worded ones.

Moved Councillor Redmond

Seconded Councillor Goldsworthy

THAT the Community Outcomes Hearing Panel:

- (a) **Receives** Report No. 230913142800.
- (b) **Receives and considers** all submissions on the Community Outcomes review.
- (c) **Notes**, subject to any recommended changes by the panel, staff will prepare a report to Council on behalf of the Hearings Panel recommending the adoption of the reviewed Community Outcomes.
- (d) **Recommends** to Council the following amendments to the Community Outcomes under the relevant headings: (*amendments in italics*)

Social Outcomes

Amend second bullet point

- Council commits to *promoting health and wellbeing* and minimizing the risk of social harm to its communities.

Amend final bullet point:

- Our community has *equitable* access to the essential infrastructure and services required to support community wellbeing

Cultural Outcomes

Amend third bullet point:

- “*All* members of the community are able to engage in arts, culture and heritage events and activities as participants, consumers, creators, or providers.

Environmental Outcomes

Amend first bullet point

- “*People are supported* to participate in improving the health and sustainability of our environment.

Economic Outcomes

New first bullet point, amended wording in third bullet point and reorder remaining bullet points as follows:

- *Enterprises in our district are supported and enabled to succeed.*
- There is access to meaningful, rewarding, and safe employment within the district.

- Our district *recognises the value* of both paid and unpaid work.
- Infrastructure and services are sustainable, resilient, and affordable.
- Our district readily adapts to innovation and emerging technologies that support its transition to a circular economy.
- There are sufficient and appropriate locations where businesses can set up in our District.
- There are sufficient skills and education opportunities available to support the economy.

CARRIED

There being no further business, the hearing and deliberations concluded at 11.08am.

CONFIRMED

Chairperson

Date

WAIMAKARIRI DISTRICT COUNCIL**REPORT FOR DECISION**

FILE NO and TRIM NO: LTC-03-20 / 231017165864


REPORT TO: COUNCIL

DATE OF MEETING: 7 November 2023

AUTHOR(S): Témi Allinson, Senior Policy Analyst

SUBJECT: Adoption of Council's Strategic Priorities

ENDORSED BY:
(for Reports to Council,
Committees or Boards)



General Manager



Chief Executive

1. SUMMARY

- 1.1 The purpose of this report is to seek Council's approval to adopt its draft strategic priority statements so they can become operational and able to be used by Council officers.
- 1.2 Strategic priorities are a key part of direction setting and are usually areas of Council's operations where elected members want to see a change in approach or an increase in focus over a Council term and beyond. The Mayor and Councillors have worked to identify their strategic priorities for this triennium (2022 - 2025).
- 1.3 As part of the work being done towards preparing for the 2024-34 draft Long-Term Plan, business departments across Council are working on their activity plans for the next ten years. It is important that the proposed activities can be clearly linked to contributing to the achievement of identified strategic priorities.

2. RECOMMENDATION

THAT the Council:

- (a) **Receives** Report No. 231017165864.
- (b) **Adopts** the strategic priorities, as shown in section 3.7 of this report, for the purposes of planning, strategy development and inclusion in the draft Long-Term Plan
- (c) **Circulates** this report to the Community Boards for their information.

3. BACKGROUND

- 3.1. The Mayor and Councillors have worked to identify their strategic priorities for this triennium. Over the early part of the year, a series of workshops have been held with Management Team and Elected Members as part of this identification process.
- 3.2. The first iteration of strategic priority statements was developed during Council's Strategic Planning Day held in February 2023. Following that initial process, the statements have been further refined through further workshops with the Council and with the Management Team

- 3.3. All requested edits have now been completed. The document attached to this report shows the preferred statements for each priority area. Accompanying explanatory paragraphs are also provided next to each statement.
- 3.4. Adopting these strategic priorities will complete the final strand in Council's strategic framework.
- 3.5. The framework enables our strategies and plans to be grouped around the community outcomes, key principles of tā mātou mauri and Council's strategic priorities – creating a clear line of sight between what we do and what we're aiming to achieve for our district and communities, now and in the future. It also provides clarity about the way we will work to achieve those outcomes.
- 3.6. Together these strands are woven through into a strategic framework, consistently running through, and supporting everything Council does. To enable this, they will be integrated into Council's planning, process and delivery. The framework will guide the development of Council's next Long-Term Plan. New initiatives identified through the strategies and action plans that derive from this framework will be implemented through the 2024 -2034 Long-term Plan.
- 3.7. **Draft Strategic Priorities: 2022 – 2025 Triennium**

Priority Statement	Narrative	Well-being Dimension
Protect and enhance the resilience of our natural and built environment	<i>Respond to the challenges posed by climate change by building resilient infrastructure, managing adaptation, and minimising council's carbon emissions.</i>	Environmental and Economic
Enhance community wellbeing, safety, inclusivity and connectedness	<i>Waimakariri District is a high growth area with an increasingly diverse population. We want to build a wellbeing centred community where all feel safe and welcome; are accepted and connected.</i>	Social and Cultural
Advance an integrated and accessible transport network	<i>Improve transportation options across the district by working to reduce congestion, providing alternative transport options, and ensuring the choices cater to a range of accessibility needs.</i>	Economic, Environmental and Social
Enable economic development and sustainable growth	<i>Enable economic prosperity of the district through sustained population growth, direct investment and business friendly practices that attract new and support existing local businesses</i>	Economic
Embrace partnership with Ngāi Tūāhuriri	<i>Pursue a meaningful, open and trusting relationship based on the principles of Te Tiriti with Ngāi Tūāhuri</i>	Environmental, Social, Cultural and Economic

4. ISSUES AND OPTIONS

- 4.1. As regards the strategic priorities, the following options are available to Council:

- 4.2. Option One – Approves the draft strategic priority statements as they are and makes them operational:

This option would see Council adopt the draft statements as they currently stand. This is the recommended option.

- 4.3. Option Two – Amend the draft strategic priority statements before adopting them:

This option would see Council further amend the draft statements and / or the accompanying explanatory notes. A series of iterative workshops have been held with the Management Team and the Council itself to get to this stage. The draft statements are the better for having undergone such a robust process to get to this stage and have been crafted to reflect issues of significance to Council priorities. As such this is not the recommended option.

Implications for Community Wellbeing

There are implications on community wellbeing by the issues and options that are the subject matter of this report.

- 4.4. The Act gives local authorities the broad mandate to promote community well-being, beyond merely being empowered to undertake particular tasks or activities that may contribute to well-being. Essentially, promoting and advancing community well-being is one of the purposes of local government.
- 4.5. When adopted, the strategic priorities will help to guide the development of Council's plans and strategies for inclusion in its 2024-34 draft Long-Term Plan,
- 4.6. The Management Team has reviewed this report and support the recommendations.

5. COMMUNITY VIEWS

5.1. Mana whenua

Te Ngāi Tūāhuriri hapū are likely to have an interest in the subject matter of this report. One of the identified strategic priorities articulates Council's desire to pursue a meaningful, open and trusting relationship based on the principles of te Tiriti with Ngāi Tūāhuri.

These strategic priorities, along with the draft community outcomes have been shared with Te Ngāi Tūāhuriri rūnanga for comment.

5.2. Groups and Organisations

There are no groups and/or organisations that are likely to be affected by, or to have an interest in the subject matter of this report beyond general interest as members of the wider community.

5.3. Wider Community

The wider community is likely to be affected by, or to have an interest in the subject matter of this report. The strategic priority statements will be made publicly available on Council's website and on its key publications for the community to be able to view.

6. OTHER IMPLICATIONS AND RISK MANAGEMENT

6.1. Financial Implications

There are no financial implications of the decisions sought by this report. Where any financial obligations of Council are referenced, these are already specifically provided for in the Annual Plan / Long Term Plan funding or fees and charges manual. This information is publicly available and has been previously consulted through these processes.

6.2. Sustainability and Climate Change Impacts

The recommendations in this report have sustainability and/or climate change impacts. Some of the statements reference specific sustainability and/or climate change aspirations as part of the community outcomes.

6.3 Risk Management

There are no risks arising from the adoption/implementation of the recommendations in this report.

6.3 Health and Safety

There are no health and safety risks arising from the adoption/implementation of the recommendations in this report.

7. CONTEXT

7.1. Consistency with Policy

This matter is a matter of significance in terms of the Council's Significance and Engagement Policy.

“The impact or consequences of the decision or proposal will have a substantial impact on more than 5% of the resident population of the District based on estimates by Statistics New Zealand at 30 June each year.”

As the strategic priorities are elected members-initiated statements on matters or focus areas they have identified as requiring specific and / or targeted action, it has not been open to a public consultation exercise. However, the public will be informed of its development.

7.2. Authorising Legislation

The Local Government Act 2002

The matter comes within scope of the Council's lawful powers, including satisfying the principles of Local Government in section 14 and the purpose statement of Section 10 of the Local Government Act 2002. Section 10 of the Act makes clear the purpose of local government is (a) to enable democratic local decision-making and action by, and on behalf of, communities; and (b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future.

It is considered that social / cultural/ economic / environmental well-beings are of relevance to this particular matter.

7.3. Consistency with Community Outcomes

Council's community outcomes have strongly influenced the identification and development of these strategic priorities.

7.4. Authorising Delegations

The Council has the responsibility of making decisions that advance the well-being and development of the district and its communities. These strategic priorities have been developed in light of this responsibility.

WAIMAKARIRI DISTRICT COUNCIL**REPORT FOR DECISION**

FILE NO and TRIM NO: BAC-03-105 / 231009160007

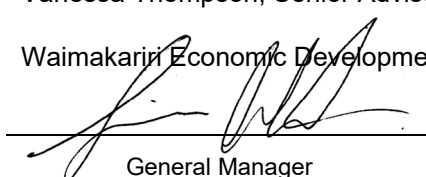
REPORT TO: COUNCIL

DATE OF MEETING: 7 November 2023

AUTHOR(S): Vanessa Thompson, Senior Advisor Business & Centres

SUBJECT: Waimakariri Economic Development Strategy for Adoption

ENDORSED BY:
(for Reports to Council,
Committees or Boards)



General Manager



Chief Executive

1. **SUMMARY**

- 1.1. This report seeks Council approval to adopt the Waimakariri Economic Development Strategy and associated Implementation Action Scheule.
- 1.2. A period of public engagement on the draft Strategy was undertaken covering 17 September to 1 October (six and a half weeks) to assess community feedback against the key directions and implementation actions. Key engagement findings included (from 14 survey submitters):
- 317 visitors clicked on the Let's Talk consultation page; 74 people engaged with the page in some way; and 14 people completed the survey. 173 document downloads occurred as part of the consultation.
 - **Sustainable Futures**: 71% in favour of this theme and 29% against. 71% in favour of the associated strategic priorities, 21% against and 8% undecided.
 - **Connected Communities**: 79% in favour of this theme and 21% against. 71% in favour of the strategic priorities, 29% against.
 - **Business Responsiveness**: 79% in favour of this theme and 21% against. 72% in favour of the strategic priorities, 14% against and 14% undecided.
 - **Liveable Places and Spaces**: 93% in favour of this theme and 7% against. 79% in favour of the strategic priorities and 21% against.
 - **Investment Attraction**: 79% in favour of this theme, 14% against and 7% undecided. 79% in favour of the strategic priorities and 21% against.
 - **Strategy changes (italicised)**:
 - **Amended Priority 7**: Improve the connectivity and efficiency of the transport network and its resilience, *including for the rural sector*.
 - **Amended Priority 10**: Continue to improve the amenity, vibrancy *and accessibility* of our public places for people and businesses.
 - **New Action**: *Support repair, reuse and exchange micro-business community initiatives like the Repair Café movement which align with the move to a circular economy.*
 - **Amended Action 53**: Investigate opportunities for the strategic *and sustainable commercial* development of the Rangiora Airfield *site* and prepare a business case to progress viable options through the appropriate Council decision process.

Waimakariri Economic Development Strategy now reflects public feedback (where appropriate) which informs the final key directions and implementation actions.

- 1.3. The Strategy was developed over the last 1.5 years with the support of key stakeholders including elected members, business leaders, Enterprise North Canterbury and Market Economics, including community feedback received during the public consultation period.
- 1.4. It includes a mix of business-as-usual (BAU) priorities and actions, as well as a range of new directions that reflect relevant policy changes in relation to climate change and emissions reduction that will impact across core business sectors in the district. It also considers and reflects various local and regional frameworks that might intersect with district wide business growth and related activity planning.
- 1.5. An Implementation Schedule of 53 actions will form the basis of a work programme and give effect to the key directions outlined under the guiding themes and priorities. Progress against the Implementation Schedule will be assessed annually.
- 1.6. The adopted Strategy will cover a delivery timeframe from 1 July 2024 to 30 June 2034. New budget to deliver on the Implementation Schedule will be requested through the 2025/26 Annual Plan following a period of scoping across 2024/25 to determine the project costs for implementation actions requiring new budget. Where possible, prioritised projects that can be delivered within existing budgets and resources will be progressed from 1 July 2024.

Attachments:

- i. 231026171216 – Waimakariri Economic Development Strategy
- ii. 231002154990 – Waimakariri Economic Development Strategy Survey Summary
- iii. 230913142685 – Te Whatu Ora (Health Foundation NZ) submission
- iv. 230918144788 – Federated Farmers of New Zealand submission
- v. 231012162266 – Repair Café Aotearoa New Zealand submission
- vi. 230918144786 – Waimakariri Access Group submission

2. **RECOMMENDATION**

THAT the Council:

- (a) **Receives** Report No. 231009160007.
- (b) **Approves** the Waimakariri Economic Development Strategy and the accompanying Implementation Action Schedule for adoption.
- (c) **Notes** that budget to deliver on the Implementation Schedule will be requested through the 2025/26 Annual Plan, following a period of investigation across 2024/25 to determine the project costs and requirement for new budget.
- (d) **Notes** that where possible, prioritised projects that can be delivered within existing budgets and resources will be progressed from 1 July 2024.
- (e) **Notes** the feedback from the community as a result of public consultation has been summarised within the report and reflected (where appropriate) within the relevant strategic priorities and implementation action items.
- (f) **Notes** that the adopted Strategy will cover a delivery timeframe from 1 July 2024 to 30 June 2034 (a period of 10 years).
- (g) **Circulates** this report and the approved Waimakariri Economic Development Strategy to the community boards for their information.

3. **BACKGROUND**

Strategic Context

- 3.1. Early Audit and Risk Committee engagement occurred in November 2021 to introduce the project and to seek committee member feedback on the draft Strategy's potential scope and the proposed timeline through to adoption.
- 3.2. In early 2022 a Project Control Group was appointed to provide guidance and direction for the review and development of an updated Waimakariri Economic Development Strategy. Group representation included key leadership, planning and policy staff from across the Waimakariri District Council (the Council) as well as senior staff from Enterprise North Canterbury (ENC).
- 3.3. Market Economics consultancy was engaged to undertake an economic analysis (trim 230516070083) of the district so the data could inform key directions within the draft Strategy.
- 3.4. Councillors were briefed on 14 June 2022 about the project stages, the upcoming stakeholder workshops, plus the proposed timeline through to adoption. A summary of Market Economics' analysis was provided to set the context to the draft Strategy's work and the likely key direction areas.
- 3.5. Stakeholder input was received at two Project Reference Group Workshops held on 7 July and 18 August 2022. Representation included business sector leaders, elected members and staff from the Council and ENC.
- 3.6. Workshop 1 (7 July 2022) set the context for the group work, providing a summary of the district's historical and current economic profile as well as the district's growth, while introducing the wider contextual framework of climate change and the four wellbeings. Key outcomes for the session when reflecting on the contextual information included identifying issues and challenges to the district's future economic growth, the opportunities, and potential solutions (workshop minutes trim 220708116804).
- 3.7. Workshop 2 (18 August 2022) focused on determining the draft Strategy's breadth, identifying transformative priorities that might be game changers for the district in addition to a vision crafting exercise. The session concluded with a discussion about the roles of the Council and ENC in delivering the adopted Strategy (workshop minutes trim 220818142872).
- 3.8. A period of research was undertaken considering relevant local and regional policy including urban development and transport programmes developed under the Greater Christchurch Partnership, as well as strategies and national policy direction surrounding economic growth, climate change and emissions reduction.
- 3.9. The vision, themes, priorities and actions were crafted based on the research and stakeholder feedback, then refined under the guidance of the Project Control Group.
- 3.10. The draft Strategy, once developed, underwent a period of review including external revision by Market Economics and Enterprise North Canterbury, as well as internal review by Council staff including the Leadership Team at Waimakariri District Council, culminating in the current version.
- 3.11. The draft directions were checked for alignment with the proposed strategic framework for Council (yet to be adopted) with the relevant framework priority aiming to "enable economic development and sustainable growth" and the associated community outcome seeking a "... resilient and innovative economy."

- 3.12. Engagement with the Community Boards first occurred via a memo on 25 May 2022 providing an introduction to the project, and then the draft vision, themes and priorities were presented at an All Boards meeting on 9 March 2023.
- 3.13. Re-engagement with Council occurred at a briefing on 11 July 2023 introducing the vision and key theme areas for consideration.
- 3.14. On 1 August 2023, Council approved staff undertaking a month-long period of public consultation on the document commencing 14 August through to 10 September 2023 in order to test the key directions with the community.

Draft Strategy Vision, Themes and Strategic Priorities

- 3.15. The key vision of the draft Strategy is “*a thriving, progressive and environmentally responsible economy that underpins a desirable local lifestyle.*”
- 3.16. The key themes and priorities include:
- (i) *Theme 1 – Sustainable Future*
 - Priority 1: Support the adoption of renewable energies across economic sectors and prioritise core sectors.
 - Priority 2: Optimise the contribution of primary production to the economy by supporting the agricultural sectors’ initiatives to reduce emissions, optimise business activities, and increase resilience to the impacts of climate change.
 - Priority 3: Support and empower our businesses to succeed in a sustainable future.
 - Priority 4: Facilitate the widespread availability of alternative transport modes connecting key business areas.
 - Priority 5: Foster opportunities for research and development.
 - (ii) *Theme 2 – Connected Communities*
 - Priority 6: Improve the digital connectivity of our businesses operating in limited network coverage areas.
 - Priority 7: Improve the connectivity and efficiency of the transport network and its resilience.
 - (iii) *Theme 3 – Business Responsiveness*
 - Priority 8: Reduce barriers for businesses wherever practicable and provide them with access to information and services to help them prosper.
 - Priority 9: Develop and enhance strategic partnerships that support economic prosperity and people’s wellbeing.
 - (iv) *Theme 4 – Liveable Places and Spaces*
 - Priority 10: Continue to improve the amenity and vibrancy of our public places for people and businesses.
 - Priority 11: Support the economic and lifestyle contribution of local arts, events, placemaking and sport/recreation endeavours.
 - (v) *Theme 5 – Investment Attraction*
 - Priority 12: Attract high value industries and job opportunities.
 - Priority 13: Develop and promote our attractions and assets.
- 3.17. An Implementation Schedule of 52 action items within the draft Strategy give effect to the strategic directions through tangible projects, actions and initiatives. The majority of actions will be led by either Council or ENC, although many involve collaboration with prospective partners to help achieve key outcomes, including: Ngāi Tūāhuriri, Ngāi Tahu, Government departments, key industry sector representatives, core infrastructure and transport providers, education and research providers, and major local businesses.

Public Consultation

- 3.18. Public consultation on the draft Strategy commenced on 17 August and closed on 1 October 2023 (a period of six and a half weeks). The timeframe was extended beyond the usual four weeks to provide more time for the community and/or community boards to respond (if desired).
- 3.19. A range of communication channels and tactics were used to support strong visibility of the public consultation.
- A presence on our 'Let's Talk' consultation webpage utilising the 'Bang the Table' engagement platform. A total of 317 visitors clicked on the Let's Talk Waimakariri Economic Development Strategy consultation page; 74 people engaged with the page in some way; and 14 people completed the survey. 45 people downloaded a document as part of the consultation.
 - Let's Talk flyer and draft Strategy available at Council Service Centres and Libraries.
 - Let's Talk flyer dropped off to business in the Rangiora and Kaiapoi town centres.
 - Targeted engagement (via email) with businesses, community and special interest groups.
 - Council website news article.
 - Media release.
 - Articles in the Community noticeboards.
 - Facebook advertising and engagement.
- 3.20. Five submissions on the draft Strategy were received independent of the Let's Talk engagement page, from:
- Federated Farmers
 - Te Whatu Ora
 - Waimakariri Access Group
 - Repair Café Aotearoa NZ
 - A community member

4. ISSUES AND OPTIONS

Public Consultation Feedback

- 4.1. A summary of public engagement feedback including staff commentary is included below. A copy of the public feedback is available at trim (231016164226) and the survey summary at attachment ii.

Let's Talk online engagement – 14 submitters			
Sustainable Future			
71% in favour of the 'sustainable futures' theme and 29% against.	Favourable comments focused on the importance of a sustainable mindset and economy to support future generations, and the importance of acting appropriately/timely in support of this aim.	Unfavourable comments were related to the perception that climate change is false; business response to climate should be market led; Council should just focus on core business and reduce current debt levels; and the actions are not concrete enough.	<i>Staff commentary (no proposed change):</i> Feedback noted. No change required to the existing strategic priorities and implementation actions.

71% in favour of the strategic priorities, 21% against and 8% undecided.	Favourable comments focused on how the priorities summarise the core considerations, set the future directions, and should help improve the district. There was a comment as to whether the named agencies have the capacity to deliver the priorities (and actions). One submitter also felt that Council should be primarily focused on a facilitation role.	Unfavourable comments included feedback from one submitter who felt that Council should not be supporting business adaptation to climate change and that Council's role was not as an 'educator' or to 'lead change', this would come from private enterprise. Another felt that certain public transport initiatives should not be encouraged as they are not always viable for the [semi-rural] district.	<i>Staff commentary (no proposed change):</i> Feedback noted. No change required to the existing strategic priorities and implementation actions.
Recommended additional strategic priority or actions areas (of relevance to the district)	<ul style="list-style-type: none"> • Work closely with local power companies to look more generally at future energy supply (wind, solar), energy storage, on-demand power pricing, including for local residents. • Store water for irrigation to support dry periods. • Support for tourism and recreation businesses. 	<i>Staff commentary (no proposed change):</i> Action 2 anticipates Council working with energy providers to verify the potential for aggregate and of scale alternative fuel/energy sources in the district; the relevant recommendation can be considered alongside the progression of this work. But energy supply needs for local residents [households] fall outside the remit of this Strategy. Action 4 anticipates investigation into the district's water shortage/storage issues. Action 29 anticipates that support for recreational and tourism business will be delivered via Enterprise North Canterbury (alongside the support offered to other businesses) as part of their core programme of business support work.	
Connected Communities			
79% in favour of the 'connected communities' theme and 21% against.	Favourable comments were supportive of increasing digital connectivity for businesses as well as imbedding sustainable principles in transport planning and integrating Waimakariri into the wider transport requirements for the region in recognition of transport/connectivity and its role in supporting economic development.	Unfavourable comments were linked to a desire for private enterprise to pay for infrastructure improvements; and another was against the 'zero-emissions' focus and questioned the sustainability of EV and their impact on the environment, plus the ethics linked to EV batteries production.	<i>Staff commentary (no proposed change):</i> Council's role regarding technology changes (fibre, EV) has historically been as an 'enabler' responding to market-led and (primarily) market funded opportunities that are presented locally, through provision of access to public land, and in some cases, coordination support (case management) through the regulatory framework. There is wide-spread awareness of the criticisms linked to some ethical concerns (environmental and labour) with EV battery production. Improvements in these areas (already being considered globally) will likely be policy and market driven as Governments, consumers and EV suppliers demand ethical and green process end-to-end across the supply chain.
71% in favour of the strategic priorities, 29% against.	Favourable comments noted that the priorities were balanced and addressed need, while	Unfavourable comments included feedback from one submitter who did not support the focus on climate change; another suggested Council shift	<i>Staff commentary (no proposed change):</i> As above.

	being in line with current thinking.	its focus away from technology as it changes so fast and decisions around this should be market led and left to businesses.	
Recommended additional strategic priority or actions areas.	<ul style="list-style-type: none"> Improve local transport options, instead of focusing on public transport. Resilience planning for the next big earthquake. 		<p><i>Staff commentary (no proposed change):</i></p> <p>In some cases, where there is an absence of relevant partner investment or will, Council may need to deliver strategic local transport projects in order to improve local transport options.</p> <p>Action 11 anticipates that key assets and infrastructure that support the local economy will be recognised appropriately in risk management planning and preparedness plans.</p>
Business Responsiveness			
79% in favour of the 'connected communities' theme and 21% against.	Favourable comments noted the importance of businesses receiving ongoing support and good communication. Although one submitter questioned the capacity of the named agencies to deliver the priorities (and actions).	Unfavourable feedback from one submitter reflected a belief that businesses should pay for their own support services. Another submitter felt that the implementation actions and associated opportunities linked to Maori Reserve 873 should be extended equitably across all reserve residents.	<p><i>Staff commentary (no proposed change):</i></p> <p>Council funds Enterprise North Canterbury (as the district's economic development agency) to deliver economic development and business support outcomes annually.</p> <p>Council acknowledges the importance of its Te Tiriti o Waitangi partnership with local mana whenua, Ngāi Tūāhuriri Rūnanga, and supports opportunities to embrace shared decision making around possible joint ventures/projects that support positive economic outcomes across Maori Reserve land.</p>
72% in favour of the strategic priorities, 14% against and 14% undecided.	Favourable comments noted the diverse range of proposed activities and Council's facilitation stance in attempting to reduce barriers for businesses. The commitment to working with Ngāi Tahu and Tūāhuriri was acknowledged positively. One submitter felt that more acknowledgement/support should be extended to Eyrewell, due to its population size.	Unfavourable feedback from one submitter reflected a belief that private enterprise [services] should not be funded by Council (household ratepayer).	<p><i>Staff commentary (no proposed change):</i></p> <p>Council funds Enterprise North Canterbury (as the district's economic development agency) to deliver economic development and business support outcomes annually. Through the proposed implementation action items Council acknowledges the link between a flourishing local economy/businesses and increased wellbeing in our communities.</p>
Recommended additional strategic priority or actions areas.	<ul style="list-style-type: none"> Assistance for businesses in transitioning to on-line retail and [utilising/navigating] AI opportunities. Council downsized to respond to core services only. An additional Waimakariri River crossing in proximity to Two Chain Road to benefit North/South-west traffic (removing the need to travel via Christchurch). 		<p><i>Staff commentary (no proposed change):</i></p> <p>Action 29 anticipates that support for businesses in transitioning to on-line retail/AI use will be delivered via Enterprise North Canterbury as part of their core programme of 'business support' work.</p> <p>Future for Local Government Review findings identify the importance of local government in building place-based resilience now and in the future (forming local solutions to national-level problems) to support their communities through increasingly complex and challenging times.</p>

			Council has no plans to work with partners to develop an additional vehicle crossing across the Waimakariri River due to three crossings currently being available (including one a Waimakariri Gorge).
Liveable Places and Spaces			
93% in favour of the 'connected communities' theme and 7% against.	Favourable comments noted how the proposed activities cover most of the priority areas. Some considerations in supporting liveability included: sufficient community events and parks; better cycling and pedestrian infrastructure; safe and easy car free connections between towns; adding some infrastructure improvements in Eyrewell. The importance of ensuring the residential areas balanced growth (intensification) with the ongoing maintenance of the semi-rural spirit of Waimakariri was also noted as helping to sustain the district's appeal for residents.	An unfavourable comment noted that Council should stick to its role of maintaining infrastructure.	<p><i>Staff commentary (no proposed change):</i></p> <p>Some implementation actions under the 'Connected Communities' theme support the availability of increased local public transport options and mode shift to support alternatives to motor vehicle travel.</p> <p>Action 15 identifies the need to implement improvements to local walking and cycling infrastructure to support alternative travel options and mode shift within the district, while also supporting health and wellbeing outcomes.</p> <p>Actions 38, 39 and 41 seek to contribute to the local economy and liveability for the community through the support of events and cultural activities.</p>
79% in favour of the strategic priorities, 21% against.	A favourable comment approved the 'people-centric' focus. One submitter cautioned about going over-board on arts funding.	An unfavourable comment noted that more focus should be paid to other areas and not just Rangiora and Kaiapoi, i.e., such as Ravenswood. Another submitter noted the negative impact that very large events can have on nearby residents if not managed appropriately.	<p><i>Staff commentary (no proposed change):</i></p> <p>Action 37 envisages that amenity improvements supporting liveability outcomes will be applied in other locations (and not just Rangiora and Kaiapoi) as town or area plans are developed and implemented.</p>
Recommended additional strategic priority or actions areas.	<ul style="list-style-type: none"> • Potentially support or enable (micro) economic community activity such as timebanks, repair cafes, swap schemes, rideshares, carpools etc. • Consider a more collaborative/salient way of promoting the wider district, i.e., Destination North Canterbury. • More support for holiday parks and recreational activities, in particular those impacted by climate change. • More space for exercise and walking; careful consideration when issuing licence to occupy rights for organisations accessing public spaces to further trust-specific outcomes. • Improvements to public transport / options. • Consider the impact of crime. • Tourism opportunities linked to recreation. 		<p><i>Staff commentary (proposed change):</i></p> <p><u>New action</u> added under 'Business Responsiveness' theme supporting micro-economic initiatives (like Repair Café), and particularly those with a sustainability focus and outcome.</p> <p>Visitor/destination marketing and promotion is considered under the adopted Visitor Marketing Strategy and forms part of Council's service level agreement with Enterprise North Canterbury; the recommendation can be considered further within the context of these existing programmes.</p> <p>Action 29 anticipates that support for all businesses (including those more susceptible to climate change impacts) will be delivered via Enterprise North Canterbury as part of their core programme of business support work.</p> <p>Action 40 envisages that consideration of sport and recreational locations will be addressed</p>

			<p>during the development of the Sport & Recreation Strategy.</p> <p>Action 37 envisages that amenity improvements supporting liveability outcomes (including increased space for pedestrians) will be delivered as town or area plans are developed and implemented.</p> <p>Action 23 seeks to work with regional public transport bodies to improve public transport options within the district.</p> <p>Action 50 supports the implementation of the Waimakariri Visitor Marketing Strategy to support increased visitation to the district of our town centres and rural recreation areas/activities.</p>
Investment Attraction			
<p>79% in favour of the 'connected communities' theme, 14% against and 7% undecided.</p>	<p>Favourable comments supported the focus on high value businesses and identified the priority areas as being balanced and well defined. Another submitter noted the importance of incentivising investment in the district by evidencing strong collaboration, facilitation, resilience planning and strategic partnership links.</p>	<p>An unfavourable comment was linked to the belief that [investment attraction] was not a function of Council and would be facilitated/supported by private enterprise. Another queried the lack of quantitative data [driving the identified priority areas].</p>	<p><i>Staff commentary (no proposed change):</i></p> <p>Council funds Enterprise North Canterbury (as the district's economic development agency) to deliver economic development and business attraction outcomes annually. Council acknowledges the link between a flourishing local economy/businesses and increased wellbeing in our communities.</p> <p>The strategic priorities/actions have been informed (amongst other things) by the findings of Market Economics' report, 'Waimakariri District Council Economic Profile and Outlook' for the Waimakariri District. The report included a robust analysis of economic data and trends over the past twenty years, including a structural and relationship analysis of economic sectors across the district.</p>
<p>79% in favour of the 'connected communities' theme and 21% against.</p>	<p>Favourable comments noted that the named priorities are in line with thinking across other districts, are well defined and relevant. One submitter noted a need for increased investment in [transport] infrastructure to ensure traffic is better managed.</p>	<p>One submitter noted the absence of Eyrewell in the considerations.</p>	<p><i>Staff commentary (no proposed change):</i></p> <p>No comment.</p>
<p>Recommended additional strategic priority or actions areas.</p>	<ul style="list-style-type: none"> • Ensure alignment across the attraction of high-value businesses and an appropriately skilled worker base, i.e., coordination across business and people attraction strategies. • Consider the addition of sporting/recreational facilities. • Consider the role of Enterprise North Canterbury and the link to key deliverables in this area. • Consider initiatives that can assist businesses in retaining staff, i.e., housing, schools, cultural facilities. 		<p><i>Staff commentary (no proposed change):</i></p> <p>Action 42 envisages that the link between areas of high-value business and labour requirements will be defined and responded to appropriately.</p> <p>Action 40 envisages that consideration of sport and recreational facilities will be addressed during the development of the Sport & Recreation Strategy.</p> <p>Council currently has a service level agreement with Enterprise North Canterbury to deliver district attraction (investment) and promotion</p>

	<ul style="list-style-type: none"> • Consider city direct bus routes (CHCH – Waimakariri District) that run all day with bi-directional travel time saving/efficiency benefits and not just in the AM/PM. • Leverage on proximity to international airport and Lyttelton Port. • Consider increasing support for different ethnicities / cultural activities. 	<p>activities for the district; the recommendation can be considered within the context of future agreements.</p> <p>Housing and school related considerations sit outside the direct remit of this Strategy.</p> <p>Action 24 anticipates Council advocacy for improvements to existing public transport services connecting Christchurch and the district.</p> <p>Action 44 captures a consideration of 'locational advantages' [in consideration of Christchurch airport and Lyttelton Port] when identifying and incentivising high-value business and services to establish in the district.</p> <p>Action 29 anticipates that support for all businesses will be delivered via Enterprise North Canterbury as part of their core programme of business support work.</p> <p>Support for different arts/cultural activities is anticipated under Actions 37, 38 and 40.</p>
--	--	--

4.2. A summary of the feedback received directly from the individual / organisation submitters is as follows:

- **Te Whatu Ora**
The submission has been compiled by Te Mana Ora (Community and Public Health) on behalf of the National Public Health Service and Te Whatu Ora Waitaha.

Feedback

- Te Mana Ora (TMO) supports the Waimakariri Economic Development Strategy 2024/34 overall.
- TMO commends the Council for focusing on climate change mitigation, adaptation and sustainability in this strategy, since climate change can impact health and wellbeing through various social and economic consequences.
- Council could consider using a wellbeing economy approach in their decision making and planning. A wellbeing economy approach shifts away from viewing production and economic growth as indicators of progress, and instead draws on health, social and environmental indicators.
- 'Sustainable Future' theme. TMO recommends that:
 - Council considers other opportunities for investment and collaboration with key community stakeholders and businesses to increase the district's resilience to climate change.
 - Council and Enterprise North Canterbury assist businesses to consider and prepare processes to support their workforce against the impacts of climate change hazards.
 - Council considers the Health Streets Indicators as framework for increasing foot traffic and vibrancy (in support of Action 12).
 - Supportive of the priority to 'facilitate the widespread availability of alternative transport modes connecting key business areas' and recommends adding an action about public transport.

- Council considers offering a travel planning service to encourage the uptake of alternative transport modes.
- o 'Connected Communities' theme. TMO recommends that:
 - Council takes equity into consideration when making decisions about transport networks and connectivity. Council is encouraged to ensure that areas with higher socioeconomic deprivation are serviced with transport infrastructure and services to improve connectivity to businesses and amenities.
 - The proposed 'Integrated Transport Strategy' includes priorities and actions that address inequities in transport connectivity.
 - Council considers an on-demand public transport service.
- o 'Liveable Places and Spaces' theme. TMO recommends that:
 - Council considers the Health Streets Indicators framework to inform developments.
 - Council considers how to improve the accessibility of public places as well as the amenity and vibrancy.
 - Council to complete a stocktake of public places to understand where amenity and vibrancy need to be improved.
- o 'Investment Attraction' theme. TMO recommends that:
 - Actions under this theme do not contradict the actions under the Sustainable Future theme. For example, developing Rangiora Airfield (Action 53), may counter strategic aims to transition to a low emissions future.
 - Council considers conducting a Health Impact Assessment or Social Impact Assessment of the proposed Investment Attraction Plan (Action 45). Such assessments are used to predict the potential health and social effect of policies or plans.

Staff Commentary

- o Action 29 anticipates that support for businesses will be delivered via Enterprise North Canterbury as part of their annual programme of support work. The term 'support' is applied broadly in this action and could be a response around 'business-as-usual' assistance, new 'stress' areas such as climate change mitigation and adaptation and responding to (within an appropriate area of remit) labour support issues.
- o Increases in the availability of affordable public transport and support/incentive platforms like travel planning services can be responded to more specifically within the Integrated Transport Strategy programme of work.
- o Action 16 reflects equity concerns by providing an option to explore 'social-leasing schemes' around alternative transport modes to improve community access to affordable transport options.
- o Action 23 envisages working with Environment Canterbury to assess the viability of a zero-emissions public transport service.
- o We will update Priority 10 to include a provision around accessibility.
- o Public amenity improvements are currently considered and assessed during the development of the area specific strategies and plans, which are (generally) reviewed with the aid of urban design consultancy support every ten years.
- o Action 53 will be updated to include a focus around the 'sustainable development' of the Rangiora airport 'site', which aligns more specifically with the development aspirations.

North Canterbury Federated Farmers (NCFF)

Federated Farmers of New Zealand is a voluntary, primary sector organisation that represents farming and other rural businesses.

Feedback

- The submission was developed in consultation with the members and policy staff of Federated Farmers.
- NCFF is generally supportive of the draft Strategy and commends the Council on the discussion around agriculture and the ongoing challenges it faces economically and environmentally, specifically in relation to the new environmental regulations and emissions levies on the agricultural sector.
- It is crucial that the agricultural sectors' importance is not understated in the Strategy when discussing the future of the economy.
- Generally supportive of Theme 1 (Sustainable Future):
 - Farmers need support in responding to national level changes for managing emissions and transitioning to an emissions pricing scheme. This is an important consideration for the future of the district's economy.
 - Council should include a specific priority to preserve highly productive land, which is facing pressure from the expansion of urban areas and lifestyle blocks.
- Theme 2 (Connected Communities):
 - Council should continue to advocate for improvements in digital connectivity across the district to support farmers' economic and social well-being. Monitoring and management of farms, automation of farm systems, and data collection on weather, livestock and crops are all examples of how high-speed internet is crucial for farmers.
 - Update Priority 7 to include specific mention of the rural sector, since it relies heavily on efficient transport networks for the transportation of goods produced on farms, stock and farm services.
- Theme 3 (Business Responsiveness):
 - NCFF would like to see the inclusion of a priority within the business responsiveness theme which relates specifically to agriculture given the intense regulatory changes faced by this sector and the speed of the required changes, which are causing stress for farmers.
- Theme 4 (Liveable Places and Spaces):
 - NCFF recommends Council apply appropriate consideration when investing in urban public infrastructure as farmers are less likely to access these facilities but are major rate payers in the district. Therefore, they caution against unnecessary spending on district promotion, tourism, or beautification of urban areas when balanced against Council's core responsibilities.
- Theme 5 (Investment Attraction):
 - NCFF recommends that Council include the following strategy aim: 'Ensure local businesses have access to the skilled labour they need to operate successfully.'

Staff Commentary

- Action 28 includes a consideration for provision of appropriate 'productive land' [vis a vis highly productive land] in relevant planning documents in line with relevant National Policy Statements.
- We will update Priority 7 to include specific mention of the rural sector.
- There are a number of existing actions that respond specifically to the agriculture sector with regard to sustainability and climate change adaptation and general business support in this area. Therefore, a new priority is not needed under the Business Responsiveness theme specifically targeted at agriculture. Moreover, Action 29 anticipates that support for all businesses (including those more susceptible to climate change impacts) will be delivered via Enterprise North Canterbury as part of their annual programme of business support work.
- Action 42 is focused around attracting skilled people to relocate to the district. It also envisages Enterprise North Canterbury working with businesses/recruitment agencies to identify areas of skilled labour shortages to target during the campaigns.

- **Waimakariri Access Group**

Feedback

- Identification of the role that Waimakariri District Council and Enterprise North Canterbury can play in recognising the value of ageing residents and those with disabilities as contributors to the economic fabric of the district.
- Raising awareness and assisting businesses to recognise the value of the older demographic and those with disabilities as part of the workforce, as business owners and as consumers of products and services.

Staff Commentary:

- These topics were identified as part of the Project Reference Group Workshops held in July and August 2022 and given due consideration. Rather than create specific implementation actions in response to these areas, it was felt that consideration of this demographic and its contribution could be responded to within the context of Enterprise North Canterbury's ongoing role in supporting businesses (which includes adapting to market opportunities) and in responding to labour shortages and opportunities across key industries.
- Existing Action 26 is focused on producing and sharing data about the district with businesses (population/demographic, economic, social and environmental) to help them make informed decisions about prospective consumer markets and opportunities.

- **Repair Café Aotearoa NZ (RCANZ)**

Repair Cafes are free meeting places/events where people come together to repair things for reuse.

Feedback

- RCANZ is in the process of setting up the 'Repair Economy Aotearoa Trust', enhancing its capacity in the repair space beyond repair cafés and enabling the Trust to continue carrying out the vision of the NZ Repair Ecosystem more formally. It is their aspiration to co-create an interactive network between repair cafés, repair businesses, the education sector as well as Central and local Government, all contributing to the planning of new developments in collaboration with each other.
- RCANZ's foundation is built on resource sharing and collective action. Now, that there are several repair café clusters developing, they are scaling toward regional repair networks to make repair more accessible

to everyone. It is their recommendation that local/regional councils will provide e.g., a webpage listing repair options in their area as well as incentivising repair by covering part of the costs [coordinator, venue hire etc].

Staff Commentary

- In support of the move to circular business models/economy, a new implementation action will be added that supports the activities of the Repair Café movement and other micro-business community repair, reuse and exchange initiatives.

- **Private [individual] submitter**

Feedback

- Waimakariri District Council to consider capturing methane from its sewage ponds and to look at generating electricity from this bio-methane. Also consider investment in a digester/s in support of this aim. Investigate the possibility of any Government subsidies/funding in this area.

Staff Commentary

- The district's treatment services are not currently capable of turning waste into methane gas. Given the cost to install the correct type of services to manage this (i.e., a digester) it would likely be prohibitively expensive when considering the return on investment based on the size of our district and the amount of waste that is generated. Waimakariri District Council might only consider this and the very high cost, if from a regulatory point of view, it had to replace all the current processing infrastructure to comply with any new regulations.

Strategy Changes

- 4.3. As a result of the submission feedback, we have made the following changes to the Strategy and its implementation actions (new additions/sections italicised).

Submitter	Theme	Change
Te Whatu Ora	Liveable Places & Spaces Investment Attraction	<i>Amended Priority 10:</i> Continue to improve the amenity, vibrancy <i>and accessibility</i> of our public places for people and businesses. <i>Amended Action 53:</i> Investigate opportunities for the strategic <i>and sustainable commercial</i> development of the Rangiora Airfield <i>site</i> and prepare a business case to progress viable options through the appropriate Council decision process.
Federated Farmers	Connected Communities	<i>Amended Priority 7:</i> Improve the connectivity and efficiency of the transport network and its resilience, <i>including for the rural sector</i> .
Repair Café / Let's Talk Public Engagement	Business Responsiveness	<i>New Action:</i> Support repair, reuse and exchange micro-business community initiatives like the Repair Café movement which align with the move to a circular economy.

Implications for Community Wellbeing

- 4.4. There are implications on community wellbeing by the issues and options that are the subject matter of this report. Local economic development is critical because economic and business activities are key contributors to quality of life and wellbeing. The Strategy seeks to safeguard the integrity of our local economy and its future performance potential to maintain and improve the health of our communities.

- 4.5. The Management Team has reviewed this report and support the recommendations.

5. COMMUNITY VIEWS

5.1. Mana whenua

Te Ngāi Tūāhuriri hapū are likely to be affected by, or have an interest in the subject matter of this report. Actions 35 and 36 of the Implementation Schedule envisage engagement with Ngāi Tūāhuriri, Ngāi Tahu and Paenga Kupenga Limited (or equivalent) to support mana whenua development aspirations for Maori Reserve 873. Council will engage with Ngāi Tūāhuriri, Ngāi Tahu and their respective development organisations once the Strategy is adopted to progress conversations around these key actions.

5.2. Groups and Organisations

There are groups and organisations likely to be affected by, or to have an interest in the subject matter of this report. Business leaders who attended the Project Reference Group workshops, as well as the local Promotions Associations, may be interested in the Strategy's progression and its implementation once adopted. The Strategy will be sent to contributing stakeholders and made available on the Council's website following adoption so the community can track Council's intentions in supporting and furthering economic progression over the next ten years.

5.3. Wider Community

5.4. The wider community is likely to have an interest in the subject matter of this report. The Strategy will be made available on the Council's website following adoption so the community can track Council's intentions in supporting and furthering economic progression over the next ten years.

6. OTHER IMPLICATIONS AND RISK MANAGEMENT

6.1. Financial Implications

There are financial implications of the decisions sought by this report. The Implementation Schedule includes a list of 53 actions that will each require funding and/or resource. The budget for the Implementation Schedule is not included in the Annual Plan/Long Term Plan.

New budget to deliver on the Implementation Schedule will be requested through the 2025/26 Annual Plan, following a period of scoping across 2024/25 to determine the project costs for implementation actions requiring new budget. As part of that work, the projects will be categorised into an A, B and C list of priority and budget plus delivery timeframes assigned accordingly so Council can consider budget requests appropriately. Where possible, prioritised projects that can be delivered within existing budgets and resources will be progressed from 1 July 2024.

6.2. Sustainability and Climate Change Impacts

The recommendations in this report do have sustainability and/or climate change impacts. The Strategy significantly reflects climate change/sustainability considerations (particularly across Theme 1: Sustainable Future) and acknowledges the importance of our sectors/businesses adapting to the effects of climate change to help maintain the integrity of our local economy and the future wellbeing of our communities.

6.3 Risk Management

There are risks arising from the adoption/implementation of the recommendations in this report.

The Implementation Schedule is currently unbudgeted and the full cost of delivering the vision, themes, priorities and actions, is undetermined. The categorisation of actions into an A, B and C priority list alongside associated costings (completed 2024/25) in

preparation for the 2025/26 Annual Plan or 2027/37 Long Term Plan processes means Council can advance projects in accordance with any wider financial considerations.

The draft Strategy is reliant on the delivery support of key partners including Ngāi Tūāhuriri, Ngāi Tahu, Government departments, key industry sector representatives, core infrastructure and transport providers, education and research providers, and major local businesses. There is a risk that some actions may be undelivered if partnership support is not forthcoming. Council and ENC will work with key partners to identify suitable delivery timeframes within the 10-year life of the adopted Strategy and/or (where possible) progress conversations with alternative industry partners, as needed.

There is a risk that past national/regional policy and legislation (influencing key directions in the Strategy) are superseded by new directions. The Strategy is pitched as a 'living document' where the key directions are reviewed and updated in accordance with changing national and regional policy and legislation.

6.3 **Health and Safety**

There are not health and safety risks arising from the adoption/implementation of the recommendations in this report.

7. **CONTEXT**

7.1. **Consistency with Policy**

This matter is not a matter of significance in terms of the Council's Significance and Engagement Policy.

7.2. **Authorising Legislation**

Nil

7.3. **Consistency with Community Outcomes**

The Council's current community outcomes are relevant to the actions arising from recommendations in this report.

Businesses in the District are diverse, adaptable and growing:

- There are growing numbers of businesses and employment opportunities in our District
- There are sufficient and appropriate places where businesses are able to set up in our District.

The draft directions were also checked for alignment with the proposed new strategic framework for Council (yet to be adopted) with the relevant framework priority aiming to "enable economic development and sustainable growth" and the associated community master objective seeking a "... resilient and innovative economy."

7.4. **Authorising Delegations**

Council has the designated authority to approve and adopt new Council strategies.



Waimakariri Economic Development Strategy 2024–34



Contents

- Foreword** 3
- Executive summary**..... 4
- Introduction** 8
- Where are we now?**..... 10
 - District profile 10
 - Economic profile..... 13
- Our changing economy** 16
- The future of our economy** 17
- Strategic context** 18
- Key challenges and opportunities** 20
- Where are we going?** 24
 - Vision 24
 - Guiding principles 25
- Themes, strategic aims and priorities** 27
 - Sustainable future..... 28
 - Connected communities..... 30
 - Business responsiveness 32
 - Liveable places and spaces 34
 - Investment attraction 36
- How are we going to get there?**..... 38
- Monitoring and review** 39
- Implementation schedule** 40

Foreword

Waimakariri residents live in a district that supports a high standard of living and one which provides easy access to everyday needs including employment, social and cultural activities, and enviable recreational opportunities. It is our unparalleled lifestyle that attracts new residents who choose to make Waimakariri their home. Many in our community feel a great sense of wellbeing with 85% rating their quality of life positively according to the 2020 Canterbury Wellbeing Survey.

We know that a large part of the welfare of our communities relies on the health of our local economy, its ability to withstand external shocks and continue to provide meaningful work for people and to create prosperity for our communities.

However, like everywhere around the world, our businesses and industries have faced extremely challenging times over the past few years with the impact of the Covid-19 pandemic. Many struggled to operate within a severely constricted economy. Compounding these issues has been the impact of the recent Russia-Ukraine conflict, exacerbating product shortages across the globe and fuelling worldwide inflationary pressures, which are influencing rising interest rates and impacting house prices and consumer spending.

Increasing public awareness of environmental issues coupled with recent severe weather events in many countries, has also increased people’s focus on both sustainability and climate change. The Government has introduced new legislation, policy and regulations, which will require businesses to be aware of and address their environmental footprints and climate change risk.

Challenges aside, there is still much to be positive about. Upward movement in our construction, manufacturing and knowledge sectors, and strong population growth fuelling population and household demand services, are all factors that support business and bring new opportunities.

Both Waimakariri District Council and Enterprise North Canterbury have critical roles to play in helping our businesses navigate challenging times to ensure the economic potential of our district and the wellbeing of our residents.

The Waimakariri Economic Development Strategy guides our efforts in these areas, outlining our priorities and actions. Alongside the usual support we offer to foster businesses in the district, we recognise that in some critical areas such as environmental sustainability and climate change, we must take a more active role in providing information for local business, fostering ideas, supporting innovation, and leading change.

We are grateful to those stakeholders that have contributed their time and thoughts to help set the direction of this Strategy, particularly those agencies, elected members, and business sector leaders represented as part of the Project Reference Group.

We look forward to executing our roles in the forthcoming years in support of positive action in this space that benefits our communities well into the future.

Mayor Dan Gordon
Waimakariri District Council

Chairperson, Clare Giffard
Enterprise North Canterbury



Executive summary

This Strategy provides a framework that guides the Waimakariri District Council's and Enterprise North Canterbury's efforts and activities in supporting local economic growth over the next ten years, with the support of key delivery partners in critical areas.

While the focus of the previous ten-year period from 2012 to 2022 (Local Economic Development Strategy 2012) was in part a response to earthquake recovery, the next ten years will see an emphasis placed on climate change adaptation. This includes undertaking actions that support our businesses, industries, and wider economy transition to a low-emissions future.

Waimakariri's economy has historically been driven by rural activities, however more recent trends show movement towards an economy led by household/population demands and the need for knowledge industries and services. This leads to a three part economic structure focused on agriculture, the manufacturing base and the population driven elements. While these changes signal a more diversified economy, global climate change and related policy responses present challenges to the way we have traditionally done business, and new opportunities. They require us to rethink the indicators we use to measure economic success.

As the global economy continues to face rising uncertainty due to the impact of global stressors like climate change, pandemics and geo-political tensions, local economies like ours need to recognise and respond to this changing environment. We need to maintain our resilience and the wellbeing of people, communities, and the natural environment upon which we all depend.

Alongside worldwide influences, the Waimakariri economy also faces challenges at the local level. For example, the impacts of new environmental regulations and emission levies on our agricultural sector, our close proximity to Christchurch and associated competition for market share, our ageing labour force, and online shopping competing with our town centre experiences.

But there are also opportunities – our strong population growth creates demand for associated services; our boutique towns and easily accessible mountains, rivers and beaches offer lifestyle, recreation, and visitor opportunities; and our quality infrastructure alongside other key strengths can help support a healthy economic future.

We have approached economic development broadly in this Strategy looking at core business sectors, while also considering the role that arts and events, sport and recreation, and tourism play in supporting economic progress. Similar to business sector growth, expansion in these areas creates jobs and opportunities, while providing a more enriching environment and lifestyle for our residents and visitors.

Planning for economic success requires a clear vision that draws on the wider context and reflects Waimakariri's key issues and opportunities, focusing our efforts toward the delivery of strategic aims, themes and priorities in support of local economic development:

THEME 1

Sustainable future

Strategic aims:

- Low carbon economy underpinned by responsible, adaptable and resilient businesses.
 - Increased skill and confidence in business capability through the process of climate change adaptation.
 - Businesses demonstrating a high level of resilience when faced with significant change circumstances.
 - High proportion of business meeting their low emissions obligations.
 - Businesses are aware of and take pride in reducing their environmental footprints.
- Highly productive but sustainable rural and business land use that protects our land, other natural resources and maintains healthy eco-systems.
 - The inextricable link between healthy environment, economy and society is recognised and promoted.
 - Development of new products and practices that reduce energy and resource use, and waste.

Priority 1: Support the adoption of renewable energies across economic sectors and prioritise core sectors.

Priority 2: Optimise the contribution of primary production to the economy by supporting the agricultural sectors' initiatives to reduce emissions, optimise business activities, and increase resilience to the impacts of climate change.

Priority 3: Support and empower our businesses to succeed in a sustainable future.

Priority 4: Facilitate the widespread availability of alternative transport modes connecting key business areas.

Priority 5: Foster opportunities for research and development.



VISION

A thriving, progressive and environmentally responsible economy that underpins a desirable local lifestyle.

THEME 2

Connected communities

Strategic aim:

- High quality fit-for-purpose internet and transport infrastructure that meets the current and future needs of our business community.
- More rural businesses connected to fast internet services.

Priority 6: Improve the digital connectivity of our businesses operating in limited network coverage areas.

Priority 7: Improve the connectivity and efficiency of the transport network and its resilience, including for the rural sector.

THEME 3

Business responsiveness

Strategic aims:

- Thriving businesses capable of adapting to a changing environment.
- Customer-focused regulatory processes for businesses when engaging with Council.
- Sufficient business land and high-quality infrastructure available to support business and development activity.
- Strong development partnerships and relationships established between business, Council, and Enterprise North Canterbury.
- A fit-for-purpose funding model to support arts and events.
- Ngāi Tūāhuriri-led development is enabled and supported.

Priority 8: Reduce barriers for businesses wherever practicable and provide them with access to information and services to help them prosper.

Priority 9: Develop and enhance strategic partnerships that support economic prosperity and people's wellbeing.

THEME 4

Liveable places and spaces

Strategic aims:

- People-centric improvements to the form and function of our town centres in Rangiora, Kaiapoi, Oxford, Pegasus and Woodend (Ravenswood).
- Increased activity and visibility of arts, events and sports activities within the district, and recognition of their value in supporting economic growth and the liveability of the district.
- A district offering a high-quality lifestyle to its residents, and to attract new residents.

Priority 10: Continue to improve the amenity, vibrancy and accessibility of our public places for people and businesses.

Priority 11: Support the economic and lifestyle contribution of local arts, events, placemaking and sport/recreation endeavours.

THEME 5

Investment attraction

Strategic aims:

- Increase in high-value industries and businesses establishing in the district and associated local employment opportunities, including as a direct result of the implementation of our strategic investment and attraction plans.
- Increased visitation by residents and visitors to our town centres and key business areas.
 - Increase in local spending by residents and visitors.
 - Decrease in leakage (out of the district) spending from residents.
- The district perceived widely as an appealing visitor destination within the wider regional context.

Priority 12: Attract high value industries and job opportunities.

Priority 13: Develop and promote our attractions and assets.

These themes, strategic aims and priorities set the tone of our endeavours over the next ten years. An Implementation Schedule will contain a list of corresponding actions to deliver these key directions.

Introduction

Economic systems across the globe are increasingly connected leading to many business advantages but also vulnerabilities and challenges. Large scale economic issues can play out at a local level meaning economies of all sizes must be able to adapt and evolve in new situations and demonstrate resilience.

Resilient economies are important because they are better able to withstand economic and natural disruptions, as well as sudden shocks (earthquakes, pandemics, extreme weather events etc.) and chronic stresses (social pressures like unemployment that might linger after a major disruption event) meaning they can continue and even prosper in the face of adversity.

As Waimakariri is one of the fastest growing districts in New Zealand, we must work toward developing a resilient economy. One that is underpinned by healthy natural ecosystems, quality infrastructure, social services, employment and business activity, and a range of community use spaces and facilities to support the continued provision of what our communities need to flourish. Local economic development is critical because economic and business activities are key contributors to quality of life and wellbeing.

The global economy is going through a period of rapid transformation. Countries, cities, and communities are grappling to transition to low or net-zero emission economies in response to climate change, and to ensure the goods they consume are produced in environmentally and socially ethical ways. The role of both Enterprise North Canterbury as the local economic development agency and the Waimakariri District Council in providing leadership and support in this area is critical if our businesses are to be prepared and able to adapt, and if future business growth and performance possibilities are to remain intact within the district. Supporting

our businesses to transition to a low emissions economy is a key focus of this Strategy in addition to the business support services we have traditionally provided.

The Strategy outlines a vision of where we want our district to be in 10 years by maximising opportunities for economic prosperity. It focuses on areas of strategic influence linked to opportunities inherent within the district, as well as the changing economic, environmental and legislative landscape. An overarching outcome of this Strategy is sustainable productivity, which is a key determinant in driving growth and wellbeing.

“

As Waimakariri is one of the fastest growing districts in New Zealand, we must work toward developing a resilient economy.

”

While this Strategy primarily provides a framework to guide both the Waimakariri District Council and Enterprise North Canterbury's actions in this space, it also seeks to align the actions of local businesses and other key organisations that are critical to supporting sustainable economic growth and a more resilient economy.

This Strategy was developed with the support of a Project Reference Group which includes representation and feedback from business leaders across key local sectors, elected members including the Mayor of Waimakariri District, and senior staff from both the Waimakariri District Council and Enterprise North Canterbury. This strategy is also underpinned by specialist economic consultant advice.



Image courtesy of Alissa Wilson (E.N.C)

District profile

WAIMAKARIRI

Population

2022	67,900	389,300 Christchurch 5,124,100 NZ
------	---------------	--------------------------------------

Sex

Female	51%	51% Christchurch 50% NZ
--------	------------	----------------------------

Male	49%	49% Christchurch 50% NZ
------	------------	----------------------------

Age

Median Age	44yrs	38yrs Christchurch 38yrs NZ
------------	--------------	--------------------------------

0 – 14 Years 12,100	18%	16% Christchurch 19% NZ
------------------------	------------	----------------------------

15 – 39 Years 18,700	27%	37% Christchurch 34% NZ
-------------------------	------------	----------------------------

40 – 64 Years 22,800	34%	31% Christchurch 31% NZ
-------------------------	------------	----------------------------

65+ Years 14,300	21%	16% Christchurch 16% NZ
---------------------	------------	----------------------------

WAIMAKARIRI

Ethnicity

People may have identified with more than one ethnic group.*

European*	92.9%	77.9% Christchurch 70.2% NZ
-----------	--------------	--------------------------------

Māori*	8.6%	9.9% Christchurch 16.5% NZ
--------	-------------	-------------------------------

Pacific Peoples*	1.4%	3.8% Christchurch 8.1% NZ
------------------	-------------	------------------------------

Asian*	2.9%	14.9% Christchurch 15.1% NZ
--------	-------------	--------------------------------

Middle Eastern/ Latin American/ African *	0.4%	1.5% Christchurch 1.5% NZ
---	-------------	------------------------------

Other*	1.4%	1.4% Christchurch 1.2% NZ
--------	-------------	------------------------------

Education

Bachelors Degree and level 7 qualification	9%	15% Christchurch 15% NZ
--	-----------	----------------------------

No Qualification	22%	17% Christchurch 18% NZ
------------------	------------	----------------------------

Economic profile

Household income

WAIMAKARIRI

Median income **\$33.6k** \$32,900 Christchurch \$31,800 NZ

Over \$70,000 **18%** 17% Christchurch 17% NZ

House value

Average value in year to Dec 2022 **\$712,775** \$725,766 Christchurch \$953,850 NZ

Home ownership

Owned or partly owned **67%** 52% Christchurch 51% NZ

Held in family trust **13%** 11% Christchurch 13% NZ

Dwelling not owned **20%** 37% Christchurch 36% NZ

GDP

PROVISIONAL 2022

\$2,697M

Year to Dec 2022 compared to year earlier
Up 4% Christchurch
Up 2.8% NZ
Up 3.4% Waimakariri

Businesses

BUSINESS COUNT

7,050

EMPLOYEES & WORKING PROPRIETORS

21,200

AVERAGE BUSINESS SIZE

3 people

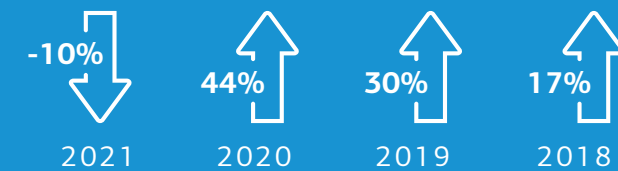
COMPOUND GROWTH RATE FOR BUSINESS NUMBERS PER YEAR

2.5%

Building consents

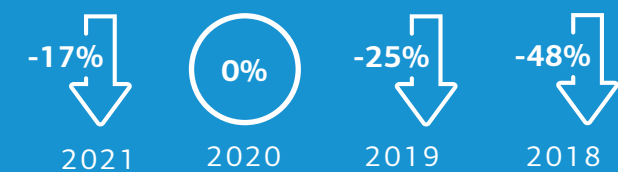
RESIDENTIAL

836



COMMERCIAL

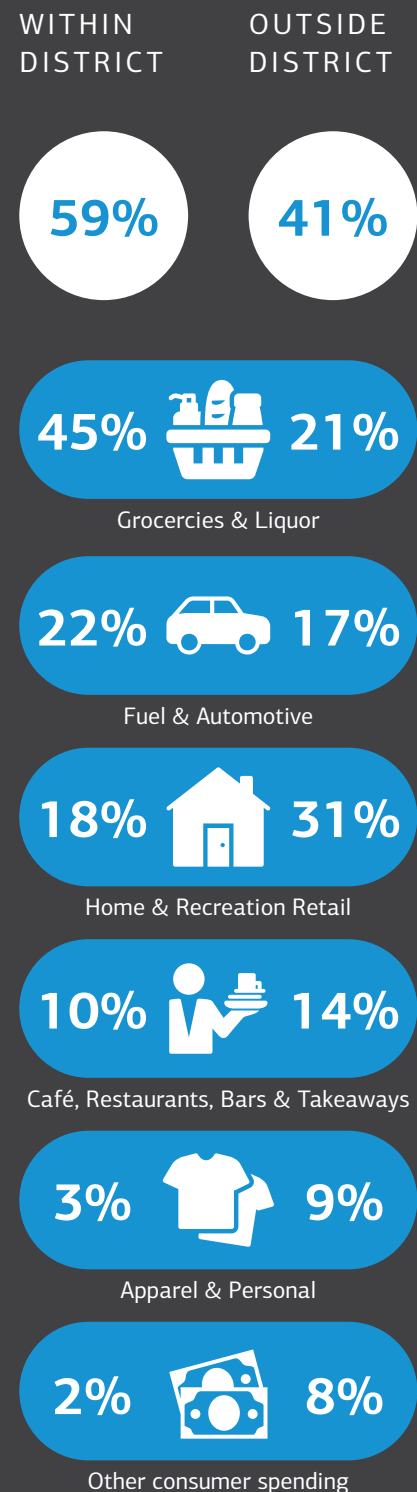
55



Top 10 sectors in 2022

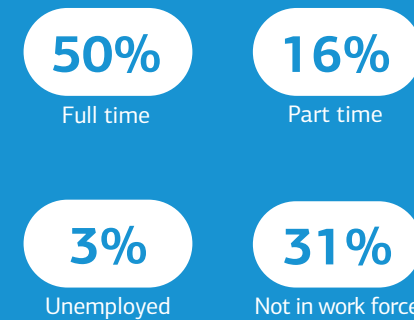
BUSINESS UNITS	EMPLOYEE COUNT
1 Agriculture, Forestry and Fishing	1 Construction
2 Construction	2 Manufacturing
3 Rental, Hiring and Real Estate Services	3 Retail Trade
4 Professional, Scientific and Technical Services	4 Education and Training
5 Other Services	5 Agriculture, Forestry and Fishing
6 Retail trade	6 Health Care and Social Assistance
7 Manufacturing	7 Accommodation and Food Services
8 Financial and Insurance Services	8 Other Services
9 Administrative and Support Services	9 Professional, Scientific and Technical Services
10 Health Care and Social Assistance	10 Wholesale Trade

Resident spending in 2022

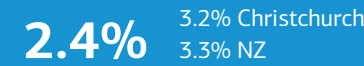


Employment

EMPLOYMENT TYPES 2018



UNEMPLOYMENT RATE 2022



OCCUPATIONS IN 2018



Identified growth themes

Diversifying and increasingly complex economy – lift in knowledge intensive activities such as professional services, office support roles and manufacturing.

Population and household demand driven – sectors that service households, including retail, education, and health services.

Construction related sectors – residential and commercial construction and related trades.

Tourism

TOURISM EXPENDITURE



Year to Dec 2022 compared to previous
 Up 11.8% Christchurch
 Up 18.9% NZ
 Up 11.6% Waimakariri

NB: Where appropriate, data has been rounded to the nearest whole number.

Our changing economy

The Waimakariri economy has traditionally been driven by primary production, but trends from the past few decades suggest a shift towards servicing the population and households, as well as the development of support services and the knowledge economy.

During the early 2000's rural industries involving sheep, beef and forestry were important parts of our business landscape from a business count perspective, but the Christchurch earthquakes and recovery period have influenced shifts in local economic complexion. Strong local population growth has supported a rise in industries that service population needs, such as construction related businesses and household demand services relating to retail, health and education. At the same time, smart knowledge economy industries are growing and together with upward movement within manufacturing, are widening our local economic base and supporting high quality jobs.

While the number of our local businesses and their relative sizes has been growing since 2001, growth rates over this time tell us that our business formation rates are slowing, although the outlook remains positive.

Our largest employers are found in sectors that service our people and households such as supermarkets, aged care services and education. General employment across the district has increased by 87.5% against 2001 levels (of 10,880 jobs) and could reach as high as 27,740 people employed by 2051. While employment growth has been largely uneven across sectors, the strongest growth areas for employment point to opportunities in:

- Construction (residential and commercial construction as well as trades)

- Sectors that service households and people
- Sectors that support our diversifying and increasingly complex economy (which includes a lift in knowledge intensive activities and shifts in manufacturing).

As we provide jobs for around 7% of Greater Christchurch's labour, the proximity to Christchurch provides an important way for our businesses to access and attract skilled labour alongside that found within our own district.

Our local economy responds to trade flows across our district in three ways:

- A small number of very important sectors engage externally, trading with other areas. The exporters bring capital back into the district and support other activities through local supply chains and jobs.
- Local businesses servicing businesses and household demands originating from the Greater Christchurch area.
- Within-district focused transactions, servicing local businesses and local household demands.

The local economy engages and interacts with other locations. Christchurch and the rest of New Zealand are important markets for goods and services supporting the parts of our economy that produce goods and services which flow out of the district.

Another important aspect to the economy is the proportion of spending that is retained locally. Forty one percent (41%) of Waimakariri resident spending occurred outside of the district in 2022, with the highest proportion being spent on home and recreation items. This 'retail leakage' suggests there is potential and the opportunity to provide these goods and services within the district.

The future of our economy

Waimakariri district is one of New Zealand's fastest growing areas, with our population projected to approach 97,000 by 2048. Our economy (still impacted currently by the Covid-19 pandemic) is estimated at \$1.5bn, and under a medium growth scenario could rise to \$2.45bn by 2051. Due to our projected growth, the previously identified opportunity and growth areas are likely to continue.

The local economy's three core parts—agriculture, manufacturing and demand-driven services – are expected to remain stable but with shifts within their composition and relative importance, impacted by demographic trends and expansion in the manufacturing sector.

The growth outlook for manufacturing should remain positively linked to the NZ-market for goods and services. There will be a need for more professional services as the economy further grows and shifts in complexity, coupled with an increase in supporting infrastructure and services. Employment is likely to be concentrated (74%) in the largest 10 sectors, with strong growth in the 'manager', 'professionals' and 'labourers' occupation groups as demand for specialist skills increases alongside advances in technology. Local economy-wide labour productivity is expected to increase, although it's currently low compared with other parts of New Zealand. Lifting productivity growth is an important focus.

Although the future economic outlook remains positive, our district will experience challenges. The proximity to Christchurch provides both opportunity and competition. The impact of climate change and the Government's responses will affect all sectors to some degree, including the agriculture sector. The local response will require thoughtful management to ensure the resilience of this critical industry, our food



production, and the integrity of the overall economy. Other global disruptors can be expected (pandemics, wars, economic shocks, etc.) that could impact on our economy and its future performance. The increasingly complex global economic environment will require from us a high level of awareness, adaptability and resilience in capturing our local economy's potential so we can continue to offer a high level of wellbeing to our communities.

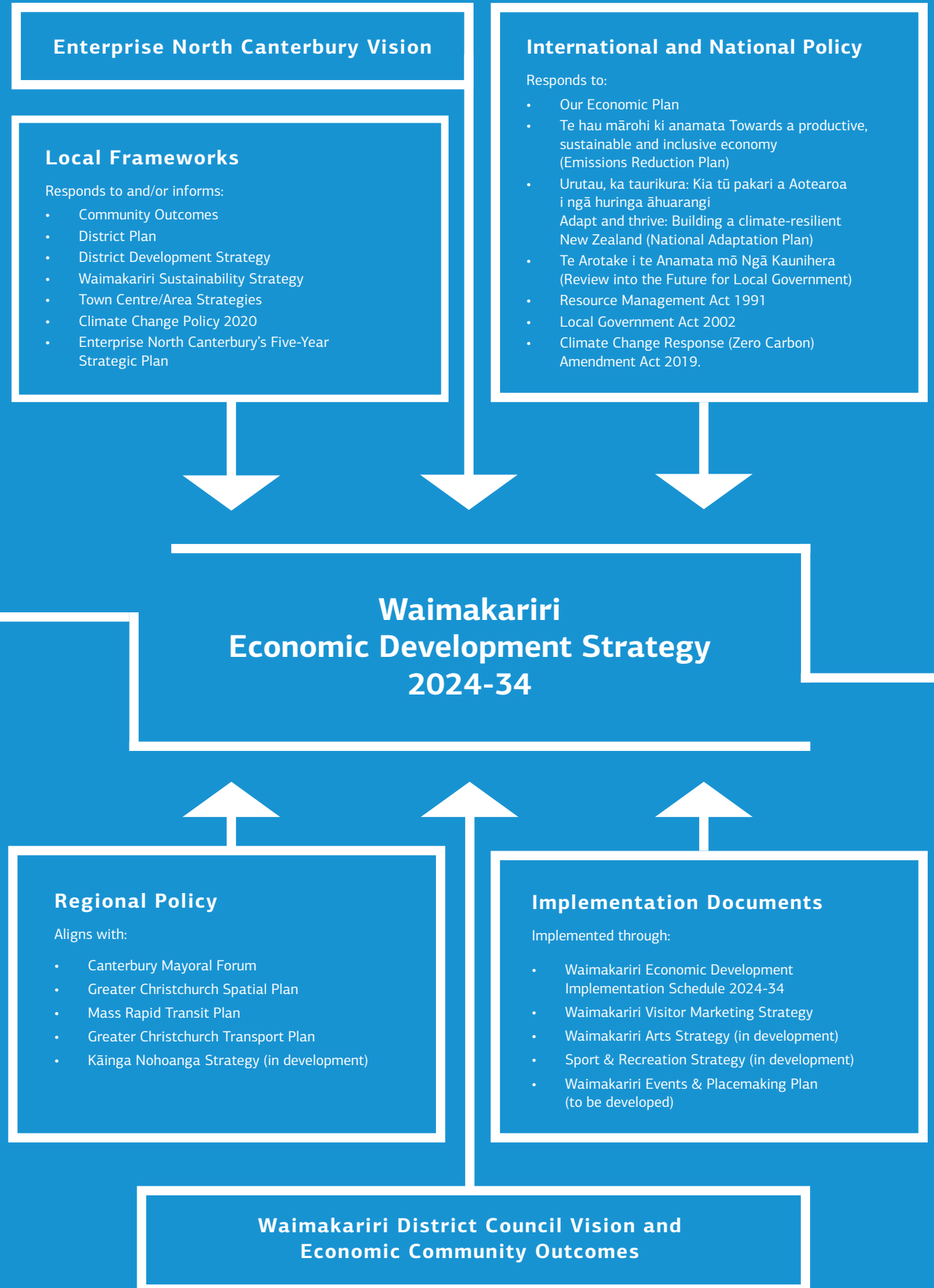


Strategic context

This Strategy sits within and has been informed by a broader strategic context that considers national, regional and local influences on economic development applied to our unique Waimakariri context.

The Waimakariri District Council is a member of the regional Canterbury Mayoral Forum, which summaries the interest and priorities of the ten local government leaders and their territories on behalf of their communities. The three priority areas under the Forum—sustainable environmental management, climate change mitigation and adaptation, and shared prosperity – broadly align with the direction setting and priorities outlined in the Waimakariri Economic Development Strategy.

We strongly value our relationship with Te Ngāi Tūāhuriri Rūnanga and will continue to work with mana whenua to build a relationship towards mutual understanding, through on-going discussion and consultation on relevant issues. Te Ngāi Tūāhuriri Rūnanga are currently developing a Kāinga Nohoanga Strategy that will focus on housing, economic development and social facilities/activities on Māori Reserve 873 and within existing urban areas. Council acknowledges that Te Ngāi Tūāhuriri Rūnanga may have interests along a wide spectrum of economic activity across the district and not just at MR873. Council will continue to work in partnership with Te Ngāi Tūāhuriri Rūnanga to support and enable the full spectrum of iwi-led development activities.



Key challenges and opportunities



The following key forces impact on our economy's growth and the wellbeing of our residents. Consideration of these underpins the direction of this Strategy.

Critical External Impacts:



Challenges:

Environmental stresses

Climate change plus more extreme and frequent weather patterns will impact on primary production and water supplies. As the district is geographically diverse, this makes us susceptible to natural hazards including flooding in lower lying areas, earthquake faults (including an event triggered by the Alpine Fault, which poses a major risk for Canterbury) and coastal inundation. Environmental stresses can reduce certainty, affecting agricultural production and investment decisions.

Policy responses

The Government's policy responses to climate change and natural resource management will require all businesses to become aware of and reduce their environmental footprints and contribute to the better management of New Zealand's natural resources and the move towards a low emissions economy.

Global impacts

The impact of worldwide pandemics, economic shocks and wars can disrupt global markets and supply chains and can be felt acutely, locally. Further upheavals of a similar nature could have a flow on effect to our local market, affecting businesses and organisations.

Changing Communities and Behaviours:

Challenges:

Rapid growth

As one of the fastest growing districts in the country and with this trend set to continue, we must carefully manage the growing population and its impact on the environment so we can sustain its health and capacity to support the district's natural eco-systems and human inhabitants. While more than 80% of the population is concentrated in the main urban areas located within the eastern part of the district, we must also ensure that the advantages of growth benefit our dispersed communities equitably.

Changing workforce

Waimakariri's population demographic is older than other key growth areas within Canterbury and New Zealand. As more of our community members make the transition to retirement, local businesses may experience challenges in retaining and attracting labour (particularly for skilled jobs) when competing for workers with other major production centres, like Christchurch. Rapid technological advances could also impact our future workforce, as technology can both replace and create job opportunities, resulting in shifting employment opportunities across the economy-labour market.



Consumer behaviour

Over a third of all resident spending occurs outside of the district, largely on items where there is a preference for choice, such as apparel, personal, department stores and leisure items. Increases in online shopping also have the potential to erode the success of our town centres.

Opportunities:

Demographic trends

As one of the fastest growing districts in New Zealand and with strong population growth projected for the future, opportunities are available for businesses and industries seeking to service population and household demands.

Consumer behaviour

As the economy grows and more people reside locally, the demand placed on urban centres will create opportunities for new product offerings.

Local Economic Dynamics:



Challenges:

Small local economy

Our economy is small, and productivity appears to be generally low (compared with the rest of New Zealand), and growth is low. It relies heavily on outside markets, so it's susceptible to disruptions from external forces.

Land supply

While 305.1 hectares is zoned for commercial and industrial use under the Proposed District Plan the district still faces land related challenges with development in key centres. While Rangiora serves as the main service centre for 67% of the district and faces demands for an increase in commercial floorspace, opportunities for comprehensive commercial development in the centre are limited. There is a surplus of commercial land available in the Kaiapoi town centre, but it faces significant remediation issues. Pockets of commercial development opportunity will be available to accompany new residential developments like Ravenswood, but business activity in these areas (like retail) may compete with our town centres.

Proximity to Christchurch

Our proximity to Christchurch also means there is greater competition for market share for similar goods and services.

Infrastructure

Some of the district's rural areas support a high number of businesses or residents working from home but internet coverage is uneven and lacking in some locations. Major transport links to Christchurch as well as network and modal change opportunities are also limited and exposed to risks, highlighting the importance of future transport planning when working with our regional partners in this area.

Water Quality

Council seeks its direction about freshwater management from the Waimakariri Water Zone Committee, which is guided by the Government's National Policy Statement for Freshwater Management 2020. A key governance priority is the management of water resources in a way that prioritise the health and well-being of freshwater now and into the future. One of the growing concerns revolves around the amount of nitrate in groundwater within the Canterbury region, with levels expected to increase over time potentially exceeding accepted standards if left unchecked. Council must work with key partners and alongside industries (whose activities can have a strong impact on freshwater quality) to support business and land use practices that ensure the future provision of safe drinking water and the health of our freshwater across the district.

Opportunities

Rural land

Our rural land resource is one of our greatest natural assets from which we can support our local population, our natural eco-systems, and produce food for ourselves and other parts of the world. It offers diverse possibilities including a range of mixed uses like farming, forestry, energy and tourism.

Lifestyle blocks

The district has a relatively high proportion (than other main centres) of lifestyle blocks which can support niche business activity.

Proximity to Christchurch

While being close to Christchurch can have its challenges, our proximity offers benefits including greater access to labour and a bigger market providing growth opportunities.

Technology

Technological advances when applied to various industries within our local economy could help drive up productivity through efficiencies in production or operational activities. Technology could also be applied in innovative ways to unlock new opportunities, through new products or markets.

Sector growth

Recent trends within the local economy signal future growth opportunities in some core sectors – manufacturing, household demand driven goods and services, construction and the knowledge economy – which have the potential to significantly enhance our local economy.

Infrastructure

Council has invested significantly in infrastructure upgrades (particularly in roading and three water activities) during the ten-year recovery period following the 2011 Canterbury earthquake, and the district now enjoys the benefits of quality infrastructure supporting economic activities.



Visitors and Lifestyle:

Opportunities

Natural endowments

We are fortunate to live in a natural environment that includes easily accessible mountains, rivers and oceans, which provide enviable recreation opportunities for local residents and a potential point of attraction for the visitor market.

Visitor economy

We currently have a small visitor economy which generated 2.7% of the total visitor spend for the Canterbury region in 2022. But visitor spend in the district has been steadily increasing averaging 7% per annum between 2009 and 2019, as well as growing by 4.7% in 2022. By capitalising more on our natural endowments, the amenity and the boutique retail offerings within our town centres, as well as other strategic assets like MainPower Stadium, we have the potential to enhance the role of the visitor industry within our local area and the wider regional economy.

Creative sector

Regular arts, events and placemaking activities have the ability to elevate the district and town centres as key destinations if recognition of their potential value to the economy is acknowledged appropriately through local support mechanisms and funding.

Lifestyle

The district offers an attractive proposition for those seeking the slower pace of a semi-rural community with all the city conveniences. Its relative housing affordability (compared to Christchurch and other main centres in New Zealand), natural endowments that support a range of recreational activities, short work commute for those that work locally, and relative self-sufficiency where the majority of everyday goods and services can be sourced easily, make our local lifestyle competitive.



Although the future economic outlook remains positive, our district will experience challenges.



Where are we going?

Planning for economic success across the district requires a clear vision that draws on the wider strategic context and reflects our key issues and opportunities.



VISION

A thriving, progressive and environmentally responsible economy that underpins a desirable local lifestyle.



GUIDING PRINCIPLES

A number of principles underpin and provide the context for this Strategy by shaping the direction and its response across key impact areas.



DRIVING CHANGE



MAXIMISING OPPORTUNITIES



EMPOWERING INDUSTRY



EVIDENCE-BASED DECISION MAKING



PROGRESS THROUGH PARTNERSHIPS



SUSTAINABLE OUTCOMES



Themes, strategic aims & priorities

To support the realisation of the Strategy's vision we are focusing on the following themes, strategic aims, and priorities.

Image courtesy of Alissa Wilson (E.N.C)

Sustainable future



We must work towards the achievement of a prosperous, enduring and resilient economy which is underpinned by a low environmental footprint, and which maintains healthy, abundant natural resources and resilient eco-systems.

Waimakariri has a strong history of supporting business activity through capability training and development opportunities delivered by our local economic development agency, Enterprise North Canterbury. We need to build on and expand these services by helping our businesses understand the risks posed by climate change and help them transition to a low-emissions economy. Almost all businesses will be affected either directly or indirectly by climate change. By providing market information, access to local advice and learning opportunities as well as peer support services in this area, we can help our businesses plan and prepare, increasing their chance of preventing significant business losses and adverse flow on effects to our economy.

Our rural land asset needs to be evaluated carefully to understand its risks and opportunities under climate change. Waimakariri's rural land makes up 96% of our district's total land mass and provides a strong base to our local economy. Our agricultural sector is particularly vulnerable to changing environmental conditions, and as it's a significant business base utilising our largest natural resources (land and water), any detrimental effects could flow beyond agriculture impacting the wider economy and households. It's critical we work alongside this sector and support its initiatives to respond and adapt to the changing environment. Understanding how to boost productivity across the land while meeting or exceeding environmental standards will ensure its ongoing productive and sustainable management.

As well as collaborating with private landowners, we need to assess how Council's rural land assets are best used to serve our communities. Alongside opportunities for farming, forestry and horticulture, this might mean we consider other uses like renewable energy farms, native planting for biodiversity and carbon sequestration, and future eco-tourism.

We will also work with partners to expand our knowledge so we can understand the long-term, widespread potential impacts of climate change and how businesses might increase their preparedness and adaptability. Working to establish relationships between businesses, local government and tertiary institutions, which support the co-production of knowledge through practice-oriented research, could help accelerate the adaptation process. Being transparent with knowledge could provide our industries with a road map for turning policy into action.

STRATEGIC AIM

Low carbon economy underpinned by responsible, adaptable and resilient businesses.

Increased skill and confidence in business capability through the process of climate change adaptation.

Businesses demonstrating a high level of resilience when faced with significant change circumstances.

High proportion of business meeting their low emissions obligations.

Businesses are aware of and take pride in reducing their environmental footprints.

Highly productive but sustainable rural and business land use that protects our land, other natural resources and maintains healthy eco-systems.

The inextricable link between healthy environment, economy and society is recognised and promoted.

Development of new products and practices that reduce energy and resource use, and waste.

PRIORITIES

Priority 1: Support the adoption of renewable energies across economic sectors and prioritise core sectors.

Priority 2: Optimise the contribution of primary production to the economy by supporting the agricultural sectors' initiatives to reduce emissions, optimise business activities, and increase resilience to the impacts of climate change.

Priority 3: Support and empower our businesses to succeed in a sustainable future.

Priority 4: Facilitate the widespread availability of alternative transport modes connecting key business areas.

Priority 5: Foster opportunities for research and development.

Connected communities



We need to help facilitate an operating environment in which our businesses and industries can enhance productivity and prosperity by ensuring they have fast and reliable network connections and connectivity, as well as stable, diverse transport networks.

While some of the larger towns in the district enjoy ultra-fast broadband, some smaller satellite settlements and rural areas lack the benefits of fast internet to support business activity operating from home. The role of high-speed internet is critical to business success because it provides access to information and improves productivity and efficiency. It can also support a reduction in transport emissions by supporting people to work remotely. Most businesses and households operating in rural areas need high-speed internet coverage to access online goods and services, and to support high-functioning businesses activity. Agriculture in particular is becoming increasingly reliant on high-speed internet to access information and meet regulatory requirements.

Our transport networks underpin the local economy by supporting people and freight movements to and from our district. Large parts of our economy produce goods and services that leave the district for other markets, meaning our transport links need to be efficient, strong and diverse. State Highway 1 is the main transport link connecting our industries to Greater Christchurch and the rest of New Zealand and global markets. While the addition of the northern corridor has improved access and travel speed from the district to central Christchurch for transport and freight, overall, the arterial network is fragmented and limited, and therefore exposed to risk. Significant events could easily disrupt the flow of vehicle movements including crossing the Waimakariri River. Ensuring network resilience is critically important in order to reduce risks, as

is appropriately planning transport upgrades in support of business and the people who live and work in our district.

An important response will be conducting research to better understand travel patterns across the district, and the movements of business and people. As well as providing information about the travel needs of our businesses, this could provide an evidence base that supports better integration of land use and transport planning, elevating transport beyond movement corridors into something that better aligns with how our communities want to live, work and play. Working closely with transport partners will be another critical move to ensure transport planning within the district and across the Greater Christchurch area is aligned and meets the needs of the growing business and population base. Underpinning all of this will be a need to imbed sustainable principles into transport planning to support the move to a low-emissions economy.

STRATEGIC AIM

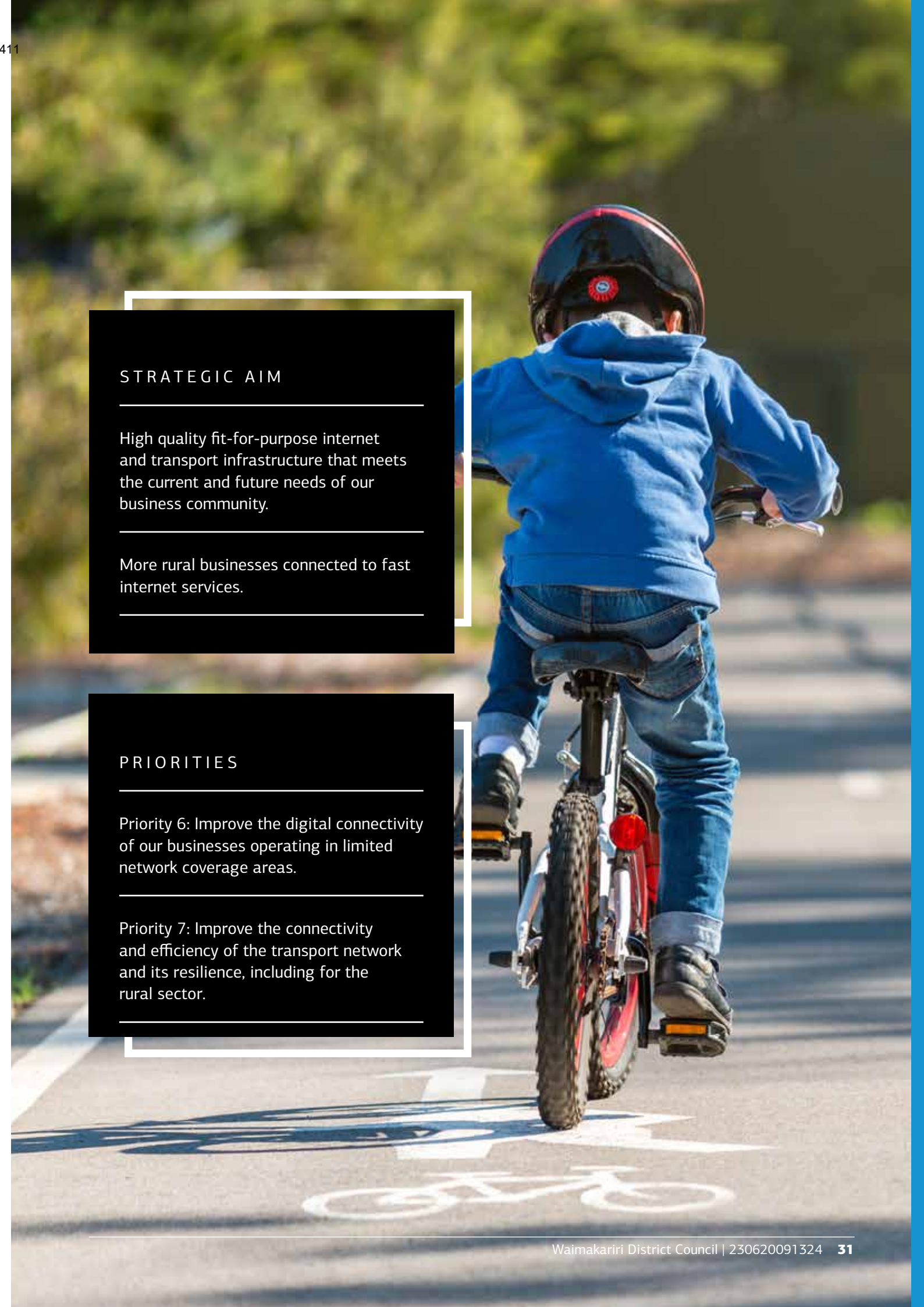
High quality fit-for-purpose internet and transport infrastructure that meets the current and future needs of our business community.

More rural businesses connected to fast internet services.

PRIORITIES

Priority 6: Improve the digital connectivity of our businesses operating in limited network coverage areas.

Priority 7: Improve the connectivity and efficiency of the transport network and its resilience, including for the rural sector.



Business responsiveness



A business responsive environment means being supportive and enabling of business across Council's regulatory functions, as well as providing businesses with tools and development opportunities that increase their capability and chance of success. It also means recognising the value that business partnerships offer in furthering local economic potential and outcomes.

We need to reduce operating barriers for businesses and organisations in the areas where both Council and Enterprise North Canterbury can exert some influence. Over the last six years, Council has sought to incorporate a culture of 'business-friendliness' across its regulatory systems and processes, and although we have made good progress, there is still room for improvement. We will continue to focus on marrying our regulatory functions for Government with our role in supporting our communities. In addition, to enable clarity and confidence in business decision making, we will provide robust, up-to-date information about the district, as well as accurate business and growth research.

Our businesses and developers also tell us they need more developable land on which to establish or expand their business activities and services, so accurately identifying those needs and ways to meet them, is critical to supporting continued growth within our economy.

While Council's role as an investor is important to provide critical infrastructure such as roading, utilities, and community facilities, we know the bulk of the district's economic growth is driven by the private sector through their commercial developments and business activities. Council will work alongside Enterprise North Canterbury to continue to develop strong relationships with key partners in the private sector and local iwi, to secure outcomes that align with the economic aspirations articulated for our district.

The role of Enterprise North Canterbury in providing support and information for businesses, also remains essential.

We will also review the support mechanisms we can offer the arts and event sectors to ensure they are supported in their activities and contribute to economic prosperity.

412

STRATEGIC AIM

Thriving businesses capable of adapting to a changing environment.

Customer-focused regulatory processes for businesses when engaging with Council.

Sufficient business land and high-quality infrastructure available to support business and development activity.

Strong development partnerships and relationships established between business, Council, and Enterprise North Canterbury.

A fit-for-purpose funding model to support arts and events.

Ngāi Tūāhuriri-led development is enabled and supported.

PRIORITIES

Priority 8: Reduce barriers for businesses wherever practicable and provide them with access to information and services to help them prosper.

Priority 9: Develop and enhance strategic partnerships that support economic prosperity and people's wellbeing.

Liveable places and spaces



Our town centres and key business areas need to be supported by quality infrastructure and amenity, as well as investment in activities to attract businesses and people.

Covid-19 changed the way people purchase goods and services by cementing online shopping as a 'norm', which means our town centres and key retail areas increasingly compete with online retail for the customer dollar. The disruption to physical retailing is likely to be ongoing, potentially exacerbated by other significant events such as natural disasters and pandemics that further drive online purchasing. This means our town centres must continue to expand their offer to remain compelling places to visit. A good town centre is not just a place to shop; it has many functions. When business activities such as shops and offices are co-located with community, civic, recreational and entertainment facilities, they create vibrant places where people like to spend time. We need to support our centre's ongoing appeal by ensuring they are home to the right mix of business and other 'people attraction' offerings, sitting within a functional and attractive environment that includes well connected pedestrian-friendly places and spaces. One way to do this is by elevating the role of arts, events, and placemaking within the district. Another option is to promote retail experiences that cannot be readily found online. Town centre related strategies that focus on socio-economic experiences are an important step in meeting this challenge.

Council has developed a number of strategies and plans for our main district towns that provide a decision-making framework for their ongoing urban development, growth and success in the context of each town's distinct role and character. We must continue to fund investment and make improvements to town centre walking and cycling

infrastructure, parking, and urban amenity to continue to create attractive and vibrant spaces where businesses like to operate, and people want to linger. In addition, our town centre urban planning needs to integrate experiences and points of difference that encourage people to our centres while being mindful of the need to address transport emissions.

We must also continue to strengthen the role that our sport and recreation sector plays in supporting economic growth and our district's positive lifestyle opportunities. Waimakariri has a strong history and association with sport, and through Council's development of MainPower Stadium, there is an increased ability to attract larger sporting events that will have positive economic spin-offs for the district. The district is also home to a diverse natural landscape including mountains, rivers and seas, each in close proximity to key urban areas. These offer accessible recreational lifestyle benefits for residents as well as provide an attraction point for those in the visitor market increasingly seeking 'day trip' recreational experiences.

STRATEGIC AIM

People-centric improvements to the form and function of our town centres in Rangiora, Kaiapoi, Oxford, Pegasus and Woodend (Ravenswood).

Increased activity and visibility of arts, events and sports activities within the district, and recognition of their value in supporting economic growth and the liveability of the district.

A district offering a high-quality lifestyle to its residents, and to attract new residents.

PRIORITIES

Priority 10: Continue to improve the amenity, vibrancy and accessibility of our public places for people and businesses.

Priority 11: Support the economic and lifestyle contribution of local arts, events, placemaking and sport/recreation endeavours.

Investment attraction



Our district needs to grow high-value industry, entrepreneurship, businesses and talent in order to continually diversify and expand our local economic base to support a growing, transitioning and resilient economy. We must also capitalise on our locational and amenity advantages, including developing strategic visitor assets and opportunities, to maximise the contribution of the visitor dollar locally.

Informed by good business and growth research, we need to design and then implement business attraction and development plans that seek to draw new entrepreneurs, enterprises and industries to the district. In particular, in the areas of limited-service provision and those that increase our local skill or knowledge base. Retaining and attracting businesses can help strengthen and grow our local economy by widening its base, making it more stable in the face of future volatility.

We also need to ensure our businesses have access to the skilled labour they need to operate successfully. It's important we work alongside industry and key recruitment partners to help entice talent to the district to fill specialist jobs or where there are aggregate labour shortages. This is particularly important as the demand for skilled labour is high. While Waimakariri District is in commuting distance of Christchurch City, it benefits both the environment and our local economy if people can both reside and work in the district.

Waimakariri's visitor economy is relatively small estimated at 2.7% of the total visitor spend within the Canterbury region in 2022. However, visitor spend has on average been growing steadily, despite Waimakariri not being widely regarded as a key visitor destination. While our district has evolved dramatically in the last decade, with boutique retail and hospitality offerings now ample in our towns, people may still perceive Waimakariri

District as a rural location predominantly servicing rural needs. We need to better promote our key towns and the recreational opportunities associated with our natural environment to increase the destination appeal of Waimakariri. This includes working with private partners and organisations to identify and develop significant strategic assets or opportunity areas that might provide a point of attraction difference for our district. Research shows that the 'friends-and-family' market and 'day-trippers' are important drivers of our local visitor economy. As our population is expected to grow to around 97,000 by 2048, we can continue to capitalise on the resident population 'friends and family' market, as well as promote ourselves more widely to Christchurch and wider Canterbury 'daytrippers', to help boost the upward trend of visitation and its contribution to the local economy.

STRATEGIC AIM

Increase in high-value industries and businesses establishing in the district and associated local employment opportunities, including as a direct result of the implementation of our strategic investment and attraction plans.

Increased visitation by residents and visitors to our town centres and key business areas.

Increase in local spending by residents and visitors.

Decrease in leakage (out of the district) spending from residents.

The district perceived widely as an appealing visitor destination within the wider regional context.

PRIORITIES

Priority 12: Attract high value industries and job opportunities.

Priority 13: Develop and promote our attractions and assets.

Image courtesy of Alissa Wilson (E.N.C)

HOW ARE WE GOING TO GET THERE?

While this Strategy sets the direction for the next ten years and beyond, an Implementation Schedule will give effect to the Strategy through tangible projects, actions and initiatives.

The majority of activities within the Implementation Schedule will be led by either Council or Enterprise North Canterbury, although many involve collaboration with prospective partners to help achieve key outcomes. Our relationship with Ngāi Tūāhuriri as representing mana whenua and the Crown's Treaty Partner in Waimakariri District is important to the Council, as well as working closely with Government departments, key industry sector representatives, core infrastructure and transport providers, education and research providers, and major local businesses.

Budget to support the delivery of the Implementation Schedule will be sought through Council's 2024/34 Long Term Plan process, with the first round of funded activities expected to commence from 1 July 2024, and the full funded implementation action period extending for ten years to 30 June 3034.

MONITORING AND REVIEW

While this Strategy has a 10-year life from adoption, it is a 'living document' that is subject to ongoing monitoring and adjustment by Council to reflect updated policy direction relating to Climate Change, Government-led reforms (Three Waters, Resource Management Systems Reform) and reviews (future for Local Government), changes in the global and local economy plus environment, and in response to other new information as it becomes available that might impact on the district's potential for economic growth.

The key actions outlined in the Implementation Schedule will form the basis of a work programme and progress against these will be assessed annually. Budget for any new actions incorporated as part of the updates will be requested through one of Council's Annual Plan, or subsequent Long Term Plan processes (after the next 2024/34 Long Term Plan) that fall within the ten-year life cycle of this Strategy.

Implementation schedule 2024-34

SUSTAINABLE FUTURE

2024-2034

PRIORITIES

PRIORITY 1: Support the adoption of renewable energies across economic sectors and prioritise core sectors.

RELEVANT AGENCIES

Enterprise North Canterbury

Waimakariri District Council,
MainPower

PRIORITY 2: Optimise the contribution of primary production to the economy by supporting the agricultural sectors' initiatives to reduce emissions, optimise business activities, and increase resilience to the impacts of climate change.

Waimakariri District Council, Primary sector representative groups, Lincoln University, Grower Levy Bodies/ Organisations, ChristchurchNZ, Ministry for the Environment, Environment Canterbury, University of Canterbury.

Waimakariri District Council, Federated Farmers, NZ Landcare Trust, Waimakariri Irrigation Limited, Environment Canterbury

Waimakariri District Council,
Lincoln University

PRIORITY 3: Support and empower our businesses to succeed in a sustainable future.

Enterprise North Canterbury

Enterprise North Canterbury

Waimakariri District Council

Waimakariri District Council

Waimakariri District Council,
Enterprise North Canterbury

Waimakariri District Council,
Enterprise North Canterbury

ACTIONS

- 1 Work with interested businesses to help them navigate the range of renewable energy options available to support the uptake and adoption of more sustainable business practices. Work with energy producers to scope out opportunities for wide-spread rollout across businesses.
- 2 Collaborate with energy partners to verify the potential for alternative fuel and energy sources/farms in the district including mixed-use models. Conduct strategic scoping to identify candidate locations that might be suitable for supporting renewable energy and make this information publicly available. Complete pre-market assessments for projects suitable on Council land, and if appropriate, progress project/s through the appropriate Council business case and decision process. Work with the industry to facilitate investment activity.
- 3 Engage with the primary sector to prepare a roadmap for assessing the impact of emissions levies and climate change on the agricultural sector in the Waimakariri District. Facilitate and support research into potential opportunities for changes in technology, practices or land use. Evaluate and assess requirements to assist farmers wanting to make changes, and flow on effects and opportunities for the local economy.
- 4 Engage with the rural sector and relevant organisations to identify and understand the nature and resilience of the district's water resources. This includes, district water shortage/storage issues, water quality issues, and the short-, medium- and long-term implications of climate change (as well as land use implications arising from water stresses), to identify where and how Council and Enterprise North Canterbury can lend support.
- 5 Review Council's land and asset base, assess areas suitable for sustainable forestry, community-food production, carbon sequestration and biodiversity enhancement (in support of environmental tourism). Where opportunities exist, progress scoping processes and conversations with relevant business and investment partners to advance projects through the appropriate Council business case and decision process.
- 6 Support businesses to understand the requirements for emissions recording, levies and emission reduction and the offsetting options, and how to obtain carbon or sustainability accreditation.
- 7 Encourage and facilitate the formation of business clusters/coalitions that foster climate change adaptation and drive innovation and research.
- 8 Design and deliver a process to enable business/community led production on Council land that supports priority sectors and low emission outcomes.
- 9 Support repair, reuse and exchange micro-business community initiatives like the Repair Café movement which align with the move to a circular economy.
- 10 Investigate the feasibility of and need for a climate focused local advisory service which connects rural and local businesses to climate change funding/partners/investors, information and advice to help them transition to a low-emissions economy. Assess the opportunity and develop a business case for this service and progress it through the appropriate Council decision process.
- 11 As part of an infrastructure audit, identify assets (both public and private) at risk to Climate Change impacts of significant importance to business activity, with particular reference to town centre areas, rural production areas, industrial zones, transport and communication networks, and at Māori Reserve 873. Review and assess the interconnected vulnerabilities of the networks. Outline a plan that seeks to ensure these assets are recognised in risk management planning and preparedness.



SUSTAINABLE FUTURE CONTINUED

2024-2034

PRIORITIES

PRIORITY 3: Support and empower our businesses to succeed in a sustainable future.

AGENCIES

Waimakariri District Council,
Enterprise North Canterbury

Enterprise North Canterbury

PRIORITY 4: Facilitate the widespread availability of alternative transport modes connecting key business areas.*

Waimakariri District Council

Waimakariri District Council

Waimakariri District Council

PRIORITY 5: Foster opportunities for research and development.

Waimakariri District Council

Waimakariri District Council, Enterprise North Canterbury,
Te Pūkenga, Lincoln University, Local Secondary Schools,
University of Canterbury/Cluster for Community and Urban
Resilience (CURE)

ACTIONS

- 12 Where appropriate, encourage and support the private sector to intensify land and space use to support more efficient use of resources, increased foot traffic and vibrancy through increased business intensification.
- 13 Investigate options/opportunities to continue the MADE IN NORTH CANTERBURY initiative and to encourage more 'localism' generally with regard to business-to-business transactions and consumer spending and then implement tactics, as appropriate. Balance the localism drive with the need for improved competitiveness and productivity.
- 14 Continue to realise the installation of EV chargers on public land across the Waimakariri District to improve the local charger network and access to key business areas. Engage with the Greater Christchurch Partnership to investigate and identify the geographic need for additional public EV charger supply locations across the Greater Christchurch Area in support of this aim.*
- 15 Identify and progress strategic improvements to walking and cycling infrastructure as directed by the Walking and Cycling Network Plan to support alternative travel options and mode shift for the community when accessing business areas.*
- 16 Continue to support alternative mode services operating in the district (i.e., e-scooters) and work to secure new modes (i.e., shared bikes, social-leasing schemes for zero emission vehicles) to improve community access to alternative and affordable transport options when travelling locally and accessing key business areas.*
- 17 Ensure Council's monitoring and reporting on climate change awareness, response and adaptation in the district includes business sectors.
- 18 Explore and encourage opportunities to link local education service providers and facilities to tertiary education providers, research institutions, and public and private sector projects which connect agriculture, energy, forestry and other business sectors with research and development. Where practicable, encourage public sharing of relevant information/learnings.

* While these transport projects don't directly contribute to economic development, they have been included in this Strategy to reflect the importance of the transport network, connections, and opportunities in facilitating economic activity.



CONNECTED COMMUNITIES

2024–2034

PRIORITIES

PRIORITY 6: Improve the digital connectivity of our businesses operating in limited network coverage areas.

PRIORITY 7: Improve the connectivity and efficiency of the transport network and its resilience, including for the rural sector.*

AGENCIES

Waimakariri District Council,
Enterprise North Canterbury,
Telecommunications Companies

Waimakariri District Council

Waimakariri District Council

Waimakariri District Council

Waimakariri District Council,
Environment Canterbury

Waimakariri District Council,
Greater Christchurch Partnership

ACTIONS

- 19** Investigate and complete a business case of viable models under which high speed internet coverage can be extended to rural communities that remain unsupported by Government fibre expansion programmes. Work with service providers/customers to implement and/or share information about viable service models for the areas of demand.
- 20** Continue to work in partnership with Waka Kotahi, Christchurch/Hurunui/Selwyn District Councils and other relevant road authorities to deliver strategic transportation projects and links that improve and enhance intra and inter-district connectivity. Continue to maintain and enhance the district's transport network through strategic projects and actions identified in the Long-Term Plan and Transportation Activity Management Plan.*
- 21** Create an overarching 'Integrated Transport Strategy' that informs Council's decision-making about changes to the transport system and associated infrastructure investment, and responds to relevant transport related policy while ensuring business transport/access needs are planned for appropriately.*
- 22** Review and monitor patterns of travel within and across the district in order to understand how, when and why people travel. Ensure the transport patterns of existing and potential businesses (B2B) are integrated into the assessments to ensure that the flow of goods, services, workers and customers are all reflected. Use the research to inform land transport related decisions and expenditure giving particular regard to the support of business activity and access to business areas for residents and visitors. Ensure that the transport options are resilient, fit for purpose and support business activities.*
- 23** Collaborate with Environment Canterbury and other stakeholders to assess demand and supply aspects (and the cost implications) of an intra-district zero-emissions public transport (and other modes) service that connects residents (including rural) to key business areas. Where viable, progress through the appropriate Council business case and decision process.*
- 24** Continue to work with partners as a member of the Greater Christchurch Partnership to progress integrated, high-frequency public transport infrastructure planning, supporting sustainable and efficient movement of people and goods as the district and region's population grows. Advocate to ensure future links connect to new developments, including Māori Reserve 873 and other key business areas.*

* While these transport projects don't directly contribute to economic development, they have been included in this Strategy to reflect the importance of the transport network, connections, and opportunities in facilitating economic activity.



BUSINESS RESPONSIVENESS

2024-2034

PRIORITIES

PRIORITY 8: Reduce barriers for businesses wherever practicable and provide them with access to information and services to help them prosper.

AGENCIES

Waimakariri District Council

Waimakariri District Council,
Enterprise North Canterbury

Enterprise North Canterbury,

Waimakariri District Council

Enterprise North Canterbury,

Enterprise North Canterbury,

Enterprise North Canterbury,

Enterprise North Canterbury,

Waimakariri District Council,
Enterprise North Canterbury

PRIORITY 9: Develop and enhance strategic partnerships that support economic prosperity and people's wellbeing.

Waimakariri District Council,
Enterprise North Canterbury

Waimakariri District Council,
Ngāi Tahu,
Ngāi Tūāhuriri

Waimakariri District Council,
Paenga Kupenga Limited,
Ngāi Tahu Property

ACTIONS

- 25 Continually review Council's regulatory policies and services to streamline and improve the engagement process for businesses and the community. Review and improve the Council's 'Business Friendliness' programme including use of the case-management approach for small to large scale development projects when navigating Council's regulatory and statutory requirements.
- 26 Support business/development projects through the provision of up-to-date district climate change, business, growth and Council regulatory performance data to help provide certainty around business decisions.
- 27 Develop an online package of ready and accessible data about the district and key population, economic, social and environmental statistics and research findings to support businesses looking for start-up, grant-funding, finance and other assistance.
- 28 Ensure the need for infrastructure and business/productive land is provided for in relevant planning documents and that business land is well located with freight connections. Where applicable, ensure provisions are in line with the relevant National Policy Statements.
- 29 Continue to deliver business support, training and networking opportunities.
- 30 Lead the formation of a business cluster that leverages local exporters' knowledge about and connections with overseas markets to upskill those businesses looking to export their products internationally.
- 31 Encourage and support businesses to move to circular business models.
- 32 Work with the business community to investigate and implement the opportunities around moderate to large-scale freight movement consolidation.
- 33 Review current arts and event funding processes to determine the most appropriate funding distribution model. Include the current and potential use of council assets to support the creative sector.
- 34 Develop a framework to assess existing and potential partnerships in terms of their contributions to sustainability and well-being using economic, environmental, social and cultural indices. Prioritise and guide decision-making, support and partnerships for projects and initiatives that foster economic prosperity.
- 35 Facilitate ongoing engagement with Ngāi Tūāhuriri and Ngāi Tahu as the Kāinga Nohoanga Strategy is developed to determine how Council can support the development aspirations for Māori Reserve 873.
- 36 Engage with Paenga Kupenga Limited (or equivalent) and Ngāi Tahu Property to explore the establishment of an MOU agreement that supports a collaborative and/or business partner approach for future development projects in the district that may be appropriate.



LIVEABLE PLACES & SPACES

2024-2034

PRIORITIES

PRIORITY 10: Continue to improve the amenity, vibrancy and accessibility of our public places for people and businesses.

PRIORITY 11: Support the economic and lifestyle contribution of local arts, events, placemaking and sport/recreation endeavours.

AGENCIES

Waimakariri District Council

Waimakariri District Council,
Enterprise North Canterbury

Waimakariri District Council

Waimakariri District Council

Waimakariri District Council

ACTIONS

37 Progress and coordinate implementation of the Rangiora Town Centre Strategy, the Kaiapoi Town Centre Plan and other town centre or area plans as they are developed and funded through the Long-Term Plan to support more integrated development of town centres and associated business areas.

38 Develop Events and Placemaking Plans for the District that seek to maximise the economic benefits of temporary activities and events.

39 Develop an Arts Plan/Strategy for the District that seeks to maximise the economic benefits of the arts and creative sectors, as well as having a 'fit-for-purpose' funding model.

40 Maximise the contribution to the local economy from sport and recreation activities by developing a Sport & Recreation Strategy, which facilitates access to/promotes these activities as an intrinsic part of our local lifestyle and the liveable nature of our District.

41 Undertake a strategic assessment to identify appropriate levels of funding and/or support for the town Promotions Associations including appropriate funding mechanisms to support the delivery of their community events and promotion activities.



INVESTMENT ATTRACTION

2024-2034

PRIORITIES

PRIORITY 12: Attract high value industries and job opportunities.

AGENCIES

Enterprise North Canterbury

Waimakariri District Council,
Enterprise North Canterbury

Waimakariri District Council,
Enterprise North Canterbury

Waimakariri District Council,
Enterprise North Canterbury

Waimakariri District Council

Waimakariri District Council,
Enterprise North Canterbury,
Te Pukenga, Lincoln University, University of Canterbury

Waimakariri District Council

Waimakariri District Council

Waimakariri District Council,
Enterprise North Canterbury

PRIORITY 13: Develop and promote our attractions and assets.

Waimakariri District Council, Enterprise North Canterbury,
Oxford Area School, Ministry of Education

Waimakariri District Council,
Enterprise North Canterbury

Waimakariri District Council, Enterprise North Canterbury,
Rangiora Airfield

ACTIONS

- 42** Develop and implement a marketing campaign to attract skilled and talented people/families to permanently relocate to the Waimakariri District. Work with businesses/recruitment agencies to identify areas of skilled labour shortages/industry specific opportunities to target during these campaigns. Include a monitoring and evaluation programme to track the outcomes.
- 43** Continue to work with Enterprise North Canterbury (as the local economic development agency) to deliver district promotion and business attraction services. Ensure their mandate reflects a core focus on the considerations that economic development agencies need to maintain, while being sensitive to broader considerations.
- 44** Undertake research to identify areas of high value business opportunity/service need within the district, such as: an emerging market (export), addressing a gap in the local supply chain, capturing locational advantages and building on natural endowments. Make this information publicly available.
- 45** Develop and implement an Investment Attraction Plan including KPI's (set in tandem with Council) to actively attract (the identified) high value industries/businesses to establish or relocate within the district.
- 46** Guided by the Investment Attraction Plan, investigate options for high value business developments on Council land and identify innovative ways (investment incentives) through which Council can attract the investment.
- 47** Engage with regional tertiary organisations and relevant Government bodies to explore the possibility of establishing a Waimakariri District tertiary hub which provides local training/education opportunities. Align the hub with current labour market gaps, and future labour force requirements (across sectors) or required sector knowledge areas. Link activities with research programmes to help generate local innovations that can be commercialised and exported.
- 48** Increase the appeal of Southbrook to businesses by implementing projects that enhance its market position and perception as a successful and pleasant business area.
- 49** Work with Screen Canterbury to establish 'Waimakariri District Screen Protocols' to make seamless the process of filming feature films/TV series locally and to incentivise filming activity in the district. Develop an appropriately scaled Waimakariri District promotion campaign (photos/video footage) to promote the district as a viable filming location to film and TV series production companies/studios.
- 50** Implement Waimakariri Visitor Marketing Strategy action items, linked to a wider investment programme that supports attractions and an associated asset/infrastructure base, to support increased visitation to the district and to maximise the visitor industry's contribution to the local economy.
- 51** Support Oxford Area School/private partners to realise the potential of the Oxford Observatory in support of Astro tourism to the district.
- 52** Support the development of strategic visitor or community facilities that have the potential to contribute significantly to the economic output of the district.
- 53** Investigate opportunities for the strategic and sustainable development of the Rangiora Airfield site and prepare a business case to progress viable options through the appropriate Council decision process.



215 High Street
Private Bag 1005
Rangiora 7440, New Zealand
Phone 0800 965 468
waimakariri.govt.nz

230620091324

Project Report

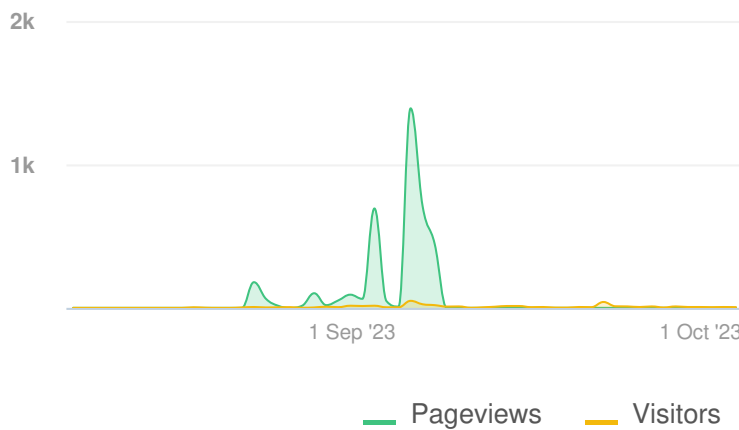
21 February 2020 - 01 October 2023

Let's Talk Waimakariri

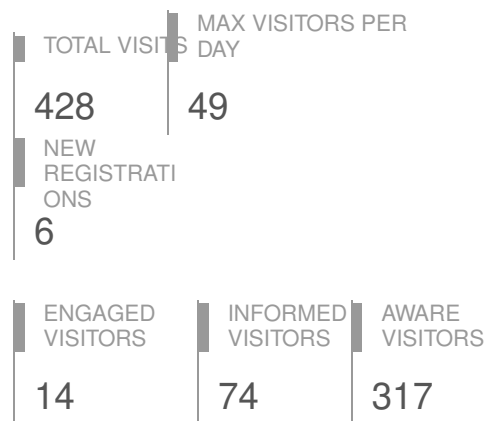
Waimakariri Economic Development Strategy



Visitors Summary

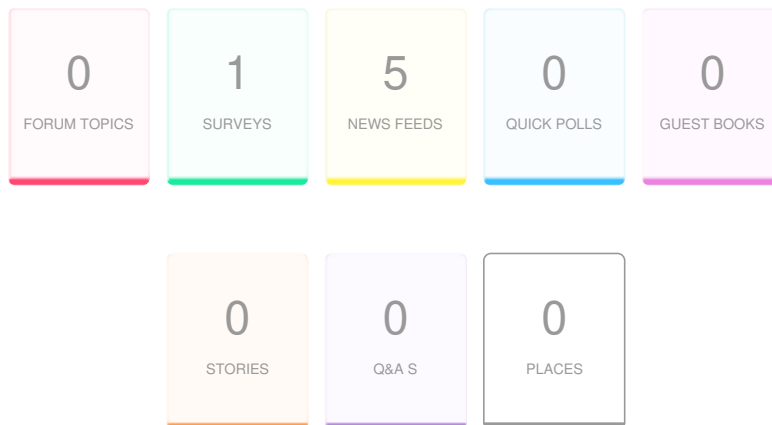


Highlights



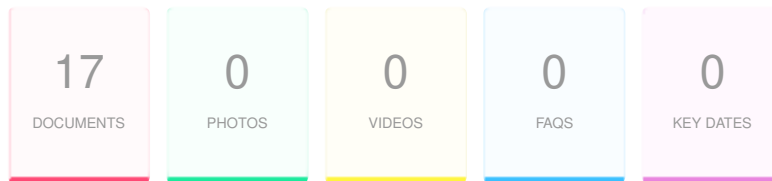
Aware Participants		Engaged Participants	
317		14	
Aware Actions Performed	Participants	Engaged Actions Performed	
Visited a Project or Tool Page	317	Registered	Unverified
Informed Participants	74	Anonymous	
Informed Actions Performed	Participants	Contributed on Forums	0
Viewed a video	0	Participated in Surveys	14
Viewed a photo	0	Contributed to Newsfeeds	0
Downloaded a document	45	Participated in Quick Polls	0
Visited the Key Dates page	0	Posted on Guestbooks	0
Visited an FAQ list Page	0	Contributed to Stories	0
Visited Instagram Page	0	Asked Questions	0
Visited Multiple Project Pages	54	Placed Pins on Places	0
Contributed to a tool (engaged)	14	Contributed to Ideas	0

ENGAGEMENT TOOLS SUMMARY



Tool Type	Engagement Tool Name	Tool Status	Visitors	Contributors		
				Registered	Unverified	Anonymous
Newsfeed	Theme 1: Sustainable Future	Published	2	0	0	0
Newsfeed	Theme 2: Connected Communities	Published	2	0	0	0
Newsfeed	Theme 5: Investment Attraction	Published	1	0	0	0
Newsfeed	Theme 3: Business Responsiveness	Published	0	0	0	0
Newsfeed	Theme 4: Liveable Places and Spaces	Published	0	0	0	0
Survey Tool	Key Questions	Published	40	14	0	0

INFORMATION WIDGET SUMMARY



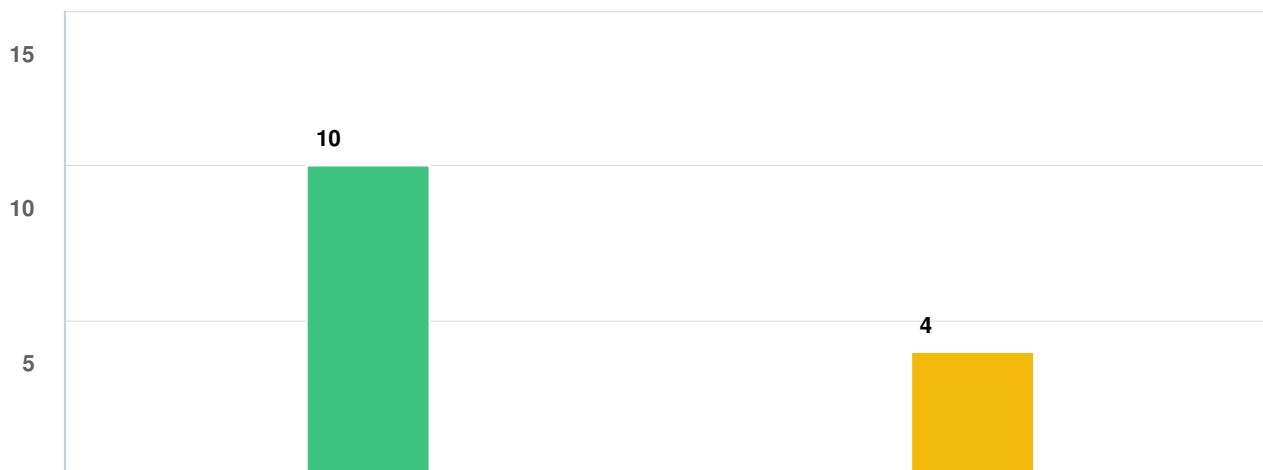
Widget Type	Engagement Tool Name	Visitors	Views/Downloads
Document	Implementation Strategy.pdf	26	29
Document	Booklet - Economic Development Strategy - A4 (email).pdf	21	28
Document	Oxford Town Centre Strategy	3	3
Document	The Kaiapoi Town Centre Plan 2028 and Beyond	3	5
Document	Woodend Pegasus Area Strategy	2	2
Document	Rangiora Town Centre Strategy Blueprint to 2030+	2	2
Document	Waimakariri Visitor Marketing Strategy	1	1
Document	Te hau mārohi ki anamata Towards a productive, sustainable and incl...	1	1
Document	Our Economic Plan	1	1
Document	Organisational Sustainability Strategy & Action Plan 2020	0	0
Document	Community Outcomes (pages 11 & 12)	0	0
Document	Greater Christchurch Transport Plan	0	0
Document	Turn up and go / Mass Rapid Transit	0	0
Document	Draft Greater Christchurch Spatial Plan	0	0
Document	Mayoral Forum's Plan for Canterbury 2023-25	0	0
Document	He piki tūranga, he piki kōtuku The Future for Local Government	0	0
Document	Urutau, ka taurikura: Kia tū pakari a Aotearoa i ngā huringa āhuara...	0	0

ENGAGEMENT TOOL: SURVEY TOOL

Key Questions

Visitors 40	Contributors 14	CONTRIBUTIONS 14
--------------------	------------------------	-------------------------

Do you agree with the Sustainable Futures theme?



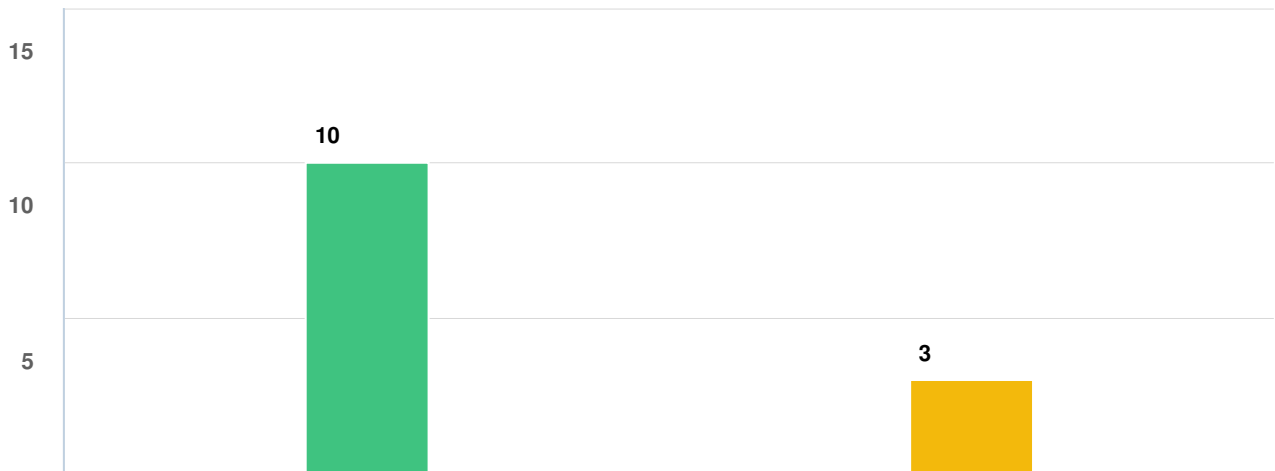
Question options

- Yes
- No

Optional question (14 response(s), 0 skipped)

Question type: Checkbox Question

Do you agree with the strategic priorities listed and their key actions?



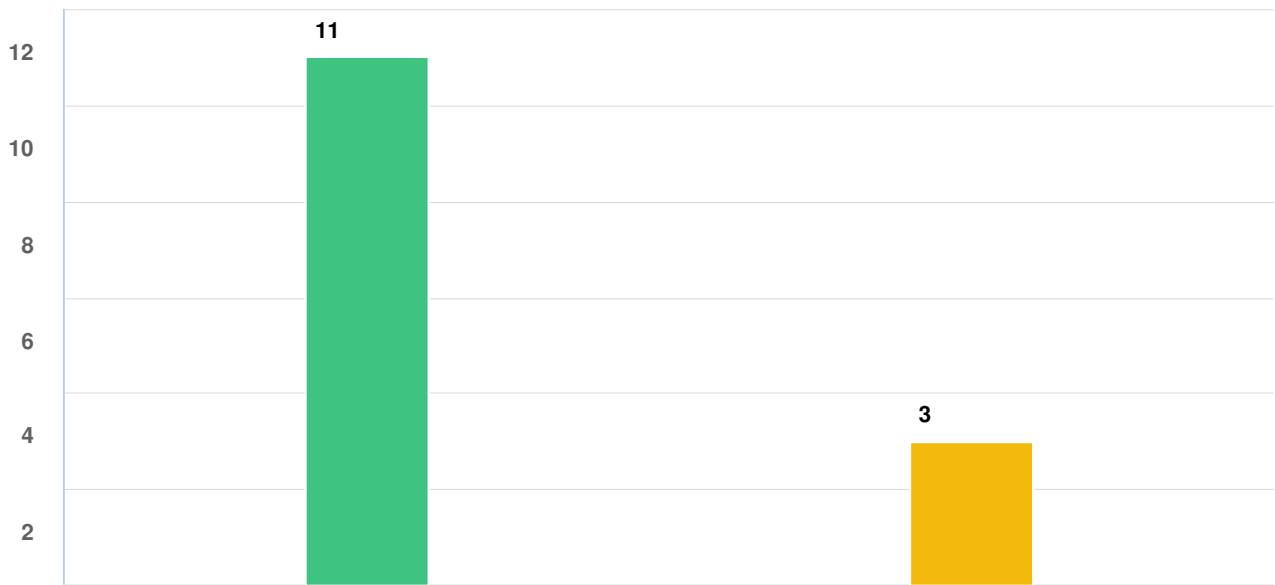
Question options

- Yes
- No

Optional question (13 response(s), 1 skipped)

Question type: Checkbox Question

Do you agree with the Connected Communities theme?



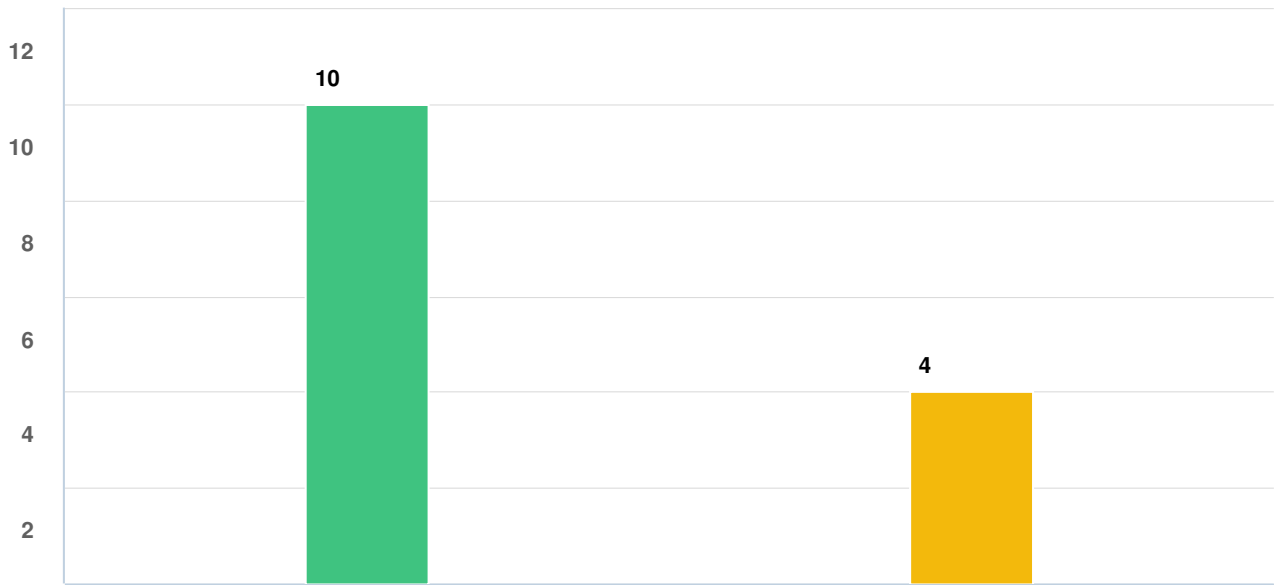
Question options

- Yes
- No

Optional question (14 response(s), 0 skipped)

Question type: Checkbox Question

Do you agree with the strategic priorities listed and their key actions?



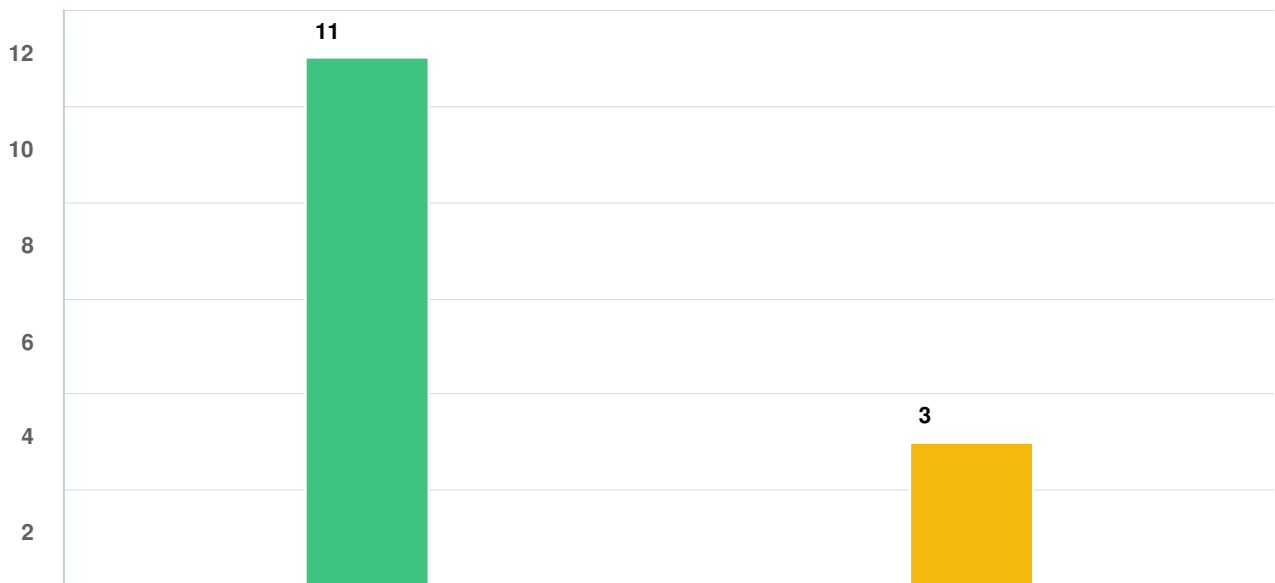
Question options

- Yes
- No

Optional question (14 response(s), 0 skipped)

Question type: Checkbox Question

Do you agree with the Business Responsiveness theme?



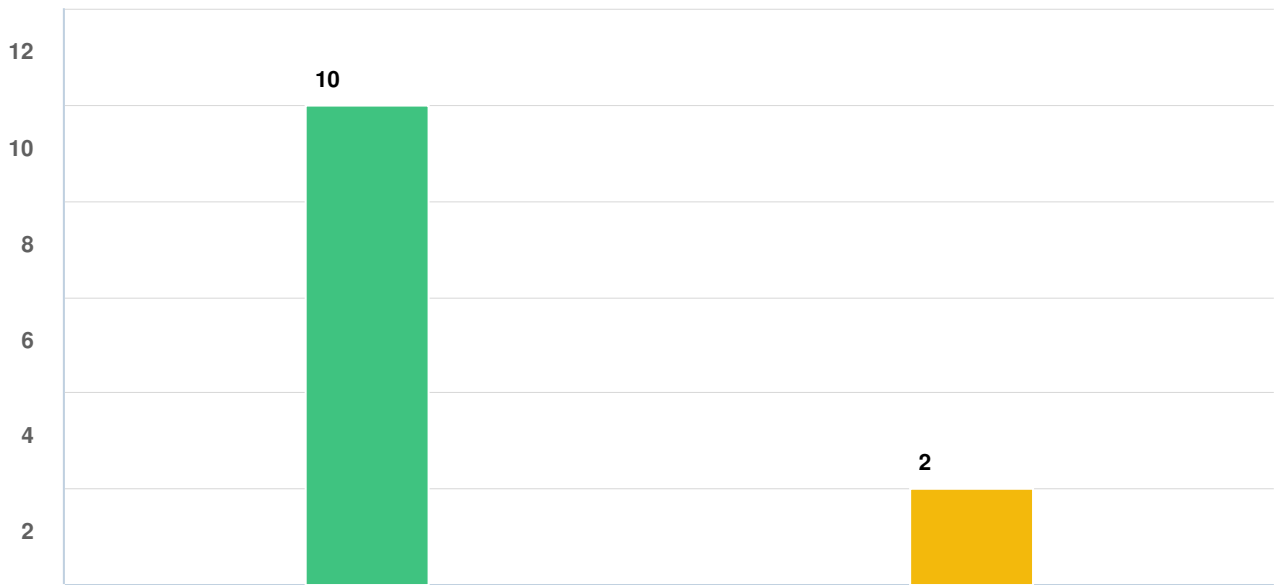
Question options

- Yes
- No

Optional question (14 response(s), 0 skipped)

Question type: Checkbox Question

Do you agree with the strategic priorities listed and their key actions?



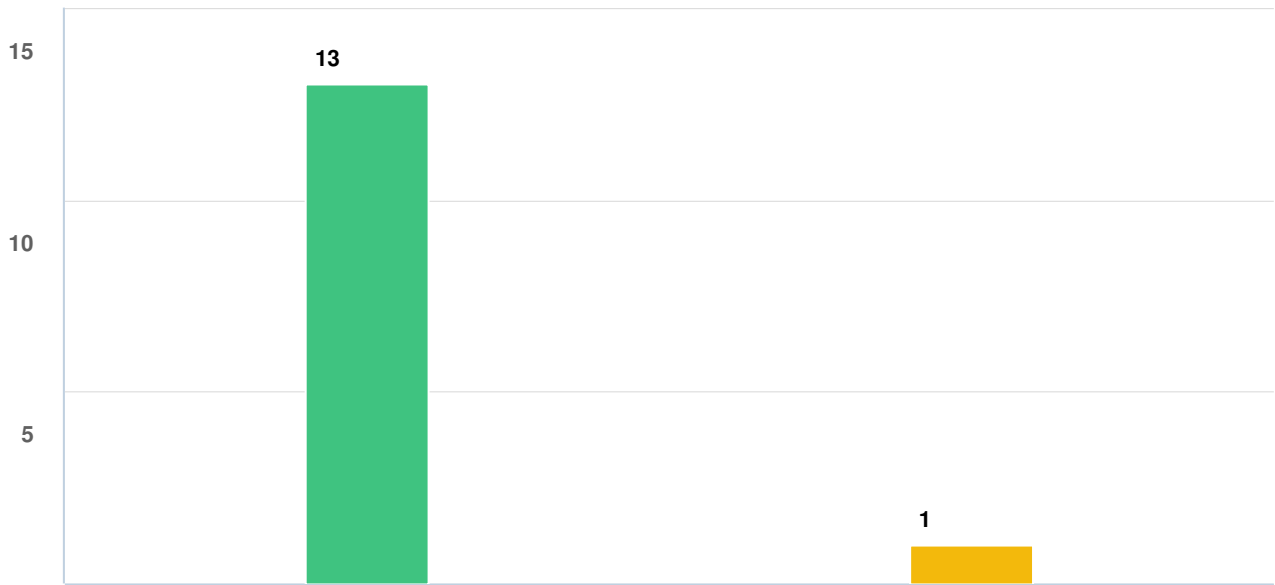
Question options

- Yes
- No

Optional question (12 response(s), 2 skipped)

Question type: Checkbox Question

Do you agree with the Liveable Places and Spaces theme?



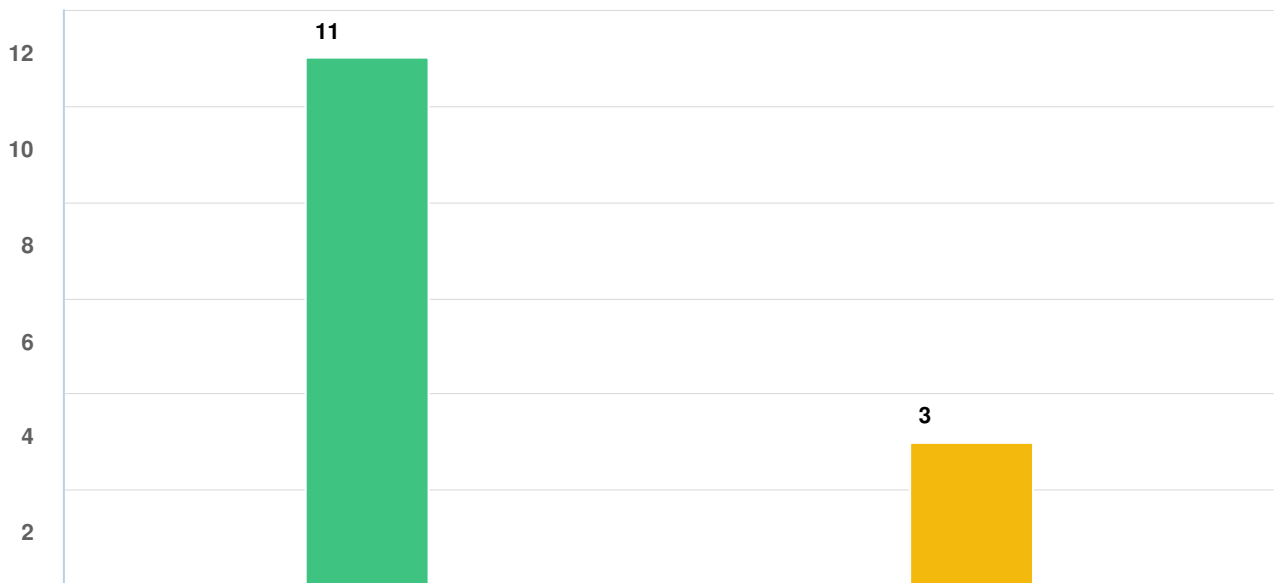
Question options

- Yes
- No

Optional question (14 response(s), 0 skipped)

Question type: Checkbox Question

Do you agree with the strategic priorities listed and their key actions?



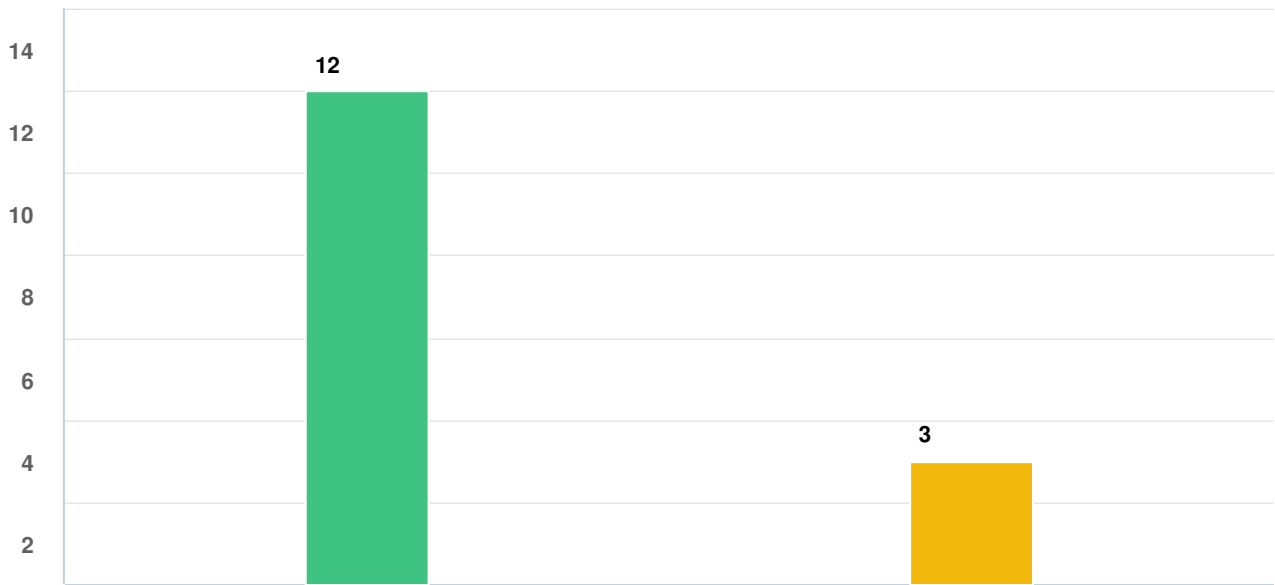
Question options

- Yes
- No

Optional question (14 response(s), 0 skipped)

Question type: Checkbox Question

Do you agree with the Investment Attraction theme?



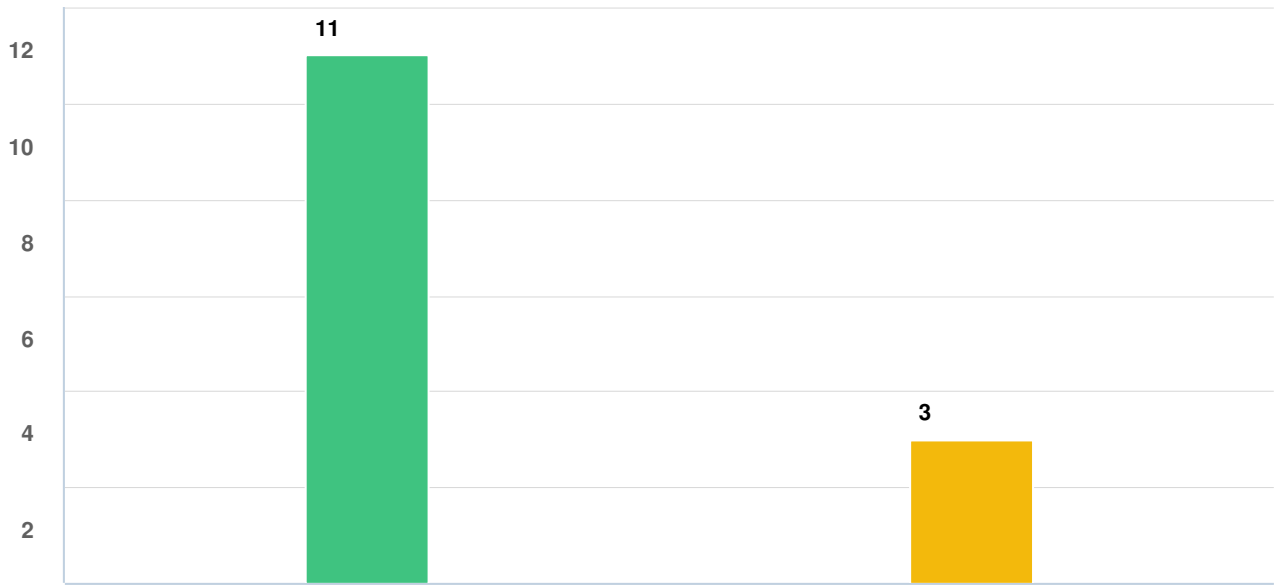
Question options

- Yes
- No

Optional question (14 response(s), 0 skipped)

Question type: Checkbox Question

Do you agree with the strategic priorities listed and their key actions?



Question options

- Yes
- No

Optional question (14 response(s), 0 skipped)

Question type: Checkbox Question

13 September 2023

Waimakariri District Council
Private Bag 1005
Rangiora 7440

Tēnā koutou,

Submission on Waimakariri Economic Development Strategy 2024-34

1. Thank you for the opportunity to submit on the Waimakariri Economic Development Strategy 2024-34. This submission has been compiled by Te Mana Ora (Community and Public Health) on behalf of the National Public Health Service and Te Whatu Ora Waitaha. Te Mana Ora recognises its responsibilities to improve, promote and protect the health of people and communities of Aotearoa New Zealand under the Pae Ora Act 2022 and the Health Act 1956.
2. This submission sets out particular matters of interest and concern to Te Mana Ora.

General Comments

3. We welcome the opportunity to comment on the Waimakariri Economic Development Strategy 2024-34.
4. Health creation and wellbeing (overall quality of life) is influenced by a wide range of factors beyond the health sector. These influences can be described as the conditions in which people are born, grow, live, work and age, and are impacted by

environmental, social, economic, and behavioural factors. They are often referred to as the 'social determinants of health'.¹

5. The diagram² below shows how the various influences on health are complex and interlinked. Initiatives to improve health outcomes and overall quality of life must involve organisations and groups beyond the health sector, such as local government and businesses if they are to have a reasonable impact.³

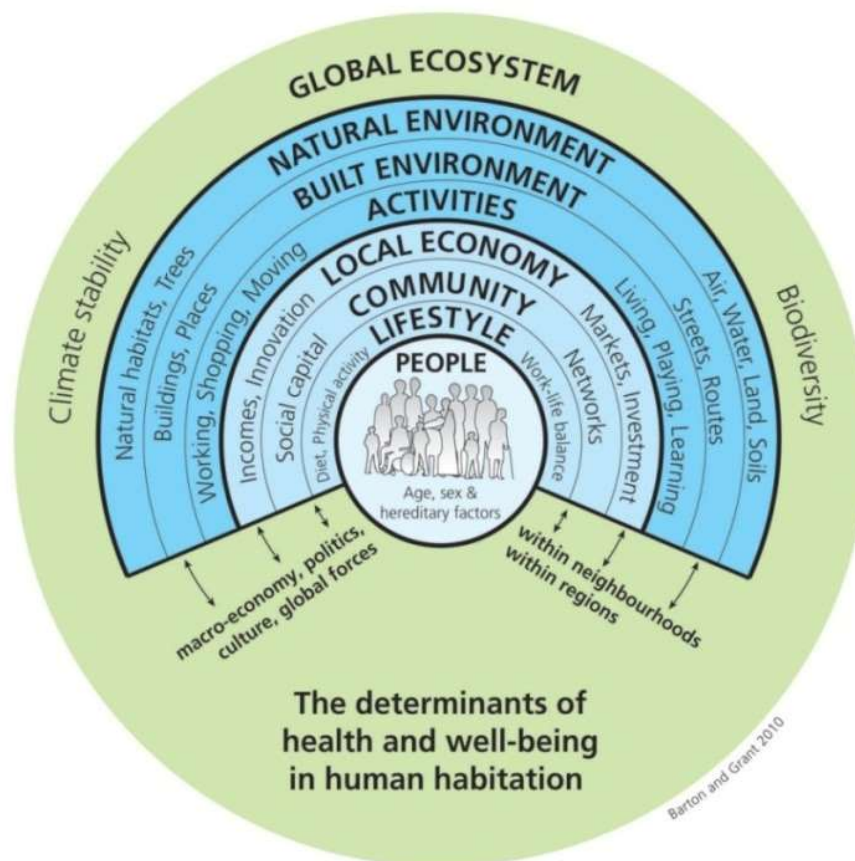


Figure 1: The Wider Determinants of Health

¹ Public Health Advisory Committee. 2004. *The Health of People and Communities. A Way Forward: Public Policy and the Economic Determinants of Health*. Public Health Advisory Committee: Wellington.

² Barton, H and Grant, M. (2006) A health map for the local human habitat. *The Journal of the Royal Society for the Promotion of Health* 126 (6), pp 252-253. <http://www.bne.uwe.ac.uk/who/healthmap/default.asp>

³ McGinnis J.M, Williams-Russo P, Knickman JR. 2002. The case for more active policy attention to health promotion. *Health Affairs*, 21(2): 78 - 93.

Specific Comments

6. Te Mana Ora supports the Waimakariri Economic Development Strategy 2024-34 overall.
7. Te Mana Ora commends the Council for focusing on climate change mitigation, adaptation and sustainability in this strategy. This is important because climate change can impact health and wellbeing outcomes directly through exposure to climate hazards causing injuries and mortalities; and indirectly through greater risk of food and water borne diseases, food insecurity, community displacement, lack of access or loss of critical infrastructure, loss of employment, financial insecurity; all of which have social and economic consequences.⁴
8. Te Mana Ora recommends that the Council considers using a wellbeing economy approach in their decision making and planning. A wellbeing economy approach shifts away from viewing production and economic growth as indicators of progress, and instead draws on health, social and environmental indicators.⁵ This is a holistic approach that has benefits not only for health and health equity, but also for the wellbeing of societies, economies, and the planet.⁶

Sustainable Future

9. Te Mana Ora broadly supports the Sustainable Future priorities and actions because they have the potential to increase resilience to climate change, which will have benefits beyond the economy.

⁴ Cissé, G., R. McLeman, H. Adams, P. Aldunce, K. Bowen, D. Campbell-Lendrum, S. Clayton, K.L. Ebi, J. Hess, C. Huang, Q. Liu, G. McGregor, J. Semenza, and M.C. Tirado (2022). *Health, Wellbeing, and the Changing Structure of Communities*. In: *Climate Change 2022: Impacts, Adaptation and Vulnerability. Contribution of Working Group II to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change* [H.-O. Pörtner, D.C. Roberts, M. Tignor, E.S. Poloczanska, K. Mintenbeck, A. Alegria, M. Craig, S. Langsdorf, S. Lösckke, V. Möller, A. Okem, B. Rama (eds.)]. Cambridge University Press, Cambridge, UK and New York, NY, USA, pp. 1041–1170, doi:10.1017/9781009325844.009.

⁵ VicHealth. 2023. *How to create a wellbeing economy*. Accessed from: <https://www.vichealth.vic.gov.au/news-publications/research-publications/how-create-wellbeing-economy#:~:text=A%20wellbeing%20economy%20seeks%20to,well%20on%20a%20dead%20planet>.

⁶ World Health Organization. 2022. *WHO launches a new initiative to place well-being at the heart of economic recovery*. Accessed from: <https://www.who.int/europe/news/item/08-07-2022-who-launches-a-new-initiative-to-place-well-being-at-the-heart-of-economic-recovery>

10. Te Mana Ora supports Action 5 to build a sustainable future by considering ways to use Council assets and land for sustainable forestry, community-food production, carbon sequestration and biodiversity enhancement to support environmental tourism and business. Additionally, Te Mana Ora supports Council's Action 2 to collaborate with energy partners to provide alternative and renewable fuel and energy sources/ farms, to diversify the energy sources in the district.

11. In addition to these actions, Te Mana Ora recommends that the Council considers other opportunities for investment and collaboration with key community stakeholders and businesses to increase the district's resilience to climate change. The figure below shows how climate hazards can cause health and wellbeing impacts through various impacts and pathways (Figure 2). Therefore, the Council can lessen the impacts of climate change on health and wellbeing, and support sustainable business innovations, by building resilience into the pathways within the Figure 2, such as housing, transport infrastructure, communication and information infrastructure, and water infrastructure.

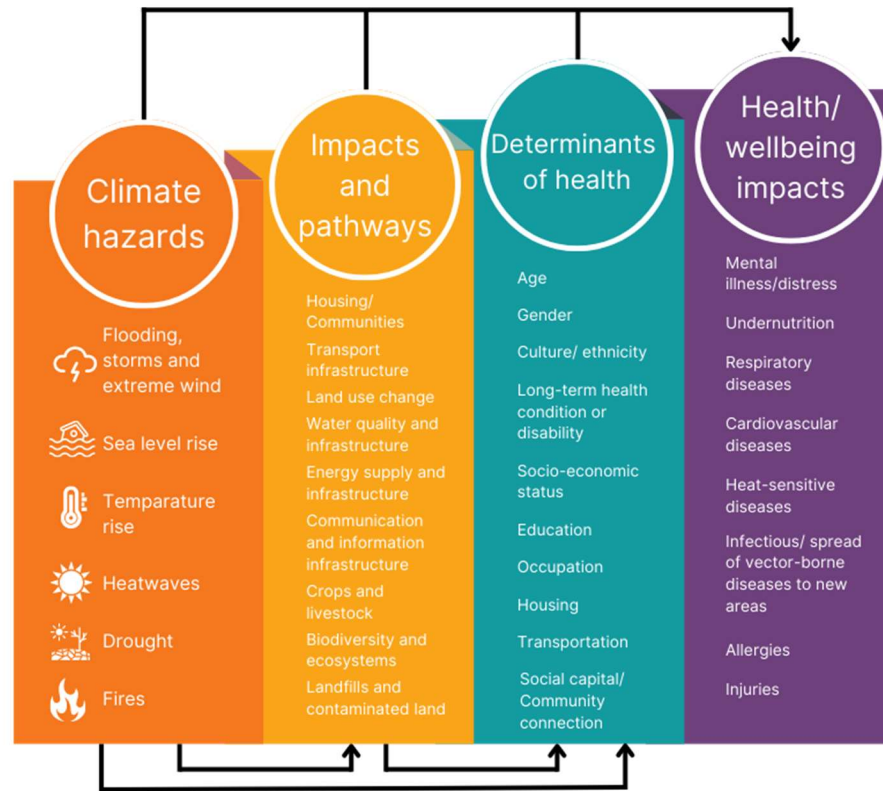


Figure 2: Direct and indirect effects of climate change on health and wellbeing⁷

12. Te Mana Ora supports the actions to build awareness and share knowledge about climate change adaptation (Actions 6 to 10). Te Mana Ora also recommends that the Council and Enterprise North Canterbury assist businesses to consider and prepare processes to support their workforce against the impacts of climate change hazards. Heatwaves, for example, have been shown to have a significant impact on the productivity and health of the workforce, as the increased temperatures can cause sleep deprivation, dehydration, nausea, heat stress, heat stroke, and increased risk of hospitalisation.⁸ Additionally, a heatwave can create an unsafe working environment for workers, particularly those that work outside or do not have access to air conditioning. Businesses may need to consider ways they adapt their work environments to ensure the health and safety of their employees, for example

⁷ Te Mana Ora. 2023. *Climate Change and Health in Waitaha Canterbury: A scoping and profiling report to inform Health Impact Assessment*. Ōtautahi Christchurch: Te Whatu Ora, Te Mana Ora, National Public Health Service. Accessed from: <https://www.cph.co.nz/wpcontent/uploads/ClimateChangeHealthWaitahaCanterbury.pdf>

⁸ Te Mana Ora. 2023. *Climate Change and Health in Waitaha Canterbury: A scoping and profiling report to inform Health Impact Assessment*. Ōtautahi Christchurch: Te Whatu Ora, Te Mana Ora, National Public Health Service. Accessed from: <https://www.cph.co.nz/wpcontent/uploads/ClimateChangeHealthWaitahaCanterbury.pdf>

by changing work hours to the cooler times of the day and by providing shaded areas and drinking water stations.

13. Te Mana Ora supports the Action 11 to *‘where appropriate, encourage and support the private sector to intensify land and space use to support more efficient use of resources, increased foot traffic and vibrancy through increased business intensification’*. The intensification and co-location of businesses can increase employment opportunities, improve access to businesses and attract additional investment. The intensification of businesses is best located around towns and business areas that are serviced by public and active modes of transport to increase connectivity. Te Mana Ora recommends that the Council considers the Healthy Streets Indicators as framework for increasing foot traffic and vibrancy, as discussed further below.
14. Te Mana Ora supports the priority to *‘facilitate the widespread availability of alternative transport modes connecting key business areas’* and the associated actions. Increasing the use of alternative transport modes is important for reducing carbon emissions and improving air quality. Encouraging walking and cycling has the additional benefit of increasing physical activity and reducing negative health impacts. New Zealand research shows that people who walk or cycle to their main activity (e.g., school or work) have a 76% higher odds of meeting NZ physical activity guidelines.⁹
15. Additionally, there is consistent and growing evidence that increasing walking and cycling levels in the population achieves substantial economic return over the long term¹⁰. Outcomes include savings from reductions in health care costs, absenteeism, air pollution, congestion, and greenhouse gases, as well as gains in fuel savings. There are also direct economic benefits for retail and other businesses to investing in

⁹ Shaw, C., Keall, M., & Guiney, H. (2017). What modes of transport are associated with higher levels of physical activity? Cross-sectional study of New Zealand adults. *Journal of Transport & Health*, 7, 125-133.

¹⁰ Community and Public Health. 2012. Review of studies that have quantified the economic benefits of intervention to increase walking and cycling for transport. <http://www.cph.co.nz/Files/QuantEconBenefitPhysicalActive.pdf>

walkable communities with high amenity values and proximity to frequently used destinations such as shops, eating places, schools, and parks.¹¹

16. Te Mana Ora suggests that the Council considers adding an action about public transport to this priority. Public transport provides accessibility to work, education, health services as well as key business areas. Access to public transport is important for people who do not have access to other transport modes, such as disabled people, older people, youth and low-income earners. The increased use of public transport not only reduces emissions and improves air quality, but also grants greater access to roads for people walking, cycling and scooting.
17. Furthermore, Te Mana Ora recommends that the Council considers offering a travel planning service to encourage the uptake of alternative transport modes. For example, the Christchurch City Council provides a free city travel planning service that helps organisations and businesses to find travel options.¹² Alongside the provision of infrastructure and services, a travel planning service could encourage behaviour change and a shift towards alternative transport modes.

Connected Communities

18. Te Mana Ora broadly supports the Connected Communities priorities and actions and has some recommendations.
19. Te Mana Ora supports Action 18. Having access to high-speed internet coverage is important for business operations and for people working from home, as demonstrated during the Covid-19 pandemic.
20. Te Mana Ora recommends that the Council takes equity into consideration when making decisions about transport networks and connectivity. Te Mana Ora

¹¹ Community and Public Health. 2012. Review of studies that have quantified the economic benefits of intervention to increase walking and cycling for transport. <http://www.cph.co.nz/Files/QuantEconBenefitPhysicalActive.pdf>

¹² Christchurch City Council. 2023. Free city travel planning. Accessed from: https://ccc.govt.nz/transport/getting-around/travelplanning?gclid=EAfalQobChMIs8HRkpyXgQMv1SSDAx0PMAPDEAAAYASAAEgl-5vD_BwE

encourages the Council to ensure that areas with higher socioeconomic deprivation are serviced with transport infrastructure and services to improve connectivity to businesses and amenities. Providing alternative options to driving a car is important because of the rising cost of fuel, which is likely to be felt more acutely by people living in areas with high socioeconomic deprivation. Te Mana Ora suggests that the proposed 'Integrated Transport Strategy' (Action 20) includes priorities and actions that address inequities in transport connectivity.

21. Te Mana Ora supports Action 22 to *'assess demand and supply aspects of an intra-district zero-emissions public transport service.'* Te Mana Ora suggests that the Council considers an on-demand public transport service, such as MyWay in Timaru. An on-demand service responds to passengers' pre-booked pick-up locations and destinations instead of having fixed route services. The MyWay trial in Timaru is considered a success because engagement in public transport has increased.¹³ This type of service may be an appropriate model in the Waimakariri district to connect rural locations with business areas.

Business Responsiveness

22. Te Mana Ora broadly supports the Business Responsiveness priorities and actions and has some comments.
23. Te Mana Ora supports Action 30 to *'encourage and support businesses to move to circular models'*. A circular economy is critical for our communities to reduce our emissions and protect against the worst impacts of climate change.¹⁴
24. Te Mana Ora strongly supports Action 34 to *'facilitate ongoing engagement with Ngāi Tūāhuriri and Ngāi Tahu as the Kāinga Nohoanga Strategy is developed to determine how Council can support the development aspirations for Māori Reserve 873'*. This action is important for the cultural and economic wellbeing of mana

¹³ RNZ. 2023. Timaru's on-demand transport service gets more Waka Kotahi funding. Accessed from: <https://www.nz.co.nz/news/national/485821/timaru-s-on-demand-transport-service-gets-more-waka-kotahi-funding>

¹⁴ Circular economy and bioeconomy.2022. Ministry for the Environment: <https://environment.govt.nz/publications/aotearoa-new-zealands-first-emissions-reduction-plan/circular-economy-and-bioeconomy/>

whenua. Furthermore, this action shows the Council's commitment to Te Tiriti o Waitangi and respect to mana whenua.

Liveable Places & Spaces

25. Te Mana Ora broadly supports the Liveable Places and Spaces priorities and actions and has some recommendations.
26. Te Mana Ora strongly supports the priority to '*continue to improve the amenity and vibrancy of our public places for people and businesses*'. Te Mana Ora recommends that the Council considers the using Healthy Streets Indicators framework to inform developments (**Error! Reference source not found.**). This framework is an assessment tool for supporting a healthy and safe built environment designed for people rather than cars.¹⁵ There are economic benefits to creating attractive spaces, such as people spending more time in public places and supporting local businesses.¹⁶ Furthermore, the built environment has a strong influence on the health and wellbeing of communities as it can influence people's everyday experiences and behaviours, such as choosing to walk and cycle.
27. Te Mana Ora recommends that the Council also considers how to improve the accessibility of public places as well as the amenity and vibrancy. Waimakariri's population demographic is older than other areas within Canterbury and New Zealand, therefore it is important to consider how people with different levels of mobility can use public spaces and transport networks. Creating spaces that are safe and comfortable enables older people to participate in public life, which has health and wellbeing benefits.¹⁷

¹⁵ Healthy Streets. 2022. Introduction: What is Healthy Streets? Accessed from: <https://www.healthystreets.com/what-is-healthy-streets>

¹⁶ Community and Public Health. 2012. Review of studies that have quantified the economic benefits of intervention to increase walking and cycling for transport. <http://www.cph.co.nz/Files/QuantEconBenefitPhysicalActive.pdf>

¹⁷ Office for Seniors and Boffa Miskell. 2021. Age friendly urban spaces guide. Accessed from: <https://officeforseniors.govt.nz/our-work/age-friendly-communities/age-friendly/>



Figure 3: The Healthy Streets Indicators

28. Te Mana Ora recommends that the Council does a stocktake of public places to understand where amenity and vibrancy need to be improved. This stocktake could assess what areas in the district are considered liveable by residents, as well as highlighting what makes them liveable and what are the current barriers or challenges experienced by residents in relation to these places being liveable. This exercise could inform criteria for determining where investment is needed in the district and what should be invested in. This approach would ensure that action is taken where there is a need.

Investment Attraction

29. Te Mana Ora broadly supports the Investment Attraction priorities and actions; however, Te Mana Ora recommends that the Council ensures that actions under this theme do not contradict the actions under the Sustainable Future theme. For example, developing the Rangiora Airfield (Action 52) may counter strategic aims to

transition to a low emission future. Therefore, it is important to balance the investment attractiveness of the district with sustainability aspirations.

30. Te Mana Ora recommends that the Council considers conducting a Health Impact Assessment or Social Impact Assessment of the proposed Investment Attraction Plan (Actions 44 and 45). Such assessments are used to predict the potential health and social effects of policies or plans. Te Mana Ora can provide guidance for carrying out these assessments.

Conclusion

31. Te Mana Ora does not wish to be heard in support of this submission.

32. If others make a similar submission, the submitter will not consider presenting a joint case with them at the hearing.

33. Thank you for the opportunity to submit on the Waimakariri Economic Development Strategy 2024-34

Ngā mihi,



Vince Barry

Regional Director Public Health Te Waipounamu
National Public Health Service

Contact details

Hebe Gibson
For and on behalf of Te Mana Ora

P +64 3 364 1777
submissions@cdhb.health.nz



Federated Farmers of New Zealand

Feedback to Waimakariri District Council on: Economic Development Strategy

17 September 2023



0800
327
646 | FED
FARM
.ORG.NZ

FEEDBACK ON: ECONOMIC DEVELOPMENT STRATEGY

To: Waimakariri District Council

Name of submitter: North Canterbury Federated Farmers

Contact person: Rachel Thomas
Senior Policy Advisor - Regional

Address for service: Federated Farmers of New Zealand
P.O. Box 20448
Bishopdale
Christchurch 8543

Phone: 0800 327 646
Mobile: 021 087 36912
Email: rthomas@fedfarm.org.nz

.

Introduction

- 1 Federated Farmers thanks Waimakariri District Council ('the Council') for the opportunity to give feedback on the Economic Development Strategy ('the Strategy').
- 2 Federated Farmers of New Zealand is a voluntary, primary sector organisation that represents farming and other rural businesses. Federated Farmers has a long and proud history of representing the needs and interests of New Zealand farmers and their communities.
- 3 Federated Farmers aims to add value to its members' farming businesses by ensuring that New Zealand provides an economic and social environment within which:
 - Our members may operate their businesses in a fair and flexible commercial environment;
 - Our members' families and their staff have access to services essential to the needs of the rural community; and
 - Our members adopt responsible management and environmental practices.
- 4 The economic importance of the agricultural sector to New Zealand's economy is well recognised. Its direct and indirect contribution to New Zealand's economy is about 15%. Land-based primary sector exports comprise over 70% of New Zealand's total exports. Any legislation or regulation which affects farm businesses has the potential to also impact, positively or negatively, on district, regional and national economies and social structure.
- 5 This submission was developed in consultation with the members and policy staff of Federated Farmers. It is important that this submission is not viewed as a single submission, but as a collective one, that represents the opinions and views of our members.

General comments

- 6 NCFE is generally supportive of the draft Strategy and commends the Council on the discussion around agriculture and the ongoing challenges it faces economically and environmentally. We are pleased the Council acknowledges the challenges that new environmental regulations and emissions levies have on the agricultural sector.
- 7 The Strategy identifies the core parts of Waimakariri's economy as agriculture, manufacturing and demand-driven services. These are predicted to shift 'within their composition and relative importance' (p. 17). However, the importance of the agricultural sector to the district's economy will always remain paramount, both as an employer and a contributor towards Gross Domestic Product (GDP). It is crucial that the agricultural sectors' importance is not understated in the Strategy when discussing the future of the economy.
- 8 On an administrative note, we suggest the Implementation Schedule priority numbers should match the priority numbers in the document to enable cross referencing. We also suggest the Council include timeframes for actions to ensure accountability, as commonly seen in strategies.

Theme 1 – Sustainable future

- 9 In general, we support the Council's direction on Theme 1. The agricultural sector is committed to playing its part in the global response to the threat of climate change. Farmers need support in responding to national level changes for managing emissions and transitioning to an emissions pricing scheme. This is an important consideration for the future of the district's economy.
- 10 Of relevance to NCCFF and our members, is Priority 2: *Optimise the contribution of primary production to the economy by supporting the agricultural sectors' initiatives to reduce emissions, optimise business activities, and increase resilience to the impacts of climate change.*
- 11 NCCFF fully supports Priority 2 and to achieve this priority, the Council must support the agricultural sector recognising it as a critical industry. It will be important to maintain a close relationship with the sector as it faces new challenges and regulations in the environmental space.
- 12 A strategic aim of interest to NCCFF is: *Highly productive but sustainable rural and business land use that protects our land, other natural resources and maintains healthy eco-systems.*
- 13 Highly productive land (HPL) faces two main pressures: the expansion of urban areas and the change of land use from primary production to lifestyle blocks. HPL is valued because of its versatility for many different primary production purposes, in particular cropping (arable and horticulture). The benefits include providing a variety of foods, which may not be able to be produced on less productive land. Therefore the challenge for the Council is balancing the need for urban expansion with protection of HPL.
- 14 Considering this, the Council should include a specific priority to state a commitment to protect HPL.

Theme 2 – Connected communities

- 15 NCCFF is pleased to see acknowledgement of the agricultural industries' reliance on high-speed internet. Monitoring and management of farms, automation of farm systems, and data collection on weather, livestock and crops are all examples of how high-speed internet is crucial for farmers. There is a long-term need to ensure that farmers' connectivity is equal to that of urban counterparts.
- 16 NCCFF supports Priority 6: *Improve the digital connectivity of our businesses operating in limited network coverage areas.* The Council should continue to advocate for improvements in digital connectivity across the district to support farmers' economic and social well-being.
- 17 NCCFF suggests that Priority 7 is updated to include reference to the rural sector. *Priority 7 - Improve the connectivity and efficiency of the transport network and its resilience, particularly for the rural sector.* The sector relies on efficient transport networks for the transportation of goods produced on farm, stock, and farm services.

Theme 3 – Business responsiveness

- 18 Agricultural businesses, in the existing political environment, are facing many intense regulatory changes. The speed of these changes is causing stress for farmers. Examples of changes include: the requirements for various on-farm plans, pricing of agricultural emissions and management of land and water through the Canterbury Land and Water Regional Plan.
- 19 Given the level of pressure faced by the sector and the importance of agriculture for the economic development of the district, NCCFF would like to see the inclusion of a priority within the business responsiveness theme which relates specifically to agriculture.

Theme 4 – Livable places and spaces

- 20 NCCFF supports measures to improve social and economic well-being in the Waimakariri District, such as ensuring town centres and key businesses are provided with quality infrastructure and amenities.
- 21 However, the need to provide vibrant town centres must be carefully balanced against the Council's core responsibilities. Farmers are a major contributor to the Council's rates income yet are less likely to access urban facilities than those residing in urban areas. We would therefore advise the Council to exercise caution when 'elevating the role of arts, events and placemaking' as referred to in the Strategy (p. 34). While we acknowledge the importance of vibrant town centres impact on social and economic well-being, we do not support unnecessary spending on district promotion, tourism, or beautification of urban areas.

Theme 5 – Investment attraction

- 22 Access to skilled labour is of particular importance for the agricultural community. The labour shortages and rapid increases to the minimum wage continues to cause stress for the farming community.
- 23 The Strategy states that we '...need to ensure our businesses have access to the skilled labour they need to operate successfully' (p. 36). However, there is no corresponding strategic aim or priority to establish this commitment.
- 24 NCCFF recommends the Council include the following strategic aim: Ensure local businesses have access to the skilled labour they need to operate successfully.

Conclusion

NCCFF thanks Waimakariri District Council for the opportunity to provide feedback.



Karl Dean
North Canterbury Provincial President



Repair Café Aotearoa New Zealand (RCANZ)

w: www.repaircafeotearoa.co.nz

fb: <https://www.facebook.com/RepairCafeNZ>

ig: <https://instagram.com/repaircafenz>

e: nzrepaircafeinfo@gmail.com

30 September 2023

RE: Information about repair in Aotearoa NZ to support Council WMMP/LTPs/AMPs

This document is to inform the discussion about the value of repair activities in WMMPs and Activity Management Plans, in line with Te rautaki para/the New Zealand Waste Strategy 2023 and the focus on 'reuse, repair, repurpose' (Goal 4: Using less for longer, pp. 39/40).

In 2023, Repair Café Aotearoa NZ prioritised investing and training in new or improved systems for regulation, planning and reporting, data collection, and repair café resource provision. This effort sets us up to work together in new ways and clarify what we can offer the waste sector.

- **[Repair Café Aotearoa New Zealand](#)** (RCANZ)

RCANZ has steered the promotion and establishment of local pop-up repair cafés for the past 3 years. We started with about 15 repair cafés (primarily in the Auckland region, attributable to the 2017/19 WMIF Repair Café Auckland project), persevered and supported community repair initiatives throughout the COVID-19 pandemic, and there are now [50+ Repair Cafés](#) across the motu plus many more in the setting up process— view the RCANZ [Calendar](#) with 30+ repair cafés running each month. We collaborate with our partners to provide information, connect, and coordinate options for making repair accessible to communities, businesses, and mana whenua, strengthening community resilience.

- **[Repair at the top of the waste hierarchy](#)**

RCANZ has demonstrated that repair is an activity that the people of New Zealand are keen to engage in- emphasising the importance of the second tier of the updated strategy waste hierarchy 'reuse, repair, repurpose'. The older generation still holds repair skills which they are willing to offer to their communities for a koha and share with the younger generations, and businesses are keen to join.

- **[Resources](#)**

RCANZ launched the [Repair Cafe Handbook Aotearoa](#) in May this year and has had 32 inquiries about setting up a local repair café since then, of which nine (9) new repair cafés are now operating on a regular basis, and seven (7) are in the process of setting up within the next few months. RCANZ also started encouraging local collection points for spare parts for repair at repair cafés/hubs.

- **[Repair Data Collection System](#)**

In April 2023, RCANZ joined the [restarters](#), an international digital repair database (which feeds into the [Open Repair Alliance](#)), that provides good quality information on outcomes and impact of repair café events. It offers insight into items repaired, spare parts required or end of life, and calculates environmental impact and carbon emissions prevented (MfE Waste Strategy 2023, Priority 1.3, p. 30).

So far, 31 repair cafés are registered on the restarters' Aotearoa NZ dashboard. An *initial overview of the NZ repair statistics is available on request*. The ongoing repair café data collection and analysis assists RCANZ to assess progress and agree on priorities, strengthens our [partnerships](#), will enable us to pool our resources and coordinate our activities, and support our Right to Repair advocacy.

- **[Social Media and Partners](#)**

As of date, RCANZ does have 4,645 Facebook followers, 1,187 Instagram followers, 491 LinkedIn followers and 30 Partners.

- **[Volunteers](#)**

In May 2023, RCANZ conducted a survey among repair café coordinators, of which 26 provided the following data. Over the period of 12 months, 233 repair cafés engaged 451 volunteers who contributed 12,125 hours in fixing things and managing the events. However, RCANZ advocates for payment of repair café coordinators, which should be covered by local councils.

RCANZ developed the '[Volunteer Kit](#)' which highlights Health & Safety guidelines as well as volunteer rights and protection issues specific to Aotearoa.

- **[Repair Café integration into Community Recycling Centres and Public Libraries](#)**

Initial feasibility studies into the suitability of repair cafés at Community Recycling Centres (CRCs) and Public Libraries have been conducted this year, specifically focusing on resource sharing and community engagement with the intention to contribute to a coherent, national circular-resource network. *Case study reports are available on request.*

- **[Right to Repair Advocacy](#)**

RCANZ's campaigns for the [Right to Repair](#) in Aotearoa reached another milestone by presenting to the Environment Committee in late August this year. Four further written submissions were invited by the committee in support of the RCANZ petition (Oct. 2021). These were provided by the Zero Waste Network, WasteMINZ, Ministry for the Environment and the Delegation of the European Union to New Zealand (Refer to the [Right to Repair Submissions record](#) on the NZ Parliament website).

- **[Repair Survey](#)**

RCANZ is running the first [Repair Survey](#) from 1 September to 31 October. We are keen to understand the attitudes, awareness and behaviours around repairing things. This will help us in advancing better repair options in Aotearoa and support Right to Repair advocacy. *Report available in November.*

- **[International Repair Day](#)**

Our online [2023 Aotearoa Repair Summit](#) on **21 October** celebrates the annual 'International Repair Day'. This year, several of our partners present their mahi in the emerging repair sector in Aotearoa, research conducted by RCANZ and livestreaming of in-person Repair Cafés are featured. Free registration [HERE](#). We envisage this to become a hybrid conference once sufficient funds are available.

NEXT STEPS

- **[Setting up the infrastructure | How local government can be involved](#)**

RCANZ's foundation is built on resource sharing and collective action. Now, that there are several [repair café clusters](#) developing, we are scaling toward [regional repair networks](#) to make repair more accessible to everyone. It is our recommendation that local/regional councils will provide e.g., a webpage listing repair options in their area as well as incentivising repair by covering part of the costs.

- RCANZ is in the process of setting up the '[Repair Economy Aotearoa Trust](#)', enhancing our capacity in the repair space beyond repair cafés and enabling the Trust to continue carrying out the vision of the [NZ Repair Ecosystem](#) more formally. It is our aspiration to co-create an interactive network between repair cafés, repair businesses, the education sector as well as Central and local Government, all contributing to the planning of new developments in collaboration with each other.

We look forward to contributing to your WMMP/LTPs/AMPs consultation documents and continuing to collaborate with you!

Ngā Mihi
Brigitte Sistig | Co-founder
Repair Café Aotearoa New Zealand (RCANZ)

| CONTACT: nzrepaircafeinfo@gmail.com



17 September 2023

Vanessa Thompson
 Senior Advisor - Business and Centres
 Waimakariri District Council
 Email vanessa.thompson@wmk.govt.nz

Tēnā koe Vanessa

Feedback on the draft Waimakariri Economic Development Strategy

The Waimakariri Access Group (WAG) is a group of people advising and advocating for a more accessible environment in Waimakariri. Made up of people with a disability, people working with disability groups and elected members, we want to ensure our community is accessible and inclusive for all people, including those with impairments or mobility difficulties.

In New Zealand 24% of the population have some form of long-lasting disability or impairment. (Source: 2013 New Zealand Disability Survey). There is currently a new Disability Survey underway which will provide updated data on disabilities in New Zealand.

It is important to realise that 59% of New Zealanders aged 65 and over are disabled. Waimakariri has an ageing population, and as our population ages, the proportion of those with disabilities is increasing.

The two points WAG would like to provide feedback on are:

1. Has the draft strategy responded appropriately to local opportunities and challenges.

WAG would like to see, included as a priority, identification of the role that the Waimakariri District Council and Enterprise North Canterbury can play in meeting the challenge and opportunity provided by an ageing population and residents with disabilities as part of the economic fabric of the district.

2. Has the level of support that industries and businesses might need been appropriately identified.

This includes raising awareness and assisting businesses to recognise the value of the older demographic and those with disabilities as part of the workforce, as business owners, and as consumers of products and services.

Given the predicted increase in this demographic we consider that it is vital that older residents and those with disabilities have access to the workforce. Businesses need to be encouraged and supported to recognise the value of this demographic as part of the workforce.

E-mail: waimakaccess@wmk.govt.nz

facebook.com/WaimakaririAccess





As consumers this group is growing in number and will continue to do so. They may have specific needs and wants in terms of products and services on offer and how they are able to access them. If they find it too difficult then they will go elsewhere, whether that is online or to other centres like Christchurch. This could be in terms of many things such as transport to get to businesses, physical accessibility to premises and moving around within premises, attitude of workers, lack of suitable offerings etc. Awareness for businesses about this demographic and how to make themselves more accessible and attractive to them is needed.

Please let me know if you have any questions.

Thank you for the opportunity to provide feedback.

A handwritten signature in blue ink that reads "Shona Powell".

Shona Powell
Chair – Waimakariri Access Group

Phone 021 0231 6152

E-mail: waimakaccess@wmk.govt.nz

facebook.com/WaimakaririAccess



WAIMAKARIRI DISTRICT COUNCIL**REPORT FOR DECISION****FILE NO and TRIM NO:** BAC-03-90 / 230524075371**REPORT TO:** COUNCIL**DATE OF MEETING:** 7 November 2023**AUTHOR(S):** Vanessa Thompson, Senior Advisor Business & Centres**SUBJECT:** Adoption of ChristchurchNZ's Destination Management Plan**ENDORSED BY:**
(for Reports to Council,
Committees or Boards)
General Manager
Chief Executive**1. SUMMARY**

- 1.1 This report seeks approval from Council to endorse ChristchurchNZ's Destination Management Plan (DMP), 'Ōtautahi Christchurch Waitaha Canterbury'.
- 1.2 The Christchurch Regional Tourism Organisation's DMP is framed according to MBIE's guidelines and includes the territory areas of Ashburton, Christchurch, Selwyn and Waimakariri.
- 1.3 The purpose of the DMP is to generate alignment on what the regional destination needs to achieve and prioritise regarding tourism, and where the destination pillars in the DMP reflect objectives shared by the different groups, the community, and visitors.
- 1.4 The DMP must be endorsed across the partner Councils by 30 November 2023 for ChristchurchNZ to meet MBIE's funding conditions and to ensure adoption by the ChristchurchNZ board.
- 1.5 In formally endorsing the DMP there is no obligation on Council to commit funding to the implementation activities as the work programme will need to be considered alongside existing priorities and programmes. However, staff will work with the Regional Tourism Organisation (RTO) delivery partners and Enterprise North Canterbury (ENC) to determine what, if any, implementation actions would require further resourcing, and bring this to Council through the 2025/26 Annual Plan for consideration.
- 1.6 There are a number of benefits for endorsing the DMP for formal adoption by ChristchurchNZ. These include recognising the importance of our relationship with our Greater Christchurch Partners and aligning ourselves with a sub-regional strategy that supports the growth of our local visitor sector.

Attachments:

- i. 231018165905 - Ōtautahi Christchurch Waitaha Canterbury Destination Management Plan.

2. RECOMMENDATION**THAT** the Council:

- (a) **Receives** Report No. 230524075371.

- (b) **Notes** that MBIE have funded ChristchurchNZ to develop a Destination Management Plan for the regional tourism area covering Christchurch, Ashburton, Selwyn and Waimakariri districts;
- (c) **Notes** that the Destination Management Plan must be endorsed across the partner Councils and adopted by ChristchurchNZ by 30 November 2023 to meet MBIE's funding conditions;
- (d) **Notes** that there is no implementation budget associated with the DMP but following adoption of the plan by ChristchurchNZ, staff will work with the RTO delivery partners and Enterprise North Canterbury (ENC) to determine what, if any, Waimakariri District related implementation actions would require further resourcing. These projects would need to be considered alongside Council's existing work programme or priorities, and any DMP projects identified for progression will be submitted to Council through the 2025/26 Annual Plan for funding consideration.
- (e) **Notes** that the Destination Management Plan will sit alongside the Waimakariri Visitor Marketing Strategy (developed in 2020) as the Council's strategic delivery mechanisms for supporting the local visitor economy;
- (f) **Endorses** the 2023-2030 Ōtautahi Christchurch Waitaha Canterbury Destination Management Plan and confirms that ChristchurchNZ, in their role as the Canterbury Regional Tourism Organisation, should adopt the DMP for the Canterbury region.

3. **BACKGROUND**

- 3.1 As part of the Covid-19 recovery, MBIE directed the Regional Tourism Organisations (RTO's) to prepare Destination Management Plans for their coverage areas. The DMP is framed according to MBIE's guidelines and includes the Christchurch RTO territory areas of Ashburton, Christchurch, Selwyn and Waimakariri. The adopted DMP is due to MBIE by 30 November 2023.
- 3.2 ChristchurchNZ Holdings Ltd (CNZ Holdings) is wholly owned by the Christchurch City Council and is a Council Controlled Organisation. They received \$480,000 from MBIE to develop the DMP. ChristchurchNZ also funded an additional body of work related to a new city narrative for Christchurch to complement the DMP.
- 3.3 A leadership advisory group was established to guide the development of the DMP. It was comprised of industry experts, key stakeholders and governance specialists. Community and visitor surveys, an online social comment board for Waimakariri specifically (available for six months) and local stakeholder workshops informed the formation of a draft plan. ChristchurchNZ was also supported by Ngai Tūāhuriri and Whitiōra, Te Taumutu Rūnanga and Te Rūnanga o Arowhenua in the development of the DMP.
- 3.4 In June 2023 feedback on the draft DMP was received from the Waimakariri, Selwyn and Ashburton District Councils and Christchurch City Council. An expert peer review of the document was then completed. A consolidated, updated DMP was developed. The plan was shared with the districts for their review in October 2023.
- 3.5 ChristchurchNZ are currently in the process of securing the adoption of the DMP across the partner districts – Christchurch, Ashburton, Selwyn and Waimakariri – before 30 November 2023 to meet MBIE's project and funding deadline.
- 3.6 In developing the plan, ChristchurchNZ have sought to balance the needs and expectations of the four distinct geographical areas, ensuring the DMP works across the whole area while playing to the respective strengths of each individual district.

4. **ISSUES AND OPTIONS**

- 4.1 The visitor economy for Ōtautahi Christchurch and the surrounding districts is still recovering following the Christchurch earthquakes in 2010 and 2011. While a significant portion of visitor accommodation and iconic visitor attractions in Christchurch were destroyed (including the convention centre), the rebuild of the majority of the CBD and relevant infrastructure is largely complete. The city now contains quality infrastructure of scale that can support higher volumes of tourism.
- 4.2 The Ōtautahi Christchurch Waitaha Canterbury Destination Management Plan has been created within the context of major global tourism disruptions, including climate change and the impacts of the Covid-19 pandemic. It reflects the community and stakeholder intentions for visitation covering the time period 2023-2030. At the heart of the DMP is the desire for growth to win back our region's previous market share of visitor spend and to utilise the significant infrastructure that has been built post-earthquakes. The DMP acknowledges that any growth must be sustainable and focuses on regenerative tourism development for the future.
- 4.3 The purpose of the DMP is to generate alignment on what the regional destination needs to achieve and prioritise, with the destination pillars in the DMP reflecting objectives shared by the different groups, the community and visitors. As New Zealand's 2nd visitor destination behind Auckland, Christchurch and the surrounding districts have the potential to be one of New Zealand's premier tourism destinations. The DMP identifies a need for the regional stakeholders to work together to best promote what the region has to offer in support of this aim.
- 4.4 A key step will be in progressing an awareness of Christchurch as a 'standalone' tourism destination with the intent of shifting the city past the historical 'gateway' perception and earthquake story. While primarily centered on Ōtautahi Christchurch, the DMP includes opportunities linked to the surrounding areas of the Waimakariri, Selwyn and Ashburton Districts and the vast cultural, culinary and recreational opportunities on offer.
- 4.5 The DMP also acknowledges the different set of challenges and opportunities that the districts experience compared to Christchurch (with its built infrastructure environment supporting an urban destination experience). Currently, the districts have a limited range of visitor attractions, amenities and accommodation options. The DMP recognises that a growth in the visitor economy in Christchurch can help support the development of the surrounding district's visitor economies.
- 4.6 While this Destination Management Plan seeks to address the opportunities, challenges, and future aspirations of the region, it is constrained by being a strategic framework with no future funding currently allocated. Additionally, across Aotearoa there is a lack of clarity about an equitable model and system for future tourism funding, with local government bearing much of the costs without adequate revenue streams. Finally, the DMP comes with no statutory or regulatory compliance components to enable its execution.
- 4.7 For successful implementation of the DMP, there is a need for the buy-in, collaboration and the support of those acknowledged within it. While resources and lack of legislative mandate may constrain its delivery, ChristchurchNZ recognise that a motivated group of people with a shared vision and clear actions have the ability to make things happen.
- 4.8 Following the adoption of the DMP, staff will work with the RTO delivery partners and Enterprise North Canterbury to determine what implementation tasks should be progressed initially, and whether any further resources/funding might be required. There is no binding obligation for Council to commit to resourcing implementation, and any resourcing would be considered by Council through its normal Annual Plan processes.
- 4.9 If the DMP is not endorsed by Council, then some implications include:

- ChristchurchNZ board have indicated that all the partner Councils need to endorse the DMP before they will adopt it for the RTO.
- ChristchurchNZ received funding from MBIE to develop the plan, and there has already been one extension of the delivery timeframe. Failure to adopt the DMP by the end of November may be viewed unfavourably by MBIE with potential impacts on future funding streams.

Implications for Community Wellbeing

4.10 There are implications on community wellbeing by the issues and options that are the subject matter of this report. Growth in the visitor industry has the potential to benefit local communities through increased business opportunities and jobs. Tourism impacts must be managed sustainably so that communities and the environment are not impacted adversely.

The Management Team has reviewed this report and support the recommendations.

5. COMMUNITY VIEWS

5.1 Mana whenua

Te Ngāi Tūāhuriri hapū are likely to be affected by or have an interest in the subject matter of this report. ChristchurchNZ have engaged with Ngai Tūāhuriri and Whiotora, Te Taumutu Rūnanga and Te Rūnanga o Arowhenua to ensure their contributions are reflected in the DMP.

5.2 Groups and Organisations

There are groups and organisations likely to be affected by, or to have an interest in the subject matter of this report. Local tourism operators may have an interest in the DMP, and the role Council will play locally in its delivery. The DMP will be made available to the community on the Council's website once adopted alongside any accompanying implementation action plan.

5.3 Wider Community

The wider community is likely to be affected by, or to have an interest in the subject matter of this report. As 81% of our community believes tourism is 'somewhat' or 'very important' to their local economy, some community members may be interested in the DMP, and the role Council will play locally in its delivery. The DMP will be made available to the community on the Council's website once adopted alongside any accompanying implementation action plan.

6 OTHER IMPLICATIONS AND RISK MANAGEMENT

6.1 Financial Implications

There are potential financial implications of the decisions sought by this report. The implementation schedule of the DMP is currently unfunded across the region. However, the implementation action plan includes general delivery activities for the Waimakariri District (alongside the other partner organisations).

If required, following the adoption of the DMP staff will work with the RTO delivery partners and Enterprise North Canterbury to determine what implementation tasks should be progressed in the short-term, and whether any further resources/funding might be required. Where applicable, appropriate budget will be sought through the 2025/26 Annual Plan process.

6.2 Sustainability and Climate Change Impacts

The recommendations in this report do have sustainability and/or climate change impacts. Christchurch's new visitor infrastructure, international airport and purpose-built cruise berths means the city can help balance over-tourism in other areas of New Zealand by

absorbing capacity. However, a key focus of the DMP will be on sustainable tourism growth to ensure tourism impacts don't negatively affect the local/regional environment and communities.

6.3 Risk Management

There are risks arising from the adoption/implementation of the recommendations in this report. The DMP will include delivery actions for the Waimakariri District Council in its implementation action schedule and any associated budgets (where applicable) won't have been identified at the time of the DMP's adoption. Where applicable, appropriate delivery projects to advance in the short-term and their likely budget/s will be scoped alongside simultaneous processes with the RTO delivery partners and Enterprise North Canterbury. Any budget requirements will be sought through upcoming Long-Term Plan or Annual Plan processes and can be done so in a phased approach if necessary.

6.4 Health and Safety

There are not health and safety risks arising from the adoption/implementation of the recommendations in this report.

7 CONTEXT

7.1 Consistency with Policy

This matter is not a matter of significance in terms of the Council's Significance and Engagement Policy.

7.2 Authorising Legislation

Resource Management Act 1991.

7.3 Consistency with Community Outcomes

The Council's community outcomes are relevant to the actions arising from recommendations in this report.

- There are wide ranging opportunities for people to contribute to the decision making that effects our District.
- There is a healthy and sustainable environment for all.
- The community's cultures, arts and heritage are conserved and celebrated.
- Public spaces and facilities are plentiful, accessible and high quality.
- The distinctive character of our takiwā – towns, villages and rural areas is maintained.
- People are friendly and caring, creating a strong sense of community in our District.

7.4 Authorising Delegations

Council has the delegated authority to endorse regional strategic frameworks/strategies.

Ehara tāku toa i te toa takitahi, engari he toa takitini.

My strength is not as an individual, but as a collective.

Acknowledgements

In its capacity as the Regional Tourism Organisation (RTO), ChristchurchNZ has facilitated the development of this Destination Management Plan on behalf of, and in collaboration with, key strategic partners including the Christchurch City Council, Waimakariri District Council, Selwyn District Council, Ashburton District Council, and with the support of Christchurch International Airport Limited.

Special acknowledgement must be made to the whanau, hapū and rūnanga who have contributed to the development of this plan including Ngai Tūāhuriri and Whitiōra, Te Taumutu Rūnanga and Te Rūnanga o Arowhenua.

In seeking to develop this plan alongside Mana Whenua, the above whakatauki was gifted to provide guidance as we seek to move forwards in managing our destination.

Thank you to Erin Jackson Narrative, Carl Pavletich Fabriko, Kris Herbert Creative Agent and the team at Resonance for your mahi.



Acknowledging Limitations

While this Destination Management Plan seeks to address the opportunities, challenges, and future aspirations of the region, it is constrained by being a strategic framework with no future funding currently associated, a lack of clarity about an equitable model and system for future tourism funding and no statutory or regulatory compliance components.

For successful implementation of the Destination Management Plan, we will need the buy-in, collaboration and support of those acknowledged within it. Whilst resources and lack of legislative mandate may constrain, we also recognise that a motivated group of people, with a shared vision, and clear actions to take can make amazing things happen.

To note: Throughout this plan reference to Ōtautahi Christchurch largely means the urban city itself and excludes the Te Pātaka o Rākaihautū Banks Peninsula as it has its own unique destination management plan. For a complete picture, the Te Pātaka-o-Rākaihautū Banks Peninsula Destination Plan should be read in conjunction with this document.

Contents

Acknowledgements	2
Executive Summary	4
01 Introduction	9
1.1 Our Destination	10
1.2 Coming Together	17
1.3 Data and Insights from New Zealand’s Second Destination	18
02 About Ōtautahi Christchurch & Waitaha Canterbury	22
2.1 Our Opportunities	23
2.2 Our Target Audience.....	28
2.3 Potential Growth Drivers.....	30
03 The Vision for Ōtautahi Christchurch & Waitaha Canterbury	31
3.1 Our Vision.....	32
3.2 Values & Guiding Principles	33
3.3 Strategic Objectives	33
04 Destination Themes	34
- Establish regenerative and resilient tourism practices	35
- Grow our destination and shift from just a gateway.....	38
- Cultivate our destination experience.....	41
- Activate our Canterbury RTO region as a whole	44
- Build tourism leadership and excellence as a path towards resilience	48
05 Success Measures	51
06 Governance & Implementation	53
07 Background	58
7.1 Project Context	59
7.2 Community, Industry and Visitor Engagement	63
7.3 Supporting data and insights on the state of tourism in the Canterbury RTO region	68

Executive Summary

Ōtautahi Christchurch and the surrounding Districts of Selwyn, Waimakariri and Ashburton represent the second largest Regional Tourism Organisation (RTO) in New Zealand by regional visitor spend, with \$1.004 billion domestic visitor spend and \$129 million international visitor spend by year-end October 2022. In the Aotearoa New Zealand tourism ecosystem, our geographic area is known as Canterbury.

The rest of New Zealand saw considerable tourism growth in the years between 2011 and 2020. During

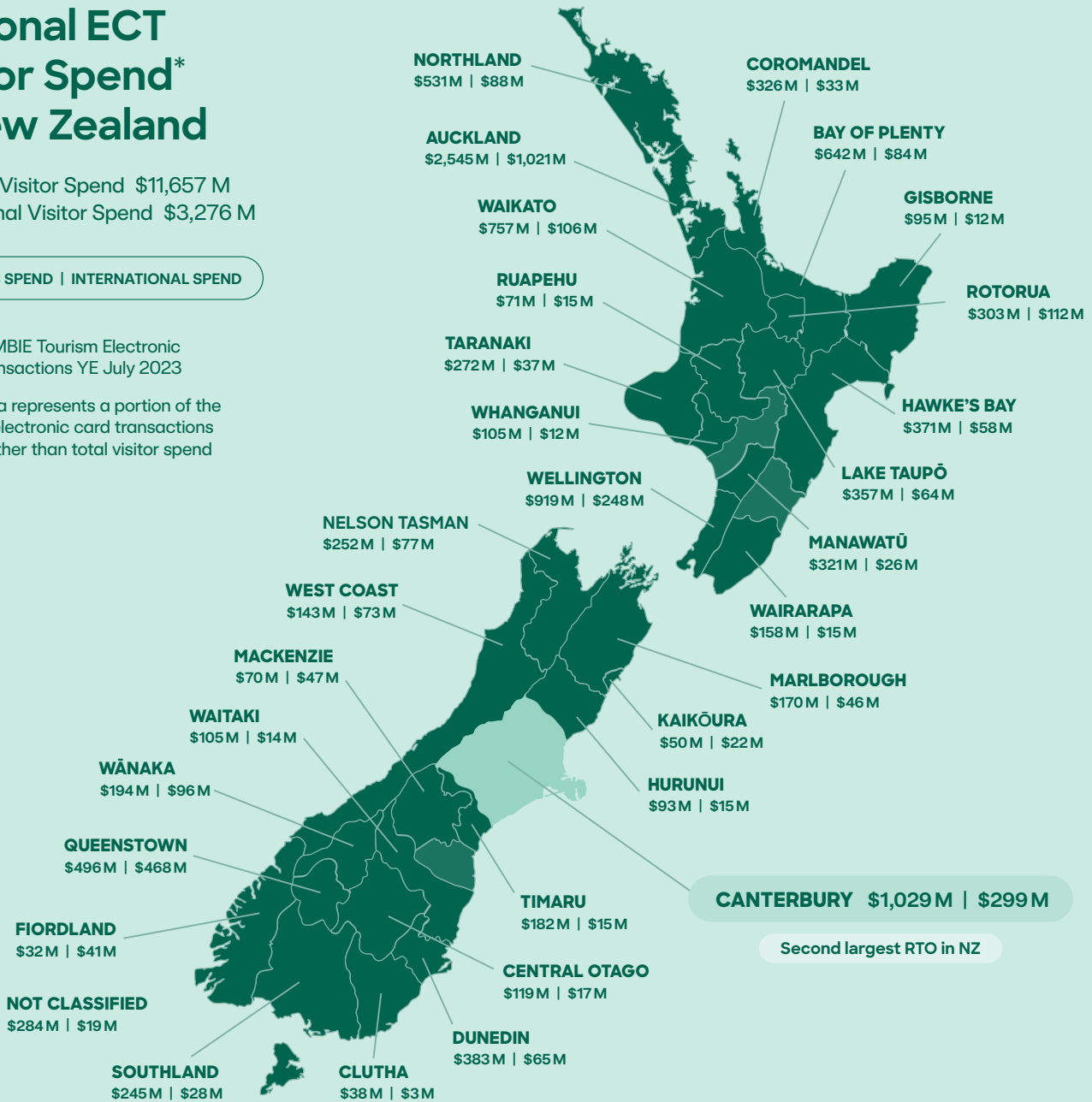
this period Ōtautahi Christchurch and its surrounding districts were constrained in tourism growth as the city recovered from the series of devastating earthquakes that destroyed a significant amount of visitor infrastructure, particularly in Christchurch’s central city. Therefore, this current visitor spend does not represent an accurate portrayal of the “normal” on-the-ground value of visitor economy, as **the destination is still not back to its pre-earthquake market share of visitor spend** (pre-quake 2010 market share 10.4% vs 2022 market share 8.7% for international & domestic spend combined).

Regional ECT Visitor Spend* in New Zealand

Domestic Visitor Spend \$11,657 M
International Visitor Spend \$3,276 M

DOMESTIC SPEND | INTERNATIONAL SPEND

Source: MBIE Tourism Electronic Card Transactions YE July 2023
*This data represents a portion of the market, electronic card transactions (ECT), rather than total visitor spend



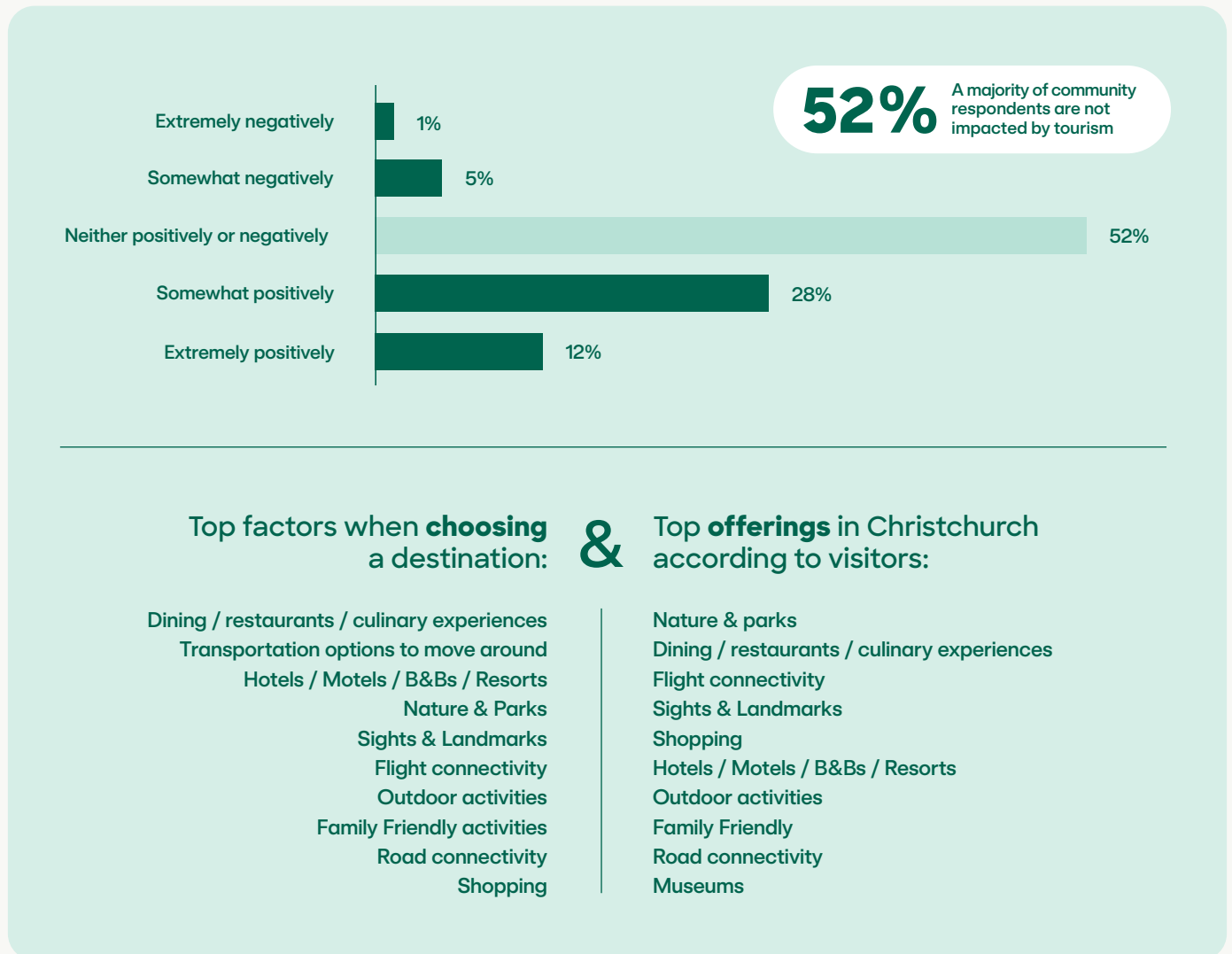
With the impact of the quakes limiting city infrastructure in Christchurch for the past decade, the story for visitors has largely been about being the gateway to the South Island. Today, with key city infrastructure in place, Christchurch has an opportunity to shift from being a “gateway” to a destination in its own right. Between the new city and the vast cultural, culinary and recreational opportunities within the districts we have all the ingredients visitors are looking for in a holiday. Neighbouring districts would also welcome more visitors after a very constrained decade for visitation in the region (post-quake and COVID-19 border closures).

This also includes Hurunui, Kaikōura and the West Coast who jointly go to market with the Canterbury RTO.

This shift will require a commitment to more coordinated and collaborative tourism product development, connectivity and agreed positioning and messaging across the Canterbury RTO region.

Research through the development of this plan identified that the top factors influencing choice of destination for visitors are largely correlated to the top offerings available in the region. See below:

Source: ChristchurchNZ Visitor & Community Surveys, 2022



It is unusual for a Destination Management Plan to be talking about growth in visitors. However, this region has a unique set of circumstances given the impact of the quake and the scale of the new, sustainable infrastructure that has been developed. Christchurch city and the surrounding districts are not currently experiencing over-tourism and have capacity for growth (Important Note: Banks Peninsula has its own, separate, Destination Management Plan with different goals).

This growth would be targeted, focused on attracting visitors with the desired behaviours and value yield (including social, environmental, economic and retained value), balanced with a continued focus on sustainability and thoughtful urban and experience design that is positive for residents and visitors. More data is required to fully quantify the cost benefit and value yield of each of the audiences identified in the plan.

This plan is striving to rebuild tourism as a regenerative economy – and not an extractive one.

The city's new visitor infrastructure with higher environmental performance standards, planned resilience for natural disasters and an international airport with Airport Carbon Certification Level 4/4+ (the highest carbon certification an airport can currently achieve) means the region is well suited to support the broader New Zealand tourism ecosystem by absorbing capacity from other over-touristed areas in the country.

The regional districts of Selwyn, Waimakariri and Ashburton have some different challenges and opportunities to the more urban Christchurch. Where Christchurch has purpose-built infrastructure and is an urban destination experience, the districts have limited commercial visitor experiences, amenities and accommodation options (noting the exception of ski within Ashburton region). The districts have unique natural destinations to visit and explore and can use the growth of the visitor economy in Christchurch to support and develop their own tourism infrastructure, products and experiences (including festivals and events), leveraging what their natural destinations offer. For example, advancing the journey to a dark sky reserve, progressing cycleways, food trails and developing itineraries for the region that are low emission.

This plan outlines the importance of the visitor economy to Christchurch, Selwyn, Ashburton and Waimakariri and how the city and districts are an interconnected tourism eco-system that rely on each other for success. Without the natural beauty and experiences of its regional hinterland, Christchurch lacks depth of travel experience and tourism product. Conversely, without the infrastructure of the scale of Christchurch city, Selwyn, Waimakariri and Ashburton are constrained in their ability to grow their visitor economies. Both Christchurch city and the districts are stronger when considered as one, rather than a range of distinct destinations. It's a stronger, better story to attract people to the region — because visitors don't see ratepayer boundaries.

The recent Kantar Brand Health and Perception Research August 2023 survey on brand perceptions of Ōtautahi Christchurch is important to consider. 18% of Australian and 19% of domestic respondents still referenced earthquakes when describing the city. This provides insights for future work although it should be noted that Ōtautahi Christchurch is still in the consideration set for travel. In fact for domestic travellers it is the top New Zealand location considered. Interestingly, Australian travellers rated Ōtautahi Christchurch as the top location for being different to other Kiwi cities.



Working more closely together; developing new, complementary attractions, enticing visitors to Christchurch and encouraging visitors to explore the surrounding districts, either on day trips or as overnight excursions, enables tourism to catalyse investment into amenity in the districts. This amenity supports both visitors and local residents. In addition, this increased amenity and product development provides a more attractive district offering to the local resident base of Christchurch. This existing market has potential for more growth encouraging people to “explore their own backyard”, a welcomed lower climate-impact visitor.

Well managed, sustainable, regenerative tourism can provide positive economic impacts to the whole region. It can also support resident pride, place vibrancy, place brand and reputation, and support the existence and continued development of community amenities such as retail, hospitality and experiences that can be used by residents and visitors alike.

The intent of the plan is to get the best possible return on investment in visitor-related initiatives by ensuring all activities align and represent the optimal use of limited resources as the destination continues to evolve and grow. The plan primarily informs local councils and central government decision making and investment. Many other organisations have a significant interest in and/or a key role to play in the region’s success as a visitor destination. This plan provides a common framework that enables everyone to take a joined-up approach to delivering activities that focus on attracting visitors and managing the destination.

And by identifying these areas needed to focus on, everyone is aligned helping to achieve the community aspiration for tourism.

Local government bears significant costs of manuhiri such as public toilet amenity, wastewater networks, rubbish bins, car parks and related infrastructure without related income (i.e. GST, arrival levies). Additionally, tourists take advantage of our investment and ongoing maintenance of road networks, streetscapes (particularly in the central city), facilities like Tūranga and Te Pae. The sector continues to seek a model that equitably considers this, and this plan supports central government undertaking a review of this funding model.

This plan is a reflection of engagement with councils, residents, Mana Whenua and local businesses and what is desired for the Canterbury RTO region Destination Management Plan. It is important to also reference the Te Pataka o Rakaihautū Banks Peninsula Destination Management Plan that has been prepared concurrently. The plan for Te Pataka o Rakaihautū Banks Peninsula, based on community consultation, ecological requirements and infrastructure capacity within that region lays out a much different approach for destination management within that unique ecosystem.

It should also be noted that a destination management plan goes well beyond a visitor attraction strategy. Its about working with our residents and considering our natural and built environment to holistically consider the future of our place.

Both Christchurch city and the districts are strong when considered as one, rather than a range of district destinations.



The plan is underpinned by three Strategic Objectives and five Themes. Eight Key Success Measures allow the plan to track how it is delivering on its goals.

STRATEGIC OBJECTIVES



Champion environmental stewardship and resilience



Strengthen visitor economy by becoming a destination



Work together and enrich our communities

THEMES



Establish regenerative & resilient tourism practices



Grow our destination & shift from just a gateway



Cultivate our destination experience



Activate our Canterbury RTO region as a whole



Build tourism leadership & excellence as a path towards resilience

KEY SUCCESS MEASURES

01

Establish a plan for reducing the carbon footprint of the visitor economy, including supporting local operator capability building

02

Increased visitor participation in regenerative tourism experiences

03

Increasing percentage of residents believe visitors can make sustainable travel choices when visiting

04

Regain Christchurch's pre-earthquake share of the national visitor economy by 2030

05

Length of stay increases from 1.8 nights to 2.2 nights by 2030

06

Increase percentage of Christchurch residents visiting districts and Banks Peninsula (measured by ECT spend)

07

Tracking tourism satisfaction and impact:

- Maintain a visitor Net Promoter Score (NPS) of 75 or better
- Baseline resident tourism impact measures developed. Improvement outcomes post baseline development
- Annual surveys track resident tourism sentiment i.e. impacts on resident life

08

Memorandum of agreement established, recognising a commitment by districts to work together as a destination

01.

Introduction

If we work together, we can create a strong, vibrant, and regenerative visitor economy that improves the lifestyles for people who choose to call Christchurch, Selwyn, Waimakariri or Ashburton home and enriches the experience for those who have come to visit.

This Destination Management Plan covers a wide and diverse area — stretching from Arthur’s Pass to the Port Hills and from the Rakahuri Ashley River in the north to the Hakatere Ashburton River in the south. This landscape features everything from the fertile Canterbury plains to the jagged peaks of the Southern Alps. It is connected by iconic braided rivers and contains lakes and diverse coastal environments.

The first people to name and inhabit these lands were Ngāti Māmoë followed by Waitaha and then Ngāi Tahu, who remain intimately connected to the land and committed to its protection for future generations. They are represented in this region by Te Taumutu Rūnanga and Te Ngāi Tūāhuriri Rūnanga and Te Rūnanga o Arowhenua.

This plan covers the urban centre of Ōtautahi Christchurch and expands through regional centres and small rural communities. It encompasses the area overseen by the Regional Tourism Organisation for Christchurch and Canterbury.



This plan covers the urban centre of Ōtautahi Christchurch and expands through regional centres and small rural communities.

Ōtautahi Christchurch

As one of New Zealand’s oldest but newest cities, Ōtautahi Christchurch is on the cusp of an incredible period in its history, building on its Garden City heritage to tell a story of a city that believes in balance where people can make time and space to play.

As a destination, Ōtautahi Christchurch is known as one of the few places around the world where you can ski and surf in the same day. The great outdoors is balanced by the great indoors with the city’s wealth of dining, arts, and theatrical experiences.

Since the earthquakes a new narrative for Christchurch, one that recognises the heritage of settler culture, and

the Mana Whenua of Ngāi Tahu hapū, Ngāi Tūāhuriri has been established.

Ōtautahi Christchurch punches above its weight in many areas which, today, includes its city infrastructure. The earthquake rebuilding effort continues to deliver several large, state-of-the-art facilities that can be leveraged to bring new audiences to the city. The city now has the capacity to grow as a tourism destination in a balanced way that brings benefits to the wider region and its residents.

By bringing in and showcasing the natural, cultural, and culinary offerings of surrounding regions, Ōtautahi Christchurch can develop tourism opportunities that in turn benefit local communities.



Selwyn District

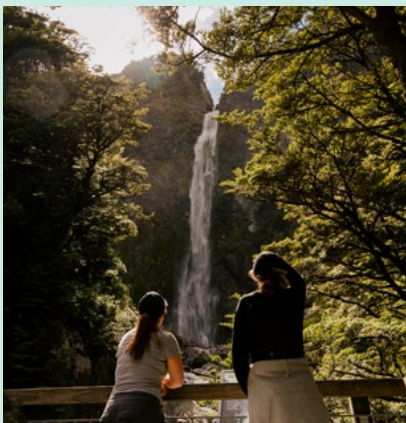
The spectacular Selwyn District stretches across the great Canterbury plains and is bordered by the Rakaia and Waimakariri Rivers, with Arthur's Pass National Park in the Southern Alps to the west and the Pacific Ocean to the east.

Selwyn is a dynamic, fast-growing district, and its people come from many different backgrounds. Most of the district's population lives on the plains, primarily in the towns of Rolleston, Lincoln, Tai Tapu, Prebbleton and Darfield. Two Rūnanga consider the Selwyn zone part of their takiwā – Taumutu and Ngāi Tūāhuriri.

From nature and culture to thrilling adventure, Selwyn has activities as diverse as its landscapes. The hills, mountains, plains and rivers offer a wealth of activities

including hiking, mountain biking, farm tours, skiing, ballooning, jet boating, horse trekking and dark sky opportunities. The region's six ski areas located close to Arthur's Pass Village, Lake Coleridge area and the TranzAlpine railway are key tourism features of the district. Kura Tawhiti/Castle Hill and Te Waihora/Lake Ellesmere are places of cultural significance to Mana Whenua. Major events such as the Hororata Highland Games and the Selwyn Sounds festival attract 11,000 – 15,000 people.

Renowned for its agriculture with fertile soils, people have farmed and produced from the land for hundreds of years. The region is also known for specialty foods like saffron, honey, truffles, cheeses, organic vegetables, and nuts.



Ashburton District

The Ashburton District is known for its wide-open spaces, stunning scenery, and outdoor activities. For visitors, it offers the experiences of natural beauty and rural lifestyle.

Three rūnanga consider the Ashburton zone part of their takiwā – Arowhenua, Taumutu and Ngāi Tūāhuriri. The rivers, lakes and wetlands that once covered large areas of the zone have always been an important place and food basket for Ngāi Tahu.

The main attraction of the Ashburton District is the natural landscape, which includes the Southern Alps, the Rakaia and Rangitata Rivers, and the expansive Canterbury Plains. Visitors can enjoy activities such as hiking, mountain biking, fishing, skiing, and snowboarding. The new hot pools in Methven have added a wellness component to the destination’s attractions and are driving strong visitation from Christchurch residents.

The district has a rich agricultural heritage and agriculture remains the largest employer in Ashburton. The Ashburton district is one of New Zealand’s leading producers of crops

such as wheat, barley, carrot seeds and potatoes. Visitors can learn about the region’s farming history at museums and heritage sites across the area. Other attractions in the Ashburton District include the Mt Hutt ski field, and Lake Hood Recreation Reserve, which offers water sports such as kayaking and jet skiing.

Ashburton district has disparate offerings of a very busy Methven and Mt Hutt during the ski season and limited visitor experiences elsewhere within the region. The additional challenge of climate change and significant weather events make operation of ski fields increasingly challenging. Data confirms the on-the-ground experience that both tourism business numbers and staffing have declined in the region over the past decade. It’s difficult to get suitable staffing and there are limited larger accommodation options in the region. Additionally, many of the current accommodation and dining offerings have lifestyle operators, which can mean there is constrained visitor offerings when they are closed or on extended holidays.



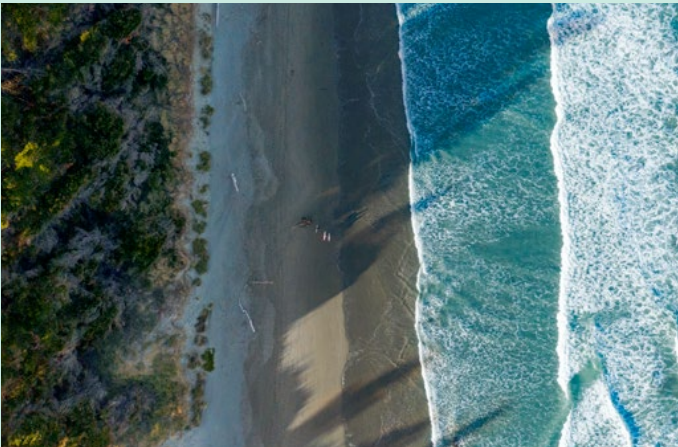
Waimakariri District

Waimakariri is a district framed by two braided rivers, the Pacific Ocean and the foothills of the Southern Alps. In pre-European times, there were several important Ngāi Tahu settlements in the area that is now known as the Waimakariri District. The centre of Ngāi Tahu was Kaiapoi pa. Today, the hapū Ngāi Tūāhuriri is based at Tuahiwi, to the north of Kaiapoi.

Just 15 minutes north of Christchurch, Waimakariri District is rich in recreational opportunities. Cycling, hiking and walking trails help visitors explore the district's 10 kilometres of beaches, two braided rivers, conservation areas, parks, wetlands and lakes.

The district is home to five golf courses, three farmers markets, three art galleries and four museums. Two urban centres, six smaller towns, villages and beach settlements serve up 70 cafés and dining options as well as 30 boutique shops.

Cycling, hiking and walking trails help visitors explore the district's 10 kilometres of beaches, two braided rivers, conservation areas, parks, wetlands and lakes.



Banks Peninsula

Whilst Banks Peninsula is part of the Christchurch City Council District, a separate Destination Management Plan has been developed for Te Pataka o Rakaihautū Banks Peninsula. This has been done on the basis of a recommendation from the Parliamentary Commissioner for the Environment given the significant impact of cruise travel. The recommendation sought a long-term vision and plan for managing visitor arrivals that align closely with community expectations and environmental limits in Akaroa. While the separate Destination Management Plan developed for Banks Peninsula seeks to address those specific issues, there is a clear interface and interdependency between the two Destination Management Plans.

Te Pataka o Rakaihautū Banks Peninsula is a key visitor destination and is the location of key historic events which have shaped the area and our nation. The ancestor Rakaihautū dug the lakes of the Te Wai Pounamu, the South Island, and rested his great kō, or digging stick, on the hills above Akaroa. A massacre at Takapūneke in Akaroa Harbour – and the French intent to settle the peninsula – were both catalysts for our nation's founding document, Te Tiriti o Waitangi.

Key historic and geological events define the destination today as a place rich in stories and topography – a place where diverse nature opens its doors to meaningful adventure and where the sea offers recreation and kai. The rich resources of this peninsula attracted the first

people here more than 800 years ago. Their culture survives in four distinct hapū or rūnanga, who remain intimately connected to the land and committed to its protection for future generations. These are Te Hapū o Ngāti Wheke, whose marae is in Rāpaki, Te Rūnanga o Koukourārata, with a marae in Port Levy, Wairewa Rūnanga, whose marae is in Little River and Ōnuku Rūnanga, with a marae set in the scenic Akaroa Harbour.

Banks Peninsula is the hub of cruise activity for Ōtautahi with Lyttelton being the port for large cruise ship visitation while Akaroa attracts smaller, more boutique, vessels. Cruise has a significant impact on both destinations and is a focus of the Banks Peninsula Destination Management Plan. Cruise is also referenced within this plan, as it represents both an opportunity and challenge for Christchurch city, and those areas in the districts which are within a short drive from Lyttelton Port.

The Banks Peninsula has rich stories to tell and unique geography and ecology that many visitors are keen to see.

However due to its ecology, geography and infrastructure there are challenges to be addressed in managing volume of visitation. Seasonality also affects the viability of local businesses, and limited infrastructure and road access are key barriers, along with accommodation and workforce housing.





An Interconnected Ecosystem

The city of Christchurch would not be what it is without its regional hinterland and Banks Peninsula together with a symbiotic relationship with the districts of Selwyn, Waimakariri and Ashburton. The regional districts of Selwyn, Waimakariri and Ashburton, however, have a very different set of challenges and opportunities to Christchurch. Where Christchurch has purpose-built infrastructure and is an urban destination experience, these regions have more limited commercial visitor experiences, amenities and accommodation options and can positively leverage the growth of the visitor economy in Christchurch to support their own sustainable tourism development.

By attracting visitors to Christchurch to explore their regions, either on day trips or as overnight excursions, the districts can use tourism to catalyse investment to grow amenities which support both visitors and residents.

In addition, as Christchurch city strengthens as an economy and choice of location for residents, along with strong residential growth in the Selwyn district in the Rolleston and Lincoln areas, the surrounding districts can continue to capitalise on this resident base as a regional visitor target segment, particularly as new, regenerative product offerings are developed.

The districts to the north, Hurunui and Kaikōura, the West Coast and south to the Mackenzie district all have strong interrelationships to this region and therefore this plan. Longer term connecting of the Destination Management Plans including better low emitting transport options between regions would be desirable.

If we work together, we can create a strong, vibrant and regenerative visitor economy that improves the lifestyles for people that choose to call this place home and enriches the experience for those that have come to visit.

Ngāi Tahu have resided on these lands for more than 800 years, and since 1830 have welcomed all people to our lands and held true to the values instilled in the proverb, ‘kia atawhai ki te iwi’ ‘Care for the people’ expressed by Pita Te Hori, Ūpoko of Ngāi Tūāhuriri.

Ōtautahi Christchurch and surrounding areas have a unique opportunity to grow and promote New Zealand’s second and newest city. The Ashburton, Selwyn and Waimakariri districts (along with Banks Peninsula) offer visitors a modern urban experience as well as access to nature and a taste of authentic New Zealand. Together, we are a place built for families to thrive, in a region that offers care and balance for visitors and communities — with endless opportunities for education, business and play.

Alongside these opportunities, we acknowledge our challenges. We need to work together as regional partners and Mana Whenua to best promote all our region has to offer. This plan addresses who we want to attract and ensures that our visitor economy positively impacts our communities and land. Importantly, we also acknowledge that visitors don’t see council boundaries and that a combined story for the region as whole is best for the destination.

The purpose of this plan is to generate alignment on what our destination needs to achieve and prioritise. Therefore, the themes of activity outlined in this plan take into consideration the objectives shared by the different groups, the community and visitors.

Local government reforms are an important support to this work, helping districts to work together more effectively. Additionally, the Resource Management Act reforms and the implementation of the new resource management system is a complex and far-reaching project that also impacts on the work completed, including how to manage risks from natural hazards like flooding in the future.

Our stories, positioning and marketing vary within our region. The Destination Management Plan does not advocate for a unified brand that covers Ōtautahi Christchurch and surrounding areas, however it does call for better collaboration in managing and promoting our collective destination, and alignment as far as destination management and visitor experience is concerned.

In parallel to this Destination Management Plan, and on behalf of Christchurch city, ChristchurchNZ commissioned a brand strategy initiative that repositions Ōtautahi Christchurch and creates alignment on a unique narrative that can be applied to tourism, economic development, talent attraction and overall growth.

The new brand strategy positions Ōtautahi Christchurch as a city in pursuit of balance that makes space and time for play. That is based on a redefinition of “Garden City” that underscores that term as a harmony between people and nature. Whilst the surrounding regions have their own positioning, this balance and play positioning works in harmony with the district’s offerings and desired visitors.

Selwyn’s positioning articulates the significance of the diverse landscapes, a place where people can take a breath of fresh air and discover something new. The proposition “From the land” includes stories of provenance, Mana Whenua, people, past and future.

Waimakariri positions itself as the ideal day-trip destination. “Why not make a day of it?” articulates the region as the perfect place to make a day of it no matter the season with several unique itineraries. It offers active relaxers, adventurers, explorers and families themed seasonal activities to see the Waimakariri District in a whole new light — inspiring them to enjoy more of its friendly towns and charming countryside.

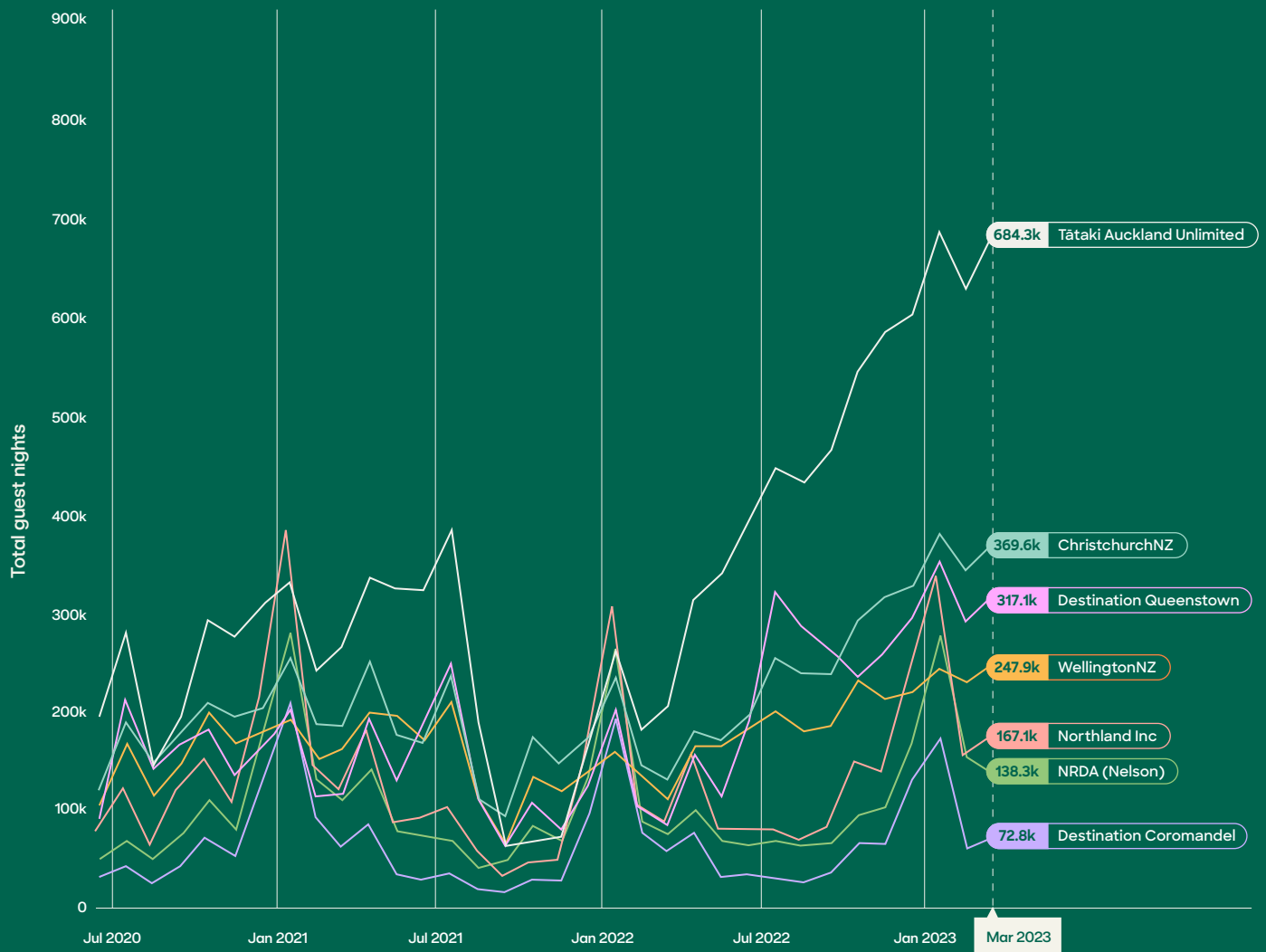
The workshop conducted within Ashburton District highlighted confusion with their identity, particularly as the district name is associated mainly with the town of Ashburton rather than the region. And most of the visitation in large numbers is within the Methven and Mt Hutt region, with that area mostly being associated with “Mid Canterbury.” Additionally, there is a strong sense that the region provides an “authentic Kiwi experience”, very down to earth with the reflection that this has been lost in other parts of New Zealand. It was identified that there are a lot of small owner operators within the region, delivering “real experiences”. A unique opportunity exists for Ashburton to develop its own brand identity as a key outcome of this plan.

Data and Insights from New Zealand’s Second Destination

Ōtautahi Christchurch and surrounding areas in Canterbury Regional Tourism Organisation (RTO) form New Zealand’s second largest visitor destination, behind Auckland (as of March 2023).

Total guest nights for all properties by area:

Source: MBIE



Note: Auckland lockdowns and COVID-19 impacts to this data

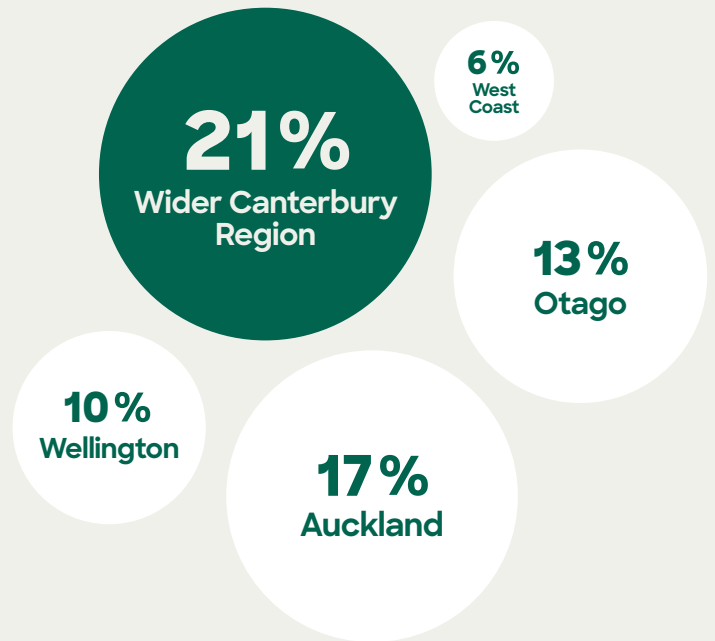
8.6% NZ VISITOR SPENDING

Visitor spending in the Canterbury RTO area accounted for 8.6% of visitor spending via electronic card transactions (ECT) in New Zealand in the year-to-date (March 2023).

Top Domestic Visitor Origins by Share of Visitor Spend 2021/2022

Source: Marketview

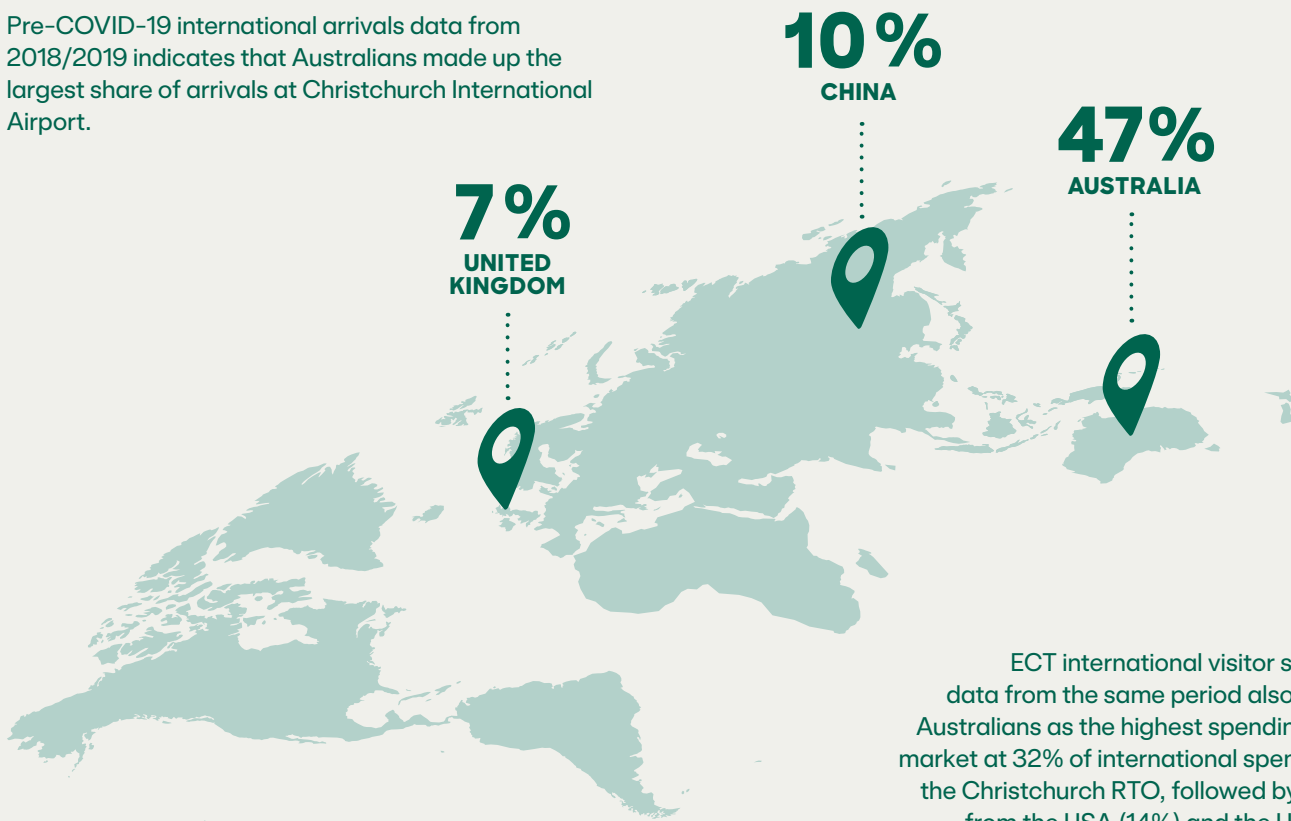
Using domestic visitor spend from 2021/2022 as a proxy indicates that visitors from within the wider Canterbury Region are the largest domestic market at 21% of domestic visitor spend.



Top Three International Visitor Origins by Share of International Arrivals 2018/2019

Source: Marketview

Pre-COVID-19 international arrivals data from 2018/2019 indicates that Australians made up the largest share of arrivals at Christchurch International Airport.



ECT international visitor spending data from the same period also reflects Australians as the highest spending visitor market at 32% of international spend within the Christchurch RTO, followed by visitors from the USA (14%) and the UK (13%).

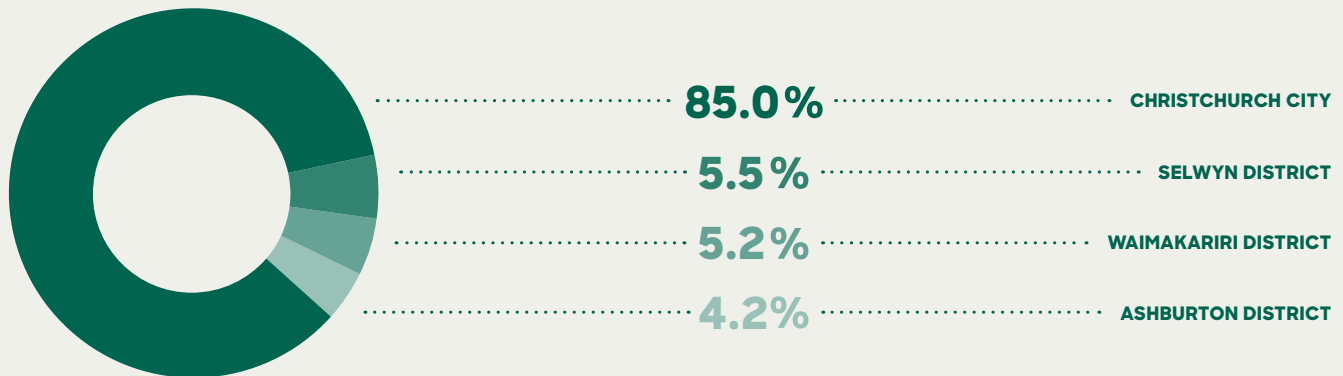


There is an Uneven Distribution of Tourism Supply within our Region

Tourism Workforce 2022

Source: StatisticsNZ, ChristchurchNZ

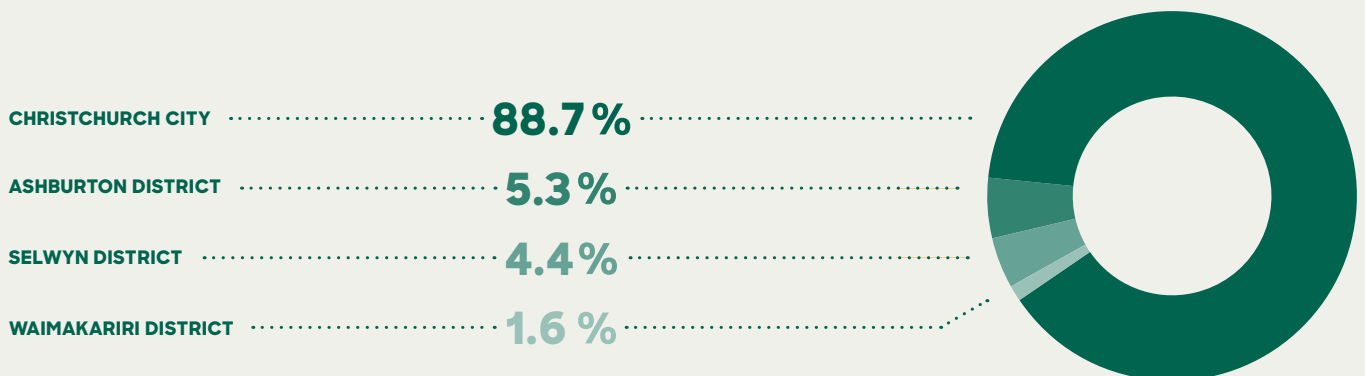
Our region’s tourism and visitation economy are heavily reliant on Christchurch. In 2022, 85% of the region’s tourism workforce and 79% of tourism businesses were concentrated in Christchurch central city. Note these numbers are from February 2022, so would still be COVID-19 impacted.



Accommodation Visitor Spending 2022 (Via ECT)

Source: Statistics NZ, ChristchurchNZ

Visitor spending is also concentrated in Christchurch. In 2022, 89% of visitor accommodation spending via ECT in the region was concentrated in Christchurch central city.



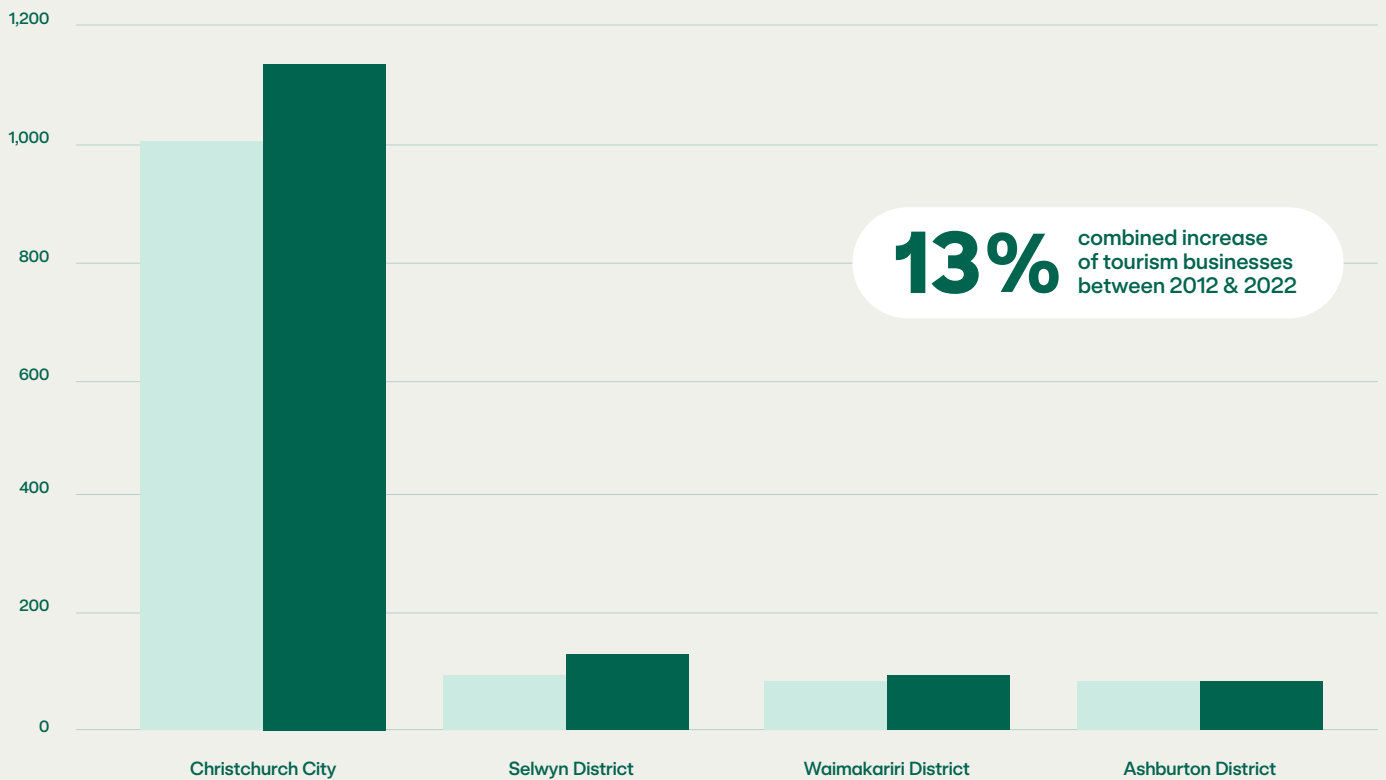
A Diverse Offering

Our region has an opportunity to continue to grow and mature as a tourism destination.

Number of Tourism Businesses 2012-22

Source: nzdotstat ● 2012 ● 2022

Our region has an opportunity to continue to grow and mature as a tourism destination. The number of tourism businesses has grown 13% between 2012 and 2022 — here again, unevenly across our region. While Ashburton has seen a decline of 7%, Waimakariri has grown its number of tourism businesses by 8%, Christchurch by 13% and Selwyn by 34%. Note: We have excluded food and beverage services from the tourism figures due to the significant numbers of them (and that they have significant local offering rather than tourism directly).



Number of tourism businesses (Sourced from Stats NZ) for Canterbury RTO were categorized based on business demography data for the following ANZSIC06 categories (business units):

- H44 Accommodation
- H45 Food and Beverage Services
(EXCLUDED FOR THIS ANALYSIS)
- I462300 Taxi and Other Road Transport
- I482 Water Passenger Transport
- I501 Scenic and Sightseeing Transport
- L661100 Passenger Car Rental and Hiring
- N722 Travel Agency Services
- R891 Museum Operation
- R892100 Zoological and Botanical Gardens Operation
- R892200 Nature Reserves and Conservation Parks Operation
- R913 Amusement and Other Recreation Activities

02.

About Ōtautahi Christchurch and Waitaha Canterbury

Everyone in the destination must play a part in the success of this plan by committing to be the strongest champions and friendliest hosts, and creating and showcasing a sustainable place.

Based on the existing tourism data and aspiration from our community, Ōtautahi Christchurch and surrounding areas are poised to become one of New Zealand’s premier tourism destinations.

This plan acknowledges that the RTO region has all the elements of a true visitor destination, encompassing a modern urban core and extensive outdoor experiences from the mountains to the sea.

This is a deliberate and marked shift from just a “gateway”, which has more recently been associated with positioning our destination.

As we can see from the visitor data, our destination as a whole is predominantly Christchurch-led. A strong city benefits the surrounding districts. And ultimately as the city’s scale grows, those local residents become visitors in larger numbers to the surrounding districts.

It is interesting to note that past visitors to the region — half of whom come to visit family and friends — have a

highly positive perception of the destination. On a scale from 1-100, they rank their overall experience of the destination during their visit at 76. On the same scale, they rank their likelihood to recommend the region as a place to visit at 78.

It is also important to note that Christchurch International Airport (CIAL) is a major gateway for the South Island, bringing visitors to the different regions. Its positioning reflects its role in tourism promoting the South Island and New Zealand more broadly. We also await further progress through the decision gateway for a new airport in Tarras. Led by CIAL, the work on Tarras is still in the discovery phase and any potential impacts on visitor numbers to Christchurch are still to be determined.

Through our surveys, both visitors and community stakeholders have identified key priority areas to drive the enhancement of visitor experiences and quality of life. These priorities are reflected in the plan and include ‘Events and Festivals’, ‘Arts & Culture’, and ‘Public Transportation’. ‘Nature and Parks’, ‘Outdoor Activities’ and ‘Dining/Restaurants’ were also identified as strengths that we should continue to grow.

Source: ChristchurchNZ Visitor Survey, 2022

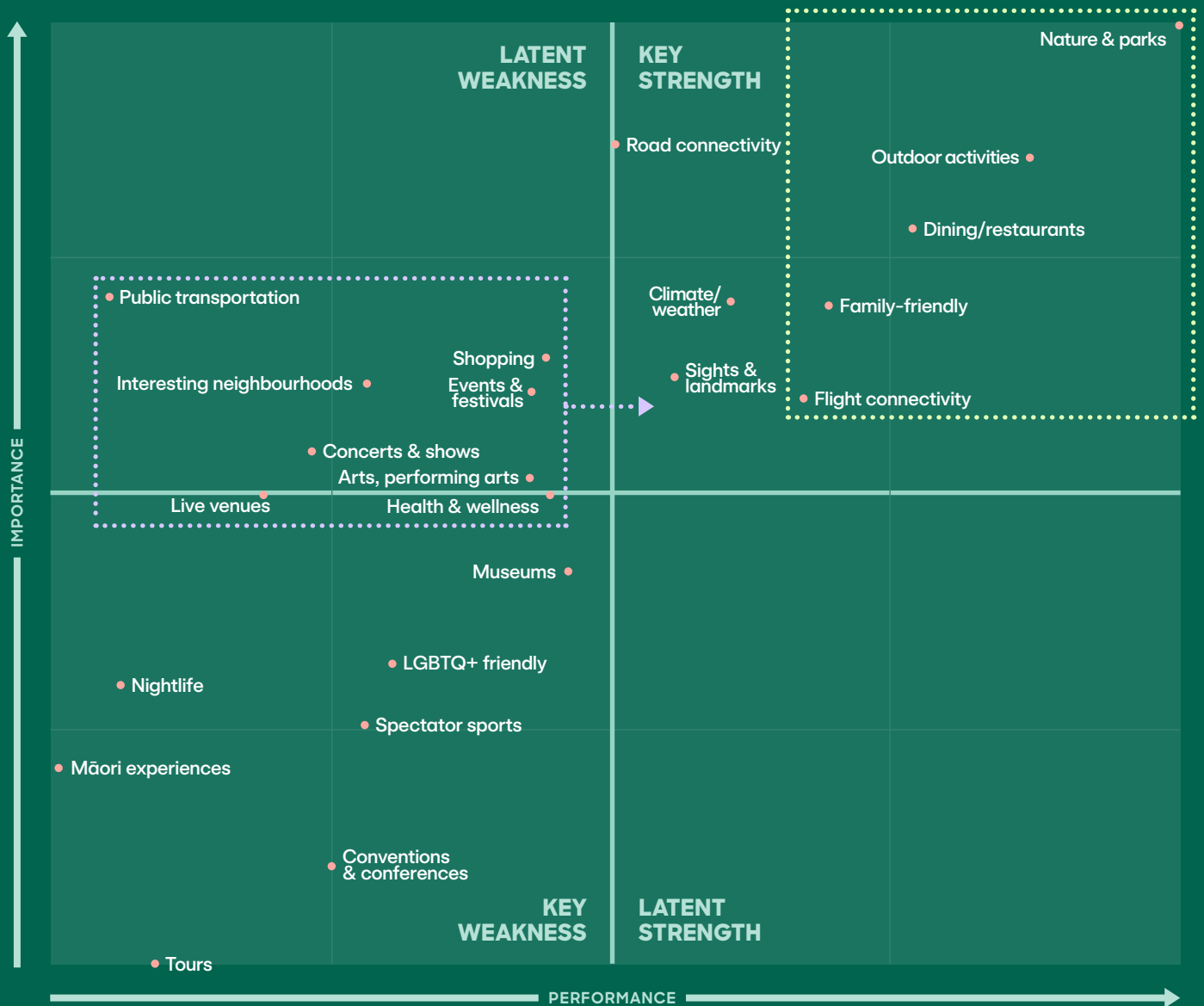


The following matrix plots resident sentiment in traditional quadrant charts to visually represent areas of strength that should be maintained (Key Strength Quadrant), opportunities to be capitalised upon (Latent Strength), growth opportunities where performance should be evaluated (Latent Weakness), and lower priority areas that should be monitored but not focused on (Key Weakness).

Note: These are perceptions, quite often about a quake impacted city, rather than the future.

Resident Sentiment

Source: ChristchurchNZ Community Survey, 2022



Key areas of importance that we need to consider to build strength

- Concerts & shows
- Arts, performing arts
- Live venues
- Health & wellness
- Public transportation
- Interesting neighbourhoods
- Shopping
- Events & festivals

Key strengths residents see for our place

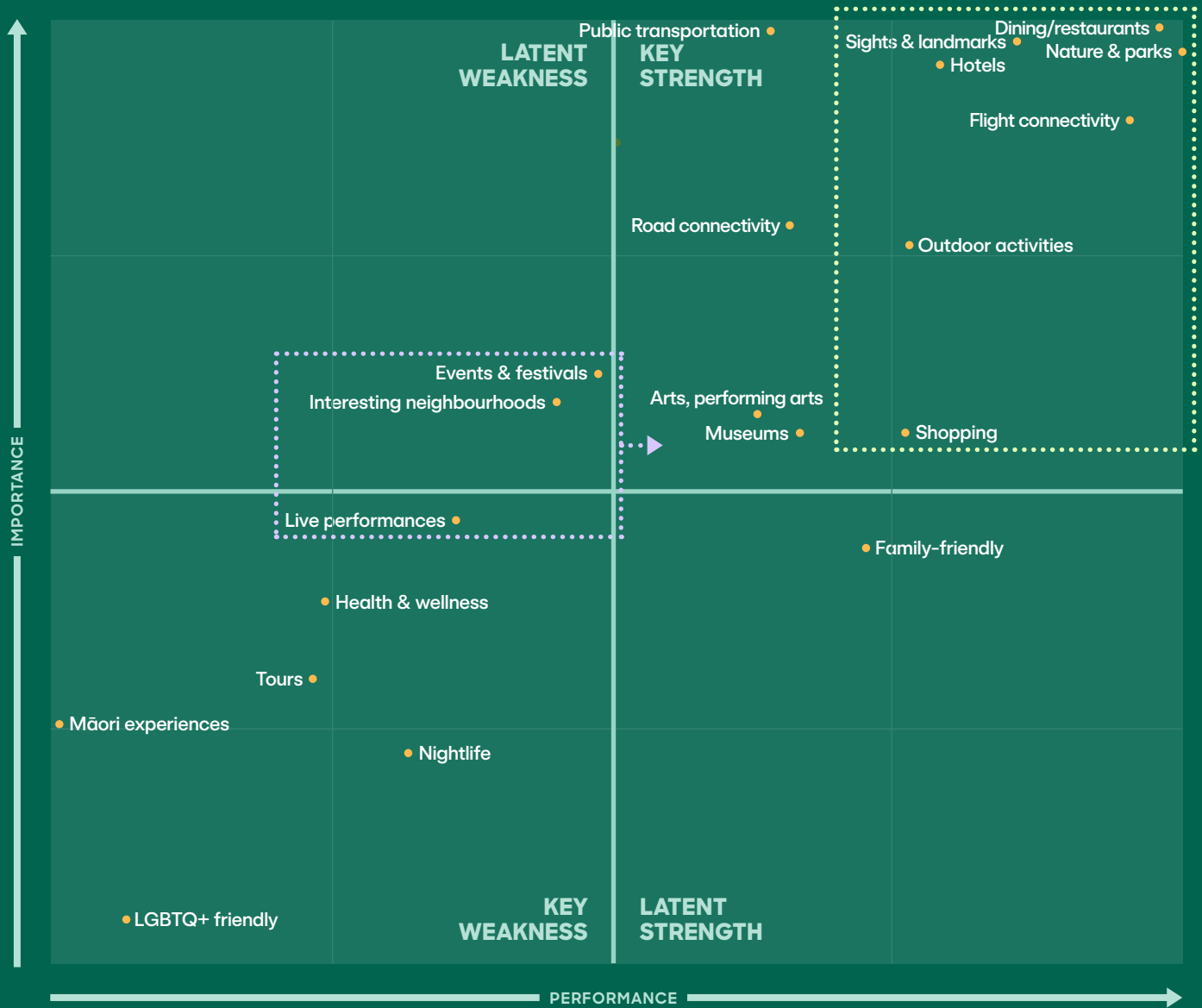
- Nature & parks
- Outdoor activities
- Dining/restaurants
- Family-friendly
- Flight connectivity

The following matrix plots visitor sentiment in traditional quadrant charts to visually represent areas of strength that should be maintained (Key Strength Quadrant), opportunities to be capitalised upon (Latent Strength), growth opportunities where performance should be evaluated (Latent Weakness), and lower priority areas that should be monitored but not focused on (Key Weakness).

Note: These are perceptions, quite often about a quake impacted city, rather than the future.

Visitor Sentiment

Source: ChristchurchNZ Visitor Survey, 2022



Key areas of importance that we need to consider to build strength

- Events & festivals
- Interesting neighbourhoods
- Live performances

Key strengths visitors see for our place

- Dining/restaurants
- Sights & landmarks
- Nature & parks
- Hotels
- Flight connectivity
- Outdoor activities
- Shopping

The Opportunity to be Bold

The aspiration to regain Ōtautahi Christchurch and Waitaha Canterbury’s pre-earthquake share of the national visitor economy (10.4% in 2010) will require bold decisions and support from stakeholders. Today, the community shares a strong sense of belonging to Ōtautahi Christchurch (67%) in the **Defining Our Place Community Survey, 2022**, characterised by feeling at home (75%), close to friends and family (64%), and the quality of life (62%).

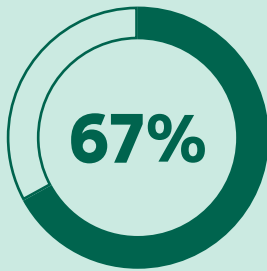
Ōtautahi Christchurch is perceived by residents and visitors as being “Beautiful”, “Welcoming”, and “Resilient”, as well as “Green” and “Clean”. There is a strong level of attachment to these “labels” by different audiences of the city.

Ōtautahi Christchurch is positioned as New Zealand’s second city, ranking after Auckland and ahead of Wellington in the quality of place benchmark. Despite this status, the stakeholder engagement showed that the local community is overly modest about the city’s

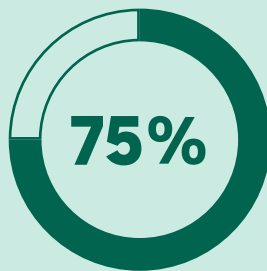
key features. In fact, it is often said that Cantabrians are modest about their achievements and historically have not been comfortable in promoting their place — much to the detriment of attracting visitors and growing economic opportunity. The reality is that our community is instrumental to the growth and management of our visitor economy, especially since 49% of our visitors came to Christchurch and surrounding areas to “visit friends and family” – according to the – **Defining Our Place Visitor Survey, 2022**.

Ōtautahi Christchurch has largely been positioned as a gateway to beauty and the wider South Island, but the region itself is characterised as “beautiful” by both residents and visitors. And most importantly, ranks fourth for “quality of place” amongst its competitive peer cities, and second in New Zealand. Carefully planned, the future opportunities for the local tourism industry are bright and upcoming infrastructure will further strengthen Ōtautahi Christchurch’s position as a key destination in the South Island.

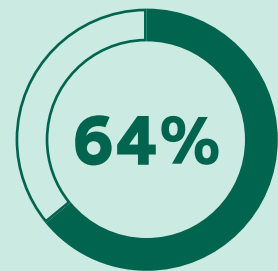
- Defining Our Place **Community** Survey, 2022
- Defining Our Place **Visitor** Survey, 2022



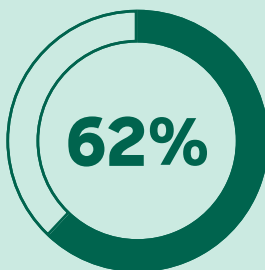
“I feel a strong sense of belonging to the place I live”



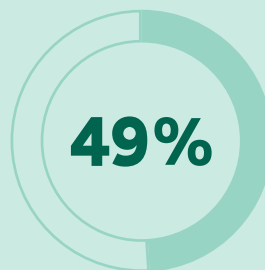
Associate a sense of belonging to “feels like home”



Associate a sense of belonging to “friends and family”



Associate a sense of belonging to “quality of life”



Visitors came to Christchurch and surrounding areas to “visit friends & family”

Visitation also delivers a range of benefits that are more difficult to measure but are no less important to the destination including:



Energy and excitement, for example, through the activation of central city precincts and the vibrant atmosphere at major events.



Brand awareness, or increasing the profile of the city nationally and internationally, that help grow international trading channels.



Domestic and global connectivity, for example, the air services sustained by visitation which carry high value exports and support inbound and outbound travel.



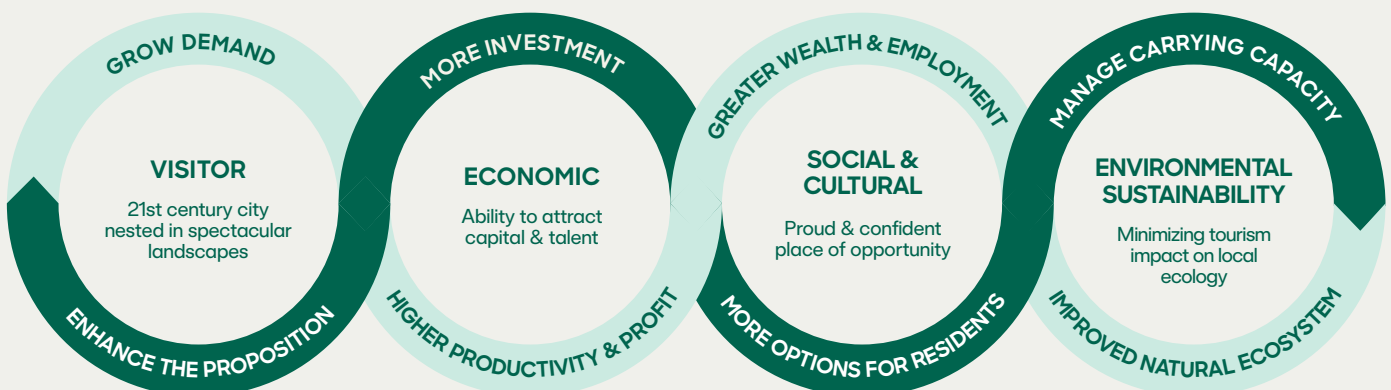
Investment attraction, for example, external investment in accommodation facilities and visitor attractions or scheduling of touring shows and exhibitions in Christchurch.



Business and talent attraction, by increasing the likelihood that some visitors, particularly international students, will choose to relocate their talents and capital to Christchurch, contributing to the wider economy.

With careful management these benefits initiate a cycle of improvement that delivers a more vibrant city and higher living standards for local residents.

The resulting impact on city image, confidence, and pride has far-reaching benefits locally and regionally. Once this cycle has started it becomes increasingly self-sustaining over time as internal and external confidence grows and private sector capital and skills flow to the city and districts.



Target Psychographic Segments

Based on the visitor survey findings we know that our current visitors fall into five psychographic categories:



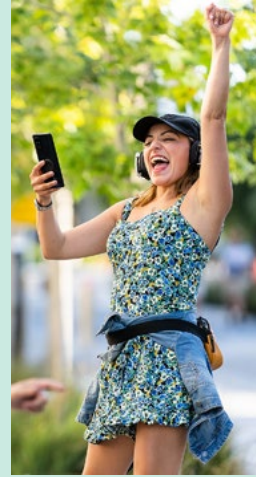
Family-Oriented Travellers



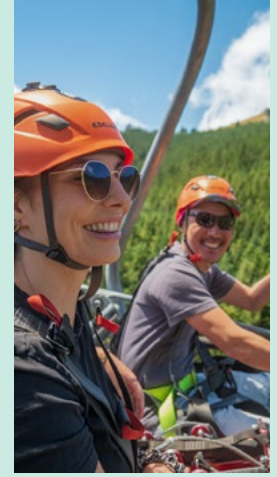
Sophisticated Explorers



Convenience Travellers



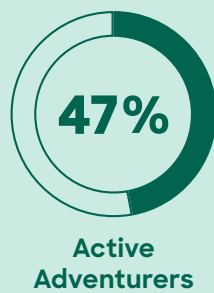
All-in Enthusiasts



Active Adventurers

Ōtautahi Christchurch and surrounding districts have traditionally been positioned as an adventure, and explorers’ destination.

According to the visitor survey, 47% of visitors are described as ‘active adventurers’ based on psychographic segments – types of travellers who share similar travel, interest and spending patterns.



Active Adventurers share a keen interest in outdoor sports, engaging with nature, and health and fitness activities. They take fewer vacations per year to farther destinations, and they aren’t particularly interested in family or multi-generational vacations. Active Adventurers also enjoy athletic competitions and more extreme forms of leisure. Christchurch International Airport, a gateway to not only Ōtautahi Christchurch and surrounding areas but the South Island and Queenstown region has played an important role in the adventure positioning.

However, based on the new infrastructure development in Christchurch and aspirations from our diverse community groups, Ōtautahi Christchurch and surrounding districts has an opportunity to shift its positioning and drive more visitation from two key target groups: “Sophisticated Explorers” and “Family-Oriented Travellers”.

Sophisticated Explorers take fewer but longer vacations per year, with the highest average vacation spend. They are more likely to enjoy sightseeing, visiting cultural attractions, learning new things and attending cultural events. Exploring new cultures and traditions while on vacation is most important.

Family-Oriented Travellers take fewer and shorter trips that are close to home. As their name indicates, they’re fond of family vacations with kids and multi-generational vacations compared to other travellers. They place greater importance on safety, cost and favourable climate. They’d prefer that English be spoken and home currency accepted when travelling internationally, and fun attractions are their favourite activities. Clearly, this is a group that likes their vacations to be easy escapes. Stakeholder feedback supported this belief that there is an opportunity to better promote the Waimakariri river, the ocean, hot pools, local beaches and other water courses to families.

Our community ranks these two audience types as their priority for the future, at 41% and 25% respectively, ahead of Active Adventurers, which rank 16%.



Sophisticated Explorers



Family-Oriented Travellers



Active Adventurers

As such, the recommendations focus on growing the share of “Sophisticated Explorers” and “Family-Oriented” Travellers while continuing to welcome and retain Active Adventurers in the region, as the Christchurch International Airport remains a gateway to many activities that attract visitation and is the main international arrival airport for the South Island.

It is important to note that the above psychographic segments cut across travellers with different purposes — from domestic/short haul travellers to international/

long haul travellers, leisure travellers, and business travellers. These psychographic segmentations enable us to focus more closely on expanding and developing destination experiences and products that respond to motivating factors, personal needs/abilities, and lifestyle preferences, rather than trip purpose and length of stay. This will help us maximise spending opportunity and dwell time regardless of trip purpose.

Based on existing and emerging tourism products and experiences and alignment with Tourism New Zealand mindsets and marketing efforts, we have outlined target audiences for each district as detailed below (by order priority). While the overall strength of the region’s visitor economy will ultimately rely on the success of all regions to work together to pull their weight on extending stays across all psychographic segments, each district may use the following guide to prioritise limited resources early on in the implementation process on target audiences that have closer alignment with existing products. More attractions that reflect the future aspirations for our region (regenerative, embracing our culture and stories) are required to support the region as a destination in its own right.

- High
- Medium
- Low



Sophisticated Explorers



Family-Oriented Travellers



Active Adventurers

Christchurch Visitors



Selwyn Visitors



Waimakariri Visitors



Ashburton Visitors



TRAVELLERS ARRIVING BY AIR



Accelerating growth in the overall visitor economy is supported by Christchurch Airport's ability to attract new international air services targeting international markets with which Christchurch has, or can establish, direct and commercially viable air services. In addition to targeting direct air services, work with Air New Zealand and other carriers to bring more international and domestic visitors to Christchurch through the domestic network throughout

the year is required (offerings designed to attract the target psychographic segments). Although Christchurch International Airport has the highest carbon certification an airport can currently achieve, visitors arriving by air have a significant carbon footprint. Focusing on high yield visitors and identifying those visitors that meet our target audience profile that travel shorter distances, stay longer and choose eco-friendly options is an ongoing focus area.

It is also noted that Business Events growth is also attracting travellers, mainly coming by air, to the region

TRAVELLERS ARRIVING BY CRUISE



Lyttelton Port is the site of a purpose-built cruise terminal, one of the anchor investments following the earthquake of 2011. This terminal has the capacity to berth large scale cruise ships and has been built to provide turn-around facilities and service. The 2022/23 season is estimated to have brought \$32m to the region, and financially has benefitted a number of tourism operators in the city. It is noted though that this first season of "normal" cruising post-quake and COVID-19 resulted in travel impacts with bus shortages due to driver shortages.

Currently the cruise ecosystem within New Zealand, and Christchurch and Canterbury lacks the mechanisms, or levers, to pull to influence the cruise industry level of visitation. Whilst cruise ships bring a high volume of visitation, which is increasing, and often catalyse future leisure tourism opportunities, there are community concerns which need to be considered and addressed across the cruise ecosystem in a more collaborative way.

The Milford Opportunities Project Master Plan considers the prospect of banning cruise from the inner sound, which would limit the attractiveness of cruise ships coming to New Zealand. This project is now at feasibility stage and any decisions relating to this will have a significant impact more broadly on visitation to both Lyttelton and Akaroa.

A cruise review is currently underway, and this document can't pre-empt that outcome other than to say having better controls on the ships that enter our waters, their emissions, their size and engagement with local communities would be beneficial. A national strategy for cruise that answers the question – What does Aotearoa New Zealand want for cruise in our country? would be a welcomed process. This needs to be followed by mechanisms or levers that can be pulled to ensure the experience for the community and visitors is as this country intends, and decarbonisation is prioritised.

TRAVELLERS ARRIVING FOR INTERNATIONAL EDUCATION



International (or "export") education offers a significant growth opportunity for the region. These visitors are valuable, as whilst their initial carbon impact through their travel distances is high, they stay for an extended period of time, visit local regions and add significantly to our place in social, cultural and economic ways. However, competition for students is increasing internationally so maintaining a competitive international education offering is increasingly important. In addition to generating demand for consumer goods and services, export education attracts bright young people from all over the world to our region. This benefits the local economy by attracting talent that introduce

new ideas and new thinking, bring their global networks, catalyse innovation and may become part of the future workforce. Ultimately, this visitor group creates long-term opportunities to address local skills shortages for future growth industries.

The region is well served by high quality education facilities, from primary school to tertiary level. The local organisation Christchurch Educated very effectively acts as a conduit to tell the story for the region. This body works closely with ChristchurchNZ and the work it does is of significant importance to continuing to attract students to this region.

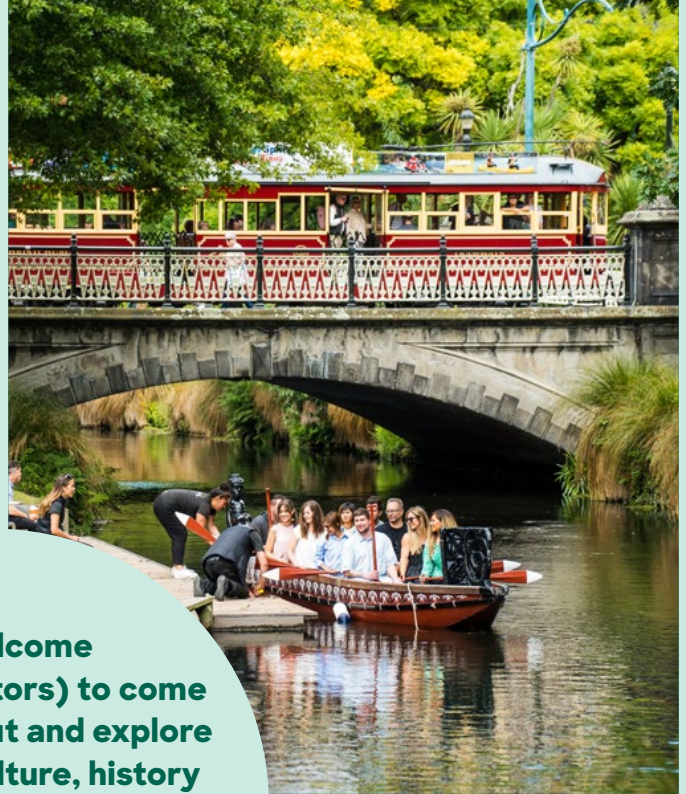
03.

About Ōtautahi Christchurch and Waitaha Canterbury

In order to achieve the objectives set out in the plan, it is important to define our shared vision for our destination, that includes a vision statement, values, and guiding principles. Each strategic objective will ladder back to this common framework.



Our vision is rooted in our destination and communities' aspirations. Our vision sets our common long-term vision for our destination and community.






We welcome manuhiri (visitors) to come and learn about and explore our unique culture, history and geography in a way that delivers benefits for our taiao (environment), our people, and our visitors



Values & Guiding Principles

3.2

These principles guide our approach to managing our destination and our visitor economy. They are commitments we make to ourselves (as stewards), to our communities, and to our visitors.

GUIDING PRINCIPLES	<p>Kaitiakitanga</p> <p>We embrace balance to manage growth in a way that cares for our land and people.</p>  <p>Because we cultivate together...</p> <p>We are caring</p>	<p>Māia</p> <p>We are bold and creative in our thinking to deliver unique experiences for our residents and visitors.</p>  <p>Because we seek balance and play...</p> <p>We are imaginative</p>	<p>Kotahitanga</p> <p>We work together across the region and with Mana Whenua to improve quality of place.</p>  <p>Because we enrich our people, visitors, cultures and place...</p> <p>We are welcoming</p>
VALUES			

Strategic Objectives

3.3

Strategic objectives define how we achieve our shared vision, how we guide the long-term development of the destination, and how we work together in inspiring tourism for good. The following are three strategic objectives that have been identified for this plan:

STRATEGIC OBJECTIVES	<p>Champion environmental stewardship and resilience</p>  <p>We have all the elements of a destination, not just a gateway. If we work together towards a regenerative, resilient and prosperous future for all and to ensure that tourism has a positive impact.</p>	<p>Strengthen visitor economy by becoming a destination</p>  <p>As a destination, we are committed to responsibly growing our visitor economy (regaining what we lost) and supporting businesses that do so. But we do so in a balanced way, to manage growth in a way that cares for our land and people.</p>	<p>Work together and enrich our communities</p>  <p>We believe in cooperation throughout Ōtautahi Christchurch and districts. It is only by breaking our silos and working truly together that we will leverage all our region has to offer, maximising the visitor experience and opportunity for economic benefit to the region.</p>

04.

Destination Themes

This plan acknowledges that the Canterbury RTO region has all the elements of a true visitor destination, encompassing a modern urban core and extensive outdoor experiences from the mountains to the sea.

The strategic objectives and themes guide the long-term development of our destination and will strategically set the future direction of the visitor economy and provide a plan for partners and communities to implement recommendations.



Establish regenerative & resilient tourism practices



Grow our destination & shift from just a gateway



Cultivate our destination experience



Activate our Canterbury RTO region as a whole



Build tourism leadership & excellence as a path towards resilience

01 | Establish regenerative & resilient tourism practices



On 7 November 2019, the Climate Change Response (Zero Carbon) Amendment Bill was passed. This Act commits New Zealand to zero carbon by 2050 or sooner, sets a legally binding pathway to this target, and requires the Government to make a plan. Nationally work done with The Aotearoa Circle considering tourism climate change scenarios reminds us of the goal “where both the visitor that spends time in nature and nature itself will have their Mauri enhanced, not depleted”. And as per the Tiwaiwaka Principles, Principle 1: Caring for the whenua is the first priority — everything else must be measured against this.

The Christchurch City Council declared a climate emergency in 2019 and set the target of achieving net zero greenhouse emissions by 2045 (with separate targets for methane), and to halve emissions by 2030, from 2016-17 levels.

Developing and leading innovative programs that will help achieve these goals is a key component of this plan. The following themes provide new, innovative solutions that can be implemented to improve our destination for visitors,

families and our community and educate them on how to reduce greenhouse emissions. There is an opportunity to support our community and the visitation experience through innovative and sustainable initiatives, and to build climate resilience into the destination experience for the long-term sustainability of the industry.

At the core of a regenerative practice is to focus tourism development by valuing longer-stay visitors and those who share and support our values and taonga.

Further, our place knows very well the impact of natural forces through the Canterbury earthquake series. The reality of this is that we exist on the Alpine fault line, and planning for future seismic action is mandatory. Ashburton recently experienced significant flooding and the ski fields are vulnerable to climate changes. The Banks Peninsula is separately considered, but as an important part of the Christchurch tourism offering factors such as the roads being closed by flooding or mudslides and the sea level rising and warming are all considerations for future resilience in operations.

1.1 Develop a regenerative tourism commitment for local operators

RECOMMENDATIONS AND ACTIONS

- Work with local operators and Mana Whenua to establish regenerative tourism standards and practices and create a system to rate businesses
- Leverage the collective experiences of this group to share knowledge

- Develop a local commitment for businesses that want to practice regenerative tourism to commit to, that includes zero-carbon certification and financial contributions towards biodiversity improvement
- Create financial and/or promotional incentives for accredited green tourism partners
- Consider partnering with Tourism Industry Aotearoa (TIA) to run a sustainable tourism pilot
- Support tourism businesses in undertaking climate resilience audits, helping them identify climate impact risks, mitigations and extreme weather-related response plans
- Work with local operators (existing and potential new) to actively build a programme of decarbonisation, looking to create a roadmap of change

1.2 Connect with local Rangatahi Committees to weigh in on future projects and attractions

80% of our community feel that our region is a good place to raise a family (Community Survey, 2022). Ōtautahi Christchurch is a great parenting city — outranking national and international cities of the same size in family-friendly categories.

Creating a better plan for our future generations means they also have a quality place to grow today. These committees can provide recommendations and inputs on key new infrastructure projects, activities, and programs developed by local governments and private investors (when applicable).

RECOMMENDATIONS AND ACTIONS:

- Connect with existing committees that have been established, for example by the Greater Christchurch Partnership
- Connect with international organisations involved in creating better cities for children, for example the Bernard Van Leer foundation
- Create an operating rhythm for regularly gathering feedback from a Rangatahi Committee

1.3 Investigate ways to reduce the carbon footprint of tourism operations and increase resilience to climate impacts

Christchurch City Council has identified that 53.5% of gross emissions in the region come from transport. Tourism's dependence on transport, including long haul, needs to be a key focus to reduce ongoing impacts. By raising awareness with operators and visitors, providing tools, and fostering collaboration, this plan strives to empower visitors to make more sustainable travel choices and reduce their carbon emissions, contributing to a greener future for the region.

RECOMMENDATIONS AND ACTIONS:

- Develop a carbon footprint and resilience steering committee with different stakeholders
- Develop materials to support operators and visitors to make good choices relating to emissions
- Work with Christchurch Airport and the Lyttelton Port Company to learn from and support their emissions reduction work where possible
- Plan how responses will take place for visitors impacted by a climate-related weather event or natural disaster (linkages to Civil Defence and isite — note provision within isite agreement to include role of key information source for visitors during crisis)

1.4 Incentivise and attract regenerative visitor experiences

- Develop itineraries for visitors that highlight their CO2 emissions and recommendations on how to lower them, including low emission “visits” e.g. cycle trails through the districts, reusing towels in hotels, eating plant-based and local foods

RECOMMENDATIONS AND ACTIONS:

- Continue to provide innovation funding for developing proof-of-concept experiences
- Attract international investment for activations and experiences
- Work with the local creative technology sector to develop experiences and stories
- Continue to learn from other regions and countries about best practice regenerative experiences that can be delivered locally

1.5 Involve local community in the regeneration process

RECOMMENDATIONS AND ACTIONS:

- Support and expand community education events based on conservation and regeneration themes
- Establish ongoing partnerships with, and capacity building within neighbouring schools and community groups

1.6 Establish a regeneration-themed annual major, business or community event/festival

RECOMMENDATIONS AND ACTIONS:

- Designate an area of the Otākāro Avon River Corridor (OARC) as an events location, allowing for outdoor festival and event activity
- Define and support a team to develop a purpose-fit festival for OARC

1.7 Prioritise the regeneration of the Ōtākāro Avon River Corridor (OARC)

In 2019, then Minister for Greater Christchurch Regeneration approved the Ōtākāro Avon River Corridor Regeneration Plan (Regeneration Plan) under section 38 of the Greater Christchurch Regeneration Act 2016. The objective of the plan is to create a destination that attracts a wide range of domestic and international visitors, establishes a world-leading living laboratory, where we learn, experiment and research; test and create new ideas and ways of living and demonstrate how to adapt to the challenges and opportunities presented by natural hazards, climate change and a river’s floodplain.

The following recommendations and actions leverage the opportunity to create an international attraction that directly aligns with the national shift towards regenerative tourism and to anchor the Ōtākāro Avon River Corridor as a signature destination in Ōtautahi Christchurch and surrounding areas.

RECOMMENDATIONS AND ACTIONS:

- Establish OARC governance arrangements and a clear pathway to support, align and deliver projects
- Support proposals that seek to promote restoration of threatened species within the park and the wider city
- Advocate for the provision of event spaces for marquees, team building and appropriate infrastructure of public toilets, water etc.

- Consider incentivising or supporting innovative approaches to developing carbon offset programmes in the Ōtakāro Avon River Corridor
- Connect kai and food-based experience development with Red Zone stories and foraging opportunities in the Ōtakāro Avon River Corridor
- Work with Mana Whenua to create a traditional Māori playground in the Ōtakāro Avon River Corridor to connect visitors with indigenous stories and add to experiences for the “Family-Oriented Traveller” audience
- Create regenerative tourism (voluntourism) experiences to involve visitors in the restoration of the river and wetlands and re-wilding of the Ōtakāro Avon River Corridor
- Promote cycling, walking, kayaking, paddle boarding as active transport options for exploring the Ōtakāro Avon River Corridor and its current and future experiences
- Use Ōtakāro Avon River Corridor experience to connect the city more closely to He Puna Taimoana Hot Pools and New Brighton hospitality offerings
- Connect areas of interest throughout the OARC with cultural, historical and natural narratives
- Implement wayfinding and interpretations throughout area
- Commission interactive experiences

02 | Grow our destination and shift from perception as just a gateway



Ōtautahi Christchurch is a revitalised city on the cusp of an incredible era, and the neighbouring districts deliver spectacular natural experiences. Over the past eleven years the city has been restored, and in-part, largely rebuilt to a higher standard as a result of the Christchurch earthquakes while the districts have experienced considerable growth and revitalisation.

This plan explores how we can promote our new destination to the world while ensuring proper management of the visitor experience. The following themes reflect the opportunity to continue driving events aligned with the city’s identity, with positive economic, social and environmental impacts and opportunities for community benefit through leverage and legacy; managing visitor flows around

Te Pae, Te Kaha and other significant visitor infrastructure; and advocating for our destination to become a balanced centre of sophisticated event attendees while also remaining New Zealand’s best family city.

This focus on the destination of Ōtautahi Christchurch is to the benefit of the surrounding regions, as increased visitors to the city will increase visitation to the surrounding regions.

There is a unique and powerful opportunity to leverage the city’s new identity and infrastructure to shift Ōtautahi Christchurch from a gateway to a destination in its own right while preserving the destination and managing quality of life for residents.

2.1 Showcase our destination

Acknowledging the unique attributes of the districts and regions, comparative to Christchurch City, collaboratively develop marketing strategies which position each appropriately while raising profile and driving visitation.

RECOMMENDATIONS AND ACTIONS:

- Undertake destination marketing to raise destination awareness and drive visitation during low and shoulder seasons which is targeted to niche audiences and talks to new city narrative
- Develop tools which assist the sector in telling our stories e.g. brand toolkits

- Partner with travel trade to secure the right type of visitations from the most aligned markets
- Create a selection of itineraries which can be adopted and easily modified by visitors and tour guides. These itineraries provide te reo pronunciation as well as cultural and historical talking points
- Undertake training for operators which increases their profile and presence across digital platforms
- Support the implementation of the [Christchurch Airport 2040 Master Plan](#) which forecasts passenger traffic to grow from 6.3 million passengers today to 11.6 million passengers in 2040
- As airline capacity becomes available, resume campaign activity with airlines and Tourism New Zealand to market Ōtautahi Christchurch and surrounding areas and drive demand based on the updated narrative
- In collaboration with VIN and the new privately run isite in Ōtautahi Christchurch, ensure that the visitor experience speaks to the broader destination and the values of this plan.

2.2 Develop Ōtautahi Christchurch & surrounds into New Zealand's favourite event destination

Ōtautahi Christchurch's central city will soon hold the most modern, state-of-the-art, multi-use arena in the southern hemisphere. This plan aims to leverage the city's assets and enable the regions to position themselves to leverage this advantage while managing impacts for residents.

RECOMMENDATIONS AND ACTIONS:

- Continued prioritisation and investment, coordination of services and work with private sector to develop unique experiences, wayfinding and connections
- Reduce and simplify requirements to running events (permits, leasing, traffic management), including festivals on public spaces
- Work with the Central City Business Association and the SALT Trust to support development of accommodation, dining and nightlife around Te Kaha stadium to create a holistic, vibrant, walkable precinct experience for event attendees
- Continue to work as an events ecosystem, and the City Partners Group (includes Venues Ōtautahi) to bid for and attract a targeted list of major events aligned with city identity as per the Major Events Strategy
- Share a year-round event calendar with city partners to maximise the outcomes of major events
- Actively manage visitor flow to and from events to achieve good experiences for visitors and minimal disruption for residents
- Encourage and incentivise developers of new projects surrounding key event venues to noise-proof apartments and mitigate impacts on surrounding residents
- Support the ongoing investment in events infrastructure and attraction regionally to enable major and mega events in the city to be leveraged

2.3 Position Ōtautahi Christchurch & surrounds as the preferred national & international sporting event destination

When construction is completed in 2025, the Parakiore Recreation and Sport Centre will be the largest aquatic and indoor recreation and leisure venue of its kind in New Zealand. Together with Ngā Puna Wai, Hagley Oval, Te Kaha Stadium, Waimakariri's Mainpower Stadium and Selwyn Sports Centre, Aquatic Centre and the EA Networks Centre in Ashburton there is the infrastructure and capacity to bring in new audiences through sport.

RECOMMENDATIONS AND ACTIONS:

- Leverage Canterbury’s extraordinary sporting success across a multitude of sports, including teams like Crusaders, Matatū, Canterbury Rams and the Mainland Tactix through experiences, outreach and storytelling
- Create accommodation partnerships and packages with sporting venues; to attract visitors, supporting the major events activity
- During off-peak seasons, promote local sporting events across the city
- Continue to work together to attract national, regional and school sports programmes and tournaments to utilise the city and region for their events
- Leverage Ōtautahi Christchurch as the home of women’s suffrage movement and continue to grow opportunities for women to participate in sporting events
- Leverage off existing expertise and natural advantage to focus and grow the city’s reputation for hosting events i.e Para Sports
- Work with all in the central city cultural precinct inclusive of new Court Theatre development, Isaac Theatre Royal, The Piano, the Christchurch Art Gallery, the Canterbury Museum when back online and the Arts Centre to create a vibrant year-round calendar that is balanced and attractive to both residents and visitors and supports the major events activity

2.4 Continue to align business events with regional strengths to become NZ’s preferred conference venue and attract new audiences to the city

Ōtautahi Christchurch’s central city will soon hold the most modern, state-of-the-art, multi-use arena in the southern hemisphere along with existing infrastructure, including Te Pae Convention Centre. This plan aims to leverage the city’s assets and enable the regions to position themselves to leverage this advantage while managing impacts for residents.

RECOMMENDATIONS AND ACTIONS:

- Continue to prioritise and position Christchurch as per the current [Business Events Strategy](#) (ChristchurchNZ, 2020)

2.5 Leverage the cultural and performing arts offerings to attract “Sophisticated Explorer” target audience

RECOMMENDATIONS AND ACTIONS:

- Enhance digital resources and guides to showcase the city and region’s cultural capital and offering including up-to-date events and exhibitions
- Create a new self-guided culture itinerary for the region
- Create new culture-led tourism experiences
- Work with Mana Whenua to identify key sites or experiences in the region to promote
- Develop our cultural and performance venues and spaces by connecting with external spaces and projects such as growing our global street art destination reputation
- Showcase the street and outdoor art scene through guided tours, marketing campaigns, and unique events

2.6 Grow and support family-friendly experiences to attract “Family-Oriented” Traveller target audience

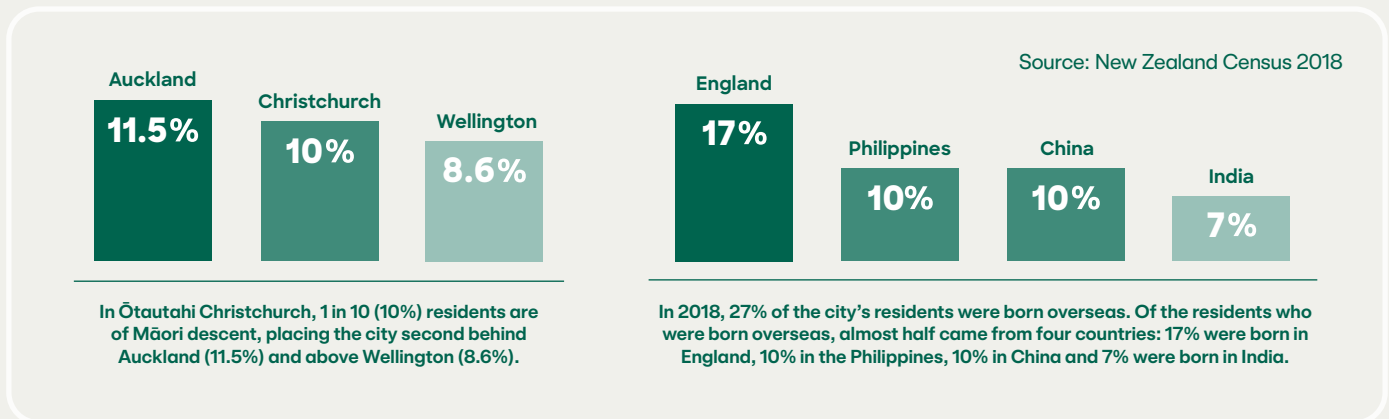
RECOMMENDATIONS AND ACTIONS:

- Leverage green spaces and outdoor education opportunities to develop affordable child-centred experiences
- Package kid-friendly activities, dining and other family favourites into one-day and multi-day itineraries for parents



03 | Cultivate the destination experience

By highlighting and developing the unique experiences, stories, and opportunities of the destination, each district and the city are able to better highlight their unique selling propositions and develop tourism products and experiences that are aligned to their place. To do this, we must embrace our multi-cultural history.



In 2017, Christchurch City Council was the first in the country to develop a Multicultural Strategy and Implementation Plan. The vision is that Ōtautahi Christchurch is an inclusive multicultural and multilingual city that honours Te Tiriti o Waitangi and values our environment — a city where all people belong. Despite this, only 26% of the community in Ōtautahi Christchurch and its surrounding areas would describe their towns as “diverse” and only 24% of visitors consider the destination “diverse”.

As such, this plan calls for a proactive approach to grow diversity and embrace our multicultural history throughout the region.

With this backdrop we need to actively encourage and support a diverse range of operators and ideas to come to fruition. This will engage the community and also provide a wider range of tourism product in the market.

3.1 Work together to bring more tourism product to market through the development of a contestable tourism initiative fund

Consider if a contestable regional fund could be developed that would support new tourism initiatives and projects that are diversity-led and provide educational resources — including creating and/or expanding successful cultural events, heritage redevelopment and new tourism sites/attractions. The fund may be managed by a committee of local government, civic and cultural organisations and Mana Whenua representatives.

RECOMMENDATIONS AND ACTIONS:

- Determine if initially there is seed funding and support from each district to support the creation of a fund
- Form a steering committee to manage the contestable fund
- Seek ongoing funding partners and/or funding streams
- Promote this fund by conducting outreach to business groups, existing diversity and heritage project owners and to community leaders
- Identify a list of priority spaces/parks/venues/gaps in the market to activate through the use of the funds
- Encourage existing, proven operators to expand offerings in line with target audiences identified within this plan

3.2 Support the development of a Mana Whenua stories content platform

Our region has a rich history and culture. There are now many Mana Whenua artworks and co-designed projects around the region, but the stories behind these physical manifestations are not well known. This plan supports further promotion of Mana Whenua storytelling across the region.

RECOMMENDATIONS AND ACTIONS:

- Reprioritise and develop the existing content platform and build on the existing [audio stories](#) to include all areas of cultural significance around the region
- Upweight Mana Whenua storytelling in ChristchurchNZ content and marketing
- Work with District Councils to connect Mana Whenua stories around Banks Peninsula and regions to a single content platform for residents and visitors to discover
- Incorporate kaitiakitanga (guardianship) values and mahinga (natural resource) kai values into all regional promotion and storytelling
- Continue to work with CCC Parks team to bring Mana Whenua storytelling to visitors via interpretation panels that connect digital audio and storytelling

3.3 Explore opportunities for Dark Sky development and collaboration

RECOMMENDATIONS AND ACTIONS:

- Identify areas of Dark Sky potential; communities in Selwyn and Waimakariri are keen to explore this and leverage existing infrastructure e.g. Castle Hill, Oxford Observatory
- Undertake analysis of the capital outlay required to change township lighting to low light levels
- Market Dark Sky destinations and support product development and experiences
- Consider opportunities for aerospace viewing in the future e.g. Tāwhaki

3.4 Develop culinary leadership

Waitaha Canterbury is one of New Zealand's largest farming regions. People, place and innovation are the heroes of this industry. The "dining, restaurants and culinary experiences" tactic is the #1 factor that drives overall visitation according to our visitor survey. 86% of our visitors rank dining / restaurants / culinary experiences in Ōtautahi Christchurch as good or excellent.

By developing culinary leadership and providing an authentic experience through locally produced "from the land" products for food and dining we provide opportunities for our people, farmers, producers and land to thrive. It also helps us to adhere to our commitments to leaving a better place tomorrow. The objective is to leverage people and place to develop a "culinary" cluster in both product development, supplier support and promotion to help create recognised culinary excellence in our region.

RECOMMENDATIONS AND ACTIONS:

- Districts to consider growing agri-tourism programme: training, educational sessions with farmers around agri-tourism, product development, and promotion
- Provide financial support to existing farms to develop new agri-tourism experiences, including farm stays, produce-related events/festivals, farm-to-table tastings and meals
- Develop and promote a "food week" throughout the region, in partnership with Mana Whenua and private partners that will highlight local produce, farmers and producers throughout the region

- Create a restaurant quality label program
- Provide funding and technical support to business applicants to create/expand culinary experiences on existing regional agriculture sites/farms
- Work with Mana Whenua to develop food tourism products around mahinga kai

3.5 Implement a regional events framework

Events and festivals are a key driver to grow visitation. 64% of visitors rank events as somewhat or very important when choosing a destination, but only 49% rank events in Ōtautahi Christchurch and surrounding areas as good or excellent

During a visioning workshop (February 2023), regional stakeholders ranked “Events & Festivals” as second most important

The objective is to advocate for continued management and promotion of our events through an integrated promotional tool while recommending opportunities around “spring” and “culinary” as strategic opportunities for our destination

There is an opportunity to better highlight our local events throughout our region and develop cross-promotional activities. Owning “spring” from an events perspective is an opportunity to drive visitation to Ōtautahi Christchurch surrounding areas during the shoulder months

RECOMMENDATIONS AND ACTIONS:

- Form a regional events committee consisting of representatives from various districts to explore collaboration / cross-promotion of like-minded events and drive sustainable measures
- Develop a quarterly regional event marketing strategy that outlines key event themes to focus on for the quarter, marketing targets/KPIs, and marketing tactics to execute
- Develop a sustainable best practice framework to share with event organisers and producers throughout Greater Christchurch. This can include banning plastic materials, reducing carbon emissions and provisioning for car-sharing and alternative modes of transportation for regional events. The committee will be responsible for developing the sustainable events framework

3.6 Research the best way to deliver a coordinated events platform to bring our regional and local events together

RECOMMENDATIONS AND ACTIONS:

- Investigate a centralised online platform / hub to showcase all events, festivals and activities taking place in our region to visitors
- Request event updates from key partners quarterly — including brief description, day/time of events, target audience, and images for use in marketing
- Send out monthly alerts/notifications to industry partners of upcoming events happening regionally

3.7 Create a winter offering around Matariki

RECOMMENDATIONS AND ACTIONS:

- Activate the city and districts during Matariki with a story that is appropriate for the region; food and beverage, Māori culture, relevant stars (dark skies)
- Partner with Mana Whenua to celebrate mahinga kai during Matariki
- Promote whānau coming together to bring Kiwis back “home” to our region during this time of year. Showcase unique winter activities in the region

3.8 Continue to leverage experiences during the spring season

RECOMMENDATIONS AND ACTIONS:

- Continue to promote events within spring
- Activate and connect other parts of the city to these existing events with outdoor arts and culture offerings
- Partner with Mana Whenua to celebrate matauranga Māori and connection to taiao — urban planting, kōwhai flowering, etc.

04 | Activate our Canterbury RTO region as a whole



As our region continues to see demographic changes and growth, it is fundamental for our districts to work together to develop and promote Ōtautahi Christchurch and surrounding areas. Whereas 88% of visitors visit Ōtautahi Christchurch, packaging our destination as a whole will create more holistic visitation experience, drive blended trips and create new development and infrastructure growth opportunities outside the core area.

The population of Ōtautahi Christchurch and surrounding areas is forecast to double to a million people over the next 60 years or even earlier, following rapid growth over the past 15 years. In its 2040 Master Plan, Christchurch Airport forecast passenger traffic to grow from 6.3 million passengers today to 11.6 million passengers in 2040. Its share of international passengers is forecast to grow from 24% to 35% during that time. Connectivity within the region will be a key driver to ensure our community's well-being and access to Ōtautahi Christchurch's labour market, cultural attractions and events.

The Destination Management Plan must build upon the Greater Christchurch 2050 Plan, the Greater Christchurch Spatial Plan and the Ōtautahi Christchurch Spatial Plan to provide a visitor perspective on transportation and guide investment decisions.

In particular, this plan acknowledges that we need to reduce transport emissions to meet our target of zero emissions by 2045. In doing so, it aligns to the draft national Emissions Reduction Plan, and readies us to respond to the upcoming review of the Government Policy Statement on Land Transport, which will have a strong focus on emissions reduction; takes into account national direction on intensification, and the Council's ongoing response to the National Policy Statement on Urban Development; and provides frameworks and tools, including through the national One Network Framework, to align our urban and [transport planning](#). Refer to the [Council's Climate Resilience Strategy](#).

This plan also acknowledges the Huihui Mai (let's come together) engagement that ran from February to March 26, 2023.

The strategies listed in this plan complement those developed in the Ōtautahi Christchurch Transport draft plan, namely:

Improve access and choice

Create safe, healthy and liveable communities

Support economic vitality

Create opportunities for environmental enhancements

The following themes address sustainable tourism infrastructure, road improvements, especially around tourism corridors, cycle infrastructure and the exploration of alternative transportation modes.

There is an opportunity to support the Greater Christchurch 2050 initiatives and Ōtautahi Christchurch Transport Plan to improve connectivity and access within Ōtautahi Christchurch and surrounding areas.

The following themes cover product development, destination management and infrastructure, and marketing to better activate and package the destination and surrounding areas as a whole in order to spread visitation throughout our region and across seasons.

4.1 Establish a regional working group to drive intergovernmental collaboration in Ōtautahi Christchurch and surrounding areas

Working together is one of our key strategic priorities and fundamental components to the success of this theme. In order to achieve successful implementation of regional tourism efforts, partners in various districts and neighbourhoods throughout Ōtautahi Christchurch and surrounding areas will need to improve communication and collaboration.

RECOMMENDATIONS AND ACTIONS:

- Bring together tourism representatives from Christchurch City Council, ChristchurchNZ, Selwyn, Ashburton and Waimakariri District Councils for regular biannual forums to discuss ongoing and upcoming tourism initiatives
- Combine resources to create cohesive marketing and visitor information that preserves the unique identities of the region and townships, including interesting rural villages, catering to the borderless journey of the visitor and connects points of common interest
- Agreement with isite Ōtautahi Christchurch includes a requirement to work together and promote desire to work together and promote the interconnected visitor offering

4.2 Package regional journeys

The Plan calls for an opportunity to better “package” our destination as a whole with the creation of routes and journeys (afternoon, day, weekend) that combine highlights of our destination.

RECOMMENDATIONS AND ACTIONS:

- Continue to develop key thematic journeys from Ōtautahi Christchurch anchored by key experiences
- Develop regional thematic guides across Ōtautahi Christchurch and surrounding areas
- Work with local isites on how to message these journeys

4.3 Support slow tourism initiatives

As a destination targeting “Sophisticated Explorers” and aiming for more sustainable travel, slow tourism is an obvious objective. Slow tourism offers travellers the opportunity to disconnect from their regular fast-paced urban lifestyles and to immerse themselves in a new destination and new cultures.

RECOMMENDATIONS AND ACTIONS:

- Continue to promote scenic rail journeys to and from Christchurch and support the development of stopovers throughout the districts that the rail networks travel through
- Advocate for the reintroduction of rail shuttle services between centres. Support rail shuttle project as a pilot
- Support development and enhancement of quality farm stays and scenic, rural all-inclusive stays
- Create a slow tourism campaign that highlights various experiences and products across the region
- Help local producers/artisans develop stories, honing their messages and offerings for these key markets
- Align with Tourism New Zealand international consumer segment **mindsets**; Experienced Connectors and Organised Joy Seekers plus the Considered Rejuvenators (domestic)

Note the Vibrant Adventurers and Fun-Loving Trail Blazer mindsets are already markets we attract enough visitation from

4.4 Promote surrounding areas to Ōtautahi Christchurch residents

The surrounding regions have voiced interest in better promoting visitation from Ōtautahi Christchurch residents (and those newer Rolleston and Lincoln residents who see themselves aligned to the city), encouraging visitation during the off-season and improving access for Ōtautahi Christchurch residents to experience what the region has to offer. This also fits the broader trend of environmental and financial considerations of less frequent overseas travel and instead exploring more of their “own backyard”.

RECOMMENDATIONS AND ACTIONS:

- Define KPIs within the regions to grow intent to travel from Ōtautahi Christchurch source market, including tracking ECT spend from residents
- Develop and execute local marketing and PR campaign around the activities in Ōtautahi Christchurch and surrounding areas (1-5 day itineraries)
- Create staycation incentives for off-peak seasons — including accommodation/dinner package, accommodation/cultural institution package — that will encourage local visitors to explore the region. These can be combined with major events in Ōtautahi Christchurch to encourage some residents to visit surrounding areas

4.5 Drive bleisure travel

Blended travel is driving business travel post-pandemic. According to Skift, blended travel was worth USD\$497.5 billion worldwide in 2022, with 2 in 5 employees requesting blended travel according to travel managers. Airbnb data supported this trend within the local region showing people extending stays, with Canterbury being a base for remote working combined with tourism.

Based on the diversity and access to unique experiences, the districts have an opportunity to drive blended travel to the region by working with travel planners, hospitality partners and venues in promoting 2-3 days trips in Ōtautahi Christchurch and surrounding areas.

RECOMMENDATIONS AND ACTIONS:

- Develop blended travel offerings in partnership with event organisers
- Work with operators in Ōtautahi Christchurch and surrounding areas to drive blended travel trips around key business events in Ōtautahi Christchurch
- isite to have a range of experiences supporting the bleisure tourist, noting close proximity to business event facilities

4.6 Develop a regional trail system that connects all of Ōtautahi Christchurch and surrounding areas trail assets

New Zealand, in particular the South Island, is world renowned for its Great Walks and cycle trails. Unlike other regions across the South Island, Ōtautahi Christchurch and surrounding areas have very few flagship outdoor experiences. With access to the uniquely biodiverse Southern Alps, Arthur’s Pass Village, national parks, ski fields, unique landscapes and Banks Peninsula and some iconic waterways, Ōtautahi Christchurch and surrounding areas have potential to develop some of the best walking and cycling experiences in New Zealand.

RECOMMENDATIONS AND ACTIONS:

- Extend and grow the network of successful cycleways, such as Little River Rail Trail and the Northern Corridor Cycleway to connect more regions in the surrounding areas

- Establish a working group to support the development of a collection of sustainable trails (water, hiking, biking, equestrian, motorised and coastal) that offers outdoor opportunities to both residents and visitors, and provide economic benefits to the many partners committed to creating an exemplary trail experience
- Work with DOC and Mana Whenua to assess the potential of developing a new Great Walk
- Continue work with the Arthur's Pass to Te Waihora cycleway project

4.7 Promote and resource the City to Sea 'cycleway'

RECOMMENDATIONS AND ACTIONS:

- Promote permanent bike and mobility device hire or share
- Advocate for and incentivise small tours
- Advocate for and incentivise a boat hire service

4.8 Advocate for regional sustainable transportation infrastructure

RECOMMENDATIONS AND ACTIONS:

- Support the development of EV-charging stations on the main tourism corridors / routes in Ōtautahi Christchurch and surrounding areas to support electric cars
- Provide visitor growth data that supports recommendations from the Greater Christchurch Partnership to develop Rapid Mass Transit transportation options through light rail or bus metro

4.9 Advocate for continued improvement of roads along tourism corridors

RECOMMENDATIONS AND ACTIONS:

- Identify the high visitor use roads and advocate for councils and Government to assess road damage and road conditions and plan for improvements

4.10 Improve regional wayfinding

RECOMMENDATIONS AND ACTIONS:

- Align physical signs/wayfinding with points of interest/attractions in digital guides
- Review and if required create a highway signage program for rural tourism sites/attractions to apply for the installation of directional signage

4.11 Encourage the use of in-destination alternative transportation options

RECOMMENDATIONS AND ACTIONS:

- Create incentives for businesses (tourism and non-tourism) and events and festivals to promote low-emission transportation options, such as shared rides, scooters, bikes, etc.
- Investigate a visitor communications program to increase awareness and ridership of public transportation or low-emission transportation options

4.12 Expand and promote cycle infrastructure

RECOMMENDATIONS AND ACTIONS:

- Support the expansion of the cycle lane network to create safe and accessible circuits
- Support the expansions of bike share pilot programs, particularly around tourism attractions and accommodations

4.13 Develop loop bus/trails in Waimakariri and Hurunui

RECOMMENDATIONS AND ACTIONS:

- Conduct a bus loop feasibility study to determine viability of operating a new bus service loop in Waimakariri and Hurunui, including determining options for routes and timetables, identifying potential service gaps and stop locations
- Based on findings from the feasibility study, launch a pilot bus loop service

05 | Build tourism leadership & excellence as a path towards resilience

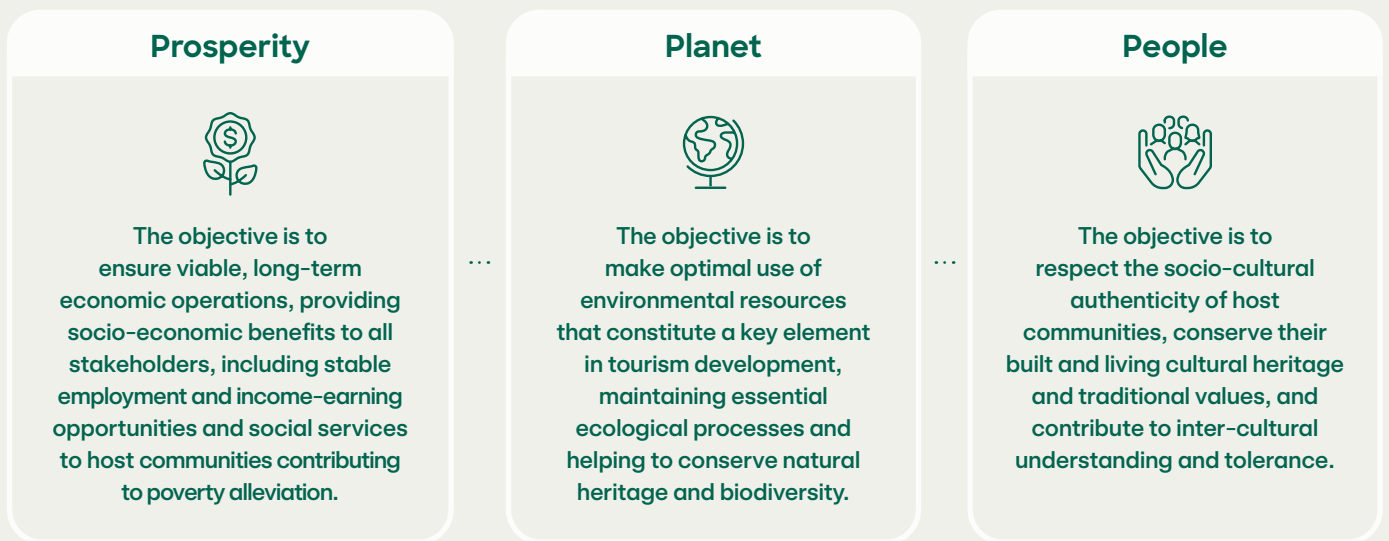


As committed parties who support Te Tiriti o Waitangi, this plan seeks to honour the treaty articles.

With climate urgency and new national policies, a regenerative approach is integral to the Destination Management Plan. Ōtautahi Christchurch and surrounding areas have the potential to lead the way in New Zealand by introducing new sustainable frameworks. The Destination Management Plan calls for a framework that measures

the sustainability of tourism development by connecting prosperity, planet and people. The triple bottom line approach seeks to find a suitable balance between the three dimensions to ensure long-term sustainability.

Overall, a regenerative tourism approach and a successful triple bottom line framework will require the informed participation of all relevant stakeholders, as well as strong political leadership to ensure wide participation and consensus building.



In addition, talent attraction in the hospitality industry and overall labour supply is one of the global concerns in tourism. According to the 2022 Hospitality Consumer Survey by EY, “One of the biggest issues facing hotels right now is labour shortages. Twelve of the 20 CFOs in the EY survey cited this challenge as causing the most strain on hotel net operating income (NOI)”.

While the tourism industry in New Zealand has historically faced labour shortages, a rapid rebound in visitation, and increased competition from other industries has further strained the

labour market. Tourism labour development will be necessary to sustain long-term growth of the sector, host both domestic and international travellers, and deliver quality services. Without concerted efforts to retain, enhance, and grow the tourism workforce, the destination will risk losing the level of productivity and the supply of tourism assets and businesses that drive the long-term resilience of the visitor economy.

The following themes explore intergovernmental cooperation and policy to better support and drive quality labour in the tourism industry.

5.1 Establish a destination stewardship committee to guide tourism development in collaboration with stakeholders

RECOMMENDATIONS AND ACTIONS:

- Define the destination stewardship committee based on future priorities
- Determine how best to facilitate the destination stewardship committee
- Determine ways to engage across the Canterbury RTO in an effective way, whilst also tapping into existing groups so as not to add additional burden to time-poor small business operators

5.2 Measure the impact of tourism in the region

RECOMMENDATIONS AND ACTIONS:

- Define a measurement framework with stakeholders and data providers to track and report on the impact of tourism across all three dimensions
- Collect data from all partners to build the measurement index
- Develop a collective data management tool to report on trends and anticipate future challenges
- Identify sources and collect data on visitor target audience value yield (social, environmental and economic) to enhance prosperity, planet and people on an ongoing basis

5.3 Monitor community perception of tourism

When unchecked, rapid tourism growth can lead to significant impacts on sensitive cultural, heritage and environmental sites, as well as the day-to-day lives of residents, often resulting in negative perceptions or even resentment towards visitors. Today, 81% of residents believe tourism is important to the economy, but only 41% consider tourism to have a positive impact on their life as a resident. Both the level of support and impact of tourism are key measures to ensure the quality of life of residents and the sustainable development of tourism.

RECOMMENDATIONS AND ACTIONS:

- Partner with TNZ and their Pulse of the Nation to gather data that would monitor overall sentiment of the community towards tourism
- Support TIA and ITP Workforce Plans to develop local campaigns to educate residents about the importance of tourism and its impact on the economy and local quality of life
- Work with district surveying of ratepayers to include questions within existing mechanisms to track ongoing community tourism sentiment

5.4 Support and expand workforce retention programmes

RECOMMENDATIONS AND ACTIONS:

- Support ongoing industry-level workforce recruitment and retention programmes that build from the government's Go With Tourism recruitment initiative and the six Tirohanga Hou (ways of thinking) developed by MBIE's [Better Work Action Plan](#) for tourism workforce

5.5 Grow tourism labour force supply

RECOMMENDATIONS AND ACTIONS:

- Support tourism labour force attraction initiatives as part of the Christchurch Economic Ambition
- Support Go with Tourism to grow awareness and opportunities for roles in the tourism industry
- Showcase Lincoln University tourism programme

5.6 Advocate for funds to develop community/workforce housing and temporary accommodation in regional areas

RECOMMENDATIONS AND ACTIONS:

- Identify workforce challenges especially within the more regional areas of Ashburton, Waimakariri and Selwyn Districts
- Work with the city and district councils and central government to advocate for support where possible
- Consider zoning incentives for employers and property owners providing employee housing on their properties
- Establish workforce housing targets to guide new/planned developments
- Advocate for and educate private sector tourism and other stakeholders to support workforce housing development in regional areas
- Advocate for and expand incentives and resources to allocate land and repurpose infrastructure for housing

5.7 Steward diversity in the industry and beyond

RECOMMENDATIONS AND ACTIONS:

- Implement diversity standards across all marketing and communication processes (particularly digital platforms)

5.8 Advocate for accessibility standards

To fulfil Ōtautahi Christchurch and surrounding districts vision as a great place to live, accessibility for all is a key goal for the region in the long-term. Accessibility to places, experiences, and information is essential to connect with all audiences and plan for resilience.

RECOMMENDATIONS AND ACTIONS:

- Partner with accessible tourism service providers and specialists to improve and/or highlight accessible tourism opportunities across the region

5.9 Support technology to digitalise the industry and mitigate labour pressure

To fulfil Ōtautahi Christchurch and surrounding area's promise as a great place to live, accessibility for all is a key goal for the region in the long-term.

RECOMMENDATIONS AND ACTIONS:

- Support and welcome startups and innovators creating new technology that alleviates pressure on labour resources in the hospitality industry
- Work with developers and hoteliers to provide best-in-class support and training

5.10 Attract international students to increase the labour market and attract future talent

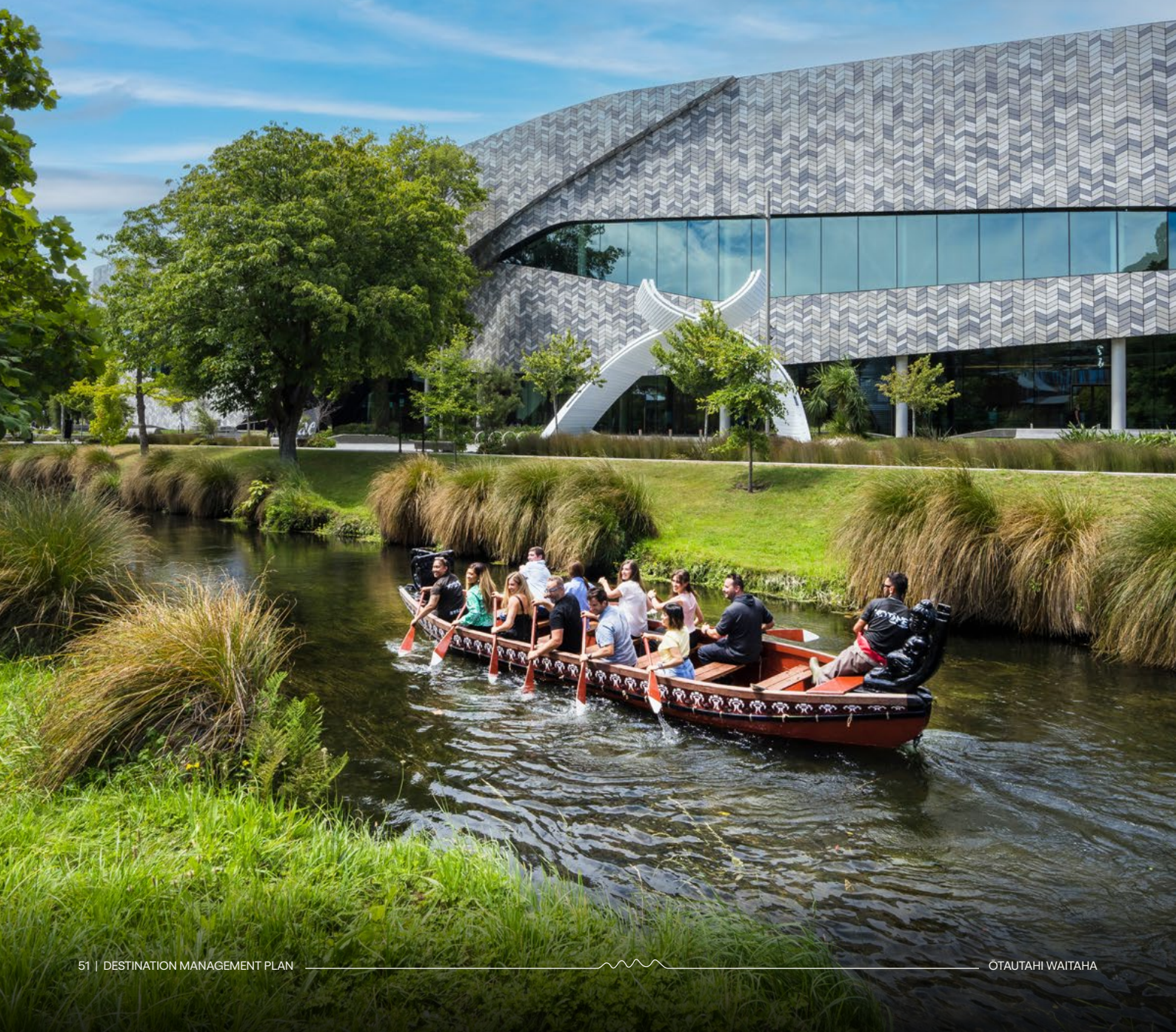
RECOMMENDATIONS AND ACTIONS:

- Showcase Lincoln University's tourism programme
- Continue to work alongside tertiaries to identify international student markets for promotion (in line with the already agreed international relations policy framework)
- Continue to host international education agents to showcase the region as a study destination

05.

Success Measures

Well managed, sustainable, regenerative tourism can provide positive economic impacts to the whole region.



The following success measures are outlined to help the destination monitor its contributions and progress toward achieving each of the strategic objectives previously outlined.

STRATEGIC OBJECTIVES	 <p>Champion environmental stewardship and resilience</p>	 <p>Strengthen visitor economy by becoming a destination</p>	 <p>Work together and enrich our communities</p>
SUCCESS MEASURES	<p>01</p> <p>Establish a plan for reducing the carbon footprint of the visitor economy, including supporting local operator capability building</p> <p>02</p> <p>Increased visitor participation in regenerative tourism experiences</p> <p>03</p> <p>Increasing percentage of residents believe visitors can make sustainable travel choices when visiting</p>	<p>04</p> <p>Regain Christchurch's pre-earthquake share of the national visitor economy by 2030*</p> <p>05</p> <p>Length of stay increases from 1.8 nights to 2.2 nights by 2030</p> <p>06</p> <p>Increase percentage of Christchurch residents visiting districts and Banks Peninsula (measured by ECT spend)</p>	<p>07</p> <p>Tracking tourism satisfaction and impact:</p> <ul style="list-style-type: none"> • Maintain a visitor Net Promoter Score (NPS) of 75 or better. • Baseline resident tourism impact measures developed. Improvement outcomes post baseline development. • Annual surveys track resident tourism sentiment i.e. impacts on resident life <p>08</p> <p>Memorandum of agreement established, recognising a commitment by districts to work together as a destination</p>

*Note: Based on national visitor economy forecasts, this aspirational market share would deliver an estimated \$1billion of additional expenditure and 7,000 new jobs

06.

Governance & Implementation

It's all about working more closely together; developing new, complementary attractions, enticing visitors to Ōtautahi Christchurch and encouraging visitors to explore the surrounding districts.





Although ChristchurchNZ will not have ownership of most of the activities outlined in this plan, they will be a champion and advocate for all of them. ChristchurchNZ will take a leadership role in convening governance groups and measuring the success of the plan. Note that the designation of ‘Lead’ in the matrix below does not necessarily mean that the entity is delivering the work — they simply have a key role in guiding the action moving forward.

The following action plan matrix illustrates the wide range of partners and stakeholders whose support and partnership will be critical to the implementation of themes of work identified in this plan. The workbook is intended to be an interactive, working section of the plan to track progress and implementation.

01 | Establish regenerative & resilient tourism practices



Action	Christchurch	Selwyn	Waimakariri	Ashburton	Lead / Support	Timeline	Cost	Impact
1.1 Develop regenerative tourism commitment for local operators	●	●	●	●	ChristchurchNZ	Medium	Medium	Medium
1.2 Connect with a Rangtahi Committee to weigh in on future projects and attractions	●	●	●	●	City Council / Districts / ChristchurchNZ	Short	Low	Low
1.3 Investigate way to reduce carbon footprint	●	●	●	●	City Council / Districts / ChristchurchNZ	Medium	Medium	Low
1.4 Incentivise and attract regenerative visitor experiences	●	●	●	●	ChristchurchNZ	Medium	Medium	Medium
1.5 Involve local community in the regeneration process	●	●	●	●	ChristchurchNZ / City Council / District Councils	Medium	Low	Low
1.6 Establish a regeneration themed annual major, business or community event/festival	●				ChristchurchNZ / City Council	Long	High	Medium
1.7 Prioritise the regeneration of the Ōtākaro Avon River Corridor (OARC)	●				City Council / ChristchurchNZ	Medium	High	High

02 | Grow our destination and shift from perception as just a gateway



Action	Christchurch	Selwyn	Waimakariri	Ashburton	Lead / Support	Timeline	Cost	Impact
2.1 Showcase Our Destination	●				ChristchurchNZ	Medium	High	High
2.2 Develop Ōtautahi Christchurch & surrounds into New Zealand's favourite event destination	●	●	●	●	ChristchurchNZ	Medium	High	High
2.3 Position Ōtautahi Christchurch & surrounding districts as the preferred national & international sporting event destination	●	●	●	●	City Council / ChristchurchNZ	Medium	Medium	Medium
2.4 Continue to align business events with regional strengths to become NZ's preferred conference venue and attract new audiences to the city	●				ChristchurchNZ	Short	High	High
2.5 Leverage the cultural and performing arts offerings to attract "Sophisticated Explorer" target audience	●				City Council / ChristchurchNZ	Medium	Low	Medium
2.6 Grow and support family friendly experiences to attract "Family-Oriented Traveller" target audience	●	●	●	●	ChristchurchNZ	Short	Low	Low

03 | Cultivate the destination experience



Action	Christchurch	Selwyn	Waimakariri	Ashburton	Lead / Support	Timeline	Cost	Impact
3.1 Work together to bring more tourism product to market through the development of contestable tourism initiative fund	●	●	●	●	ChristchurchNZ / District Councils	Medium	Low	Medium
3.2 Support the development of a Mana Whenua stories content platform	●	●	●	●	Mana Whenua / ChristchurchNZ	Medium	Low	Medium
3.3 Explore opportunities for Dark Sky development and collaboration		●	●	●	District Councils			
3.4 Develop culinary leadership	●	●	●	●	ChristchurchNZ / Local Operators	Medium	Low	Medium
3.5 Implement a regional events framework	●	●	●	●	ChristchurchNZ / District Councils / City Council / VO	Short	Medium	Medium

3.6	Research the best way to deliver a coordinated events platform to bring our regional and local events together	●	●	●	●	ChristchurchNZ	Medium	Low	Low
3.7	Create a Winter offering around Matariki	●	●	●	●	Mana Whenua District Councils / City Council / ChristchurchNZ	Short	Low	Low
3.8	Continue to leverage experiences during the Spring season	●	●	●	●	ChristchurchNZ		Medium	Medium

04 | Activate our Canterbury RTO region as a whole



Action	Christchurch	Selwyn	Waimakariri	Ashburton	Lead / Support	Timeline	Cost	Impact	
4.1	Establish a regional working group to drive intergovernmental collaboration in Ōtautahi Christchurch & surrounding districts	●	●	●	●	District Councils / ChristchurchNZ / City Council	Short	Low	Medium
4.2	Package regional journeys	●	●	●	●	ChristchurchNZ	Short	Low	High
4.3	Support slow tourism initiatives		●	●	●	ChristchurchNZ / Rail Operator	Short	Low	Low
4.4	Promote surrounding areas to Ōtautahi Christchurch residents		●	●	●	District Councils	Short	Low	Medium
4.5	Drive bleisure travel	●	●	●	●	ChristchurchNZ	Short	Low	Low
4.6	Develop a regional trail system that connects all of Ōtautahi Christchurch and surrounding areas trail assets	●	●	●	●	City Council / District Councils	Long	High	High
4.7	Promote and resource the City to Sea 'cycleway'	●				City Council	Medium	High	Medium
4.8	Advocate for regional sustainable transportation infrastructure	●	●	●	●	ChristchurchNZ / City Council	Medium	Low	Medium
4.9	Advocate for continued improvement of roads along tourism corridors		●	●	●	ChristchurchNZ	Medium	Low	Medium
4.10	Improve regional wayfinding	●	●	●	●	Waka Kotahi	Medium	Medium	Low

4.11	Encourage the use of in-destination alternative transportation options	●	●	●	●	District Councils / City Council	Short	Low	Low
4.12	Expand and promote cycle infrastructure	●	●	●	●	District Councils / City Council	Medium	High	Medium
4.13	Develop loop bus/trails in Waimakariri and Hurunui			●		District Councils	Medium	Medium	Low

05 | Build tourism leadership & excellence as a path towards resilience



Action	Christchurch	Selwyn	Waimakariri	Ashburton	Lead / Support	Timeline	Cost	Impact	
5.1	Establish a destination stewardship committee to guide tourism development	●	●	●	●	ChristchurchNZ / District Councils / City Council	Short	Low	Low
5.2	Measure the impact of tourism in the region	●	●	●	●	ChristchurchNZ	Medium	Medium	Medium
5.3	Monitor community perception of tourism	●	●	●	●	ChristchurchNZ	Short	Low	Low
5.4	Support and expand workforce retention programmes	●	●	●	●	MBIE	Short	Medium	High
5.5	Grow tourism labour force supply	●	●	●	●	MBIE / ITO	Short	Medium	High
5.6	Advocate for funds to develop community/workforce housing and temporary accommodation in regional areas	●	●	●	●	District Councils	Medium	High	High
5.7	Steward diversity in the industry and beyond	●	●	●	●	ChristchurchNZ / District Councils	Long	Medium	Medium
5.8	Advocate for accessibility standards	●	●	●	●	ChristchurchNZ	Medium	Low	Medium
5.9	Support technology to digitalise the industry and mitigate labour pressure	●	●	●	●	ChristchurchNZ	Medium	Medium	Medium
5.10	Attract international students to increase the labour market and attract future talent	●	●			ChristchurchNZ / Selwyn District Council / Education Services Providers / City Council	Medium	Low	Medium

07.

Background

This Destination Management Plan sits within the context of existing studies, plans and strategies. And is informed by extensive research, data analysis and insights.

A Changing World

The COVID-19 pandemic has been the most significant disruption to global travel and tourism in the history of the industry. The pandemic has had a profound impact on travel preferences, shaping industry economics and shifting travel prospects. The economic impact of COVID-19 has been enormous on the tourism sector. In 2020, more than 72,000 jobs were lost in New Zealand at the height of the crisis, and the nation's tourism revenue dropped by \$15.6 billion.

At the same time, costs are rising. Prices for airlines, hotel stays, food, and car rentals have all soared over the past several months as part of a larger inflation trend amid supply chain issues and an economic reopening. The way income and prices play together in the future will significantly impact overall travel demand.

More frequent extreme environmental events such as Cyclone Gabrielle are increasing the global urgency to adapt to climate change by implementing sustainable development practices.

Around the world, and in New Zealand, there have been growing calls for tourism that prioritises communities and the environment.



Developing the Destination Management Plan

In April 2022 ChristchurchNZ commenced a global tender process in the commissioning of two separate Destination Management Plans, one for Christchurch and the surrounding area and the second for the Banks Peninsula. These two regions, while intrinsically linked from a visitation perspective,

share different challenges when it comes to destination management. A leadership advisory group was put in place to support the development of the plans which included industry experts and Mana Whenua, and the selected supplier commenced work in July 2022.

Leadership Advisory Group:



Chair – Paul Bingham
ChristchurchNZ Holdings
Limited Board



Justin Watson
Christchurch International
Airport Limited



Rebecca Ingram
Tourism Industry
Association



Reriti Tau
Ngāi Tūāhuriri
Rūnanga



Tracy Tierney
Greater Christchurch
Partnership



Lynn McClelland
Christchurch City
Council

Mana Whenua:

Reriti Tau, Ngāi Tūāhuriri, member of the RFP Evaluation Panel and Leadership Advisory Group

Engagement with Mana Whenua has been guided by Whitiōra

Approach to engaging rūnanga guided by Whitiōra

Tahu Robinson and Ariki Creative providing creative direction

This Destination Management Plan was developed according to 16 key elements:

Define the destination

Define the vision

Access

Strategic fit

Brand positioning

Target markets

Experience & product development

Leadership & structures

Amenities, services & infrastructure

Attitudes

Capability & development

Marketing & promotion

Environmental stewardship

Data, research & analysis

Risk & crisis management

Measuring success

Each Destination Management Plan is built upon our guiding whanonga pono (principles):



In addition, this Destination Management Plan sits within the context of a wide breadth of existing studies, plans, and strategies, including:

- Greater Christchurch Partnership 2050 Plan
- Christchurch Economic Ambition
- Christchurch Visitor Strategy (2019)
- Christchurch Multicultural Strategy
- Greater Christchurch Public Transport Futures Programme
- Christchurch City Council Long Term Plan
- Key infrastructure development
- [Christchurch Airport Master Plan to 2040](#)
- [Ōtautahi Christchurch Climate Resilience Strategy: Christchurch City Council](#)
- Christchurch Major Events Strategy (2021)
- Christchurch Business Events Strategy (2020)
- [Ōtākaro Avon River Corridor Regeneration Plan \(dpmc.govt.nz\) \(2019\)](#)
- Toi Ōtautahi Christchurch Art Strategy
- Selwyn Long Term Plan
- Selwyn District Plan
- Selwyn 2031
- Draft South Island Destination Management Plan
- Ōtautahi Christchurch Brand Book

Insights Brand Development Ōtautahi Christchurch

Quality of Place Benchmarking

As part of the ‘Data, Research & Analysis’ element, we conducted a Quality of Place Benchmarking exercise that compares the destination’s performance against a set of peer competitors.

When you are looking at yourself as a destination it is critically important to benchmark the strengths of the destination against a competitive set to determine how well the destination is positioned to respond to current and future market trends. Through this exercise, the region was evaluated against a competitive set of 13 destinations (selected based on similar geographic,

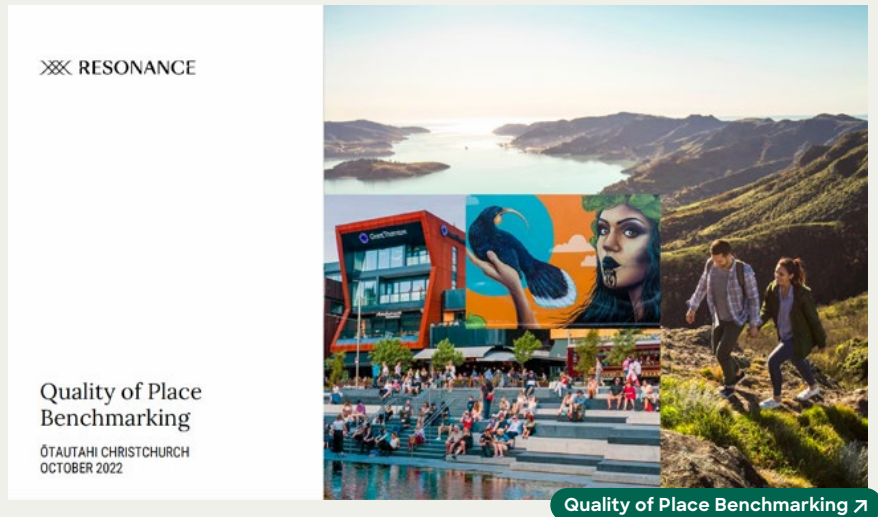
economic, and tourism parameters), across more than 40 different indicators grouped into six categories (Place, Product, Programming, People, Prosperity, and Promotion).

The competitive set included:

- Auckland
- Dunedin
- Wellington
- Tauranga
- Adelaide
- Hobart
- Cork
- Belfast
- Gothenburg
- Reykjavik
- Vancouver
- Halifax
- Anchorage

Overall, Christchurch ranked as average compared to other destinations, scoring best on the Place category (the area’s natural and built environment) and lowest on Prosperity (the area’s wealth and economic well-being) and Promotion (the area’s reputation and online presence).

In a New Zealand context, Christchurch ranked #2, behind Auckland and ahead of Wellington.



Some of the Key Insights

- We love Ōtautahi Christchurch
- We are the best place to be a Kiwi
- We punch above our weight
- Business is in our DNA
- We are not a night time entertainment hub
- We can be a "destination"
- We are a new city not "post quake"

Behind Our City Story

The city identity is an authentic, evidence-based story about what makes Ōtautahi Christchurch special and why it is a great place to live, work and play.

[Behind Our City Story ↗](#)

To help identify local barriers and opportunities, and to define the vision for the Destination Management Plan, ChristchurchNZ conducted in-depth community and visitor engagement surveys, one-on-one interviews, and multiple workshops with public and private stakeholders.



Stakeholder Consultation

The primary purpose of the stakeholder engagement was to identify participant opinions, aspirations, and ideas for the future of Ōtautahi Christchurch and surrounding areas as a destination, while also building support for the project, which will be critical to implementing the DMP upon completion.

Stakeholder consultation included:

50+
one-on-one interviews

- Mana Whenua
- 50+ one-on-one interviews
- 42 external stakeholders interviewed as groups in tourism, sports, business, and culture
- Trends & Audience workshops
- Stakeholder survey
- Visioning workshops with key tourism stakeholders and representatives from Christchurch City Council, Ashburton, Selwyn, and Waimakariri District Councils



Visitor Consultation

The visitor survey was designed to help us better understand better understand who the current visitors are to Ōtautahi Christchurch and surrounding areas and what types of travellers might be attracted to the destination in the future. The objective was to assess the demographic and psychographic characteristics of previous visitors, identify the motivating factors that drove previous visitors to select Ōtautahi Christchurch and surrounding areas as their destination of choice, and assess the quality of and satisfaction with current services.

9,793
visitor respondents

9,793 visitors from New Zealand, Australia, and beyond participated in the survey, noting that the survey was undertaken at a point in time when international visitation had not returned following COVID-19.



Community Consultation

A community survey helped identify and define general attitudes towards living in the different communities in Ōtautahi Christchurch and surrounding areas and uncovered the perception of tourism by residents.

In addition, an online social comment board was open during the months of August 2022 to March 2023 for residents to voice their opinions and concerns in six main areas: 'Gaps & Opportunities', 'Barriers & Challenges', 'Aspiration', 'Ideal Visitor', 'What Makes Our Destination Unique', and 'Quality of Life'.

4,444
community respondents

In total, 4,444 survey respondents across Ōtautahi Christchurch, Ashburton, Selwyn, Banks Peninsula, and Waimakariri, participated in the survey.

The following pages contain raw information for the social comment boards in Christchurch, Ashburton, Selwyn and Waimakariri

Supporting Data & Insights on the State of Tourism in the Canterbury RTO Region

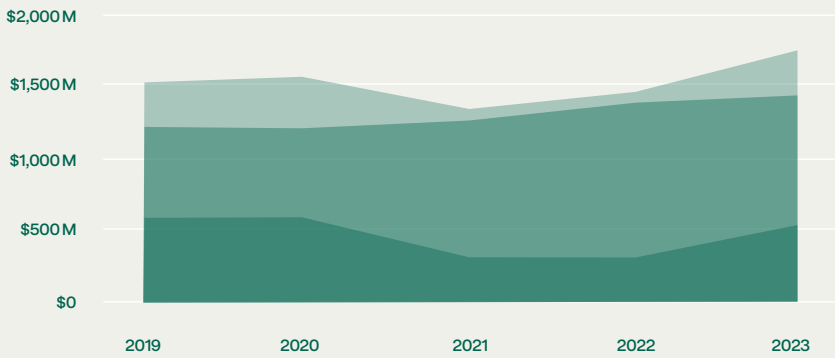
Tourism and the visitor economy are significant contributors to Ōtautahi Christchurch and its surrounding areas. Prior to COVID-19 the visitor sector was valued at almost \$4 billion to the regional economy. With the total economy for the Canterbury Region valued at \$38 billion, tourism was worth 10.3% of the overall regional economy in 2019.

Pre-quake (2010), Christchurch’s market share of visitor expenditure nationally was 10.4%. Domestic market share was 9.4% and international market share was 12.3%. Christchurch has seen good growth in visitor expenditure since 2012 following earthquake disruptions.

Source: MBIE

INTERNATIONAL DOMESTIC TOTAL

ECT Visitor Expenditure, Canterbury (YE March)

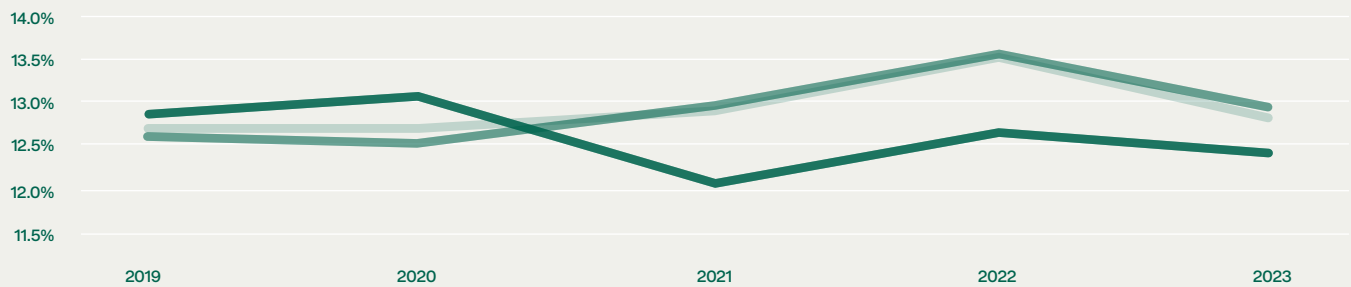


Visitor expenditure has been through a strong growth period in New Zealand overall. However, while spending, due to inflationary levels, in Christchurch is above pre-quake levels, progress towards regaining pre-quake share of the national visitor spend has been more limited. Domestic visitor market share has recovered well, but international visitor market share is still significantly below the pre-quake level.

Source: MBIE

INTERNATIONAL DOMESTIC TOTAL

Proportion of National ECT Visitor Spend, Canterbury (YE March)



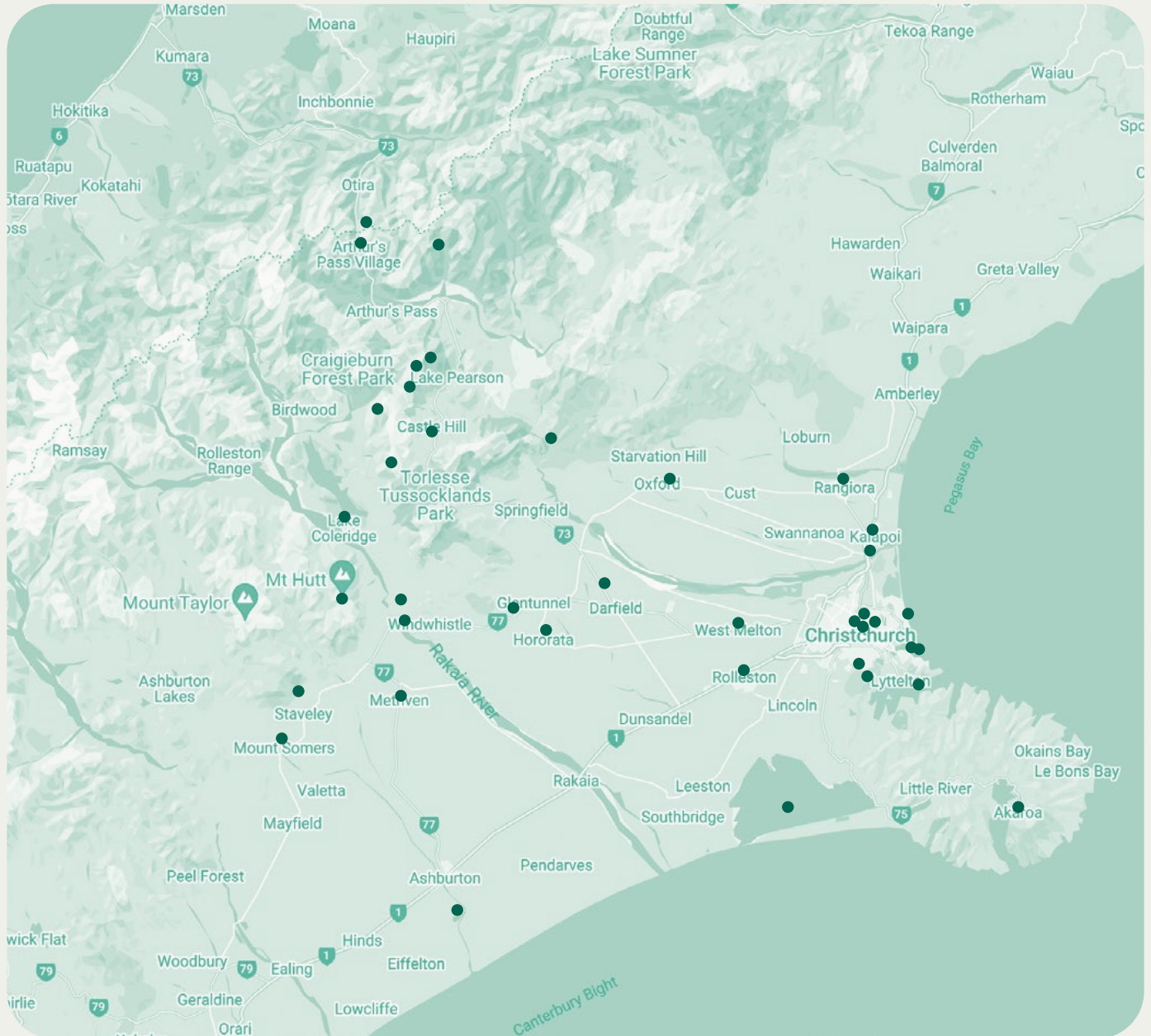
The visitor economy is multi-faceted and reaches wider than what the community might view as traditional tourism. International students, business travellers, visiting friends and family, leisure visitors, special interest visitors (such as wine, ski, luxury) and event visitors make up the market mix that regularly travel to our place.

The most tangible and immediate benefit of visitation is the money spent by leisure, business and education visitors across a wide range of local businesses including

accommodation providers, cafes, bars, restaurants, attractions, transport providers, personal and professional services and retailers. The resulting increase in spending power creates new jobs and materially enhances the wellbeing of residents by allowing the city and districts to sustain a much larger social and cultural footprint than its resident population could support by itself. Residents benefit from this by having many more things to see and do in their place of residence without having to bear the full cost of sustaining them.

Our Region is diverse, in terms of geography, activities & tourism potential

Map created via interactive workshop with regional representatives, indicating visitor experiences. [Full map available here](#)



Christchurch CBD
 Craigieburn Valley Ski Area
 Porters Ski Area
 Mt Cheeseman Ski Area
 Temple Basin Ski Area
 Mount Olympus
 Broken River Ski Area
 Lake Coleridge
 Hororata Events & History
 Mount Hutt
 Methven/Opuke

Kura Tāwhiti Castle Hill
 Conservation Area
 Staveley Ice Rink
 Kaiapoi River Queen
 (River Town)
 Arthur's Pass Village
 Arthur's Pass National Park
 Great Alpine Highway
 Inland Scenic Route 72
 West Melton
 Rolleston

Rangiora Boutique Shopping
 Fable Terrace Downs Resort
 Lake Ellesmere (Te Waihora)
 Alpine Airboat
 Lake Hood
 Mount Somers
 Waimakariri River
 Rakaia Gorge
 Oxford: Inland Scenic Route 72
 Akaroa
 Christchurch Adventure Park

Christchurch Botanic Gardens
 Beaches: Sumner Beach
 He Puna Taimoana Hot Pools
 Port Hills Walking
 Margaret Mahy Family Playground
 Tūranga
 Te Are Ihutai Christchurch Coastal Pathway
 Ripapa Island



Economic Impact and Labour

Prior to COVID-19, an estimated 25,000 people were working across approximately 3,700 tourism businesses, which was equivalent to 7.7% of the total workforce within the RTO and **10.6% of the national tourism workforce**. The sector also indirectly supports employment in many other industries, such as the wider retail, transport & recreation sectors, as well as primary and manufacturing firms involved in the tourism supply chain.

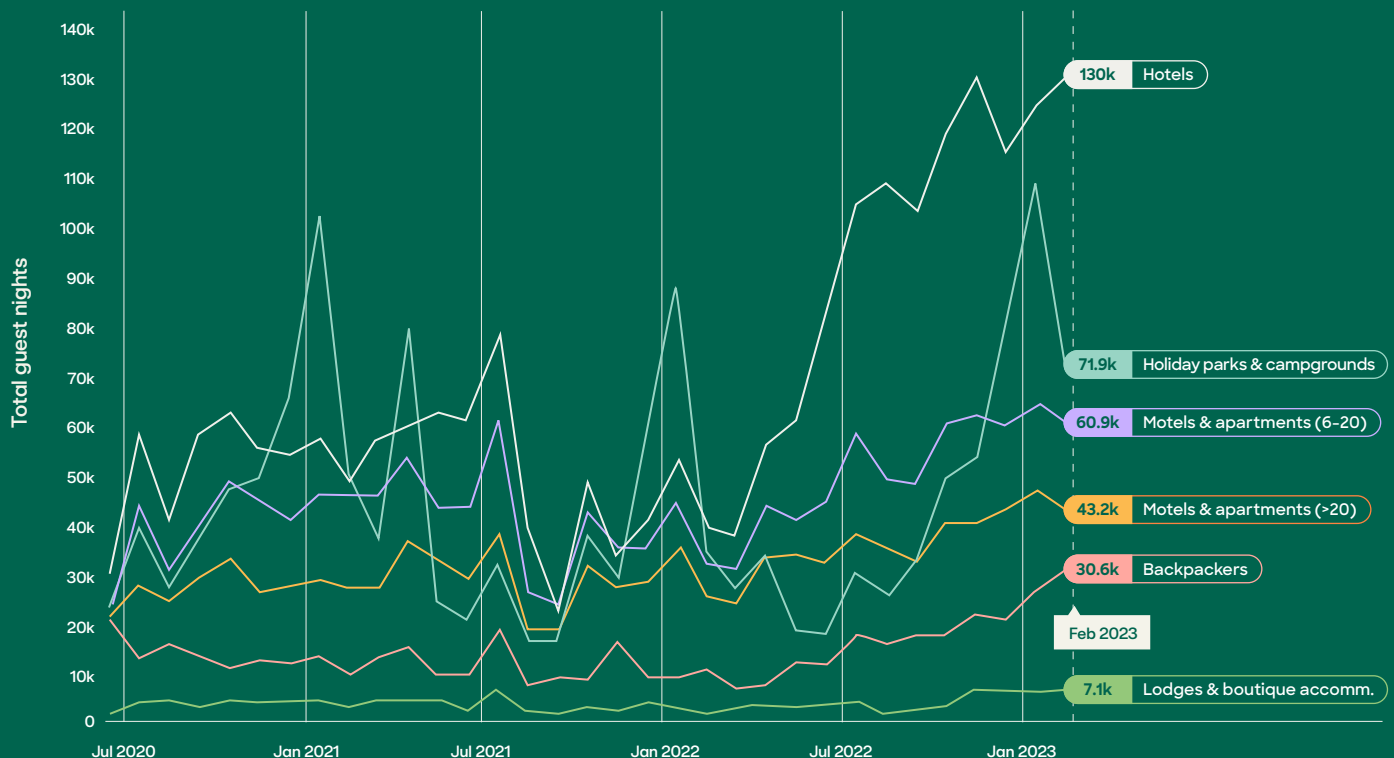
Hotels Remain a Convenient Choice of Accommodation

According to MBIE, there are 11,700 rooms (hotels, motels, holiday parks) in Christchurch across various property classes. Although there was an uptick through COVID-19 for holiday parks and campgrounds,

as consumers searched for lodging that enabled safe distancing, bookings have since reverted to pre-pandemic trends with hotels making up 37% of visitor stays – the largest growing segment.

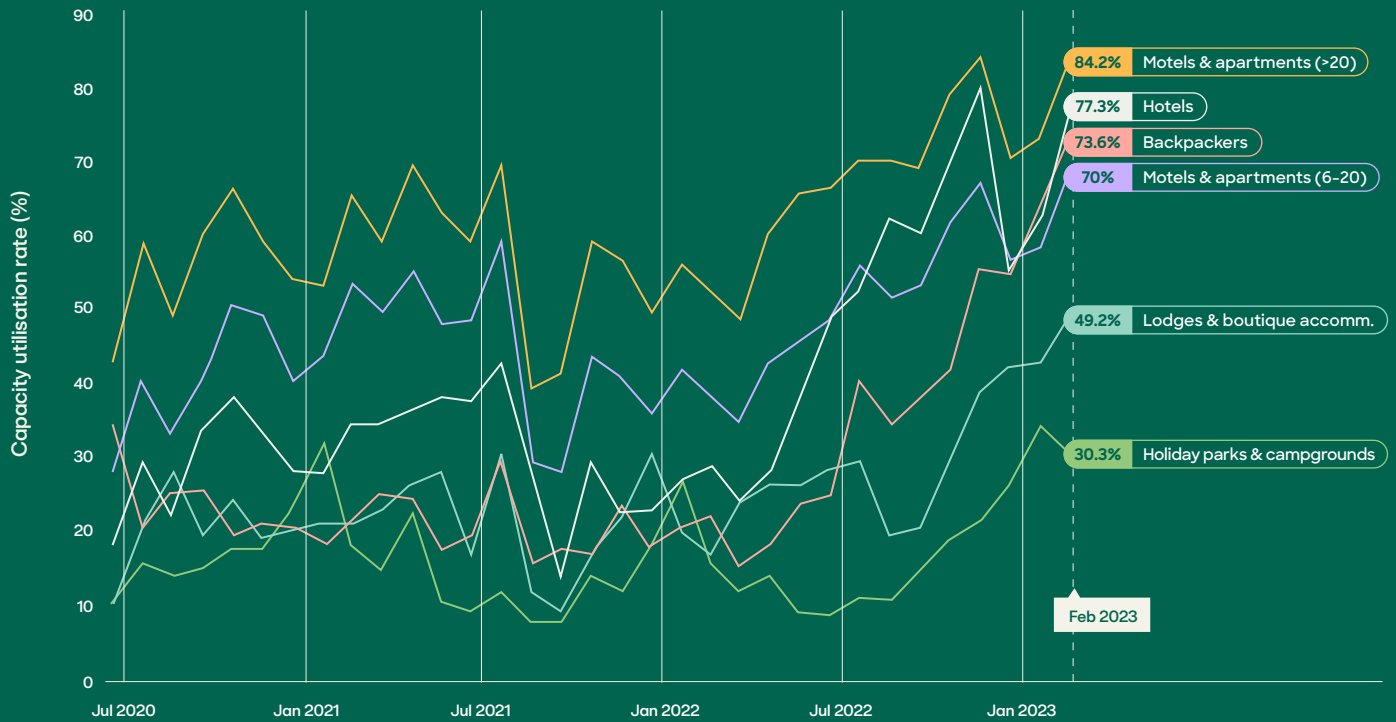
Total guest nights for Canterbury RTO area by property type (Monthly)

Source: MBIE



Note: Historical data is COVID-19 impacted

Capacity utilisation rate (%) for Canterbury RTO area by property type (Monthly) Source: MBIE



According to data collected from MBIE, Capacity Utilisation Rate has steadily increased since the re-opening of the borders to 41.6% in February 2023, 0.8 points above the New Zealand average. However, this is unevenly distributed across different categories. While hotel properties reported a capacity utilisation rate of 77.3% in February 2023, campgrounds reported a much lower capacity utilisation rate of 30.3%. Note: Historical data is COVID-19 impacted.



Short Term Rental Apartments are the Highest Accommodation Growth Segment

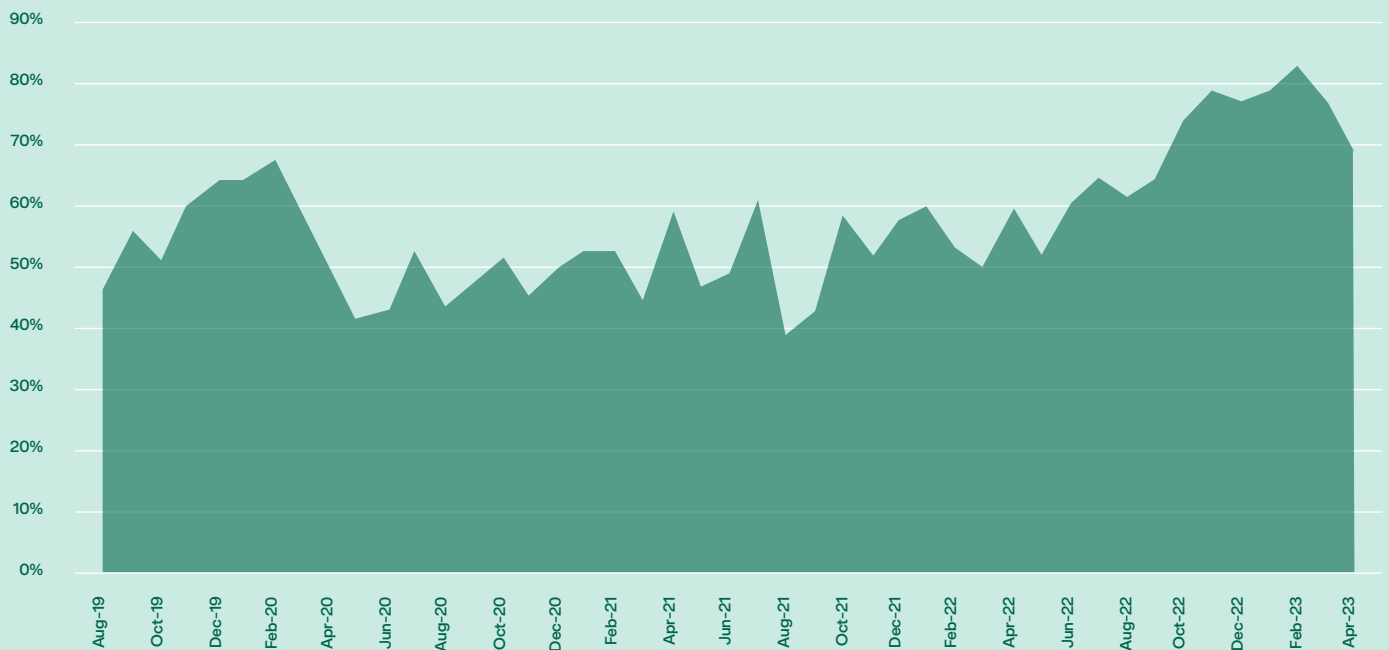
The short-term rental of residences currently plays a small but significant part in the overall lodging supply of Christchurch with less than 500 unique accommodation units. Unlike most regional markets globally, the supply of short term rental units in Christchurch is currently widespread across the region rather than concentrated in the city core. This indicates that short-term rentals primarily serve leisure demand, where travellers have the flexibility to select accommodation farther away from key attractions and convention centres/meeting venues. By the end of 2022, occupancy rates of Airbnb apartments

and capacity utilisation rates of motels/apartments have exceeded pre-pandemic rates in Christchurch.

Although Airbnb and short term apartment rentals took a hit early on in the pandemic, resurgence in demand for this lodging sector has driven average daily rate increases for many markets globally – particularly non-urban destinations. Consumer preferences for these types of lodging may largely be driven by competitive pricing for longer stays and convenience/space factors when travelling in large groups or families.

Average Airbnb Occupancy, Canterbury RTO

Source: AirDNA



Note: Excludes Ashburton District data

According to Airbnb:

18%

Globally, long-term stays (28+ nights) were 18% of total gross nights booked in Q1 2023, with about half of families staying for a week or longer in 2022.

60%

Family travel on the platform was reportedly up 60 percent in 2022 compared to before the pandemic in 2019.

2 for 1

Families have been able to book two bedroom/two bathroom lodging for approximately the price of one hotel room at a major chain.

Visitor Spending & Growing Airport Arrivals

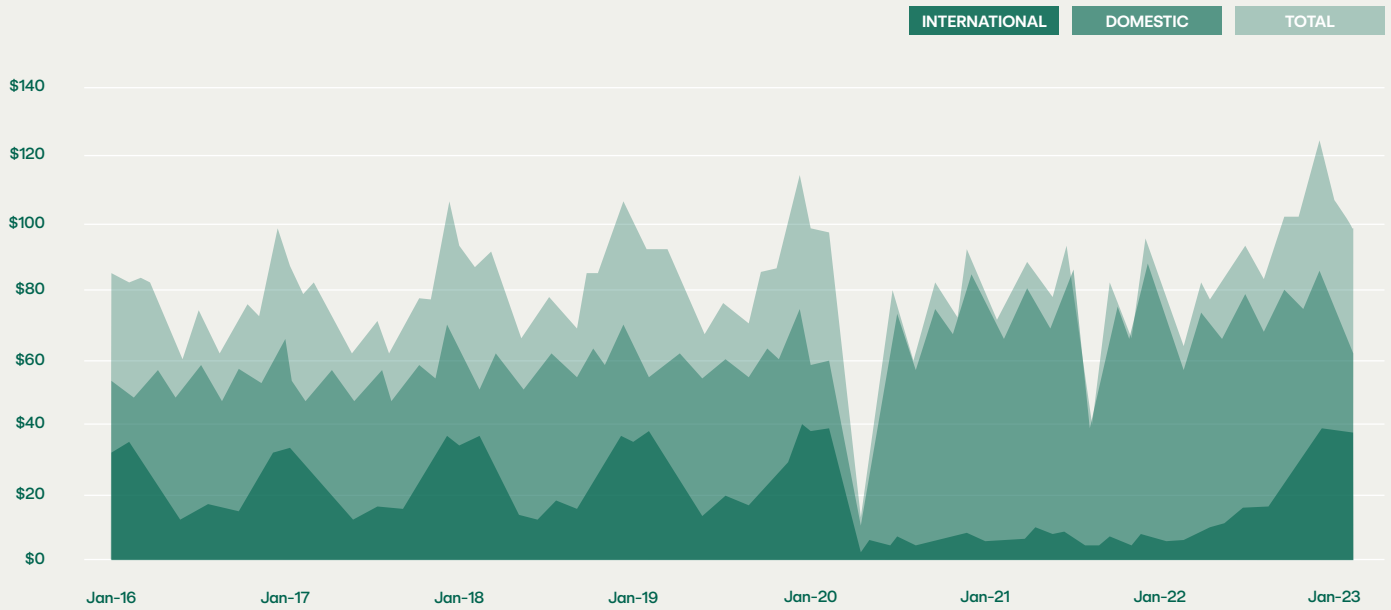
Visitor spending via Electronic Card Transactions (ECT) in the Canterbury RTO area amounted to \$1.05 billion during 2022.

Visitor spending via ECT has surpassed pre-COVID-19 levels. Overall, the value of visitor spending in the Canterbury RTO area during Q4 2022 was 15% higher than the same quarter in 2019.

While this was driven largely by domestic tourism spend (up 22% from pre-COVID-19) vs international tourism spend (-2% over the same period), international arrivals have been increasing steadily and will be expected to grow its share of visitor spending. By Q4 2022, 87,000 international visitor arrivals landed at Christchurch International Airport (CIAL) — up from 50,000 in the previous quarter.

Visitor Spending, Canterbury RTO Area

Source: Marketview (Electronic Card Transactions)



Note: Excludes Ashburton District data

Cruise Tourism



In the 2022-2023 cruise season, with the \$67 million Lyttelton berth rebuilt and the country open again to tourism, the bulk of the cruise ship traffic returned to Lyttelton. A total of 73 ships visited Lyttelton and 15 visited Akaroa. Together, this brought an estimated \$32 million in spending to the Ōtautahi Christchurch economy, along with 160,000 passengers and crew.

While cruise tourism has in fact brought with it a significant amount of day visitors to Christchurch central city, it has also highlighted pressure points and calls for a proactive approach to sustainably manage its ongoing impacts. This is further addressed in the Banks Te Pātaka o Rākaihautū Banks Peninsula Destination Management Plan.

Business Events

Christchurch pre-earthquake was the second largest market for business events in New Zealand, with a share of 24% of total business events and Australia as a key market. With the infrastructure of Te Pae Christchurch Convention Centre, the refurbished Town Hall, and Te Kaha in the pipeline, as well as a closely located International Airport, excellent hotel accommodation supply, and fabulous eateries within walking distance, Ōtautahi Christchurch has an opportunity to reclaim its position as a business events destination and to attract conferences with “beyond tourism” impacts for the region.

Ōtautahi Christchurch and surrounding areas offer endless opportunities for blended trips, often referred to as ‘bleisure’, where visitors travel for business and add a holiday at the start or end of their business trip.

The region has significant business events infrastructure, one of the largest in the region is also committed to net CarbonZero operations.

Te Pae Christchurch Convention Centre Features:



1,400

Auditorium Seating



1,600

Banquet Seating



24

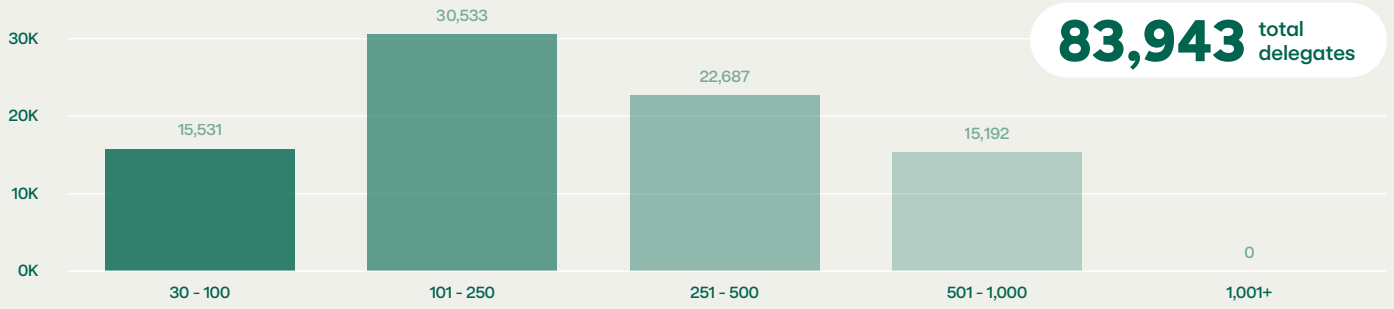
Meeting Rooms



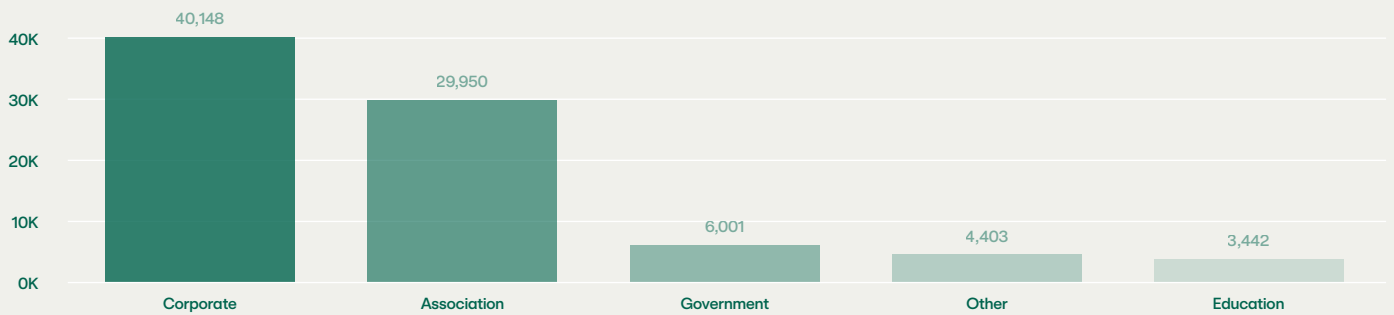
3,300m²

Exhibition Space

NUMBER OF DELEGATES



CUSTOMER TYPE



EVENT TYPE



Pre-COVID-19, the value of the Business Events sector to the New Zealand economy was worth an estimated \$1.4B annually. With the infrastructure in Ōtautahi Christchurch and surrounds today a target has been set by ChristchurchNZ to regain (and slightly better) the local share of all multi-day business events in New Zealand.

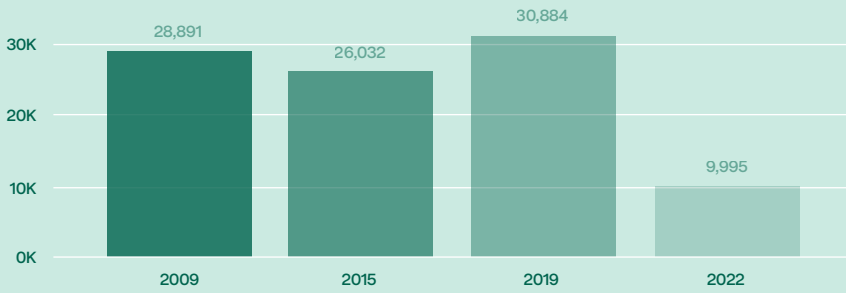
It is noted that the surrounding regions have indicated strong interest in further leveraging these visitors, which is the focus of the actions within this plan.



market share by 2025

International Visitor Arrivals for Business Purpose at Christchurch International Airport

Source: StatsNZ



Outside of business events is the everyday visitation for doing business in the city.

These numbers were drastically impacted by COVID-19 and are slowly rebounding, limited still by airline capacity.

Community Aspiration

Based on the community survey results, 81% of our community believes tourism is somewhat or very important to their local economy. However, today only 52% of our community are either positively or negatively impacted by tourism (based on the respondents of the community survey). Only 13% are impacted extremely positively by tourism and 1% extremely negatively.

Unlike Banks Peninsula, where the focus of the Destination Management Plan is to manage and limit visitation numbers, the Ōtautahi Christchurch and surrounding areas aim to leverage the region’s infrastructure.

Acknowledging the importance of managing carbon impacts and maintaining sustainable practices, the region’s infrastructure has the capacity to accommodate substantial increases in visitor numbers without degrading the overall experience for others. While we acknowledge the importance of managing carbon impacts and maintaining sustainable practices as we further develop the destination, there is still a significant opportunity to position Ōtautahi Christchurch and surrounding areas as a premier tourism destination, attracting visitors from around the world and stimulating economic growth.

81%

of our community believes tourism is **somewhat or very important** to their local economy

13%

of our community are extremely **positively** impacted by tourism

1%

of our community are extremely **negatively** impacted by tourism



**Ehara tāku toa i te toa
takitahi, engari he toa takitini.**

**My strength is not as an
individual, but as a collective.**



WAIMAKARIRI DISTRICT COUNCIL**REPORT FOR DECISION****FILE NO and TRIM NO:** GOV01-11 / 231026170890**REPORT TO:** COUNCIL**DATE OF MEETING:** 7 November 2023**AUTHOR(S):** Sarah Nichols, Governance Manager**SUBJECT:** ADOPTION OF UPDATED CODE OF CONDUCT**ENDORSED BY:**
(for Reports to Council,
Committees or Boards)


 General Manager



 Chief Executive
1. SUMMARY

- 1.1. This report seeks the adoption of an updated Council Code of Conduct, effective 8 November 2023. The Code was adopted at the inaugural meeting of 27 October 2022 and a review was proposed in 2023, which has now been undertaken.
- 1.2. The Code of Conduct outlines expectations of elected members behaviour when conducting the business of the Council as its representative, and communication with other members, the public, the media, and staff.

Attachments:

- i. Current Code of Conduct (190228024595) established 27 October 2022.
- ii. Proposed Updated Code of Conduct (230918145779)

RECOMMENDATION**THAT** the Council

- (a) **Receives** Report No. 231026170890.
- (b) **Adopts** Trim document 230918145779 as the Code of Conduct document, for the Council (Mayor and Councillors), effective from 8 November 2023, replacing document 190228024595.
- (c) **Notes** the Community Boards operate a similar Code of Conduct and will review their Code of Conduct and practices in the first quarter of 2024.

2. BACKGROUND

- 2.1. The Council is required to have a Code of Conduct in place at all times. The Council adopted the Code at its inaugural meeting on 27 October 2022, which was a continuation of the Code from the previous term.
- 2.2. The Code sets boundaries on standards of behaviour for elected members and provides a means of resolving situations if/ when elected members breach those standards.
- 2.3. The Code can only be amended (or substituted by a replacement Code) by a vote of at least 75 percent of the elected members present at the meeting when amendment to the Code is being considered. The Code should be read in conjunction with the Councils Standing Orders.
- 2.4. The Code of Conduct Committee was established at the 3 October 2023 Council meeting.

3. **ISSUES AND OPTIONS**

- 3.1. A review of the Code of Conduct was proposed to occur in 2023. That has now occurred, by reviewing the LGNZ templated guide, legislative amendments and a legal peer review.
- 3.2. A workshop was held with the Council on 17 October to introduce the proposed changes and refine the document further if there were any clauses that required further clarification. Clarity of queries raised were either answered at the workshop or have been included in the document.
- 3.3. Queries that sought clarification from the workshop related to the following aspects:
 - (a) Natural Justice which was referenced in Appendix B, has also been included in the Principles of Good Governance section on page 4 of the Code.
 - (b) Declaration of gifts value has been amended to \$500 to align with the Pecuniary Interests Amendment Act.
 - (c) In practical terms it is considered appropriate that definitions of non-serious verse a serious complaint as mentioned in Appendix B is best left to the decision-maker/investigator taking into consideration the particular circumstances at the time. The seriousness of a complaint should be viewed as a sliding scale, rather than segmenting the complaint into categories. Therefore the advice is for the distinction to be left open in the Code and not be prescriptive as each circumstance will differ.
 - (d) Similarly the guidance on thresholds is more practical to leave to the discretion at the time when a specific scenario presents itself. The steps in Appendix B provide good guidance but retain a broad discretion as to the Councils reaction in any given circumstance.
 - (e) Clause 4.9 references creating a supportive and inclusive environment provides general guidance as to what is expected by Members. The clause then defines the sorts of activities that Members can be reasonably expected to participate in to create the intended environment.

In terms of enforceability, this section could be more challenging to enforce than other sections of the Code of Conduct. This is because the wording requires that Members take all "reasonable steps" in participating in activities which promote a culture of respect and tolerance. Whether a step is 'reasonable' will depend on the specific circumstances of any given situation. In broad terms, unless the Member's behaviour is egregious (for example, if they refuse to partake in any such activities) it will be challenging to commence a disciplinary investigation into the Member's behaviour on this section alone. In most circumstances, a breach of this section will be accompanied by other, more serious breaches.

- (f) In relation to when to declare a conflict in relation to a spouse/partner involvement there are two Acts that cover different aspects of spousal involvement.

Clause 4.6 references Conflicts of Interest is covered under the Local Authorities (Members' Interests) Act 1968 (LAMIA) and its purpose is ensure that members (and their family members, where specified) are not able to take advantage of the member's official position for personal financial gain. This Act has two aspects to it (i) the contracting rule and (ii) the participation rule.

The 'contracting rule' prevents members from being 'concerned or interested' in contracts with the local authority that are worth more than \$25,000 in any financial year (subject to approval by the Auditor-General). A member will also be deemed to be 'interested or concerned' in a contract made by a local authority where:

The member's spouse or partner is concerned or interested in a contract (unless the member is living apart from their spouse/partner, or they did not know, or have the reasonable opportunity of knowing, that they were concerned or interested in the relevant contract).

In cases of contracts between local authorities and companies, the member or the member's spouse or partner:

- singly or together, own at least 10% or more of the shares in the relevant company, or another company that controls it (the "controlling company"); or
- is a shareholder of the company, or the controlling company, and either the member or spouse is the managing director/general manager of the company or the controlling company.

The 'participation rule' prevents a member from voting or taking part in the discussion of any matter in which they have, directly or indirectly, a financial interest, other than an interest in common with the public (subject to approval by the Auditor-General). Broadly, a member will be deemed to have a direct or indirect interest in a matter where:

- The member's spouse or partner has, directly or indirectly, a pecuniary interest in the matter.
- In cases where an incorporated company has (directly or indirectly) a pecuniary interest in the matter, the member or their spouse or partner:
 - singly or together, own at least 10% or more of the shares in the relevant company, or another company that controls it (the "controlling company"); or
 - is a shareholder of the company, or the controlling company, and either the member or the spouse/partner is the managing director/general manager of the company or the controlling company.

In cases where the Member has a pecuniary interest (or is deemed to have a pecuniary interest through their spouse/partner or related company), then the Member must, at any meeting where the matter is being discussed, declare to the meeting that they have a pecuniary interest in the matter, and abstain from discussing and voting on the matter. This must be recorded in the minutes. There is no requirement that the Member disclose the details of the pecuniary interest, including whether it is their own pecuniary interest, or the pecuniary interest of their spouse/partner.

Clause 4.7 references Register of Interests which is covered by the Local Government Act 2002 (LGA) and the Local Government (Pecuniary Interests Register) 2022 Act. The effect of the LGA and LAMIA is there is no requirement that the pecuniary interests of spouses or partners to be disclosed on the Register.

The contracting rule and participation rule in the LAMIA are intended to prohibit a member from contracting or participating as the case may be, and accordingly the only time that a member will need to declare their spouse/partner's interest under these rules is where they are seeking an exemption from the Auditor-General.

The statutory framework provided above outlines the minimum standards for Councils in managing conflicts of interest. A Council could require, in Standing Orders or Codes of Conduct, that all members declare a broader range of interests than is required under the LGA and LAMIA. This is the case under WDC's current Code of Conduct, in clause 9 (Register of Interests). It is proposed that this be retained in the updated 2023 Code version (clause 4.7).

If there is an obligation to disclose under the LAMIA or LGA (or the Code of Conduct itself), and a Member has not provided such disclosure, then this will be considered a breach of the Code of Conduct. If there has been a breach of the LAMIA or LGA, this could also be an offence under the relevant Act, and may need to be reported to the Auditor-General.

- 3.4. As Conflicts and Pecuniary Interests can be complicated to navigate the application of the statutory provisions to any given fact scenario and noting there are also a number of general common law rules relating to conflicts of interest in local government that will also apply, particularly in relation to non-pecuniary conflicts of interest, members are encouraged to seek early guidance. One such rule is the rule against bias in decision-making. Therefore it is proposed that a workshop covering the different aspects of interests be conducted in February, ahead of the statutory timing of the updating of the Register of Interests.
- 3.5. This report now seeks the adoption of an updated Council Code of Conduct, effective 8 November 2023.

Implications for Community Wellbeing

There are not implications on community wellbeing by the issues and options that are the subject matter of this report.

- 3.6. The Management Team has reviewed this report and support the recommendations.

4. COMMUNITY VIEWS

4.1. Mana whenua

Te Ngāi Tūāhuriri hapū are not likely to be affected by, or have an interest in the subject matter of this report.

4.2. Groups and Organisations

There are no groups and organisations likely to be affected by, or to have an interest in the subject matter of this report.

4.3. Wider Community

The wider community is not likely to be affected by, or to have an interest in the subject matter of this report.

5. OTHER IMPLICATIONS AND RISK MANAGEMENT

5.1. Financial Implications

There are no financial implications of the decisions sought by this report.

5.2. Sustainability and Climate Change Impacts

The recommendations in this report do not have sustainability and/or climate change impacts.

6.3 Risk Management

There are risks arising from the adoption/implementation of the recommendations in this report. The Council is required by legislation to have a Code of Conduct in place at all times. The Council adopted a Code at the inaugural meeting on 27 October 2022. Any breaches of the Code of Conduct by an elected member risks the reputation of the Council, and the trust the community has in its elected members.

6.3 Health and Safety

There are no health and safety risks arising from the adoption/implementation of the recommendations in this report.

6. CONTEXT

6.1. Consistency with Policy

This matter is not a matter of significance in terms of the Council's Significance and Engagement Policy.

6.2. **Authorising Legislation**

Local Government Act 2002, Clause 15, Schedule 7.

Local Government Official Information and Meetings Act 1987

6.3. **Consistency with Community Outcomes**

The Council's community outcomes are relevant to the actions arising from recommendations in this report.

6.4. **Authorising Delegations**

Legislative requirement.



WAIMAKARIRI DISTRICT COUNCIL

Elected Member Code of Conduct

Proposed to be considered /
**Adopted on the
7 November 2023**

Contents

1. Introduction and Purpose	3
2. Members' commitment	3
3. Principles of Good Governance	4
4. Behaviours	5
4.1 Respect	5
4.2 Bullying, harassment, and discrimination	5
4.3 Disrepute	6
4.4 Expressing views publicly	6
4.5 Information.....	7
4.6 Conflicts of Interest	8
4.7 Register of Interests	8
4.8 Ethical behaviour	9
4.9 Creating a supportive and inclusive environment.....	9
5. Breaches of the Code.....	9
6. Review of Code	10
7. Disqualification of Elected Members from Office	10
Appendix A: Legislation which sets standards for ethical behaviour	11
Appendix B: Process for dealing with alleged breaches of the Code	19

1. Introduction and Purpose

The Waimakariri Council Code of Conduct (the Code) has been adopted in accordance with the requirements of the Clause 15, Schedule 7 of the LGA 2002, which requires every local authority to adopt a code of conduct for members of the local authority.

The purpose of the Code is to:

- enhance the effectiveness of the local authority and the provision of good governance of the Waimakariri community and district;
- promote effective decision-making and community engagement;
- enhance the credibility and accountability of the local authority to its communities; and
- develop a culture of mutual trust, respect and tolerance between the elected members of the local authority and between the elected members and management.

The Code sets boundaries on standards of behaviour and provides a means of resolving situations when elected members breach those standards.

The Code can only be amended (or substituted by a replacement Code) by a vote of at least 75 per cent of elected members present at a meeting when amendment to the Code is being considered. The Code should be read in conjunction with the Council's Standing Orders.

2. Members' commitment

These commitments apply when conducting the business of the Council as its representative, and communicating with other members, the media, the public, or staff. By adopting the Code of Conduct members agree that they will:

- treat all people fairly,
- treat all other members, staff, and members of the public, with respect,
- share with the local authority any information received that is pertinent to the ability of the local authority to properly perform its statutory duties,
- make it clear, when speaking publicly, that statements reflect their personal view, unless otherwise authorised to speak on behalf of the local authority,
- take all reasonable steps to equitably undertake the duties, responsibilities, and workload expected of a member,
- not bully, harass, or discriminate unlawfully against any person,
- not bring the local authority into disrepute,
- not use their position to improperly advantage themselves or anyone else or disadvantage another person,

- not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority,
- not disclose information acquired, or given, in confidence, which they believe is of a confidential nature.

a failure to act in accordance with these commitments may result in a complaint being taken against you.

3. Principles of Good Governance

The Code is designed to give effect to the following principles of good governance:

1. **Public interest:** members should act solely in the public interest.
2. **Integrity:** members should not act or take decisions to gain financial or other benefits for themselves, their family, or their friends, or place themselves under any obligation to people or organisations that might inappropriately influence them in their work.
3. **Accountability:** members should be accountable to the public for their decisions and actions and will submit themselves to the scrutiny necessary to ensure this.
4. **Objectivity:** members should act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias. This includes matters like appointments, awarding contracts, and recommending individuals for rewards or benefits.
5. **Openness:** members should act and take decisions in an open and transparent manner and not withhold information from the public unless there are clear and lawful reasons for so doing
6. **Stewardship:** members should use long-term perspective when making decisions. Decisions, which impact on past, current and future generations, also affect collective well-being.
7. **Honesty:** members should be truthful and not misleading.
8. **Leadership:** members should not only exhibit the principles listed above in their own behavior, but also be willing to challenge poor behaviour in others, wherever it occurs

These values complement, and work in conjunction with, the principles of s.14 of the LGA 2002 and the governance principles of s.39 of the LGA 2002.

Any enquiry into a potential breach of the Code will adhere to the concepts of natural justice and fairness and will apply in the determination of any complaints made under this Code. This is in line with the principle that justice should not only be done but should be seen to be done.

4. Behaviours

To promote good governance and build trust between the Council, its members, and citizens, members agree to the following standards of conduct when they are:

- conducting the business of the Council,
- acting as a representative of the Council,
- acting as a representative of their ward/district
- communicating with other members, the media, the public and staff, and
- using social media and other communication channels.²

Where a member's conduct falls short of these standards, members accept that they may be subject to a complaint for alleged breaches of this Code.

4.1 Respect

Members will treat all other members, staff, and members of the public, with respect.

Respect means politeness and courtesy in behaviour, speech, and writing. Debate and differences are all part of a healthy democracy. As a member of a local authority you can challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You must not, however, subject individuals, groups of people or organisations to personal attack.

Members will conduct their dealings with each other in a manner that focuses on issues rather than personalities. They will avoid abuse of meeting procedures, such as a pattern of unnecessary notices of motion and/or repetitious points of order.

In your contact with the public, you should treat them politely and courteously. Offensive behaviour lowers the public's expectations of, and confidence in, your local authority. In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidating or threatening, you are entitled to stop any conversation or interaction in person or online and report them to the Chief Executive of the Council, the relevant social media provider or the police.

4.2 Bullying, harassment, and discrimination

Members will treat all people fairly and will not:

- bully any person,
- harass any person, or
- discriminate unlawfully against any person.

For the purpose of the Code of Conduct, bullying is offensive, intimidating, malicious, or insulting behaviour. It represents an abuse of power through means that undermine, humiliate, denigrate, or injure another person. It may be:

- a regular pattern of behaviour, or a one-off incident,
- occur face-to-face, on social media, in emails or phone calls, happen in the workplace, or at work social events, and
- may not always be obvious or noticed by others.

Harassment means conduct that causes alarm or distress, or puts people in fear of violence, and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination occurs when a person is treated unfairly, or less favourably, than another person because of any of the following:

- | | | |
|----------------------|------------------------------|-------------------|
| ○ age | ○ skin, hair, or eye colour | ○ race |
| ○ disability | ○ employment status | ○ ethical belief |
| ○ sex | ○ family status | ○ marital status |
| ○ political opinion | ○ religious belief | ○ gender identity |
| ○ sexual orientation | ○ ethnic or national origin. | |

4.3 Disrepute

Members will not bring the local authority into disrepute. Behaviours that might bring a local authority into disrepute, and diminish its ability to fulfil its statutory role, include behaviours that are dishonest and/or deceitful. Adhering to this Code does not in any way limit a member's ability to hold the local authority and fellow members to account or constructively challenge and express concerns about decisions and processes undertaken by their local authority.

4.4 Expressing views publicly

When speaking to the media elected members will abide by the following provisions:

Media contact on behalf of the Council

- the Mayor is the first point of contact for an official view on any issue, unless delegations state otherwise. Where the Mayor is absent requests for comment will be referred to the Deputy Mayor or relevant standing committee chairperson or portfolio holder;
- operational questions should be referred to the Chief Executive and policy-related questions referred to the Mayor or the member with the appropriate delegated authority;

- the Mayor may refer any matter to the relevant committee chairperson, portfolio holder, community board chairperson or to the Chief Executive for their comment; and
- no other elected member may comment on behalf of the Council without having first obtained the approval of the Mayor, or his/her delegate.

Media comment on a member's own behalf

Elected members are free to express a personal view in the media, at any time, provided the following rules are observed:

- they do not state or imply that they represent the views of the Council;
- comments which are contrary to a Council decision or policy must clearly state that they do not represent the views of the majority of elected members;
- comments must be consistent with the Code; for example, comments should not disclose confidential information, criticise, or compromise the impartiality or integrity of staff; and
- comments must not be misleading and should be accurate within the bounds of reasonableness.

4.5 Information

Elected members will disclose to other elected members and, where appropriate the Chief Executive, any information received that is pertinent to the ability of the local authority to properly perform its statutory duties.

Occasionally members will receive information in their capacity as members of the governing body, which is pertinent to the ability of their Council to properly perform its statutory duties. Where this occurs members will disclose any such information to other members and, where appropriate, the chief executive. Members who are offered information on the condition that it remains confidential will inform the person making the offer that they are under a duty to disclose such information, for example, to a governing body meeting in public exclusion

Members will not disclose information acquired, or given, in confidence, which they believe is of a confidential nature, unless they have the consent of a person to give it,

- they are required by law to do so,
- the disclosure is to a third party to obtain professional legal advice, and that the third party agrees not to disclose the information to any other person, or
- the disclosure is reasonable and in the public interest, is made in good faith, and in compliance with the reasonable requirements of the local authority.

A member found to have personally benefited by information gained as an elected member may be subject to the provisions of the Secret Commissions Act 2010.

4.6 Conflicts of Interest

Elected members will maintain a clear separation between their personal interests and their duties as elected members in order to ensure that they are free from bias (whether real or perceived). Elected members must familiarise themselves with the provisions of the Local Authorities (Members' Interests) Act 1968 (LAMIA).

Elected members will not participate in any Council discussion or vote on any matter in which they have a pecuniary interest, other than an interest in common with the general public. This rule also applies where the member's spouse/partner contracts with the authority or has a pecuniary interest. Elected members shall make a declaration of interest as soon as practicable after becoming aware of any such interests.

If a member is in any doubt as to whether or not a particular course of action (including a decision to take no action) raises a conflict of interest, then the member should seek guidance from the Chief Executive immediately. Elected members may also contact the Office of the Auditor General for guidance as to whether they have a pecuniary interest, and if so, may seek an exemption to allow that member to participate or vote on a particular issue in which they may have a pecuniary interest. The latter must be done before the discussion or vote.

4.7 Register of Interests

Elected members will be requested to make a bi-annual declaration of interest at the ordinary Council meeting held in June and December each year. These declarations are recorded in a Register of Interests maintained by the Council and listed on the Council website. The declaration must include information on the nature and extent of any interest, including:

- a) any employment, trade or profession carried on by the elected member or the members' spouse/partner for profit or gain;
- b) any company, trust, partnership etc for which the member or their spouse/partner is a director, partner or trustee;
- c) the address of any land in which the member has a beneficial interest within the jurisdiction of the local authority; and
- d) the address of any land owned by the local authority in which the member or their spouse/partner is:
 - a tenant; or
 - the land is tenanted by a firm in which the member or spouse/partner is a partner, a company of which the member or spouse/partner is a director, or a trust of which the member or spouse/partner is a trustee:
- e) any other matters which the public might reasonably regard as likely to influence the member's actions during the course of their duties as a member (if the member is in any doubt on this, the member should seek guidance from the Chief Executive).

Please note: Where a member's circumstances change they must ensure that the Register of Interests is updated as soon as practicable by notifying the Governance Manager.

4.8 Ethical behaviour

Elected Members will seek to promote the highest standards of ethical conduct. Accordingly elected members will:

- claim only for legitimate expenses as determined by the Remuneration Authority and any lawful policy of the Council developed in accordance with that determination;
- not influence, or attempt to influence, any Council employee, officer or member in order to benefit their own, or families personal or business interests;
- only use the Council resources (such as facilities, staff, equipment and supplies) in the course of their duties and not in connection with any election campaign or personal interests; and not solicit, demand, or request any gift, reward or benefit by virtue of their position and notify the Chief Executive if any such gifts are accepted. Where a gift to the value of \$500 or more is accepted by a member, that member must immediately disclose this to the Chief Executive for inclusion in the publicly available register of interests.

Any failure by elected members to comply with the provisions set out in this section represents a breach of this Code.

4.9 Creating a supportive and inclusive environment

In accordance with the purpose of the Code, elected members agree to take all reasonable steps in order to participate in activities scheduled to promote a culture of mutual trust, respect and tolerance. These include:

- Attending post-election induction programmes organised by the Council for the purpose of facilitating agreement on the Council's vision, goals and objectives and the manner and operating style by which elected members will work.
- Taking part in any assessment of the Council's overall performance and operating style during the triennium.
- Taking all reasonable steps to ensure they possess the skills and knowledge to effectively fulfil their Declaration of Office and contribute to the good governance of the district or region.

5. Breaches of the Code

Elected members must comply with the provisions of this Code (LGA 2002, schedule 7, s.15). Any member, or the Chief Executive, who believes that the Code has been breached by the behaviour of an elected member, may make a complaint to that effect. All complaints will be considered in a manner that is consistent with the following principles.

The process for the receipt of a complaint, assessment, investigation, decision making and resolution is contained in **Appendix B**.

6. Review of Code

Once adopted, a Code of Conduct continues in force until amended by the Council. The Code can be amended at any time but cannot be revoked unless the Council replaces it with another Code (LGA 2002 Schedule 7 s.15). Once adopted, amendments to the Code require a resolution supported by 75 per cent of the elected members of the Council present at a Council meeting where the amendment is considered.

Council may formally review the Code as soon as practicable after the beginning of each triennium. The results of that review will be considered by the Council in regard to potential changes for improving the Code.

7. Disqualification of Elected Members from Office

Elected members are automatically disqualified from office if they are convicted of a criminal offence punishable by two or more years imprisonment, or if they cease to be or lose their status as an elector or of certain breaches of the Local Authorities (Members' Interests) Act 1968.

Appendix A: Legislation which sets standards for ethical behaviour

The key statutes that promote ethical behaviour are the Local Government Act 2002 (LGA), Local Government Official Information Act 1987 (LGOIMA), the Local Authorities (Members' Interests) Act 1968 (LAMIA), the Protected Disclosures (Protection of Whistleblowers) Act 2022, the Serious Fraud Office Act 1990, the Local Government (Pecuniary Interests Register) Act 2022, the Health and Safety at Work Act 2015, and the Harmful Digital Communications Act 2015.

The Local Government Act 2002

The LGA 2002 is local government's empowering statute. It establishes our system of local government and sets out the rules by which it operates. Those rules include the principles underpinning Council decision-making, governance principles, Te Tiriti obligations as set by the Crown, and the role of the chief executive which is:

1. implementing the decisions of the local authority,
2. providing advice to members of the local authority and to its community boards, if any and
3. ensuring that all responsibilities, duties, and powers delegated to him or her or to any person employed by the local authority, or imposed or conferred by an Act, regulation, or bylaw, are properly performed, or exercised,
4. ensuring the effective and efficient management of the activities of the local authority,
5. facilitating and fostering representative and substantial elector participation in elections and polls held under the Local Electoral Act 2001,
6. maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the local authority,
7. providing leadership for the staff of the local authority,
8. employing, on behalf of the local authority, the staff of the local authority (in accordance with any remuneration and employment policy), and
9. negotiating the terms of employment of the staff of the local authority (in accordance with any remuneration and employment policy).

The Local Government Official Information and Meetings Act 1987

The LGOIMA sets rules for ensuring the public are able to access official information unless there is a valid reason for withholding it. All information should be considered public and released accordingly unless there is a compelling case for confidentiality. Even where information has been classified as confidential, best practice is for it to be proactively released as soon as the grounds for confidentiality have passed.

There are both conclusive and other reasons for withholding information set out in sections 6 and 7 of LGOIMA, which include:

Conclusive reasons for withholding – if making the information available would likely:

- prejudice the maintenance of the law, including the prevention, investigation and detection of offences, and the right to a fair trial; or
- endanger the safety of any person.

Other reasons for withholding – withholding the information is necessary to:

- protect the privacy of natural persons, including that of deceased natural persons;
- protect information where it would disclose a trade secret or would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information;
- in the case of an application for resource consents or certain orders under the Resource Management Act 1991, to avoid serious offence to tikanga Māori, or to avoid the disclosure of the location of waahi tapu;
- protect information the subject of an obligation of confidence, where making that information available would prejudice the supply of similar information (and it is in the public interest for this to continue), or would be likely otherwise to damage the public interest;
- avoid prejudice to measures protecting the health or safety of members of the public;
- avoid prejudice to measures that prevent or mitigate material loss to members of the public;
- maintain the effective conduct of public affairs through free and frank expression of opinions between or to members and local authority employees in the course of their duty or the protection of such people from improper pressure or harassment;
- maintain legal professional privilege;
- enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations); or
- prevent the disclosure or use of official information for improper gain or improper advantage.

Regarding these 'other' reasons, a public interest balancing test applies. In these cases the Council must consider whether the withholding of that information is outweighed by other considerations that render it desirable, in the public interest, to make that information available. Decisions about the release of information under LGOIMA need to be made by the appropriately organisation people within each Council, and elected members must work within the rules adopted by each Council.

The LGOIMA also sets the rules that govern public access to meetings and the grounds on which that access can be restricted, which occurs when meetings consider matters that are confidential.

The role of the Ombudsman

An Ombudsman is an Officer of Parliament appointed by the Governor-General on the recommendation of Parliament. An Ombudsman's primary role under the Ombudsmen Act 1975 is to independently investigate administrative acts and decisions of central and local government departments and organisations that affect someone in a personal capacity. Ombudsmen investigate complaints made under LGOIMA.

Anyone who has a complaint of that nature about a local authority may ask an Ombudsman to investigate that complaint. Investigations are conducted in private. The Ombudsman may obtain whatever information is considered necessary, whether from the complainant, the chief executive of the local body involved, or any other party. The Ombudsman's decision is provided in writing to both parties.

If a complaint is sustained, the Ombudsman may recommend the local authority takes whatever action the Ombudsman considers would be an appropriate remedy. Any such recommendation is, however, not binding. Recommendations made to the local authority under this Act will, in general, become binding unless the local authority resolves otherwise. However, any such resolution must be recorded in writing and be made within 20 working days of the date of the recommendation.

The Local Authorities (Members' Interests) Act 1968

Pecuniary interests

The LAMIA provides rules about members discussing or voting on matters in which they have a pecuniary interest and about contracts between members and the council. LAMIA has two main rules, referred to here as the contracting rule (in section 3 of the LAIMA) and the participation rule (in section 6 of the LAIMA).

- The **contracting rule** prevents a member from having interests in contracts with the local authority that are worth more than \$25,000 in any financial year, unless the Auditor-General approves the contracts. Breach of the rule results in automatic disqualification from office.
- The **participation rule** prevents a member from voting or taking part in the discussion of any matter in which they have a financial interest, other than an interest in common with the public. The Auditor-General can approve participation in limited circumstances. Breach of the rule is a criminal offence, and conviction results in automatic disqualification from office.

Both rules have a complex series of subsidiary rules about their scope and exceptions.

The LAMIA does not define when a person is "concerned or interested" in a contract (for the purposes of section 3) or when they are interested "directly or indirectly" in a decision (for the purposes of section 6). However, it does set out two situations where this occurs. These are broadly where:

- a person’s spouse or partner is “concerned or interested” in the contract or where they have a pecuniary interest in the decision; or
- a person or their spouse or partner is involved in a company that is “concerned or interested” in the contract or where the company has a pecuniary interest in the decision.

However, in some situations outside the two listed in the Act a person can be “concerned or interested” in a contract or have a pecuniary interest in a decision, for example, where a contract is between the members family trust and the Council.

Non-pecuniary conflicts of interest

In addition to the issue of pecuniary interests, which are addressed through the LAMIA, there are also legal rules about conflicts of interest more generally. These are rules that apply to non-pecuniary conflicts of interest and include the common law rule about bias. To determine if bias exists, consider this question: Is there a real danger of bias on the part of the member of the decision-making body, in the sense that he or she might unfairly regard with favour (or disfavour) the case of a party to the issue under consideration?

The question is not limited to actual bias but relates to the appearance or possibility of bias. This is in line with the principle that justice should not only be done but should be seen to be done. Whether or not you believe that you are not biased is irrelevant. The focus should be on the nature of any conflicting interest or relationship, and the risk it could pose for the decision-making process. The most common risks of non-pecuniary bias are where:

- statements or conduct indicate that a member has predetermined the decision before hearing all relevant information (that is, they have a “closed mind”), or
- a member has close relationship or involvement with an individual or organisation affected by the decision.

Seeking exemption from the Auditor-General

Members who have a financial conflict of interest that is covered by section 6 of the LAMIA, may apply to the Auditor-General for approval to participate. The Auditor-General can approve participation in two ways.

1. Section 6(3)(f) allows the Auditor-General to grant an exemption if, in their opinion, a member’s interest is so remote or insignificant that it cannot reasonably be regarded as likely to influence the councillor when voting or taking part in the discussion.
2. Section 6(4) allows the Auditor-General to grant a declaration enabling a member to participate if they are satisfied that:
 - a. the application of the rule would impede the transaction of business by the council; or
 - b. it would be in the interests of the electors or residents of the district/region that the rule should not apply.

More information on non-pecuniary conflicts of interest and how to manage them can be found in the Auditor-General’s Guidance for members of local authorities about the law on conflicts of interest.

Protected Disclosures (Protection of Whistleblowers) Act 2022

The Protected Disclosures (Protection of Whistleblowers) Act 2022 is designed to facilitate the disclosure and investigation of serious wrongdoing in the workplace, and to provide protection for employees and other workers who report concerns. A protected disclosure occurs when the discloser believes, on reasonable grounds, that there is, or has been, serious wrongdoing in or by their organisation, they disclose in accordance with the Act, and they do not disclose in bad faith.

A discloser is a person who has an employment type relationship with the organisation they are disclosing about and includes current and former employees, homeworkers, secondees, contractors, volunteers, and board members. Serious wrongdoing includes:

- an offence
- a serious risk to public health, or public safety, or the health or safety of any individual, or to the environment
- a serious risk to the maintenance of the law including the prevention, investigation and detection of offences or the right to a fair trial
- an unlawful, corrupt, or irregular use of public funds or public resources
- oppressive, unlawfully discriminatory, or grossly negligent or that is gross mismanagement by a public sector employee or a person performing a function or duty or exercising a power on behalf of a public sector organisation or the Government

The Council need to have appropriate internal procedures that identify who in the organisation a protected disclosure may be made to, describe the protections available under the Act, and explain how the organisation will provide practical assistance and advice to disclosers. A discloser does not have to go through their organisation first. An appropriate authority can include the head of any public sector organisation and any officer of Parliament, such as the Ombudsman and Controller and Auditor-General. Ombudsmen are also an “appropriate authority” under the Protected Disclosures (Protection of Whistleblowers) Act 2022.

The Serious Fraud Office Act 1990

The Serious Fraud Office (SFO) is the lead law enforcement agency for investigating and prosecuting serious financial crime, including bribery and corruption. The SFO has an increasing focus on prevention by building awareness and understanding of the risks of corruption – noting that the extent of corruption is influenced by organisational frameworks and support given to staff. The SFO encourages organisations to adopt appropriate checks and balances and build a culture based on ethics and integrity.

The four basic elements of best practice organisational control promoted by the SFO involve:

- Operations people with the right skills and experience in the relevant areas, with clear accountability lines.
- Risk mitigation to manage risks that can't be eliminated through segregation, discretion reduction, delegations, management oversight, and audit.

- Basic standards of behaviour moderated by a Code of Conduct, ongoing interests and gift processes (not simply annual declaration), plenty of opportunities and ways to speak up, disciplinary options, training and support.
- Design and oversight based on a clear understanding of operational realities (design, governance, management, audit, investigation, business improvement, and legal).

The Local Government (Pecuniary Interests Register) Act 2022

Following passage of the Local Government (Pecuniary Interests Register) Amendment Bill in 2022, a local authority must now keep a register of the pecuniary interests of their members, including community and local board members. The purpose of the register is to record members' interests to ensure transparency and strengthen public trust and confidence in local government processes and decision-making. Registers must comprise the following:

- the name of each company of which the member is a director or holds or controls more than 10% of the voting rights and a description of the 30 main business activities of each of those companies,
- the name of every other company or business entity in which the member has a pecuniary interest, other than as an investor in a managed investment scheme, and a description of the main business activities of each of those companies or business entities,
- if the member is employed, the name of each employer of their employer and a description of the main business activities of those employers,
- the name of each trust in which the member has a beneficial interest,
- the name of any organisation or trust and a description of the main activities of that organisation or trust if the member is a member of the organisation, a member of the governing body of the organisation, or a trustee of the trust, and the organisation or trust receives funding from the local authority, local board, or community board to which the member has been elected,
- the title and description of any organisation in which the member holds an appointment by virtue of being an elected member,
- the location of real property in which the member has a legal interest, other than an interest as a trustee, and a description of the nature of the real property,
- the location of real property, and a description of the nature of the real property, held by a trust if the member is a beneficiary of the trust and it is not a unit trust (disclosed under subclause 20) or a retirement scheme whose membership is open to the public.

Each council must make a summary of the information contained in the register publicly available; and ensure that information contained in the register is only used or disclosed in accordance with the purpose of the register; and is retained for seven years.

The Health and Safety Act at Work Act 2015

The Health and Safety at Work Act 2015 aims to create a new culture towards health and safety in workplaces. A council is termed a Person Conducting a Business or Undertaking (PCBU) – all involved in work, including elected members, are required to have a duty of care. Elected members are “officers” under the Act and officers are required to exercise due diligence to ensure that the PCBU complies with its duties. However, certain officers, such as elected members, cannot be prosecuted if they fail in their due diligence duty. Despite this, as officers, the key matters to be mindful of are:

- stepping up and being accountable,
- identifying and managing your risks,
- making health and safety part of your organisation’s culture, and
- getting your workers involved.

Councils have wide discretion about how these matters might be applied, for example:

- adopting a charter setting out the elected members’ role in leading health and safety – with your chief executive,
- publishing a safety vision and beliefs statement,
- establishing health and safety targets for the organisation with your chief executive,
- ensuring there is an effective linkage between health and safety goals and the actions and priorities of your chief executive and their senior management, or
- having effective implementation of a fit-for-purpose health and safety management system.

Elected members, through their chief executive need to ensure their organisation’s have sufficient personnel with the right skill mix and support, to meet the health and safety requirements. This includes making sure that funding is sufficient to effectively implement and maintain the system and its improvement programmes.

The Harmful Digital Communications Act 2015

The Harmful Digital Communications Act (HDCA) was passed to help people dealing with serious or repeated harmful digital communications. The Act covers any harmful digital communications (like text, emails, or social media content) which can include racist, sexist and religiously intolerant comments – plus those about disabilities or sexual orientation and sets out 10 communication principles for guiding communication online. Under the Act a digital communication should not:

- disclose sensitive personal facts about an individual
- be threatening, intimidating, or menacing
- be grossly offensive to a reasonable person in the position of the affected individual
- be indecent or obscene
- be used to harass an individual
- make a false allegation
- contain a matter that is published in breach of confidence

- incite or encourage anyone to send a message to an individual for the purpose of causing harm to the individual
- incite or encourage an individual to commit suicide
- denigrate an individual by reason of colour, race, ethnic or national origins, religion, gender, sexual orientation or disability

More information about the Act can be found at [Netsafe](#).

DRAFT

Appendix B: Process for dealing with alleged breaches of the Code the determination and investigation of complaints

Principles:

The following principles will guide any processes for investigating and determining whether or not a breach of the Code has occurred:

- that the approach for investigating and assessing a complaint will be proportionate to the apparent seriousness of the breach complained about;
- that the roles of complaint, investigation, advice and decision-making will be kept separate as appropriate to the nature and complexity of the alleged breach; and
- that the concepts of natural justice and fairness will apply in the determination of any complaints made under this Code. This requires, conditional on the nature of an alleged breach, that affected parties:
 - have a right to know that an investigation process is underway;
 - are given due notice and are provided with an opportunity to be heard;
 - have a right to seek appropriate advice and be represented; and
 - have their privacy respected.
- The presumption is that the outcome of a complaints process will be made public unless there are grounds, such as those set out in the Local Government Official Information and Meetings Act 1987 (LGOIMA), for not doing so.

Step 1: Chief Executive receives complaint

On receipt or initiation of a complaint under this Code of Conduct the Chief Executive will:

- acknowledge receipt of a complaint under the Code, and advise steps that will be taken;
- inform the Mayor (or Deputy Mayor if the complaint is against the Mayor);
- inform the respondent that a complaint has been made against them.

Step 2: Initial assessment

On receipt of a complaint the Chief Executive, in conjunction with the Mayor (or Deputy Mayor if the complaint is against the Mayor¹), will undertake a preliminary assessment to assess whether:

1. the complaint is frivolous or without substance;
2. the complaint is outside the scope of the Code and should be redirected to another agency or process;
3. the complaint is non-material

¹ In circumstances where a complaint directly involves the Mayor, the Deputy Mayor will work in conjunction with the Chief Executive in steps outlined in Schedule B (where CE and Mayor are referenced).

The Chief Executive and Mayor can also request from the complainant further information/evidence in support of the complaint and, and if considered appropriate, may also request a preliminary statement in response from the elected member against whom the complaint is lodged. They may also obtain and independent expert advice to assist them with this initial assessment.

The complaint may be dismissed if the Chief Executive in conjunction with the Mayor (or Deputy Mayor if the complaint is against the Mayor) finds the complaint to be trivial, vexatious, frivolous, or politically motivated.

If a complaint is not dismissed, the Chief Executive may take one of the following steps:

Chief Executive and/or Mayor to address directly

Where it is determined the matter to be a non-material (low level) breach, frivolous or without substance the Chief Executive and Mayor will inform the complainant and respondent directly; neither of which persons are open to challenge the decision. The Chief Executive and Mayor may inform other elected members (if there are no grounds for confidentiality) of the decision.

The Chief Executive and/or Mayor may meet with the member(s), and such a meeting may be regarded as sufficient to resolve the complaint. The Chief Executive and/or Mayor may recommend:

- That the member attends a relevant training course.
- That the member work with a mentor for a period.
- That the member tenders an apology.

Refer to Mediation/Facilitation

If the complaint concerns a dispute between two members, or between a member and another party, the Chief Executive and Mayor may recommend mediation or a facilitation. If mediation or facilitation is agreed by both parties, then its completion will represent the end of the complaints process. The outcomes of any mediation or facilitation will be confidential and, other than reporting that a complaint has been resolved through mediation, there will be no additional report to the local authority unless the complaint is referred to an independent investigator, usually due to a failure of the mediation or facilitation.

Step 3: Investigation

Where the Chief Executive and Mayor finds through an initial assessment that the complaint is serious or no resolution can be reached and/or mediation or facilitation is refused, the Chief Executive will refer the complaint to the Code of Conduct Committee (Committee). The Committee, established at the start of each triennium, is responsible for overseeing alleged complaints that require independent investigation.

The Committee will determine the scope and terms of reference of any further enquiry or investigation required. The Committee may appoint an independent investigator (the Investigator) to inquire and report on the matter. The Chief Executive will provide guidance to the Committee as to suitably qualified independent investigators for consideration.

The Investigator will:

- determine whether a breach has occurred,
- if so, determine the seriousness and significance of the breach, and
- if requested, make recommendations as to actions that the local authority should take in response to the breach.

The Investigator will undertake an investigation appropriate to the scale of the allegations and prepare a report (the Report) which sets out the rationale for their findings.

In preparing the Report the Investigator may:

- consult with the complainant, respondent, and any affected parties,
- undertake interviews or a hearing with relevant parties, and/or
- request and refer to any relevant documents or information.

On completing an investigation of the allegation/complaint, the Investigator will furnish the Report to the Chief Executive, who in turn will report to the Code of Conduct Committee.

Step 4: Process for considering the Investigator's Report

On receiving the Report the Committee will meet to consider the findings (alongside any legal advisor that may be engaged by the Council to assist with the process) and take the following steps:

- Ensure that elected members with a direct interest in the proceedings, including the complainant and the respondent, do not take part in deliberation or discussion on the Report.
- Ensure that before making any decision in respect of the Report the Committee, and as necessary, the Council will give the member against whom the complaint has been made an opportunity to appear and speak in their own defence.
- Where an Investigator determines that an allegation/complaint is frivolous or without substance, inform the Chief Executive and Mayor, who will in turn inform the complainant and respondent directly and inform other elected members (if there are no grounds for confidentiality) of the Investigator's decision.
- Where the Investigator finds that the allegation/complaint involves a potential legislative breach and outside the scope of the Code, forward the complaint to the relevant agency and inform the Chief Executive, the Mayor and both the complainant and respondent of the action.
- Where the Investigator finds a breach of the Code occurred, the Committee can accept the Investigator's recommendations or, if they believe it is justified, amend the Investigator's recommendations. As part of these considerations the complainant may be asked to appear before the Committee and answer questions from members.

- Consider and determine what action should be taken and make a recommendation in a report to the Chief Executive. The penalty or sanction that might be applied will depend on the seriousness of the breach and may include actions set out in Step 5. This Committee Report will form the basis of a consequent report to the governing body (the Council) to inform them of the decision and the actions they may be required to take.
- The Council will consider the Report in open meeting, except where the alleged breach concerns matters that justify the exclusion of the public, such as the misuse of confidential information or a matter that would otherwise be exempt from public disclosure under s.48 of the LGOIMA, in which case it will be a closed meeting.

Step 5: Actions applied where a breach has been determined

Where a complaint that the Code was breached has been upheld, any actions decided to be taken by the Council against the member found to be in breach should be consistent with the following principles.

- Actions should be commensurate with the seriousness of the breach.
- Actions should be applied in a manner that is appropriate and safe for the members involved.
- Actions should, to the degree practical, contribute to an inclusive culture in the local authority by focusing on constructive mediation, learning, and member improvement.

In determining a response to a breach of the Code, one or more of the following could be selected (but are not limited to):

1. That no action is required.
2. That the member meets with the Chief Executive or Mayor (or Deputy Mayor if the complaint is against the Mayor) for advice.
3. That the member attends a relevant training course.
4. That the member agrees to cease the behaviour.
5. That the member work with a mentor for a period.
6. That the member tenders an apology.
7. That the member participates in voluntary mediation (if the complaint involves a conflict between two members).
8. That the local authority sends a letter of censure to the member.
9. That the local authority passes a vote of no confidence in the member.
10. That the member loses certain Council-funded privileges (such as attendance at conferences).
11. That the member loses specific responsibilities, such as committee chair or portfolio holder.
12. That the member be subject to restricted entry to Council offices, such as no access to staff areas (where restrictions may not previously have existed).

13. That the member be subject to limitations on their dealings with Council staff, other than the chief executive or identified senior manager.
14. That the member be suspended from committees or other bodies to which the member has been appointed.
15. That the member be invited to consider resigning from the Council.

The Council notes the membership of the Code of Conduct Committee was determined at the 3 October 2023 Council meeting and remains in place until the end of the Triennium in October 2025.



WAIMAKARIRI DISTRICT COUNCIL

**Elected Member
Code of Conduct**

Adopted on the 7 May 2019

Contents

1. Introduction	Page 3
2. Scope	Page 3
3. Values	Page 4
4. Role and responsibilities	Page 5
5. Relationships	Page 6
6. Contact with the media	Page 8
7. Information	Page 9
8. Conflicts of Interest	Page 10
9. Register of Interests	Page 11
10. Ethical behaviour	Page 12
11. Creating a supportive and inclusive environment	Page 13
12. Breaches of the Code	Page 13
13. Penalties and actions	Page 15
14. Review	Page 16
15. Disqualification of Elected Members from Office	Page 16
Appendix A: Legislation bearing on the role and conduct of elected members	Page 17
Appendix B: Process for the determination and investigation of complaints	Page 22
Code of Conduct Committee Panel October 2016 – October 2019	Page 24

1. Introduction

This Code of Conduct (the Code) sets out the standards of behavior expected from elected members in the exercise of their duties. Its purpose is to:

- enhance the effectiveness of the local authority and the provision of good local government of the community, and district;
- promote effective decision-making and community engagement;
- enhance the credibility and accountability of the local authority to its communities; and
- develop a culture of mutual trust, respect and tolerance between the elected members of the local authority and between the elected members and management.

This purpose is given effect through the values, roles, responsibilities and specific behaviors agreed in this Code.

2. Scope

The Code has been adopted in accordance with clause 15 of Schedule 7 of the Local Government Act 2002 (LGA 2002) and applies to all elected members, including the elected members of any community boards that have agreed to adopt it. The Code is designed to deal with the behaviour(s) of elected members towards:

- each other;
- the Chief Executive and staff;
- the media; and
- the general public.

It is also concerned with the disclosure of information that elected members receive in their capacity as elected members and information which impacts on the ability of the local authority to give effect to its statutory responsibilities.

This Code can only be amended (or substituted by a replacement Code) by a vote of at least 75 per cent of elected members present at a meeting when amendment to the Code is being considered. The Code should be read in conjunction with the Council's Standing Orders.

3. Principles

The Code is designed to give effect to the following values:

1. **An elected member will act in the public interest:** elected members will serve the best interests of the people within their community, district or region and discharge their duties conscientiously, to the best of their ability.
2. **An elected member will build public trust:** elected members, in order to foster community confidence and trust in their Council, will work together constructively and uphold the values of honesty, integrity, accountability and transparency.
3. **An elected member will behave ethically:** elected members will not place themselves in situations where their honesty and integrity may be questioned, will not behave improperly and will avoid the appearance of any such behavior.
4. **An elected member will consider matters objectively:** elected members will make decisions on merit; including appointments, awarding contracts, and recommending individuals for rewards or benefits.
5. **An elected member will show respect for others:** will treat people, including other elected members, with respect and courtesy, regardless of their race, age, religion, gender, sexual orientation, or disability. Elected members will respect the impartiality and integrity of officials.
6. **An elected member has a duty to uphold the law:** elected members will comply with all legislative requirements applying to their role, abide by this Code of Conduct, and act in accordance with the trust placed in them by the public.
7. **An elected member will make an equitable contribution:** elected members will take all reasonable steps to ensure they fulfil the duties and responsibilities of office, including attending meetings and workshops, preparing for meetings, attending civic events, and participating in relevant training seminars.
8. **An elected member will demonstrate leadership:** elected members will actively promote and support these values and ensure they are reflected in the way in which the Council operates, including a regular review and assessment of the Council's collective performance.

These values complement, and work in conjunction with, the principles of s.14 of the LGA 2002 and the governance principles of s.39 of the LGA 2002.

4. Role and responsibilities

Good governance requires clarity of roles and respect between those charged with responsibility for the leadership of the Council and those responsible for advice and the implementation of Council decisions. The key roles are:

4.1 Elected Members

The role of the governing body includes:

- representing the interests of the people of the district;
- developing and adopting plans, policies and budgets;
- monitoring the performance of the Council against stated goals and objectives set out in its long term plan;
- providing prudent stewardship of the Council's resources;
- employing and monitoring the performance of the Chief Executive;
- ensuring the Council fulfils its responsibilities to be a 'good employer' and meets the requirements of the Health and Safety at Work Act 2015; and
- ensuring that the Principles, Values and Behaviours described in the Council's Ta Matou Mauri are embodied in all interactions.

4.2 Chief Executive

The role of the Chief Executive includes:

- providing policy advice to the Council and implementing the decisions of the Council;
- ensuring that all responsibilities delegated to the Chief Executive are properly performed or exercised;
- ensuring the effective and efficient management of the activities of the local authority;
- maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the local authority;
- providing leadership for the staff of the Council; and
- employing staff on behalf of the Council (including negotiation of the terms of employment for those staff).

Under s.42 of the LGA 2002 the Chief Executive is the only person *directly* employed by the Council itself. All concerns about the performance of an individual member of staff must, in the first instance, be referred to the Chief Executive.

5. Relationships

This section of the Code sets out agreed standards of behaviour between elected members; elected members and staff; and elected members and the public.

5.1 Relationships between elected members

Given the importance of relationships to the effective performance of the Council, elected members will conduct their dealings with each other in a manner that:

- maintains public confidence;
- is open and honest;
- is courteous;
- is focused on issues rather than personalities;
- avoids abuse of meeting procedures, such as a pattern of unnecessary notices of motion and/or repetitious points of order; and
- avoids aggressive, offensive or abusive conduct, including the use of disrespectful or malicious language; and
- avoid any form of bullying or sexual harassment.

Any failure by elected members to act in the manner described above represents a breach of this Code.

Please note that nothing in this section of the Code is intended to limit robust debate within the Council as long as it is conducted in a respectful and insightful manner.

5.2 Relationships with staff

An important element of good governance involves the relationship between the Council and its Chief Executive. Elected members will respect arrangements put in place to facilitate this relationship, and:

- raise any concerns about employees, officers or contracted officials with the Chief Executive;
- raise any concerns about the performance or behaviour of the Chief Executive with the Mayor or the chairperson of the Chief Executive performance review committee (however described);
- make themselves aware of the obligations that the Council and the Chief Executive have as employers and observe those requirements at all times, such as the duty to be a good employer;

- treat all employees with courtesy and respect and avoid publicly criticising any employee;
- avoid familiar, aggressive, offensive or abusive conduct towards any employee; and
- avoid any form of bullying or sexual harassment;
- observe any protocols put in place by the Chief Executive concerning contact between elected members and employees;
- avoid doing anything which might compromise, or could be seen as compromising, the impartiality of an employee.

Any failure by elected members to act in the manner described above represents a breach of this Code.

Please note: Elected members should be aware that failure to observe this portion of the Code may compromise the Council's obligations to be a good employer and consequently expose the Council to civil litigation or affect the risk assessment of Council's management and governance control processes undertaken as part of the Council's audit.

5.3 Relationship with members of the public

Given that the performance of the Council requires the trust and respect of individual citizens, elected members will:

- interact with members of the public and all community board members in a fair, respectful, equitable and honest manner;
- be available to listen and respond openly and honestly to community concerns;
- consider all points of view or interests of members of the public and community board members when participating in debate and making decisions;
- treat members of the public and community board members in a courteous manner; and
- act in a way that upholds the reputation of the local authority.

Any failure by elected member to act in the manner described above represents a breach of this Code.

6. Contact with the media

The media play an important part in the operation and efficacy of local democracy. In order to fulfil this role the media needs access to accurate and timely information about the affairs of Council.

From time to time individual elected members will be approached to comment on a particular issue either on behalf of the Council, or as an elected member in their own right. When responding to the media elected members must be mindful that operational questions should be referred to the Chief Executive and policy-related questions referred to the Mayor or the member with the appropriate delegated authority. ie portfolio holder or Chair of Standing Committee.

When speaking to the media more generally elected members will abide by the following provisions:

6.1 Media contact on behalf of the Council

- the Mayor is the first point of contact for an official view on any issue, unless delegations state otherwise. Where the Mayor is absent requests for comment will be referred to the Deputy Mayor or relevant standing committee chairperson or portfolio holder;
- the Mayor may refer any matter to the relevant committee chairperson, portfolio holder, community board chairperson or to the Chief Executive for their comment; and
- no other elected member may comment *on behalf of the Council* without having first obtained the approval of the Mayor, or his/her delegate.

6.2 Media comment on a member's own behalf

Elected members are free to express a *personal view* in the media, at any time, provided the following rules are observed:

- media comments must not state or imply that they represent the views of the Council;
- media comments which are contrary to a Council decision or policy must clearly state that they do not represent the views of the majority of elected members;
- media comments must observe the other requirements of the Code; for example, comments should not disclose confidential information, criticize, or compromise the impartiality or integrity of staff; and

- media comments must not be misleading and should be accurate within the bounds of reasonableness.

Any failure by elected members to meet the standards set out above represents a breach of this Code.

7. Information

Access to information is critical to the effective performance of a local authority and the level of public trust felt by the public.

7.1 Confidential information

In the course of their duties elected members will occasionally receive information that is confidential. This will generally be information that is either commercially sensitive or is personal to a particular individual or organisation. Accordingly, elected members agree not to use or disclose confidential information for any purpose other than the purpose for which the information was supplied to the member.

Elected members should be aware that failure to observe these provisions could impede the performance of the Council by inhibiting information flows and undermining public confidence in the Council. Failure to observe these provisions may also expose the Council to prosecution under the Privacy Act or civil litigation.

7.2 Information received in capacity as an elected member

Elected members will disclose to other elected members and, where appropriate the Chief Executive, any information received in their capacity as an elected member that concerns the Council's ability to give effect to its responsibilities.

Elected members who are offered information on the condition that it remains confidential will inform the provider of the information that it is their duty to disclose the information and will decline the offer if that duty is likely to be compromised.

Any failure by elected members to act in the manner described above represents a breach of this Code.

Please note: failure to observe these provisions may impede the performance of the Council by inhibiting information flows and undermining public confidence. It may also expose the Council to prosecution under the Privacy Act and/or civil litigation.

8. Conflicts of Interest

Elected members will maintain a clear separation between their personal interests and their duties as elected members in order to ensure that they are free from bias (whether real or perceived). Elected members therefore must familiarise themselves with the provisions of the Local Authorities (Members' Interests) Act 1968 (LAMIA).

Elected members will not participate in any Council discussion or vote on any matter in which they have a pecuniary interest, other than an interest in common with the general public. This rule also applies where the member's spouse/partner contracts with the authority or has a pecuniary interest. Elected members shall make a declaration of interest as soon as practicable after becoming aware of any such interests.

If a member is in any doubt as to whether or not a particular course of action (including a decision to take no action) raises a conflict of interest, then the member should seek guidance from the Chief Executive *immediately*. Elected members may also contact the Office of the Auditor General for guidance as to whether they have a pecuniary interest, and if so, may seek an exemption to allow that member to participate or vote on a particular issue in which they may have a pecuniary interest. The latter must be done before the discussion or vote.

Please note: Failure to observe the requirements of the LAMIA could potentially invalidate the decision made, or the action taken, by the Council. Failure to observe these requirements could also leave the elected member open to prosecution (*see Appendix A*). In the event of a conviction, elected members can be ousted from office.

If elected members have a non-pecuniary interest in a matter for decision and for which a member of the public may perceive bias this should be carefully considered by the member as to whether it should also be declared. (*see Appendix A for a further explanation*).

9. Register of Interests

Elected members will be requested to make a bi-annual declaration of interest at the ordinary Council meeting held in June and December each year. These declarations are recorded in a Register of Interests maintained by the Council and listed on the Council website. The declaration must include information on the nature and extent of any interest, including:

- a) any employment, trade or profession carried on by the elected member or the members' spouse/partner for profit or gain;
- b) any company, trust, partnership etc for which the member or their spouse/partner is a director, partner or trustee;
- c) the address of any land in which the member has a beneficial interest within the jurisdiction of the local authority; and
- d) the address of any land owned by the local authority in which the member or their spouse/partner is:
 - a tenant; or
 - the land is tenanted by a firm in which the member or spouse/partner is a partner, a company of which the member or spouse/partner is a director, or a trust of which the member or spouse/partner is a trustee;
- e) any other matters which the public might reasonably regard as likely to influence the member's actions during the course of their duties as a member (if the member is in any doubt on this, the member should seek guidance from the Chief Executive)

Please note: Where a member's circumstances change they must ensure that the Register of Interests is updated as soon as practicable by notifying the Governance Manager.

10. Ethical behaviour

Elected Members will seek to promote the highest standards of ethical conduct. Accordingly elected members will:

- claim only for legitimate expenses as determined by the Remuneration Authority and any lawful policy of the Council developed in accordance with that determination;
- not influence, or attempt to influence, any Council employee, officer or member in order to benefit their own, or families personal or business interests;
- only use the Council resources (such as facilities, staff, equipment and supplies) in the course of their duties and not in connection with any election campaign or personal interests; and not solicit, demand, or request any gift, reward or benefit by virtue of their position and notify the Chief Executive if any such gifts are accepted. Where a gift to the value of \$100 or more is accepted by a member, that member must immediately disclose this to the Chief Executive for inclusion in the publicly available register of interests.

Any failure by elected members to comply with the provisions set out in this section represents a breach of this Code.

10.1 Undischarged bankrupt

In accordance with clause 15(5) of Schedule 7 (LGA 2002) any member who is an “undischarged bankrupt” will notify the Chief Executive prior to the inaugural meeting or as soon as practicable after being declared bankrupt. The member will also provide the Chief Executive with a brief explanatory statement of the circumstances surrounding the member’s adjudication and the likely outcome of the bankruptcy. This Council believes that bankruptcy does raise questions about the soundness of a person’s financial management skills and their judgement in general.

10.2 Disqualification from office

Elected members are automatically disqualified from office if they are convicted of a criminal offence punishable by two or more year’s imprisonment, or if they cease to be or lose their status as an elector or of certain breaches of the Local Authorities (Members’ Interests) Act 1968.

11. Creating a supportive and inclusive environment

In accordance with the purpose of the Code, elected members agree to take all reasonable steps in order to participate in activities scheduled to promote a culture of mutual trust, respect and tolerance. These include:

- Attending post-election induction programmes organised by the Council for the purpose of facilitating agreement on the Council's vision, goals and objectives and the manner and operating style by which elected members will work.
- Taking part in any assessment of the Council's overall performance and operating style during the triennium.
- Taking all reasonable steps to ensure they possess the skills and knowledge to effectively fulfill their Declaration of Office and contribute to the good governance of the district or region.

12. Breaches of the Code

Elected members must comply with the provisions of this Code (LGA 2002, schedule 5, s. 14(4)). Any member, or the Chief Executive, who believes that the Code has been breached by the behaviour of an elected member, may make a complaint to that effect. All complaints will be considered in a manner that is consistent with the following principles.

12.1 Principles:

The following principles will guide any processes for investigating and determining whether or not a breach under this Code has occurred:

- that the approach for investigating and assessing a complaint will be proportionate to the apparent seriousness of the breach complained about;
- that the roles of complaint, investigation, advice and decision-making will be kept separate as appropriate to the nature and complexity of the alleged breach; and
- that the concepts of natural justice and fairness will apply in the determination of any complaints made under this Code. This requires, conditional on the nature of an alleged breach, that affected parties:
 - have a right to know that an investigation process is underway;
 - are given due notice and are provided with an opportunity to be heard;
 - have a right to seek appropriate advice and be represented; and
 - have their privacy respected.

12.2 Complaints

All complaints made under this Code must be made in writing, making specific reference to any allegation of breach and forwarded to the Chief Executive. On receipt of a complaint from an elected member, member of the public or a staff member, the Chief Executive will consult with the Mayor (or if the complaint is against the Mayor, the Chief Executive will consult with the Deputy Mayor) and undertake a preliminary assessment to determine, prima facie, the level of seriousness, as outlined in this Code of Conduct.

12.3 Investigation, advice and decision

The Code of Conduct Committee, established at the start of each triennium, is responsible for overseeing alleged complaints that are considered material, as outlined in clause 12.4.

The Committee may seek advice from the Chief Executive, Mayor, or whomever it considers would assist it in its decision making.

The process, following receipt of a complaint, is outlined in **Appendix B**.

12.4 Materiality

An alleged breach under this Code is material if, in the opinion of the Chief Executive and/or Mayor, it would, if proven, bring a member or the Council into disrepute or, if not addressed, reflect adversely on another member of the Council.

An alleged breach under this Code is non-material if, in the opinion of the Chief Executive and/or Mayor, that it does not warrant an investigation then clause 13.3 applies.

13. Penalties and actions

Where a complaint is determined to be material and referred to the Council the nature of any penalty or action will depend on the seriousness of the breach.

13.1 Material breaches

In the case of material breaches of this Code, the Code of Conduct Committee which holds delegated authority to investigate a material breach, may recommend to the Council one of the following:

1. a letter of censure to the member;
2. a request (made either privately or publicly) for an apology;
3. a vote of no confidence in the member;
4. removal of certain Council-funded privileges (such as attendance at conferences);
5. restricted entry to Council offices, such as no access to staff areas (where restrictions may not previously have existed);
6. limitation on any dealings with Council staff so that they are confined to the Chief Executive only;
7. suspension from committees or other bodies; or
8. an invitation for the member to consider resigning from the Council.

The Council, or Code of Conduct Committee, may decide that a penalty will not be imposed where a respondent agrees to one or more of the following:

- attend a relevant training course; and/or
- work with a mentor for a period of time; and/or
- participate in voluntary mediation (if the complaint involves a conflict between two elected members); and/or
- tender an apology.

The process is based on the presumption that the outcome of a complaints process will be made public unless there are grounds, such as those set out in the Local Government Official Information and Meetings Act 1987 (LGOIMA), for not doing so.

13.2 Statutory breaches

In cases where a breach of the Code is found to involve regulatory or legislative requirements, the complaint will be referred to the relevant agency. For example:

- breaches relating to elected members' interests (where elected members may be liable for prosecution by the Auditor-General under the LAMIA);
- breaches which result in the Council suffering financial loss or damage (where the Auditor-General may make a report on the loss or damage under s.30 of the LGA 2002 which may result in the member having to make good the loss or damage); or
- breaches relating to the commission of a criminal offence which will be referred to the Police (which may leave the elected member liable for criminal prosecution).

13.3 Non-material breaches

Either following the Chief Executive and Mayoral assessment or initial feedback from an independent investigator the breach may be considered non-material. In that event, low level resolution of the matter may be pursued including a meeting of the parties, an apology or other courses of action considered appropriate by the Mayor.

14. Review

Once adopted, a Code of Conduct continues in force until amended by the Council. The Code can be amended at any time but cannot be revoked unless the Council replaces it with another Code (LGA 2002 Schedule 7 s.15). Once adopted, amendments to the Code require a resolution supported by 75 per cent of the elected members of the Council present at a Council meeting where the amendment is considered.

Council may formally review the Code as soon as practicable after the beginning of each triennium. The results of that review will be considered by the Council in regard to potential changes for improving the Code.

15. Disqualification of Elected Members from Office

Elected members are automatically disqualified from office if they are convicted of a criminal offence punishable by two or more years imprisonment, or if they cease to be or lose their status as an elector or of certain breaches of the Local Authorities (Members' Interests) Act 1968.

Appendix A: Legislation bearing on the role and conduct of elected members

This is a summary of the legislative requirements that have some bearing on the duties and conduct of elected members. The full statutes can be found at www.legislation.govt.nz.

The Local Authorities (Members' Interests) Act 1968

The Local Authorities (Members' Interests) Act 1968 (LAMIA) provides rules about elected members discussing and voting on matters in which they have a pecuniary interest and about contracts between elected members and the Council.

A pecuniary interest is likely to exist if a matter under consideration could reasonably give rise to an expectation of a gain or loss of money for a member personally (or for their spouse/partner or a company in which they have an interest). In relation to pecuniary interests the LAMIA applies to both contracting and participating in decision-making processes.

With regard to pecuniary or financial interests a person is deemed to be "concerned or interested" in a contract or interested "directly or indirectly" in a decision when:

- a person, or spouse or partner, is "concerned or interested" in the contract or where they have a pecuniary interest in the decision; or
- a person, or their spouse or partner, is involved in a company that is "concerned or interested" in the contract or where the company has a pecuniary interest in the decision.

There can also be additional situations where a person is potentially "concerned or interested" in a contract or have a pecuniary interest in a decision, such as where a contract is between an elected members' family trust and the Council.

Determining whether a pecuniary interest exists

Elected members are often faced with the question of whether or not they have a pecuniary interest in a decision and if so whether they should participate in discussion on that decision and vote. When determining if this is the case or not the following test is applied:

"...whether, if the matter were dealt with in a particular way, discussing or voting on that matter could reasonably give rise to an expectation of a gain or loss of money for the member concerned." (OAG, 2001)

LAMIA – Section 6

“Member of local authority or committee not to discuss or vote on question in which he/she has pecuniary interest;

- (1) A member of a local authority or of a committee thereof shall not vote on or take part in the discussion of any matter before the governing body of that local authority or before that committee in which he has, directly or indirectly, any pecuniary interest, other than an interest in common with the public.
- (2) For the purposes of subsection (1), where an incorporated company has, directly or indirectly, a pecuniary interest in a matter before the governing body of a local authority or before a committee thereof, a member of the local authority or, as the case may be, of the committee shall be deemed to have a pecuniary interest in the matter, if—
 - (a) the member or his spouse or partner singly or between them own, whether directly or through a nominee, 10% or more of the issued capital of the company or of any other company controlling that company;

In deciding whether you have a pecuniary interest, elected members should consider the following factors.

- What is the nature of the decision being made?
- Do I have a financial interest in that decision - do I have a reasonable expectation of gain or loss of money by making that decision?
- Is my financial interest one that is in common with the public?
- Do any of the exceptions in the LAMIA apply to me?
- Could I apply to the Auditor-General for approval to participate?

Elected members may seek assistance from the Mayor or other person such as the Chief Executive to determine if they should discuss or vote on an issue but ultimately it is their own judgment as to whether or not they have pecuniary interest in the decision. Any member who is uncertain as to whether they have a pecuniary interest is advised to seek legal advice. Where uncertainty exists elected members may adopt a least-risk approach which is to not participate in discussions or vote on any decisions.

Elected members who do have a pecuniary interest will declare the pecuniary interest to the meeting and not participate in the discussion or voting. The declaration and abstention needs to be recorded in the meeting minutes. (Further requirements are set out in the Council’s Standing Orders.)

The contracting rule

A member is disqualified from office if he or she is “concerned or interested” in contracts with their Council if the total payments made, or to be made, by or on behalf of the Council exceed \$25,000 in any financial year. The \$25,000 limit includes GST. The limit relates to the value of all payments made for all contracts in which you are interested during the financial year. It does not apply separately to each contract, nor is it just the amount of the profit the contractor expects to make or the portion of the payments to be personally received by you.

The Auditor-General can give prior approval, and in limited cases, retrospective approval for contracts that would otherwise disqualify you under the Act. It is an offence under the Act for a person to act as a member of the Council (or committee of the Council) while disqualified.

Non-pecuniary conflicts of interest

In addition to the issue of pecuniary interests, rules and common law govern conflicts of interest more generally. These rules apply to non-pecuniary conflicts of interest, including common law rules about bias. In order to determine if bias exists or not elected members need to ask:

“Is there a real danger of bias on the part of the member of the decision-making body, in the sense that he or she might unfairly regard with favour (or disfavour) the case of a party to the issue under consideration?”

The question is not limited to actual bias, but relates to the appearance or possibility of bias reflecting the principle that justice should not only be done, but should be seen to be done. Whether or not elected members believe they are not biased is irrelevant.

Elected members should focus be on the nature of the conflicting interest or relationship and the risk it could pose for the decision-making process. The most common risks of non-pecuniary bias are where:

- elected members’ statements or conduct indicate that they have predetermined the decision before hearing all relevant information (that is, elected members have a “closed mind”); and
- elected members have a close relationship or involvement with an individual or organisation affected by the decision.

In determining whether or not they might be perceived as biased, elected members must also take into account the context and circumstance of the issue or question under consideration. For example, if a member has stood on a platform and been voted into office on the promise of implementing that platform then voters would have every expectation that the member would give effect to that promise, however he/she must still be seen to be open to considering new information (this may not apply to decisions made in quasi-judicial settings, such as an RMA hearing).

Local Government Official Information and Meetings Act 1987

The Local Government Official Information and Meetings Act 1987 sets out a list of meetings procedures and requirements that apply to local authorities and community boards. Of particular importance for the roles and conduct of elected members is the fact that the chairperson has the responsibility to maintain order at meetings, but all elected members should accept a personal responsibility to maintain acceptable standards of address and debate. No elected member should:

- create a disturbance or a distraction while another Councillor is speaking;
- be disrespectful when they refer to each other or other people; or
- use offensive language about the Council, other elected members (including community board members), any employee of the Council or any member of the public.

See Standing Orders for more detail.

Secret Commissions Act 1910

Under this Act it is unlawful for an elected member (or officer) to advise anyone to enter into a contract with a third person and receive a gift or reward from that third person as a result, or to present false receipts to Council.

If convicted of any offence under this Act a person can be imprisoned for up to two years, and/or fines up to \$1,000. A conviction would therefore trigger the ouster provisions of the LGA 2002 and result in the removal of the member from office.

Crimes Act 1961

Under this Act it is unlawful for an elected member (or officer) to:

- accept or solicit for themselves (or anyone else) any gift or reward for acting or not acting in relation to the business of Council; and
- use information gained in the course of their duties for their, or another persons, monetary gain or advantage.

These offences are punishable by a term of imprisonment of seven years or more. Elected members convicted of these offences will automatically cease to be elected members.

Financial Markets Conduct Act 2013

Financial Markets Conduct Act 2013 (previously the Securities Act 1978) essentially places elected members in the same position as company directors whenever Council offers stock to the public. Elected members may be personally liable if investment documents such as a prospectus contain untrue statements and may be liable for criminal prosecution if the requirements of the Act are not met.

The Local Government Act 2002

The Local Government Act 2002 (LGA 2002) sets out the general powers of local government, its purpose and operating principles. Provisions directly relevant to this Code include:

Personal liability of elected members

Although having qualified privilege, elected members can be held personally accountable for losses incurred by a local authority where, following a report from the Auditor General under s.44 LGA 2002, it is found that one of the following applies:

- a) money belonging to, or administered by, a local authority has been unlawfully expended; or
- b) an asset has been unlawfully sold or otherwise disposed of by the local authority; or
- c) a liability has been unlawfully incurred by the local authority; or
- d) a local authority has intentionally or negligently failed to enforce the collection of money it is lawfully entitled to receive.

Elected members will not be personally liable where they can prove that the act or failure to act resulting in the loss occurred as a result of one of the following:

- a) without the member's knowledge;
- b) with the member's knowledge but against the member's protest made at or before the time when the loss occurred;
- c) contrary to the manner in which the member voted on the issue; and
- d) in circumstances where, although being a party to the act or failure to act, the member acted in good faith and relied on reports, statements, financial data, or other information from professional or expert advisers, namely staff or external experts on the matters.

In certain situation elected members will also be responsible for paying the costs of proceedings (s.47 LGA 2002).

Appendix B: Process for the determination and investigation of complaints

Step 1: Chief Executive receives complaint

On receipt of a complaint under this Code of Conduct the Chief Executive will:

- acknowledge receipt of a complaint under the Code, and advise steps that will be taken;
- inform the Mayor (*or Deputy Mayor if the complaint is against the Mayor*);
- inform the respondent that a complaint has been made against them.

Step 2: Chief Executive and Mayor undertakes preliminary assessment

On receipt of a complaint the Chief Executive, in conjunction with the Mayor (or Deputy Mayor if the complaint is against the Mayor), will undertake a preliminary assessment to assess, *prima facie*, whether:

1. the complaint is frivolous or without substance and should be dismissed;
2. the complaint is outside the scope of the Code and should be redirected to another agency or process;
3. the complaint is non-material; or
4. the complaint is material and a full investigation is required.

The Chief Executive and Mayor can also request from the complainant further information/evidence in support of the complaint and, and if considered appropriate, may also request a preliminary statement in response from the elected member against whom the complaint is lodged.

Step 3: Non-material breach

Where it is determined the matter to be a non-material (low level) breach, frivolous or without substance the Mayor will inform the complainant and respondent directly; neither of which persons are open to challenge the decision of the Mayor. The Mayor may inform other elected members (if there are no grounds for confidentiality) of the decision.

The Mayor may determine a low level resolution be pursued including a meeting of the parties, an apology or other courses of action considered appropriate by the Mayor (ie attendance of courses or programmes to increase their knowledge and understanding of the matters leading to the complaint). Any recommendations made in response to a non-material breach are non-binding on the respondent and the Council.

Step 4: Complaint is redirected

Where it is determined the complaint is considered outside the scope of the Code and should be redirected to another agency or process or a full investigation is required then the matter will be referred to an independent investigator¹ selected from a panel agreed at the start of the triennium.

The Chief Executive will:

- Inform the complainant that the complaint has been referred to the independent investigator, the name of the investigator, and refer them to the process for dealing with complaints as set out in the Code; and
- Inform the respondent that the complaint made against them has been referred to an independent investigator, the name of the investigator and refer them to the process for dealing with complaints as set out in the Code.

Step 5: Material Allegation/Complaint: Code of Conduct Committee Oversees Investigation

If a material allegation/complaint is received the Code of Conduct Committee will receive a report from the Chief Executive and/or Mayor with recommendations as to the approach the Committee may wish to consider.

The Committee will determine the scope and terms of reference of any further enquiry or investigation required.

On completing an investigation of the allegation/complaint, the investigator will furnish the Code of Conduct Committee the full written report of the investigation including conclusions and any recommendations.

On receiving the investigator's assessment the Code of Conduct Committee will:

1. in cases where an investigator determines that an allegation/complaint is frivolous or without substance, inform the Mayor, complainant and respondent directly and inform other elected members (if there are no grounds for confidentiality) of the investigator's decision; *(Refer to Step 3)*.
2. in cases where the investigator finds that the allegation/complaint involves a potential legislative breach and outside the scope of the Code, forward the complaint to the relevant agency and inform both the complainant and respondent of the action.

¹ On behalf of the Council the Chief Executive will, shortly after the start of a triennium, prepare, in consultation with the Mayor, a list of investigators for this purpose of undertaking an investigation and assessment. The Chief Executive may prepare a list specifically for his/her Council, prepare a list jointly with neighbouring councils or contract with an agency capable of providing appropriate investigators, such as Equip.

Step 6: Actions where a breach is found to be material

The findings and conclusions of the investigator's report will be reported to the Code of Conduct Committee, and the complainant and respondent will be informed. The Committee will then determine what action should be taken and make a recommendation to the Council.

The Code of Conduct Committee will consider the Chief Executive's report and/or investigator's report in open meeting, except where the alleged breach concerns matters that justify the exclusion of the public, such as the misuse of confidential information or a matter that would otherwise be exempt from public disclosure under s.48 of the LGOIMA, in which case it will be a closed meeting.

Before making any decision in respect of the investigator's report the Code of Conduct Committee, and as necessary, the Council will give the member against whom the complaint has been made an opportunity to appear and speak in their own defence.

Elected members with a direct interest in the proceedings, including the complainant and the respondent, may not take part in the deliberation sections of the proceedings.

The form of penalty that might be applied will depend on the nature of the breach and may include actions set out in section 13.1 of this Code.

The Council notes the Code of Conduct Committee determined at the beginning of the 2016-19 triennium consists of the following panel:

Deputy Mayor Felstead (Chair), Councillor Atkinson, Councillor Brine and Councillor Doody.

WAIMAKARIRI DISTRICT COUNCIL**REPORT FOR DECISION**

FILE NO and TRIM NO: GOV 01-11/ 231026170985

REPORT TO: COUNCIL

DATE OF MEETING: 7 November 2023

AUTHOR(S): Sarah Nichols, Governance Manager

SUBJECT: Voting Direction at LGNZ National Council

ENDORSED BY:
(for Reports to Council,
Committees or Boards)


General Manager


Chief Executive

1. SUMMARY

1.1. This report seeks voting direction for the Mayor representing the Council, at an upcoming Special General Meeting of the Local Government NZ (LGNZ) National Council.

2. RECOMMENDATION

THAT the Council

- (a) **Receives** Report No. 231026170985.
- (b) **Authorises** Mayor Gordon to cast the Council vote at the LGNZ Special General Meeting to be held on 11 December 2023 in the most appropriate manner that supports the direction of the Waimakariri District, based on feedback received from Councillors once they have viewed the final proposal papers.
- (c) **Notes** when the final Special Annual Meeting papers are available with the proposed options, these will be circulated to the Councillors for consideration and feedback to the Mayor.

3. BACKGROUND

- 3.1. LGNZ propose using the mechanism of a Special General Meeting (SGM) for agreeing the consensus position development and an output of the Future by Local Government work, which will be a key advocacy platform to take to the incoming government. Holding an SGM will allow every member council to vote on the proposed position and provide the clear demonstration of support (or otherwise) that is needed to solidify a collective advocacy platform.
- 3.2. At the LGNZ AGM held in July 2023 member Councils agreed to develop a consensus position or positions on the Future for Local Government report. Two in-person events were held, being 18 September and 2 November, with additional on-line engagement through the second half of October 2023.
- 3.3. LGNZ are proposing the SGM to enable every member Council to be part of the decision making process. The proposed position(s) will have been development through a collaborative process which would have a strong consensus element.

4. ISSUES AND OPTIONS

- 4.1. The SGM is proposed to be held (virtually) on Monday 11 December. It is proposed LGNZ will share the agenda and position papers with the member Councils on Friday 24 November. It is proposed a draft direction will be circulated on 17 November, with the Advisory Group finalising the position the following week.

- 4.2. Due to the timeframes of the information becoming available it is proposed that the information be circulated separately to Councillors, and feedback views to the Mayor prior to the 5 December Council meeting. There could be an opportunity to discuss matters further or seek clarification ahead of the proposed LGNZ Special General Meeting.

Implications for Community Wellbeing

There are no implications on community wellbeing by the issues and options that are the subject matter of this report.

- 4.3. The Management Team has reviewed this report and support the recommendations.

5. COMMUNITY VIEWS

5.1. Mana whenua

Te Ngāi Tūāhuriri hapū may have an interest in the subject matter of this report, and the voting from our Council maybe of interest. They will have an interest in the outcomes of future directions and decisions.

5.2. Groups and Organisations

There are not groups and organisations likely to be affected by, or to have an interest in the subject matter of this report.

5.3. Wider Community

The wider community is likely to be affected by, or to have an interest in the subject matter of this report; more particularly the outcomes of future directions.

6. OTHER IMPLICATIONS AND RISK MANAGEMENT

6.1. Financial Implications

There are not financial implications of the decisions sought by this report. However there may be implications into the future decision making at a national and central government level, which would be reported separately at the time when information was available.

6.2. Sustainability and Climate Change Impacts

The recommendations in this report do not have sustainability and/or climate change impacts.

6.3 Risk Management

There are not risks arising from the adoption/implementation of the recommendations in this report. However there may be implications into the future decision making at a national and central government level, which would be reported separately at the time when information was available.

6.3 Health and Safety

There are not health and safety risks arising from the adoption/implementation of the recommendations in this report.

7. CONTEXT

7.1. Consistency with Policy

This matter is not a matter of significance in terms of the Council's Significance and Engagement Policy.

7.2. Authorising Legislation

Not applicable.

7.3. **Consistency with Community Outcomes**

The Council's community outcomes are not relevant to the actions arising from recommendations in this report, however future decision making will impact.

7.4. **Authorising Delegations**

The Council has the delegated authority.

WAIMAKARIRI DISTRICT COUNCIL**REPORT FOR DECISION**

FILE NO and TRIM NO: RDG-32-115-02 / 230919145813

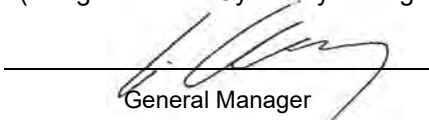
REPORT TO: RANGIORA ASHLEY COMMUNITY BOARD

DATE OF MEETING: 11 October 2023

AUTHOR(S): Kieran Straw – Civil Project Team Leader
Don Young – Senior Engineering Advisor

SUBJECT: Approval of Design for Project 2 of the Transport Choices Programme (Rangiora Town Cycleway – Stage 1)

ENDORSED BY:
(for Reports to Council, Committees or Boards)




1. SUMMARY

- 1.1. This report is seeking approval of the detailed design for the Rangiora Town Cycleway – Stage 1 (Project 2 of the Transport Choices Programme), to allow staff to progress to the tender phase of the project (see Attachment i).
- 1.2. Consultation on the proposed cycle connections closed on 11th September 2023, and the Council has received 50 formal responses via the “Let’s Talk:” consultation phase (see Attachment ii).
- 1.3. The consultation included a drop-in session at the Southbrook Rugby Club for the directly impacted stakeholders and residents to provide feedback on the design. In addition, a small meeting was held on 26th September 2023 with South Belt residents to discuss detailed design changes.
- 1.4. After the recent approval from the Council to consult on the concept, the staff have sent fliers to all residents and businesses along the route, held a community drop-in session, and a street meeting specifically on South Belt design.
- 1.5. The feedback has now been received and is summarised in Attachment iii. In summary, 50 submissions were received, of which 26 were in support of the cycleway (either with or without specific concerns), 22 had objections either in general or to a specific part of the route, and 2 were blank.
- 1.6. The staff commentary on the feedback is dealt with in more detail in Section 5.2 below.
- 1.7. In addition, Council staff have worked extensively with three key stakeholders, being KiwiRail, Southbrook School and PAK’nSave.
- 1.8. With regard to KiwiRail, they have agreed to the proposed design, and after viewing a So Far As Is Reasonably Practicable assessment (SFAIRP), accept that it is not reasonably practicable to install half arm barriers at the two level-crossings, located at Marsh Road, and Dunlops Road. (see Attachments vii and viii). A number of mitigation measures have been included to alleviate some of their concerns. In addition, the Council will need to reconsider the need for improved barriers as part of its decision-making relating to the Rangiora Eastern Link.
- 1.9. With regard to the Southbrook School, the staff have met with them on a number of occasions. However the school board did send a submission in objection to the plan (submitter #48 in Attachment 3). This was based on their interpretation of the plan that the

one way would require PAK'nSave trucks to all exit the area past the school. Following this submission, the staff met with them to explain the intention with PAK'nSave trucks. In response to that, the school sent an email effectively withdrawing their objection (see Attachment iv). Note they also requested signage preventing trucks from going past the school. Staff have considered this, but without a Council bylaw being prepared, this would not be enforceable.

- 1.10. With regard to PAK'nSave, the staff believe they have listened carefully to the concerns raised and have made significant alterations to alleviate these concerns. PAK'nSave have submitted that they remain in objection to the plan (submitter 50 in attachment iii). If the plan is supported by the Board and then the Council, then the staff will continue to meet with PAK'nSave to look for opportunities to mitigate their remaining concerns.
- 1.11. As a result of the drop-in session, the staff have also considered changes to the layout on South Belt. We have then met with the residents, and it appears that the changes have largely mitigated their concerns, although some issues remained. These include matters such as the location of the bus stop, the design of the crossing island, and drainage concerns, and these will be considered as the detailed design is finalised.
- 1.12. Note that Waka Kōtahi have extended the construction deadline for Transport Choices projects to June 2025, which provides additional time to tender and construct. However the Waka Kōtahi approval process for the detailed design of these projects has only been extended for one month. Therefore, final designs must be submitted to Waka Kotahi prior to 27 October 2023.

Attachments:

- i. Detailed Design for Project 2 (Trim no. 230915144615)
- ii. Let's Talk Survey Responses – Redacted version (Trim no. 230912141937)
- iii. Summary of Feedback (Trim no. 230927152525)
- iv. Email from Southbrook School (Trim no. 230928153324)
- v. Proposed Schedule of Parking Restrictions (Trim no. 230221023538 (V03))
- vi. Proposed schedule of street trees for removal (Trim no. 230223024638 (V03))
- vii. KiwiRail SFAIRP Report – Marsh Rd Trim no. 230925150076)
- viii. KiwiRail SFAIRP Report – Dunlops Rd (Trim no. 230927152109)

2. RECOMMENDATION

THAT the Rangiora Ashley Community Board:

- (a) **Receives** Report No. 230919145813.
- (b) **Endorses** the proposed detailed design of the cycleway, as per Trim: 230915144615, for Project 2, Rangiora Town Cycleway (as identified in Option 1 (Section 4.2) of this report).

AND

THAT the Rangiora-Ashley Community Board recommends:

THAT the Council:

- (c) **Approves** the detailed design as per Trim: 230915144615, for Project 2, Rangiora Town Cycleway.
- (d) **Notes** the Council have received 50 submissions which have been summarised as 26 generally in support, 22 in opposition for a number of reasons, and 2 blank.
- (e) **Approves** the installation of no stopping lines required as per the following schedule, noting that these will be added to the Councils Schedule of Parking Restrictions upon completion.

i.	Railway Road	West	Outside 642 Lineside Road (southern end)
ii.	Railway Road	West	Outside 642 Lineside Road (northern end)
iii.	Railway Road	West	Outside 16 Railway Road
iv.	Railway Road	West	Outside Allied Concrete 20
v.	Railway Road	East	Angle parking south of Dunlops Road
vi.	Railway Road	East	For 10m north of Dunlops Road (extending existing by 5m) to improve sight lines at level crossing.
vii.	Torlesse Street Street side)	South	Outside No 36 Southbrook Road (Torlesse
viii.	Coronation Street	West	Cul-de-sac head
ix.	Country Lane	Both	South Belt to end of public laneway.
x.	South Belt	North	No. 7 King Street
xi.	South Belt	South	No. 99 37

- (f) **Notes** that these changes will result in the loss of 29 carparks partly balanced by the addition of 10 new carparks (leaving a nett loss of 19 carparks).

- (g) **Approves** the removal of 12 street trees, noting they will be replaced with at least as many new street trees:

i.	Railway Road East carriageway	Outside Carters	- To be replaced in kerb build out within
ii.	Railway Road East of road	Outside Carters	- To be replace in berm on western side
iii.	Railway Road East carriageway	Outside Carters	- To be replaced in kerb build out within
iv.	Railway Road East of road	Outside Carters	- To be replace in berm on western side

- v. Railway Road East Outside Carters - To be replaced in kerb build out within carriageway
 - vi. Railway Road West Outside Pak n Save - To be replaced with new within buffer between footpath and roadway on eastern side of Railway Road
 - vii. Railway Road West Outside Pak n Save - To be replaced with new within buffer between footpath and roadway on eastern side of Railway Road
 - viii. Railway Road West Outside Pak n Save - To be replaced with new within buffer between footpath and roadway on eastern side of Railway Road
 - ix. Railway Road West Outside Pak n Save - To be replaced with new within buffer between footpath and roadway on eastern side of Railway Road
 - x. Railway Road West Outside Pak n Save - To be replaced with new within buffer between footpath and roadway on eastern side of Railway Road
 - xi. Railway Road West Outside Pak n Save - To be replaced with new within buffer between footpath and roadway on eastern side of Railway Road
 - xii. Coronation Street South No. 10 Coronation St - To be replaced west of Buckleys Road.
- (h) **Approves** the installation of “STOP” priority control on Railway Road (northbound) at Station Road intersection, a “STOP” control on the west of the Marsh Rd railway crossing, and removes the existing “STOP” priority control on Station Road (east bound) as per the proposed intersection design.
- (i) **Approves** the implementation of one-way (northbound) on Railway Road for approximately 60m between Station Road, and the rear PAK’nSave entrance.
- (j) **Notes** that feedback from the consultation process has been incorporated into the design where applicable.
- (k) **Notes** that as a result of consultation, staff have made significant changes to the South Belt connection to King Street, relocating the crossing location to the western side of the intersection.
- (l) **Notes** that this project is funded through the “Transport Choices” funding stream (which is still subject to final signing and confirmation), and this requires that all works is complete by June 2025 (following a recent extension to the completion date), however construction will be programmed to be complete by December 2024.
- (m) **Notes** that the deadline for the approval of the detail design and Schedule 2 agreement for funding has been extended to 30 October 2023, and that Waka Kotahi have signalled that failure to meet that deadline will result in no funding being available. Also funding for construction is dependent on and will not be released until these have been approved by Waka Kotahi.
- (n) **Notes** that the detailed design drawings are subject to an Independent Road Safety Audit, and that this process is yet to occur. Further minor changes are likely to be required as a result.
- (o) **Notes** that the KiwiRail SFAIRP process has confirmed that the installation of half-arm barriers at the Marsh Road, and Dunlops Road level crossings are not financially practicable, and therefore not required as a result of the proposed cycleway.
- (p) **Notes** that the likely risk associated with projected usage of Marsh Rd and Dunlops Rd railway crossings will need reviewing as part of the Rangiora Eastern Link project, which may lead to either closure, or half arm barriers being installed at that point.
- (q) **Notes** that staff will proceed with the preparation of tender drawings, and documents in anticipation of receiving an approval to move to construction from Waka Kōtahi.

3. **BACKGROUND**

- 3.1. The Waimakariri District Council have committed to improving multi-modal transport options throughout the district. The intention is to provide safe and accessible facilities which encourage active movements within the community.
- 3.2. The Walking and Cycling Network Plan has been derived to deliver upon the actions which were agreed and endorsed in the Waimakariri Walking and Cycling Strategy 2017-2022. The vision of this strategy is “Waimakariri residents choose to walk and cycle, and that the environment is friendly, safe and accessible for walkers and cyclists”. Overall, the aim of the strategy is to encourage walking and cycling, both for recreational and commuter travel. This policy was developed with alignment to Regional Transport Plans and other national/regional policy documents.
- 3.3. A previous report was taken to All Boards in August 2021 seeking approval to consult on the draft Walking and Cycling Network Plan (refer to TRIM No. 210920151361 for further background information).
- 3.4. Following this district wide consultation, a further report was taken to the Boards and then the Council in October 2022 seeking adoption of the Walking and Cycling Network Plan, and associated Infrastructure Prioritisation Programme. This was adopted.
- 3.5. Report Trim no. 230131011979 sought approval of the scheme design for the Rangiora Town Cycleway for the purposes of consultation. Also present at both the Rangiora-Ashley Community Board, and the Utilities & Roothing Meeting were Foodstuff Representatives who presented a deputation outlining their concerns of the proposed scheme design. The resolutions of this meeting were as follows:
 - a) *Requests a Safety Audit of the proposed scheme concept in relation to Southbrook.*
 - b) *Requests a reconsideration of alternative routes in the Southbrook area.*
 - c) *Notes staff will present a further report to the next Utilities and Roothing Committee meeting.*
- 3.6. Staff then re-evaluated alternative alignments and sought a Road Safety Technical note on the proposed scheme design. The outcomes of these were presented in Report 230322039767 where again Foodstuff representatives presented a deputation from their perspective. Following this presentation at the April 2023 meeting, the Utilities and Roothing Committee approved the Scheme Design for the purposes of consultation, with the following resolutions being particularly relevant to this report:
 - e) *Notes that any option that included a level crossing, or alignment within the KiwiRail Corridor would need to follow KiwiRail processes, which they have indicated this could take “years to complete.” This was due to staff shortages and a high workload within KiwiRail.*
 - g) *Requests that staff worked collaboratively with PAK’NSAVE, Foodstuffs South Island and their representatives to address their concerns and endeavour to reach a mutual agreement on safety mitigation measures.*
- 3.7. In August 2023 a further report, Trim no. 230725112801, sought approval to take a revised scheme design to the directly impacted stakeholders and residents for Consultation, which was given by the Board and the Council. Consultation closed on 15th September 2023, and the scheme design has been amended in places to take account of this.
- 3.8. In parallel with the community consultation Council staff engaged an independent consultant to carry out a SFAIRP assessment for KiwiRail to determine whether half-arm barriers are required at the existing level crossings at Marsh Road, and Dunlops Road as a result of the proposed cycleway. The results of the SFAIRP assessment concludes that half-arm barriers are not required to be installed as a result of this project. Other mitigation

measures have been included within the detailed design. These are discussed in section 5.2 of this report.

4. ISSUES AND OPTIONS

- 4.1. The description of this cycleway route has been broken into sections and described below. The following descriptions should be read in conjunction with Attachment i of this report.

4.1.1. Railway Road (Lineside Road to Marsh Road intersection)

The proposed design of this section of the cycleway is recommended to remain unchanged, with a 2.5m Shared Path against the kerb (leaving approximately 700mm berm between property boundary and the path).

This alignment will require the removal of 5 street trees, which will be replaced either on the opposite side of Railway Road, or in on-road kerb build outs along this length.

This length received little feedback from the resident's and business's consultation.

4.1.2. Railway Road / Marsh Road intersection (including Railway Road to rear entrance of PAK'nSave)

This section of the proposed cycleway has been significantly redesigned following discussions with KiwiRail, and Foodstuffs / PAK'nSave. These changes are to mitigate concerns raised by these stakeholders, and the changes include the following:

- i. Change intersection priority to give the east-west movement right of way and mark "STOP" on the western approach to the crossing.

The detailed design provides for a change in intersection priority which removes the need for west-bound traffic on Marsh Rd to come to a stop on the railway line to give way to traffic on Railway Road. In addition, the change in priority allows traffic approaching from the west to have the right of way, which again removes an area of potential conflict for these users. This has been requested by KiwiRail as part of the mitigation as it makes the intersection less complex for users crossing the level crossing and improve safety around the level crossing. This has therefore been included in the detailed design.

The addition of a Stop sign on Marsh Rd. for west-bound traffic will also add a safety element.

Users of the proposed shared-use path will be required to give way to motorists at this location.

- ii. Install raised platforms on Station Road and Marsh Road

This mitigation is intended to reduce speed of vehicle on approach to the level crossing. Although the recommendation is for a raised platform on both Station Rd and Marsh Rd, there is significant horizontal deviation on the Station Road approach that may negate the requirement for the platform on the Station Road approach. A raised platform has been included within the detailed design on the Marsh Rd approach, and the need for the Station Rd raised platform will be discussed as part of the on-going discussions with KiwiRail.

iii. Include "Rail X" marking on Station Road

With the proposed change in priority, the addition of this pavement marking is possible, and included within the detailed design.

iv. Creation of one-way length on Railway Rd, between Station Road, and PAK'nSave rear entrance

PAK'nSave raised concerns that, particularly immediately north of the intersection, the width of the site was too constrained.

The proposed design reclaims road space by pushing the kerbing back towards the boundary and converting the section of Railway Road between Marsh Road and the PAK'nSave entrance to one-way north. These two changes allow for a 2.0m planted (i.e., vertical) buffer between the proposed traffic lane, and the cycleway, and 3.0m truck parking bay.

As a result of the consultation, the location of the truck parking is now proposed on the western side of Railway Road. This change was made following feedback from PAK'nSave when the revised design presented to them.

v. Installation of traversable splitter islands at the Station Road / Railway Road intersection.

These fully traversable islands are intended to provide clear guidance to drivers as to where they should be travelling on the road at this complex intersection. However to ensure that PAK'nSave delivery vehicles, and other semi-trailers can navigate the intersection, they have been designed to be fully traversable so as to limit the impacts on the PAK'nSave deliveries.

Following the consultation period, a minor tweak was made to the painted median to allow stacking for a right turning vehicle coming from Marsh Rd, turning right into Railway Rd. This was requested by KiwiRail to minimise the possibility that a right turning vehicle would create queuing across the level crossing.

In addition to the above stakeholders, the Council has received a number of submissions in opposition to the proposed approach to Railway Rd. One of these is Southbrook school, who were under the impression that the one-way approach would require all PAK'nSave trucks to go past Southbrook school. When it was explained that this would not be the case (as the trucks will circle back to Station Rd), they emailed indicating they were satisfied.

They did request the Council consider signage preventing trucks from going past Southbrook School, but the staff advise that this would not be enforceable with a bylaw to mandate this, and that this was not recommended for timing, practicality and enforcement reasons.

Of the other submitters opposing the approach to Railway Rd, the submitters appeared to be under a similar impression regarding the PAK'nSave trucks. The actual situation will be explained to them as part of the Council response.

As a result of the consultation, a resident of Coronation Street has requested that no-stopping be installed outside their property. This request has specifically been considered; however this is not proposed as our level of service expectation for local streets is a minimum of one 4m traffic lane with parking on both sides. To reduce parking it could increase cut-through traffic volumes and speeds in Coronation Street. However, to improve intervisibility for the residents, parking limit lines will be installed to ensure parked vehicles are greater than 2.0m from the driveway.

4.1.6. Ellis Rd (Road Reserve behind Southbrook Park)

The proposed design for this section of the cycleway is recommended to remain unchanged from that previously proposed.

Construction of a 3.0m wide shared path is recommended to be constructed along the length of the unformed road reserve through to South Belt.

There is an opportunity to provide additional trees and landscaping within this length to improve the amenity and environmental value of this facility, however this will be balanced with the feedback from the residents that back on to this reserve as not all were supportive of the cycleway construction, with some wanting to retain their views (i.e., no landscaping), as well as some citing light pollution concerns, and security concerns.

Both at the meeting, and as part of some submissions, the suggestion was made to bring the cyclists down Buckleys Rd instead of Ellis Rd. This had been previously considered by staff at the start of this project, but at that time it was concluded that a shared path on the paper road would provide a safer and more attractive route than a neighbourhood green along Buckleys Rd would provide. As part of preparing this report, staff reconsidered whether this remained the best outcome, and have concluded that there are more benefits from a safety and amenity perspective to keeping the route on Ellis Rd.

4.1.7. Country Lane

Early in the project, prior to the formal consultation period, staff held a street meeting with residents of Country Lane. After that meeting, changes were made to the proposed design to include provision for car-parking and reduce vehicle speeds on entry to the Country Lane.

Despite these amendments there are some submitters who have submitted in opposition to the Ellis Rd / Country Lane route. As noted above, the staff recommend that this remains the route. If the cycleway is approved by the Council, then the staff will meet with those residents who back on to the paper road section of Ellis Rd and ensure that the design seeks to minimise any downside to them.

4.1.8. South Belt (Country Lane to King Street)

Following the consultation, changes were made to the proposed cycleway design along this length based on feedback received. These changes sought to address concerns relating to the impact on traffic turning right from South Belt into King Street as a result of the installation of the refuge crossing island on the eastern side of the intersection.

The detailed design relocates this refuge to the western side of the intersection and minimises the parking-loss by constructing a 3.0m shared use path (rather than the previously proposed separated facility).

It is noted that the assessment of the risks at the intersection was based on a 7-8 year timeframe, as this acknowledged that the Council will reconsider the situation at the time of designing the Rangiora Eastern Link. At that time, the council will need to consider either closing these crossings or implementing improved barriers.

4.1.3. Railway Road (Rear entrance to PAK'nSave to Torlesse Street)

The proposed design for this section of the cycleway is recommended to remain unchanged, with a "Neighbourhood Greenway" proposed. The existing angle parking against the railway line will be replaced with parallel parking to ensure cars do not reverse into the path of cyclists. Although the change to angle parking will reduce the number of vehicles that park south of Dunlop's Road, additional on-street parking spaces will be marked north of Dunlop's Road to make up for this.

KiwiRail have accepted this is a suitable treatment, and do not require half-arm barriers are installed a part of the work. They did raise an issue with regard to sightlines to an approaching train, which will be taken into consideration in terms of location of proposed formalised parking.

4.1.4. Torlesse Street

The proposed design for this section of the cycleway is recommended to remain unchanged from that previously presented.

The proposed solution for the full length of Torlesse St is to utilise the available width with a separated bi-directional on-road path. This path width is to be 2.9m wide and separated from the parking lane by 0.5m kerb separators.

The design minimises the loss of on-street parking, however one parking space will be required to be removed to accommodate the transition at the Torlesse / Southbrook intersection.

The road crossing at Southbrook Road will be fully signalised to allow for cyclists, and the works to prepare for this was included within the previous signalisation project.

4.1.5. Coronation Street

The proposed design for this section of the cycleway is recommended to remain unchanged from that previously presented.

A shared path is proposed to meander between the existing street trees on southern side of Coronation Street. One Street tree outside No. 10 Coronation Street will be required to be removed to accommodate the path. This tree will be replaced west of the Buckleys Road intersection.

The shared path will continue on the south side of Coronation Street, to the west of Buckleys Road.

A kerb and channel extension is required to formalise the cul-de-sac head at the western end of Coronation Street to provide separation from the shared path on the southern side of the street. The replacement street trees from Railway Road, outside PAK'nSave, will be reinstated in Coronation Street.

A street meeting was held on Tuesday 26th September to provide an update to residents impacted by this change in design. This meeting was productive, and residents were generally supportive of the proposed changes including moving the crossing to the west., and appreciative that staff had listened to their concerns. There remained some concerns about speed and the busy-ness of this area, and again a suggestion for the cycleway to come down Buckleys Rd, but the flavour was generally supportive. There were a number of other issues raised including the bus stop location, space for refuse bins, turning circles, and drainage. The staff will work through these as part of finalising the detailed design.

4.2. Option 1

The Board could choose to endorse the detailed design as presented, along with the associated other recommendations. This option would be in keeping with the previous objectives set by the Council regarding walking and cycling and would also be in keeping with the earlier district wide consultation on appropriate routes. This option would also ensure that the timeframe of submitting a final design to Waka Kōtahi by end of October 2023 would be met. This option is recommended.

4.3. Option 2

The Board could choose to decline endorsement of the detailed design, recommending to the Council that the cycleway does not proceed at all. This option is not recommended, as there remains a real need to connect the various elements of the cycle network plan, and the existing options through Southbrook are less safe.

4.4. Option 3

The Board could choose to decline endorsement of the detailed design, and recommend that the Council request staff to reconsider specific portions of the route such as railway Rd or Ellis Rd unformed section. This option is not recommended as any delay will mean that the Council does not meet its deadline of submitted detailed design by October 2023, and therefore the Waka Kōtahi funding would not be available. Also, alternative routes have already been considered and determined by the Board and the Council to be less satisfactory.

4.5. There are implications on community wellbeing by the issues and options that are the subject matter of this report.

The addition of walking and cycling infrastructure encourages a greater uptake of walking and cycling, both for commuters and recreation. An uptake in walking and cycling also contributes to improved health and wellbeing of members within the community. Further to this, including infrastructure which caters for a wide range of skill levels encourages less confident cyclists, who may have otherwise chosen to travel via motor vehicle, to use the provided facilities.

The project will include a significant landscaping allowance to further enhance the user experience, amenity, environmental aspects of this project.

4.6. The Management Team has reviewed this report and support the recommendations.

5. **COMMUNITY VIEWS**

5.1. **Mana whenua**

Te Ngāi Tūāhuriri hapū are not likely to be affected by or have an interest in the subject matter of this report.

The cycleway is within the urban limits of Rangiora and is not passing through (or near to) Māori Reserve land. There is also no Archaeological Authority required for this route.

5.2. **Groups and Organisations**

There are groups and organisations likely to be affected by, or to have an interest in the subject matter of this report.

Adjacent residents and businesses

Staff went door to door to speak to key businesses in Railway Road and Station Road, and discussed the plans with the appropriate representative from each business. No businesses had any significant concerns about the proposal, including the changes proposed at the Marsh Road intersection.

A flyer was sent to all residents along the route asking for feedback, and a community drop-in session was held at the Southbrook Rugby clubrooms on 31st August. This drop-in session was for “directly impacted stakeholders and residents” and was also open to the wider public.

There were approximately 40 to 50 attend the meeting, about half of these being residents or business owners from the area and the other half being other interested parties who were not directly impacted by the works. There were also a small number of elected members and the Mayor in attendance.

The discussions with the residents went well. As expected, there was a range of feedback received on the night, and this has been reflected in the submissions received since. Most of the residents were either generally supportive or had specific concerns about a portion of the cycleway. The staffs’ recommended response to those concerns is generally summarised in the actions noted in Section 4.1 above.

A group from the North Canterbury Renters & Ratepayers Association attended the meeting. Their concerns were generally relating to the prudent expenditure of Council money, querying whether this expenditure should be prioritised above other possible areas of expenditure, and stating that they did not believe this expenditure was warranted, especially given the current state of the community’s finances.

Prudent expenditure of Council money should always be considered carefully. It is important that the Council remains vigilant to expenditure of little value. However, it is suggested that the positive response to the original Walking and Cycling Strategy and the Cycle Network Plan, and then the reasonable number of submissions in support of the cycleway, signals that there is another significant portion of ratepayers who believe this expenditure is warranted. At time of consultation on the Cycling Network Plan, 80% of respondents were in support of greater investment in cycling infrastructure.

It is worthwhile noting that the subsidy level for this project is at 66%, and so the cost to Council is significantly lower than if the work was delayed and carried out as part of a future subsidised work programme. Also given that currently cycleway expenditure (outside of this programme) is unsubsidised, there is a strong risk that the ratepayer would be fully funding the work in the future.

The submissions received since the drop-in session are included in Attachment iii and summarised in attachment iv. In summary, the feedback is as follows:

In support	18
In support of a cycleway, but some concerns	8
Total in support	26
General opposition	2
Opposition on principle	12
Opposition to Railway Rd section	6
Opposition to Country Lane section	2

Total in opposition	22
No comment made	2
Total submissions	50

PAK'nSave:

PAK'nSave spoke at a deputation at both the March Community Board meeting, and the subsequent Utilities & Roading Meeting. A full list of their concerns can also be found in the previous report (Trim 230131011979), and the design has been updated to mitigate the majority of these.

Despite changes to the design to mitigate their concerns PAK'nSave, and Foodstuffs remain opposed to the installation of the cycleway.

Southbrook School

Southbrook School, along with several other respondents to the survey, interpreted the one-way section of Railway Road to mean that the PAK'nSave delivery vehicles would be required to exit to Southbrook Road via Railway Road and Torlesse Street, past the school gates.

Staff have met with the school to discuss their concerns, and the school were made aware of the design and the intent to keep trucks away from Torlesse Street. The school were again supportive of the project (as per Attachment v).

KiwiRail

KiwiRail have been extensively involved with the development of the design, and as part of these discussions, staff have commissioned and received a Level Crossing Safety Impact Assessment (LCSIA) from Stantec. Normally, KiwiRail require an existing facility upgrade to meet a C1 criteria (i.e. low or medium-low risk). This is usually provided by some sort of signalisation (i.e. half arm barriers). The outcome of the LCSIA is that the existing layout does not meet KiwiRail's C1 criteria.

However KiwiRail's process allows a C2 criteria to be met where the costs are not 'reasonably practical' in terms of the risk reduction. (Note a C2 criteria equates to 'not worsening the safety situation'). KiwiRail has an additional formal process called "So Far As Is Reasonably Practicable" assessment (SFAIRP), which is effectively a type of cost-benefit analysis to determine whether the expense of the recommended option (i.e. half arm barriers) was proportionate to the benefits (i.e. projected injuries or lives saved).

The outcome of the SFAIRP was that the benefits were not proportionate. This was in particular because the number of additional cyclists crossing the railway line at either Marsh Rd or Dunlops Rd, will be very small, and so the increase in risk of putting the cyclists parallel was minimal.

One assumption that has been made in reaching this conclusion is that consideration will be given to closing Marsh Rd and Dunlops Rd crossings once the Rangiora Eastern Link is constructed (effectively requiring residents to the east of the railway line to go east to get to Rangiora or Christchurch). This decision doesn't need to happen now, but the Council do need to be aware that a similar review process would be required once the REL is constructed, and the outcome may either be installation of half arm barriers is required then, or closure of the crossings.

Therefore the proposed design includes the mitigations as proposed below in the Detailed Design, in order to achieve KiwiRail's C2 criteria.

- I. Change intersection priority to give the east-west movement right of way and mark "STOP" on the western approach to the crossing.
- II. Install raised platforms on Station Road and Marsh Road.
- III. Consider "RAIL X" marking on Station Road

As the "Minimum Mitigations" proposed improve the level crossing score, and go on to achieve KiwiRail's C2 criteria, KiwiRail have now signed off the proposed design as part of their SFAIRP assessment.

5.3. **Wider Community**

The wider community is likely to be affected by, or to have an interest in the subject matter of this report.

Feedback on the route was carried out as part of the Walking and Cycling Network Plan. Specific consultation for this project has been focused on the targeted consultation with directly affected residents and business as outlined under bullet point 5.2, with information also being available on Council's website and the drop in session being open to the wider Community.

6. **OTHER IMPLICATIONS AND RISK MANAGEMENT**

6.1. **Financial Implications**

There are financial implications of the decisions sought by this report.

A previous report (Trim 230619089921) went to Council in July 2023 seeking a decision on whether or not to reallocate budget from Project 4 (Rangiora on-road cycle lanes) to cover the likely shortfall across the other Transport Choices Projects. Council voted to not proceed with Project 4 and relocate the budget.

Therefore, the combined cost of the three remaining Strategic Cycleways is \$6,116,786.00, and there is a total combined budget of \$6,136,000.00. There is adequate budget to allow the design to proceed to tender.

The Engineers Estimate for Project 2 (Rangiora Town Cycleway) is \$1,170,336.00. This estimate will require Council approval. As Waka Kotahi are now extending their deadline for construction to June 2025, there will be time for the Council to receive and award the construction and still keep to time.

6.2. **Sustainability and Climate Change Impacts**

The recommendations in this report do have sustainability and/or climate change impacts.

Creating a safe and accessible walking and cycling network, which comes with improving infrastructure, increases the uptake of these activities for both recreational and commuter users. This results in a subsequent decrease in the number of people using single occupancy vehicles, particularly for shorter trips. This comes with many benefits, including health and the reduction of greenhouse gas emissions.

6.3 **Risk Management**

There are risks arising from the adoption/implementation of the recommendations in this report.

A number of residents and wider stakeholders object to the proposal, and their views need to be considered.

Foodstuffs / PAK'nSave remain opposed to the cycleway being installed on Railway Road. Should the Council adopt the proposed design, then the staff intend to continue to work with PAK'nSave to discuss further improvements.

There will be risks to road users and cyclists during and after implementation. However, the risks of the status quo situation are higher.

6.3 **Health and Safety**

There are health and safety risks arising from the adoption/implementation of the recommendations in this report.

The detailed design that is included as attachment i of this report has not yet been through an independent Road Safety Audit. An independent safety audit was however previously completed at Scheme Design stage, and a Safety Review was also carried out specifically relating to the Railway Road / Marsh Rd intersection

The detailed design is currently in the process of being independently safety audited, and as a result may require some further minor design changes. These are not anticipated to be major and if any larger changes were required then this would be reported back.

Contractors engaged for the works will be required to be SiteWise registered and complete a Site Specific Safety Plan prior to commencing works on site.

7. **CONTEXT**

7.1. **Consistency with Policy**

This matter is not a matter of significance in terms of the Council's Significance and Engagement Policy.

7.2. **Authorising Legislation**

Local Government Act 2002

7.3. **Consistency with Community Outcomes**

The Council's community outcomes are relevant to the actions arising from recommendations in this report.

Public spaces and facilities are plentiful, accessible and high quality, and reflect cultural identity.

- There are wide-ranging opportunities for people to enjoy the outdoors.
- The accessibility of community and recreation facilities meets the changing needs of our community.

Core utility services are sustainable, resilient, affordable, and provided in a timely manner.

- Climate change considerations are incorporated into all infrastructure decision-making processes.

Transport is accessible, convenient, reliable, and sustainable.

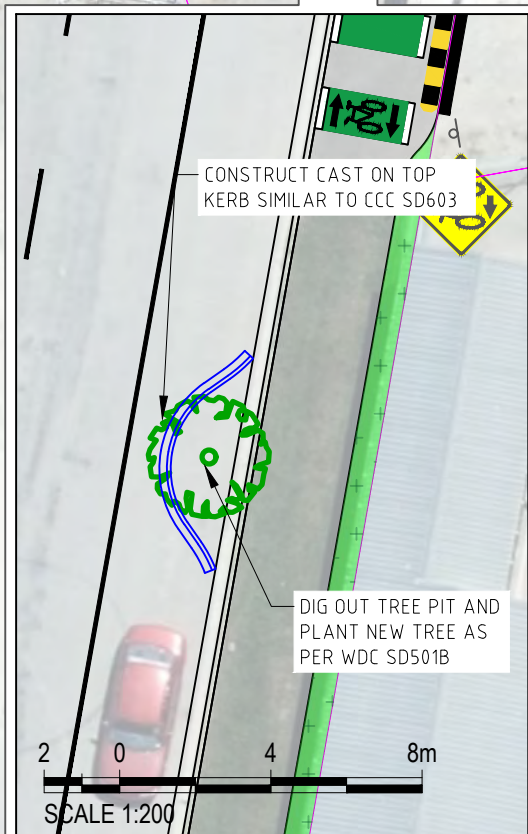
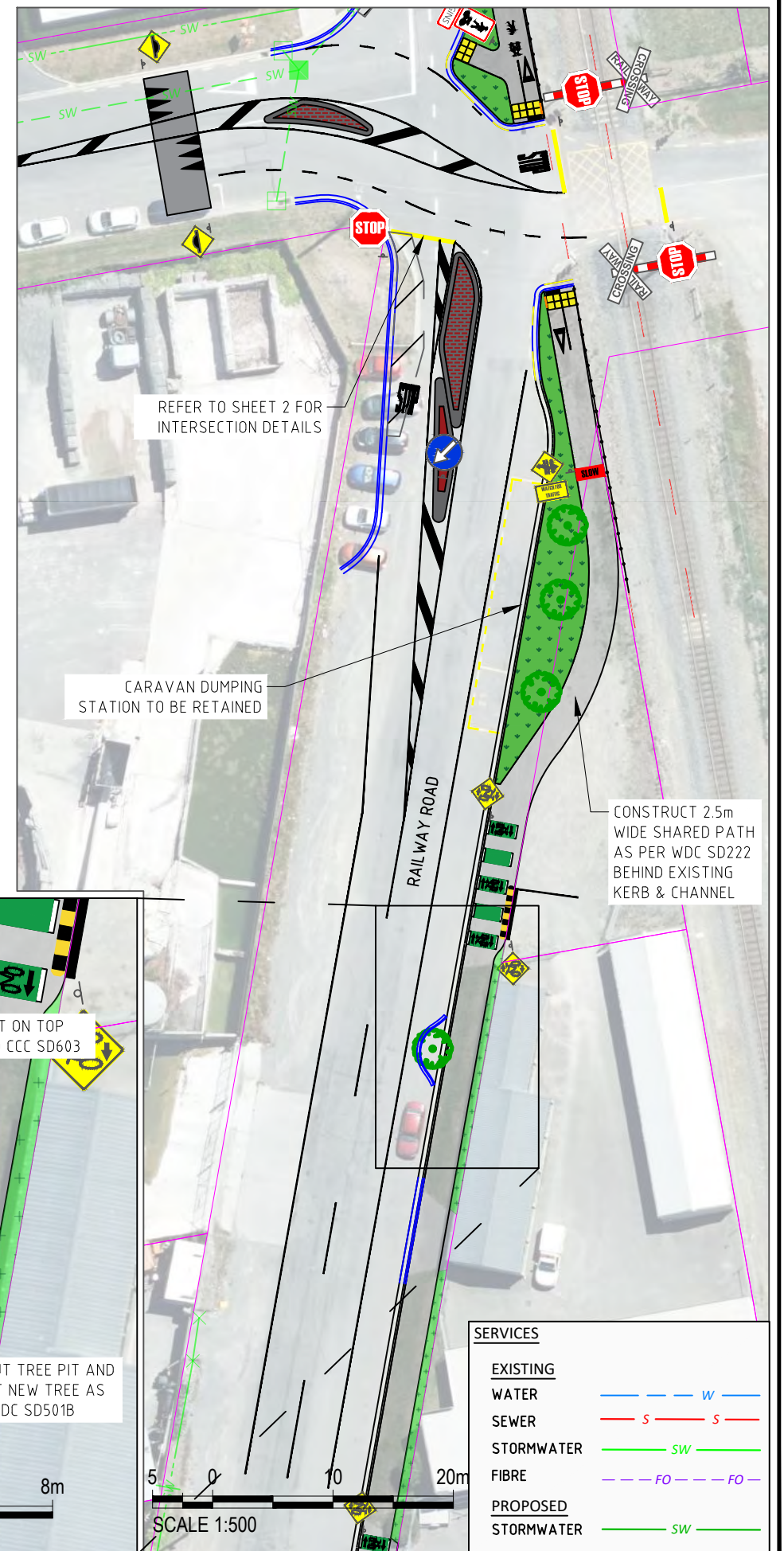
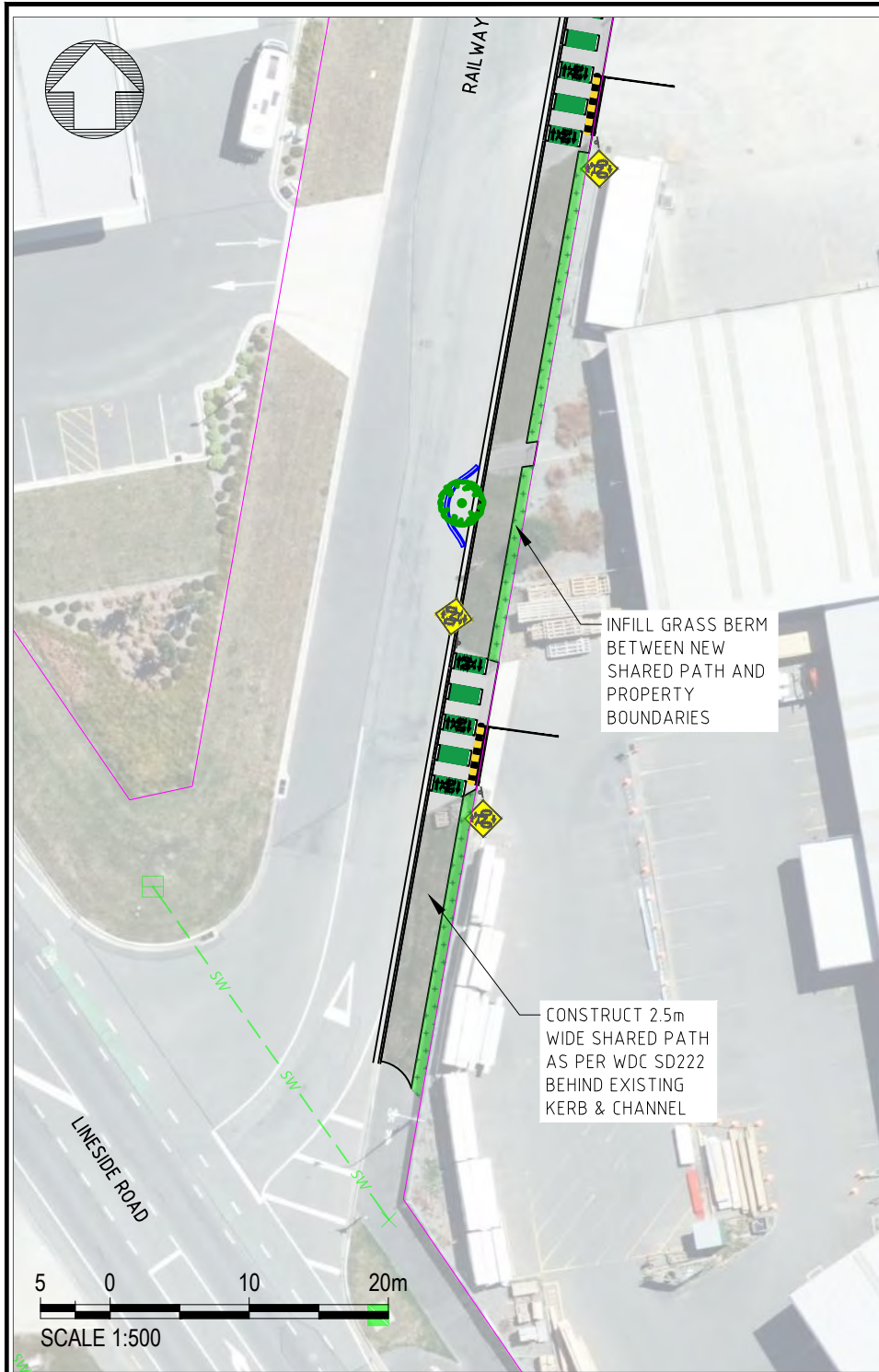
- The standard of our District's transportation system is keeping pace with increasing traffic numbers.
- Communities in our District are well linked with each other, and Christchurch is readily accessible by a range of transport modes.

7.4. **Authorising Delegations**

The Community Boards are responsible for considering any matters of interest or concern within their ward area and making a recommendation to Council.

The Council are being asked to approve this report even though Utilities and Roading Committee have the Delegations to accept this report, and approve the Detailed Design of this cycleway, due to the public interest of this project.

The Council will need to consider the Tender approval due to the likely amount.



- NOTES**
1. CONTRACTOR TO VERIFY DESIGN LEVELS ON SITE AND INFORM ENGINEER OF ANY ADJUSTMENTS REQUIRED TO KERB SETOUT AT LEAST TWO DAYS PRIOR TO INSTALLATION.
 2. LOCATION AND DEPTH OF EXISTING SERVICES SHOWN IS INDICATIVE. CONTRACTOR TO CONFIRM THE LOCATION OF ALL SERVICES ON SITE PRIOR TO COMMENCEMENT OF WORKS. NOTE SERVICES SHOWN ON PLAN ARE WDC SERVICES ONLY. REFER TO APPENDICES FOR OTHER SERVICE PLANS.
 3. ALL AFFECTED ROADMARKING TO BE RE-INSTALLED AS PER NZTA TRAFFIC CONTROL DEVICES MANUAL.
 4. ALL SUMPS ARE TO BE INSTALLED AS PER WDC STANDARD DRAWINGS 325, 328, OR 329 AS SPECIFIED.
 5. ALL VEHICLE ENTRANCE CUT-DOWNS ARE TO BE INSTALLED AT 5.2M BETWEEN TOP OF CUT-DOWNS (UNLESS DOUBLES).
 6. ALL CONSTRUCTION INTERFACES WITH EXISTING SURFACES SHALL BE TRIMMED TO A NEAT VERTICAL FACE.
 7. KERB SETOUT DATA TO BE PROVIDED IN .DWG FILE TO CONTRACTOR. FILE WILL INCLUDE SETOUT INFO OF THE DESIGN FENDER FOR THE K&C.

SERVICES	
EXISTING	
WATER	— W —
SEWER	— S —
STORMWATER	— SW —
FIBRE	— FO —
PROPOSED	
STORMWATER	— SW —

REV	REVISION DETAILS	DRN	CHK	APP	DATE
A	DETAILED DESIGN	AK	KS	KS	18/09/2023

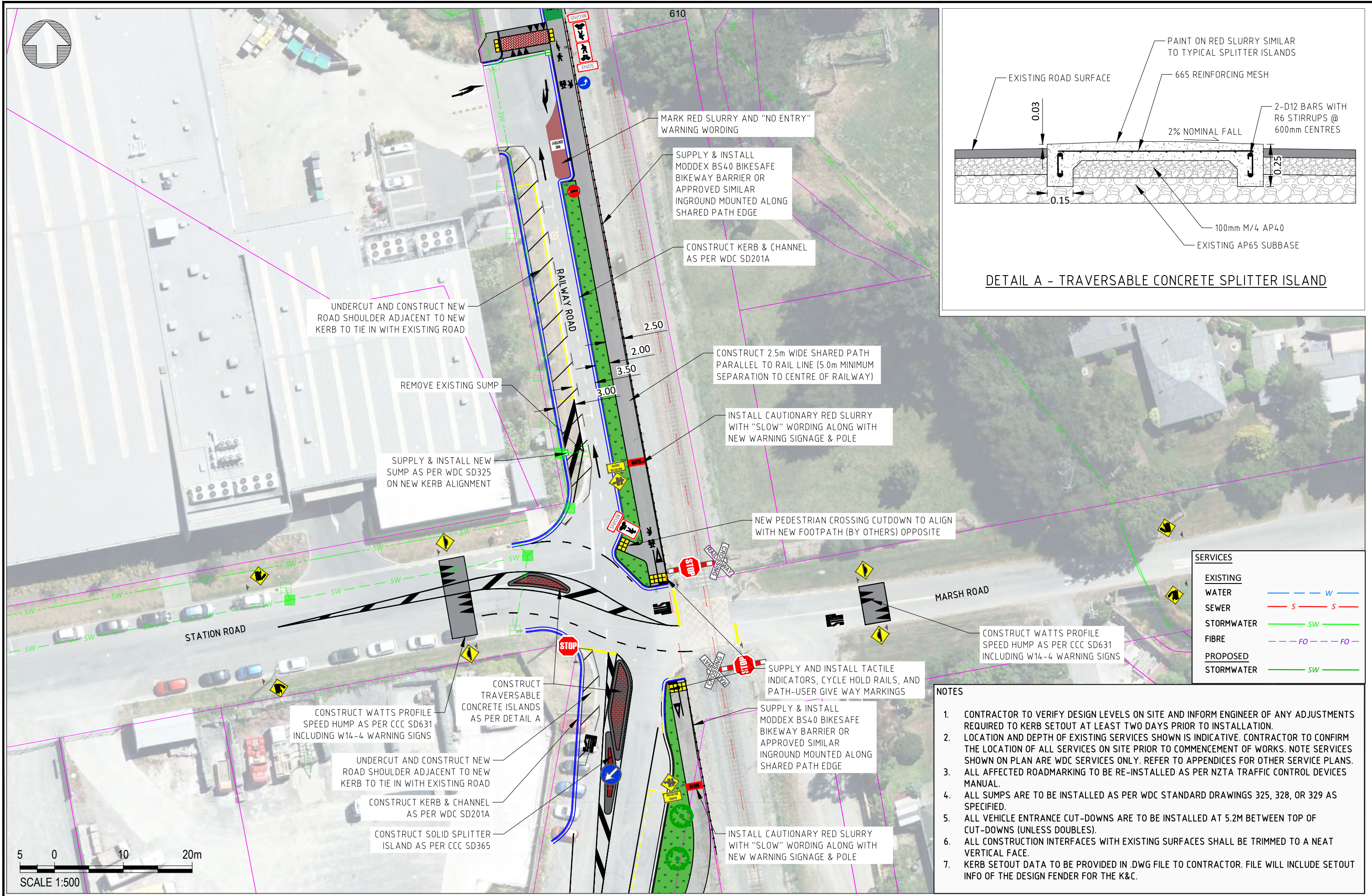
SURVEYED	---	---	PROJECT No	PD001951
DRAWN	AK	13/09/2023	CON No	
DRAWING CHKD	KS	15/09/2023	SCALE (A3)	AS SHOWN
DESIGNED	---	---	DATUM ORIGIN	
DESIGNED CHKD	---	---	HORIZONTAL	NZTM GD2000
APPROVED	---	---	VERTICAL	NZVD2016



PROJECT
RANGIORA TOWN CYCLEWAY

SHEET TITLE
RAILWAY ROAD - SOUTH

FOR APPROVAL
NOT FOR CONSTRUCTION
DRAWING
4354
SHEET
1
REVISION
A



SERVICES	
EXISTING WATER	— W —
SEWER	— S —
STORMWATER	— SW —
FIBRE	— FO —
PROPOSED STORMWATER	— SW —

- NOTES**
- CONTRACTOR TO VERIFY DESIGN LEVELS ON SITE AND INFORM ENGINEER OF ANY ADJUSTMENTS REQUIRED TO KERB SETOUT AT LEAST TWO DAYS PRIOR TO INSTALLATION.
 - LOCATION AND DEPTH OF EXISTING SERVICES SHOWN IS INDICATIVE. CONTRACTOR TO CONFIRM THE LOCATION OF ALL SERVICES ON SITE PRIOR TO COMMENCEMENT OF WORKS. NOTE SERVICES SHOWN ON PLAN ARE WDC SERVICES ONLY. REFER TO APPENDICES FOR OTHER SERVICE PLANS.
 - ALL AFFECTED ROADMARKING TO BE RE-INSTALLED AS PER NZTA TRAFFIC CONTROL DEVICES MANUAL.
 - ALL SUMPS ARE TO BE INSTALLED AS PER WDC STANDARD DRAWINGS 325, 328, OR 329 AS SPECIFIED.
 - ALL VEHICLE ENTRANCE CUT-DOWNS ARE TO BE INSTALLED AT 5.2M BETWEEN TOP OF CUT-DOWNS (UNLESS DOUBLES).
 - ALL CONSTRUCTION INTERFACES WITH EXISTING SURFACES SHALL BE TRIMMED TO A NEAT VERTICAL FACE.
 - KERB SETOUT DATA TO BE PROVIDED IN .DWG FILE TO CONTRACTOR. FILE WILL INCLUDE SETOUT INFO OF THE DESIGN FENDER FOR THE K&C.

REV	REVISION DETAILS	DRN	CHK	APP	DATE
A	DETAILED DESIGN	AK	KS	KS	18/09/2023

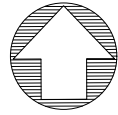
SURVEYED	---	---	PROJECT No	PD001951
DRAWN	AK	13/09/2023	CON No	
DRAWING CHKD	KS	15/09/2023	SCALE (A3)	1:500
DESIGNED	---	---	DATUM ORIGIN	
DESIGNED CHKD	---	---	HORIZONTAL	NZTM GD2000
APPROVED	---	---	VERTICAL	NZVD2016



PROJECT
RANGIORA TOWN CYCLEWAY

SHEET TITLE
**STATION ROAD / MARSH ROAD
INTERSECTION CONSTRUCTION PLAN**

FOR APPROVAL
NOT FOR CONSTRUCTION
DRAWING
4354
SHEET
2
REVISION
A

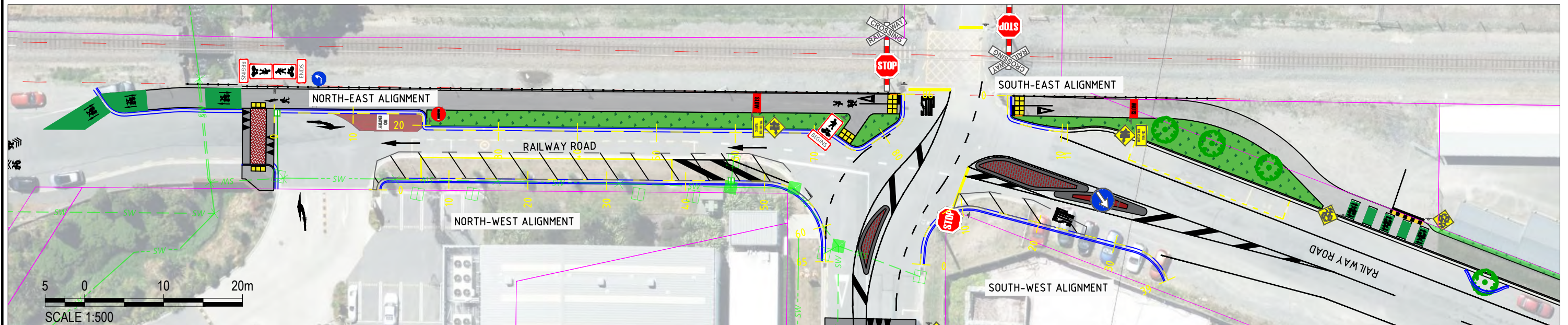


3D DESIGN TO COME

NORTH-EAST ALIGNMENT LONGSECTION

3D DESIGN TO COME

SOUTH-EAST ALIGNMENT LONGSECTION



3D DESIGN TO COME

NORTH-WEST ALIGNMENT LONGSECTION

3D DESIGN TO COME

SOUTH-WEST ALIGNMENT LONGSECTION

REV	REVISION DETAILS	DRN	CHK	APP	DATE
A	DETAILED DESIGN	AK	KS	KS	18/09/2023

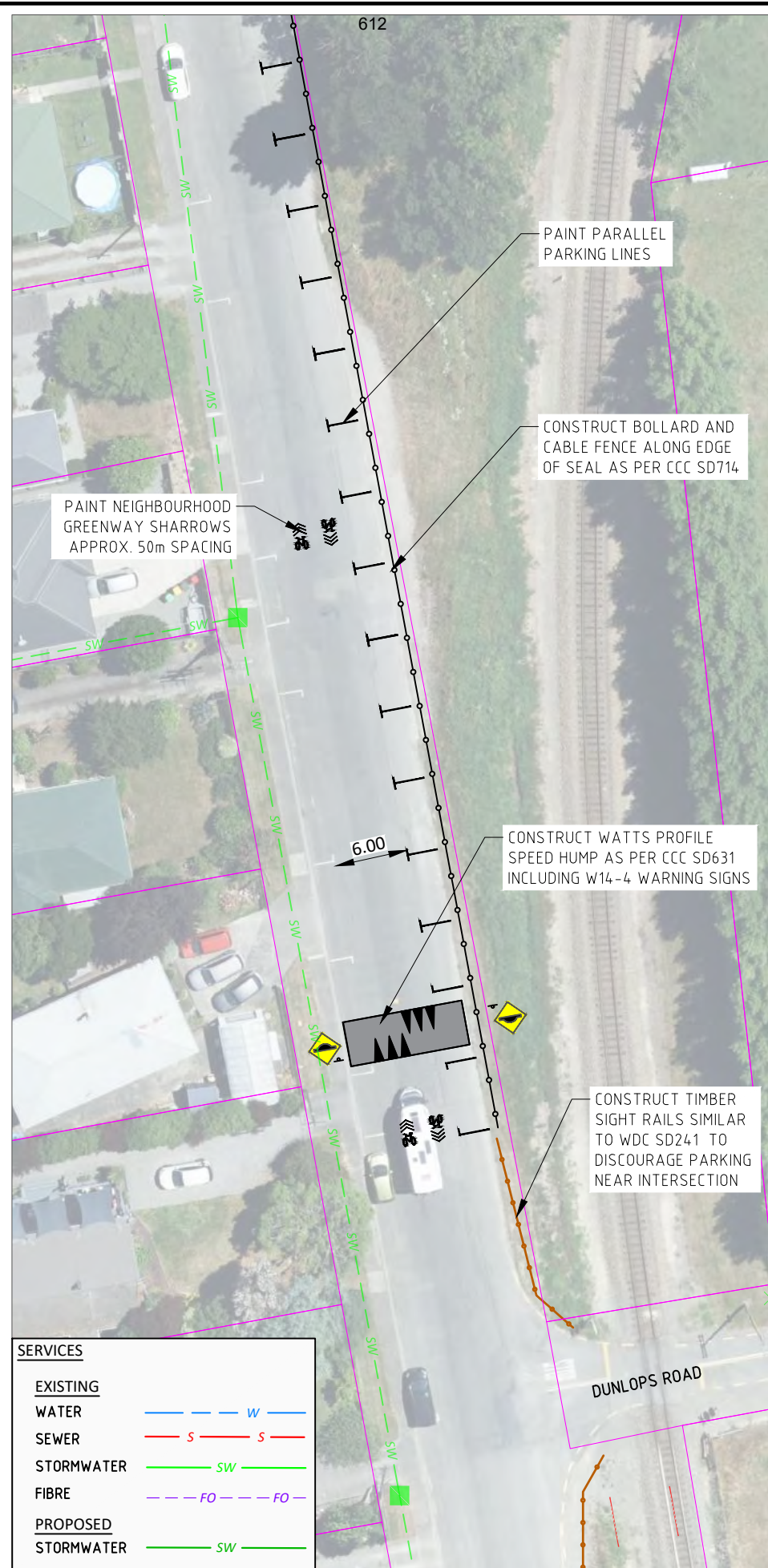
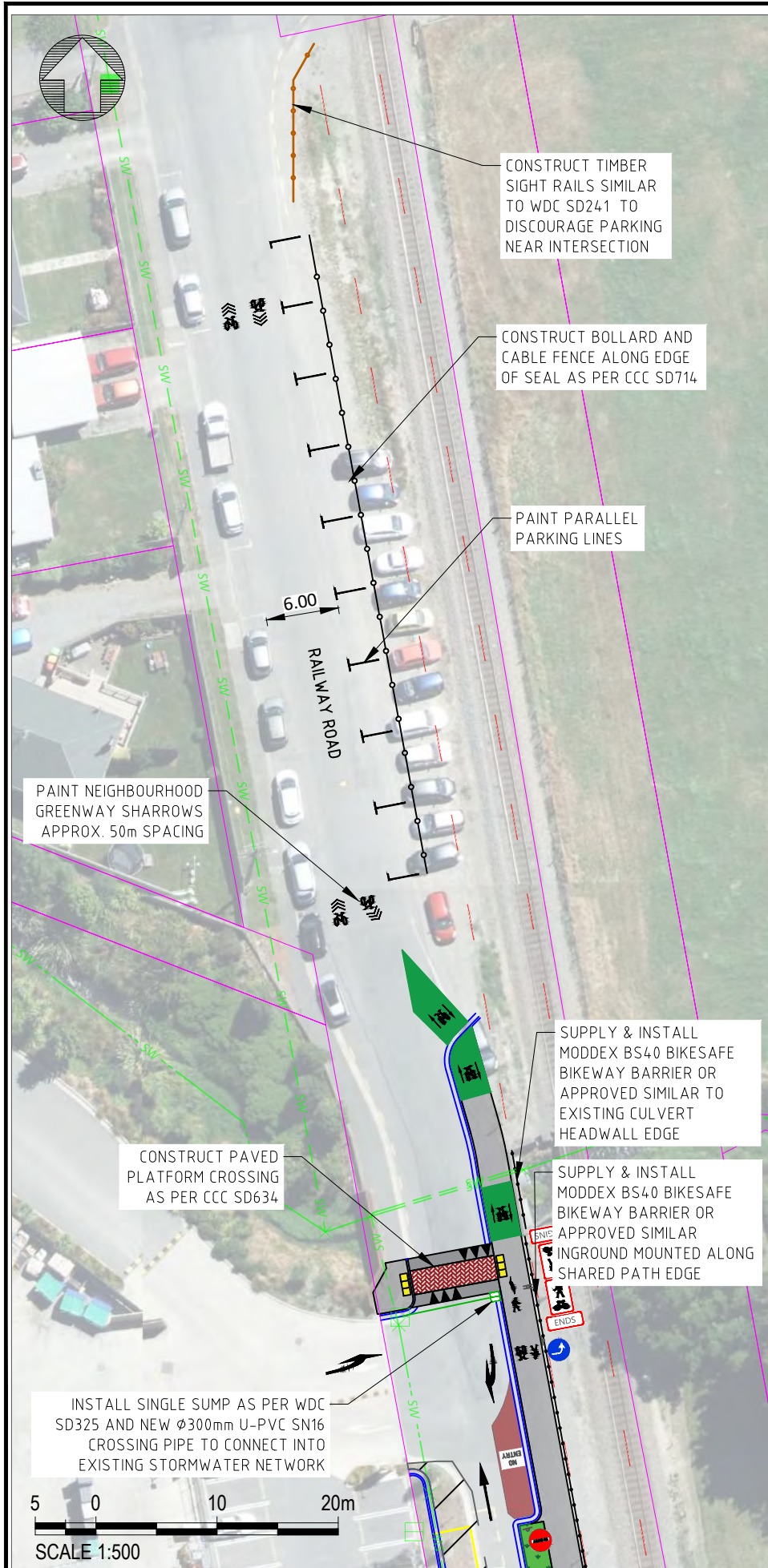
SURVEYED	---	---	PROJECT No	PD001951
DRAWN	AK	13/09/2023	CON No	
DRAWING CHKD	KS	15/09/2023	SCALE (A3)	1:500
DESIGNED	---	---	DATUM ORIGIN	
DESIGNED CHKD	---	---	HORIZONTAL	NZTM GD2000
APPROVED	---	---	VERTICAL	NZVD2016



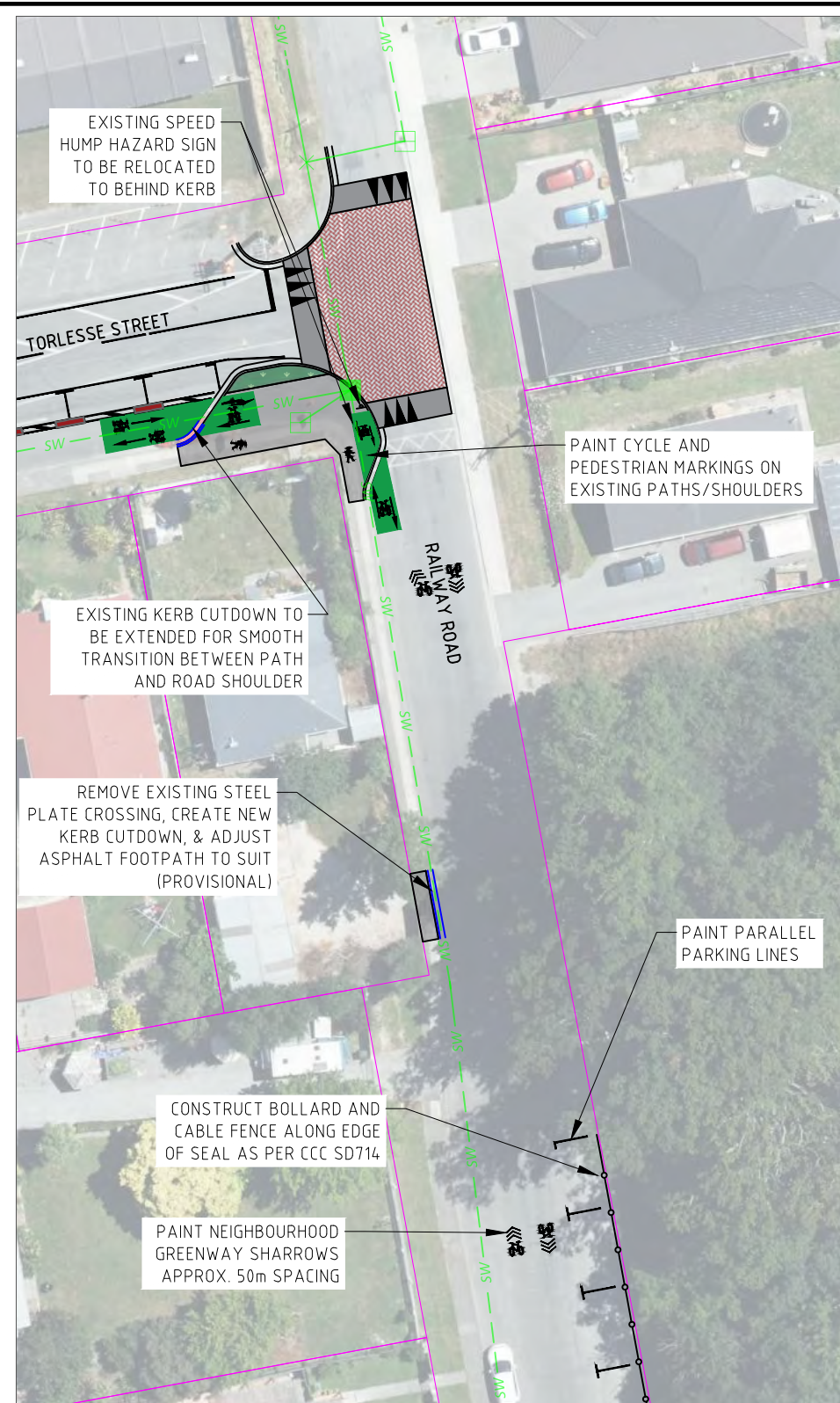
PROJECT	RANGIORA TOWN CYCLEWAY
---------	------------------------

SHEET TITLE	STATION ROAD / MARSH ROAD LONG SECTIONS
-------------	--

FOR APPROVAL NOT FOR CONSTRUCTION	
DRAWING	4354
SHEET	REVISION
3	A



SERVICES	
EXISTING	
WATER	— W — W —
SEWER	— S — S —
STORMWATER	— SW — SW —
FIBRE	— FO — FO —
PROPOSED	
STORMWATER	— SW — SW —



- NOTES**
- CONTRACTOR TO VERIFY DESIGN LEVELS ON SITE AND INFORM ENGINEER OF ANY ADJUSTMENTS REQUIRED TO KERB SETOUT AT LEAST TWO DAYS PRIOR TO INSTALLATION.
 - LOCATION AND DEPTH OF EXISTING SERVICES SHOWN IS INDICATIVE. CONTRACTOR TO CONFIRM THE LOCATION OF ALL SERVICES ON SITE PRIOR TO COMMENCEMENT OF WORKS. NOTE SERVICES SHOWN ON PLAN ARE WDC SERVICES ONLY. REFER TO APPENDICES FOR OTHER SERVICE PLANS.
 - ALL AFFECTED ROADMARKING TO BE RE-INSTALLED AS PER NZTA TRAFFIC CONTROL DEVICES MANUAL.
 - ALL CONSTRUCTION INTERFACES WITH EXISTING SURFACES SHALL BE TRIMMED TO A NEAT VERTICAL FACE.
 - KERB SETOUT DATA TO BE PROVIDED IN .DWG FILE TO CONTRACTOR. FILE WILL INCLUDE SETOUT INFO OF THE DESIGN FENDER FOR THE K&C.

REV	REVISION DETAILS	DRN	CHK	APP	DATE
A	DETAILED DESIGN	AK	KS	KS	18/09/2023

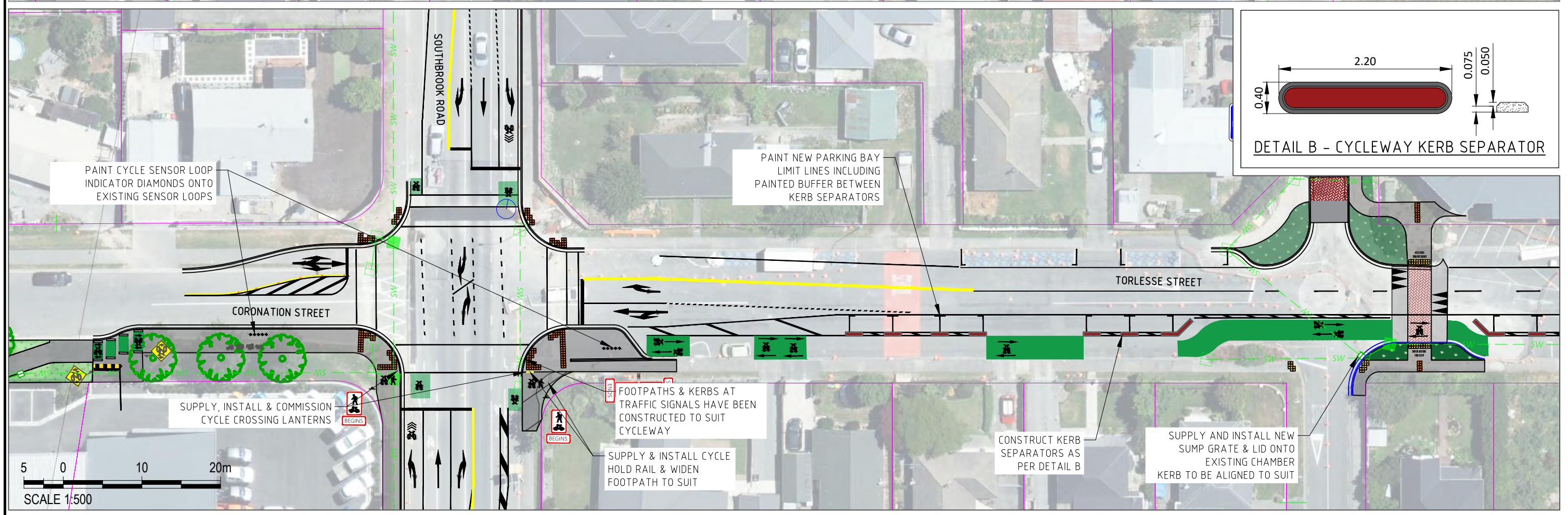
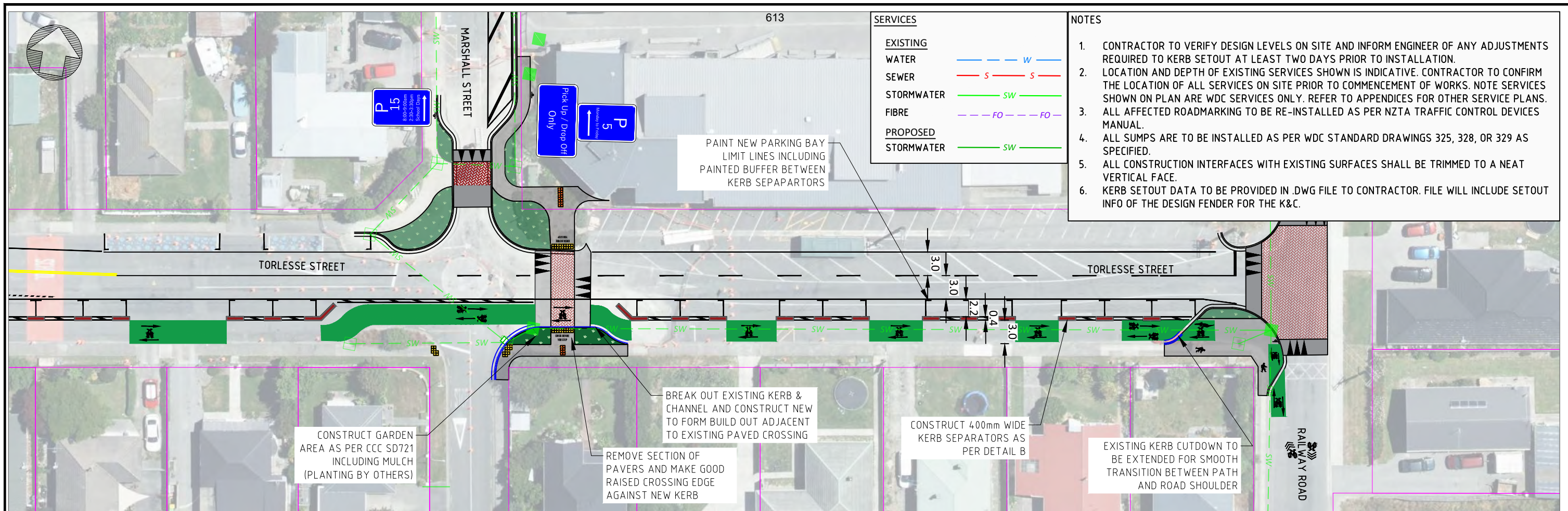
SURVEYED	---	---	PROJECT No	PD001951
DRAWN	AK	13/09/2023	CON No	
DRAWING CHKD	KS	15/09/2023	SCALE (A3)	1:500
DESIGNED	---	---	DATUM ORIGIN	
DESIGNED CHKD	---	---	HORIZONTAL	NZTM GD2000
APPROVED	---	---	VERTICAL	NZVD2016



PROJECT
RANGIORA TOWN CYCLEWAY

SHEET TITLE
RAILWAY ROAD - NORTH

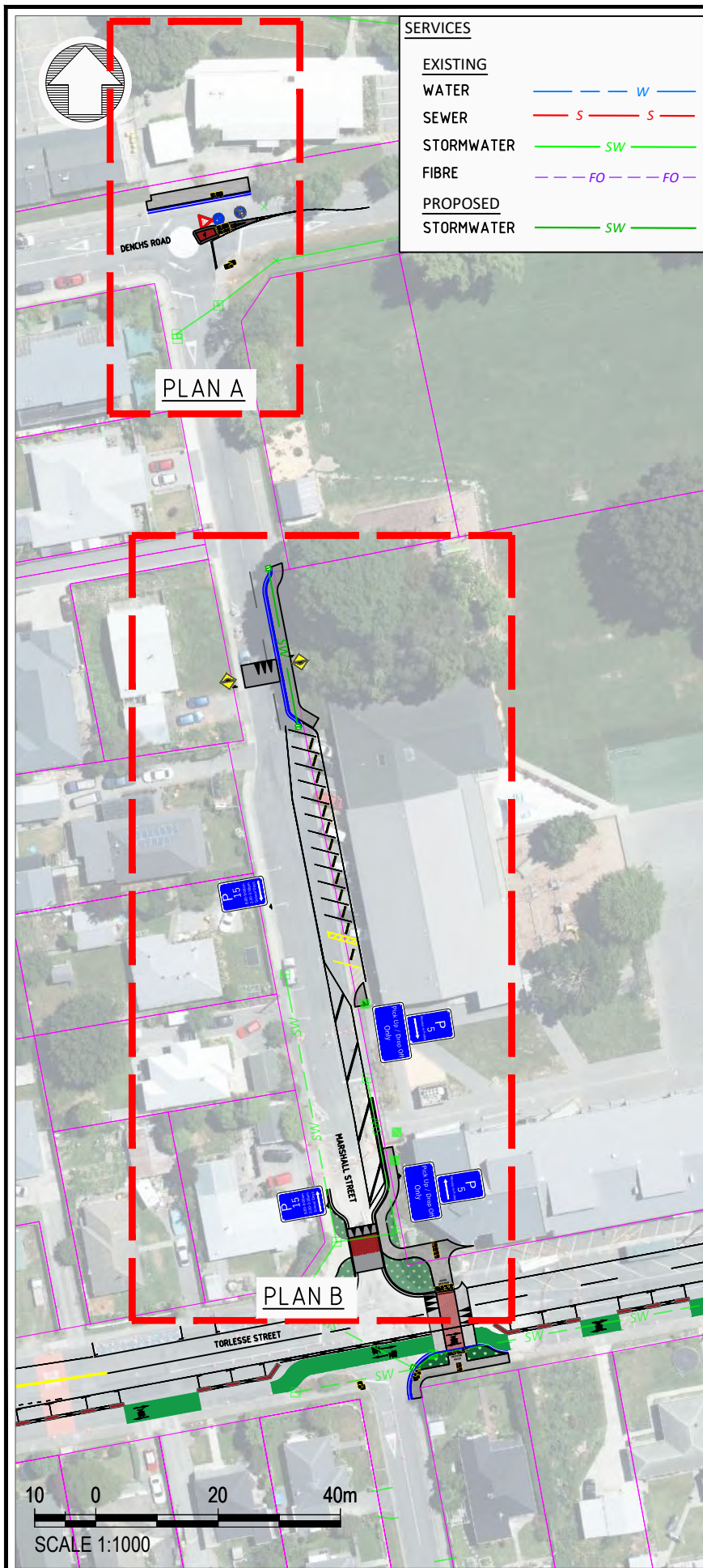
FOR APPROVAL
NOT FOR CONSTRUCTION
DRAWING
4354
SHEET 4 REVISION A



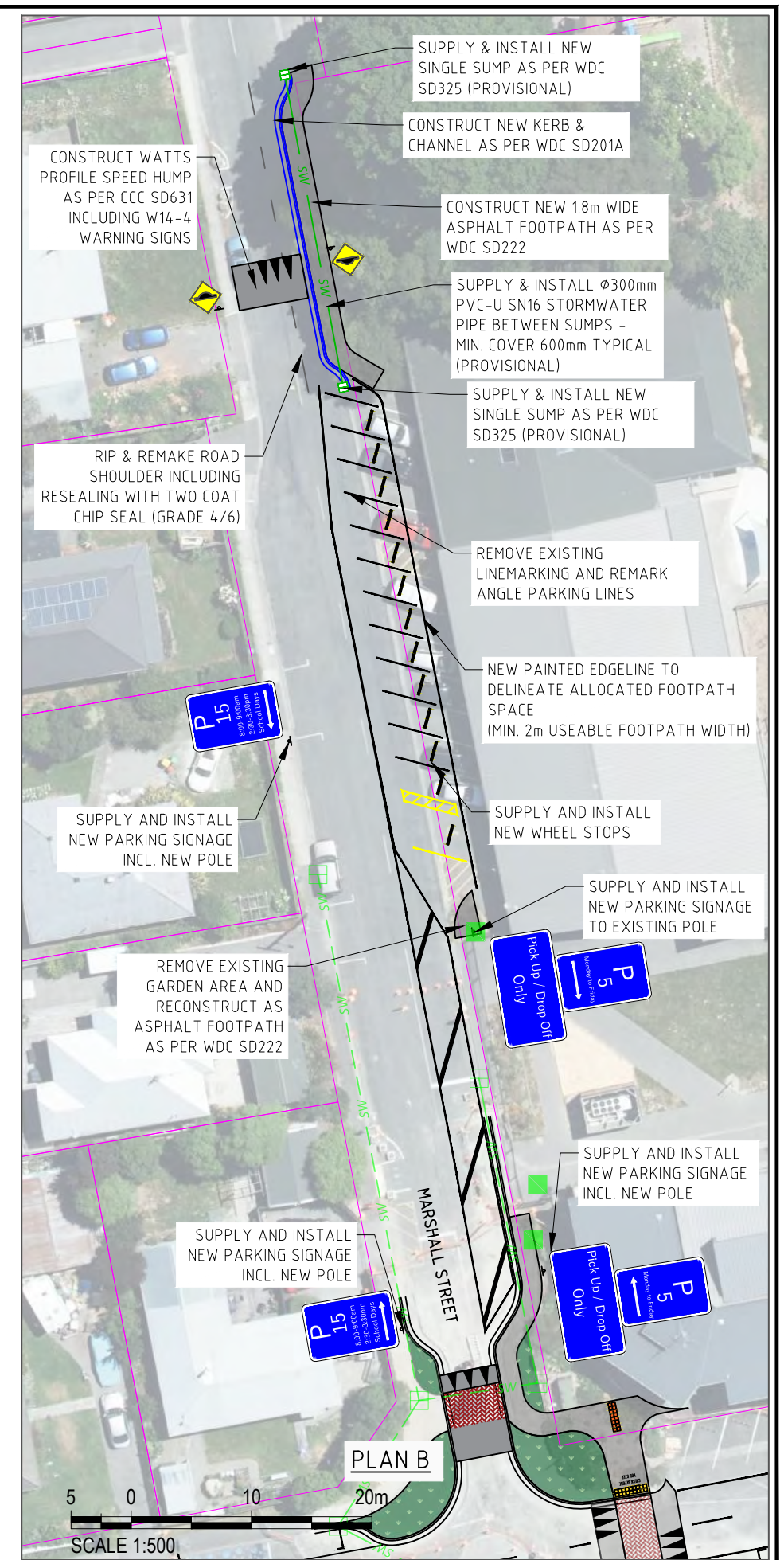
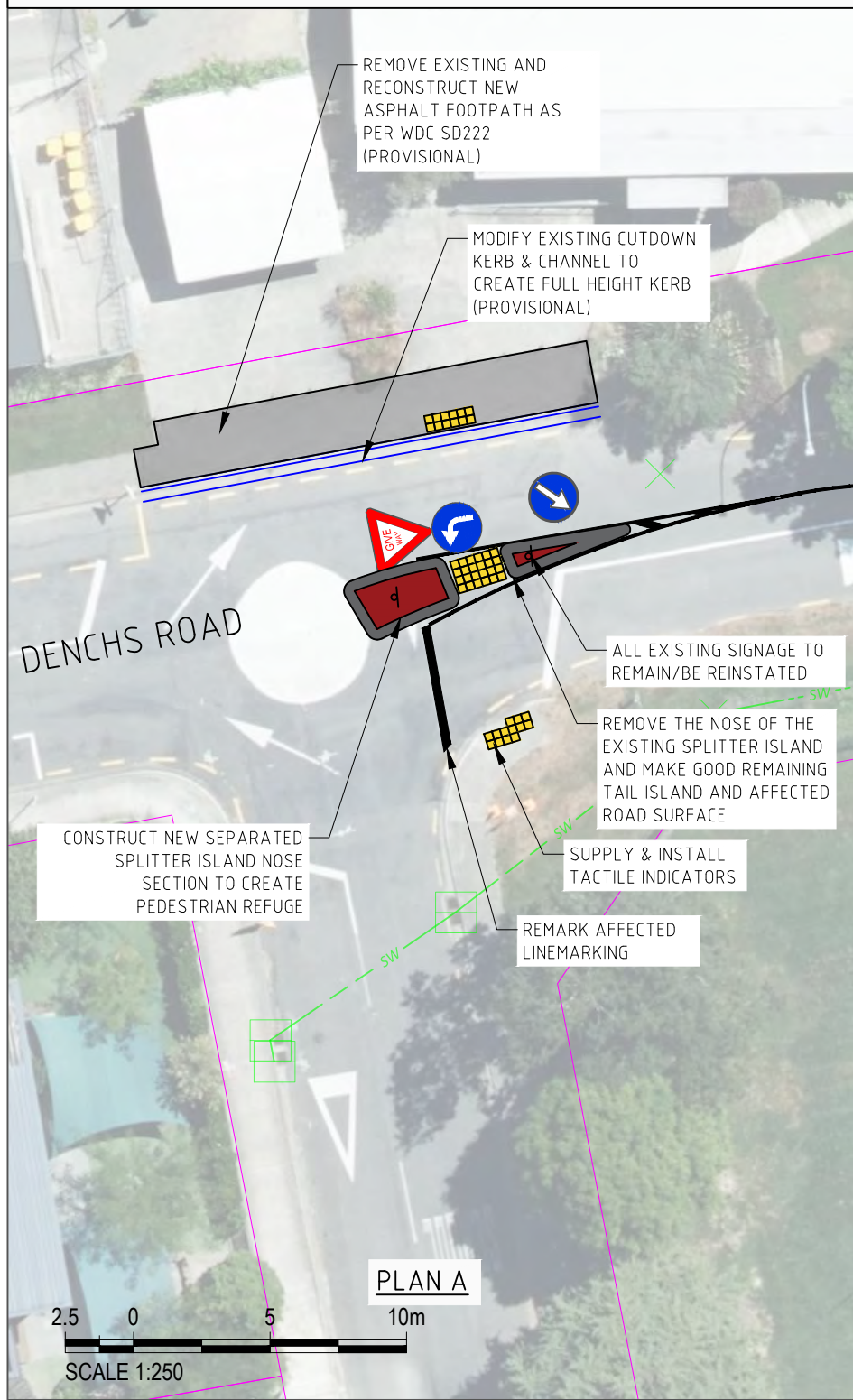
REV	REVISION DETAILS	DRN	CHK	APP	DATE	SURVEYED	---	---	PROJECT No	PD001951
A	DETAILED DESIGN	AK	KS	KS	18/09/2023	DRAWN	AK	13/09/2023	CON No	
						DRAWING CHKD	KS	15/09/2023	SCALE (A3)	1:500
						DESIGNED	---	---	DATUM ORIGIN	
						DESIGNED CHKD	---	---	HORIZONTAL	NZTM GD2000
						APPROVED	---	---	VERTICAL	NZVD2016

PROJECT	RANGIORA TOWN CYCLEWAY
SHEET TITLE	TORLESSE STREET

FOR APPROVAL	
NOT FOR CONSTRUCTION	
DRAWING	4354
SHEET	REVISION
5	A



- NOTES 614
1. CONTRACTOR TO VERIFY DESIGN LEVELS ON SITE AND INFORM ENGINEER OF ANY ADJUSTMENTS REQUIRED TO KERB SETOUT AT LEAST TWO DAYS PRIOR TO INSTALLATION.
 2. LOCATION AND DEPTH OF EXISTING SERVICES SHOWN IS INDICATIVE. CONTRACTOR TO CONFIRM THE LOCATION OF ALL SERVICES ON SITE PRIOR TO COMMENCEMENT OF WORKS. NOTE SERVICES SHOWN ON PLAN ARE WDC SERVICES ONLY. REFER TO APPENDICES FOR OTHER SERVICE PLANS.
 3. ALL AFFECTED ROADMARKING TO BE RE-INSTALLED AS PER NZTA TRAFFIC CONTROL DEVICES MANUAL.
 4. ALL SUMPS ARE TO BE INSTALLED AS PER WDC STANDARD DRAWINGS 325, 328, OR 329 AS SPECIFIED.
 5. ALL CONSTRUCTION INTERFACES WITH EXISTING SURFACES SHALL BE TRIMMED TO A NEAT VERTICAL FACE.
 6. KERB SETOUT DATA TO BE PROVIDED IN .DWG FILE TO CONTRACTOR. FILE WILL INCLUDE SETOUT INFO OF THE DESIGN FENDER FOR THE K&C.



REV	REVISION DETAILS	DRN	CHK	APP	DATE
A	DETAILED DESIGN	AK	KS	KS	18/09/2023

SURVEYED	---	---	PROJECT No	PD001951
DRAWN	AK	13/09/2023	CON No	---
DRAWING CHKD	KS	15/09/2023	SCALE (A3)	AS SHOWN
DESIGNED	---	---	DATUM ORIGIN	---
DESIGNED CHKD	---	---	HORIZONTAL	NZTM GD2000
APPROVED	---	---	VERTICAL	NZVD2016



PROJECT

RANGIORA TOWN CYCLEWAY

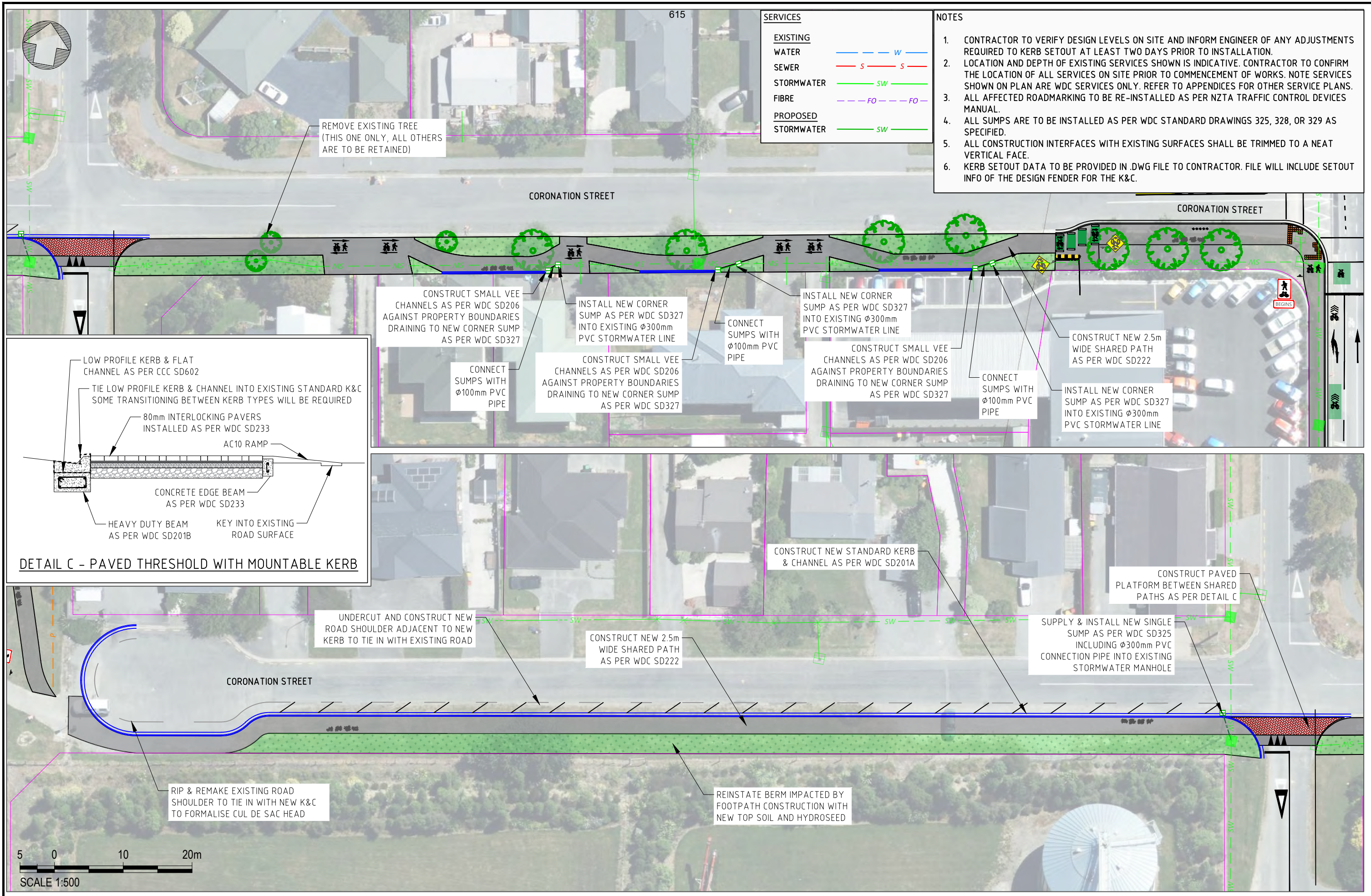
SHEET TITLE

MARSHALL STREET / DENCHS ROAD

FOR APPROVAL
NOT FOR CONSTRUCTION

DRAWING 4354

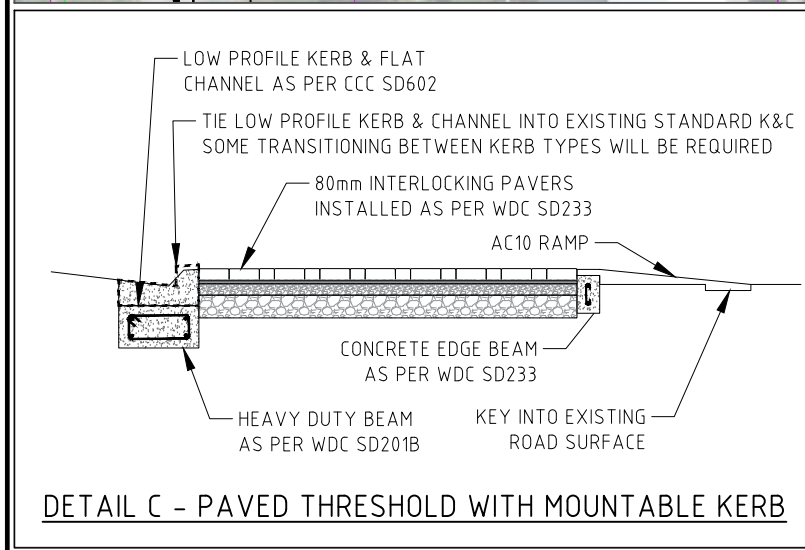
SHEET 6 REVISION A



SERVICES

EXISTING	
WATER	— W —
SEWER	— S —
STORMWATER	— SW —
FIBRE	— FO —
PROPOSED	
STORMWATER	— SW —

- NOTES**
1. CONTRACTOR TO VERIFY DESIGN LEVELS ON SITE AND INFORM ENGINEER OF ANY ADJUSTMENTS REQUIRED TO KERB SETOUT AT LEAST TWO DAYS PRIOR TO INSTALLATION.
 2. LOCATION AND DEPTH OF EXISTING SERVICES SHOWN IS INDICATIVE. CONTRACTOR TO CONFIRM THE LOCATION OF ALL SERVICES ON SITE PRIOR TO COMMENCEMENT OF WORKS. NOTE SERVICES SHOWN ON PLAN ARE WDC SERVICES ONLY. REFER TO APPENDICES FOR OTHER SERVICE PLANS.
 3. ALL AFFECTED ROADMARKING TO BE RE-INSTALLED AS PER NZTA TRAFFIC CONTROL DEVICES MANUAL.
 4. ALL SUMPS ARE TO BE INSTALLED AS PER WDC STANDARD DRAWINGS 325, 328, OR 329 AS SPECIFIED.
 5. ALL CONSTRUCTION INTERFACES WITH EXISTING SURFACES SHALL BE TRIMMED TO A NEAT VERTICAL FACE.
 6. KERB SETOUT DATA TO BE PROVIDED IN .DWG FILE TO CONTRACTOR. FILE WILL INCLUDE SETOUT INFO OF THE DESIGN FENDER FOR THE K&C.



REV	REVISION DETAILS	DRN	CHK	APP	DATE
A	DETAILED DESIGN	AK	KS	KS	18/09/2023

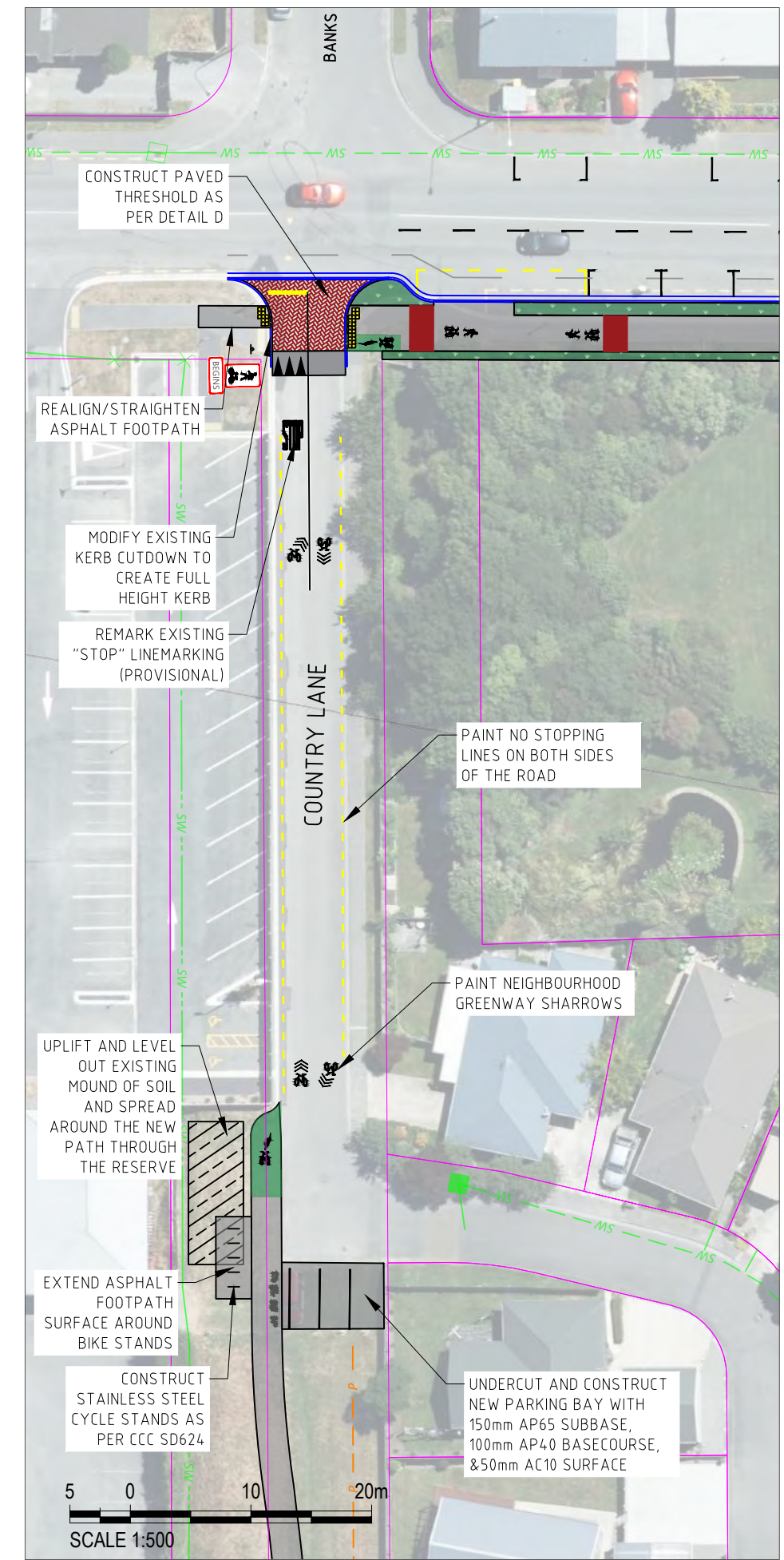
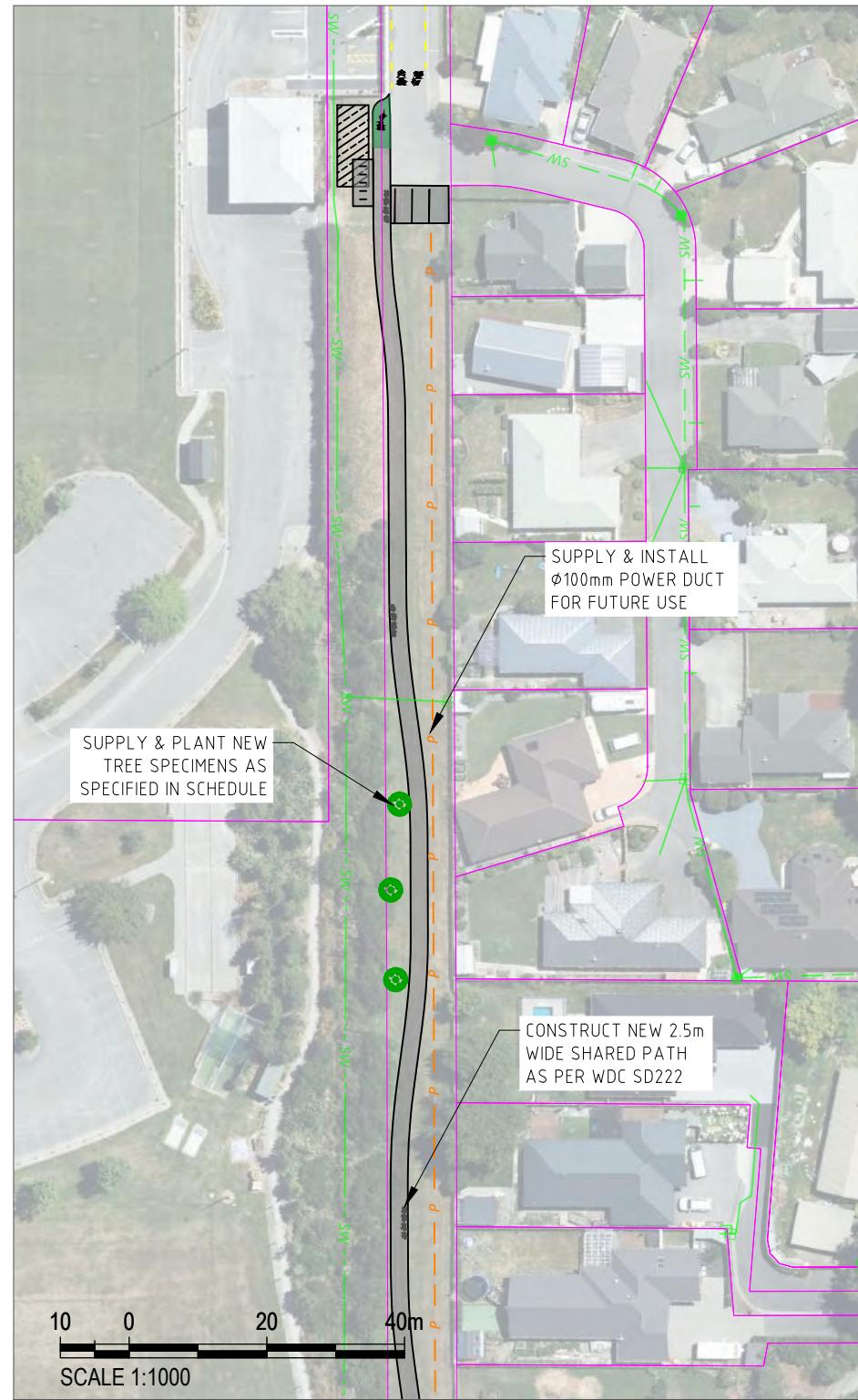
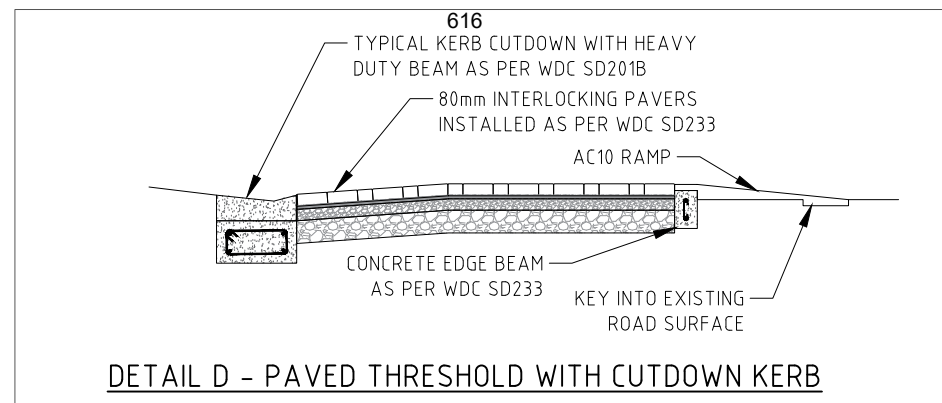
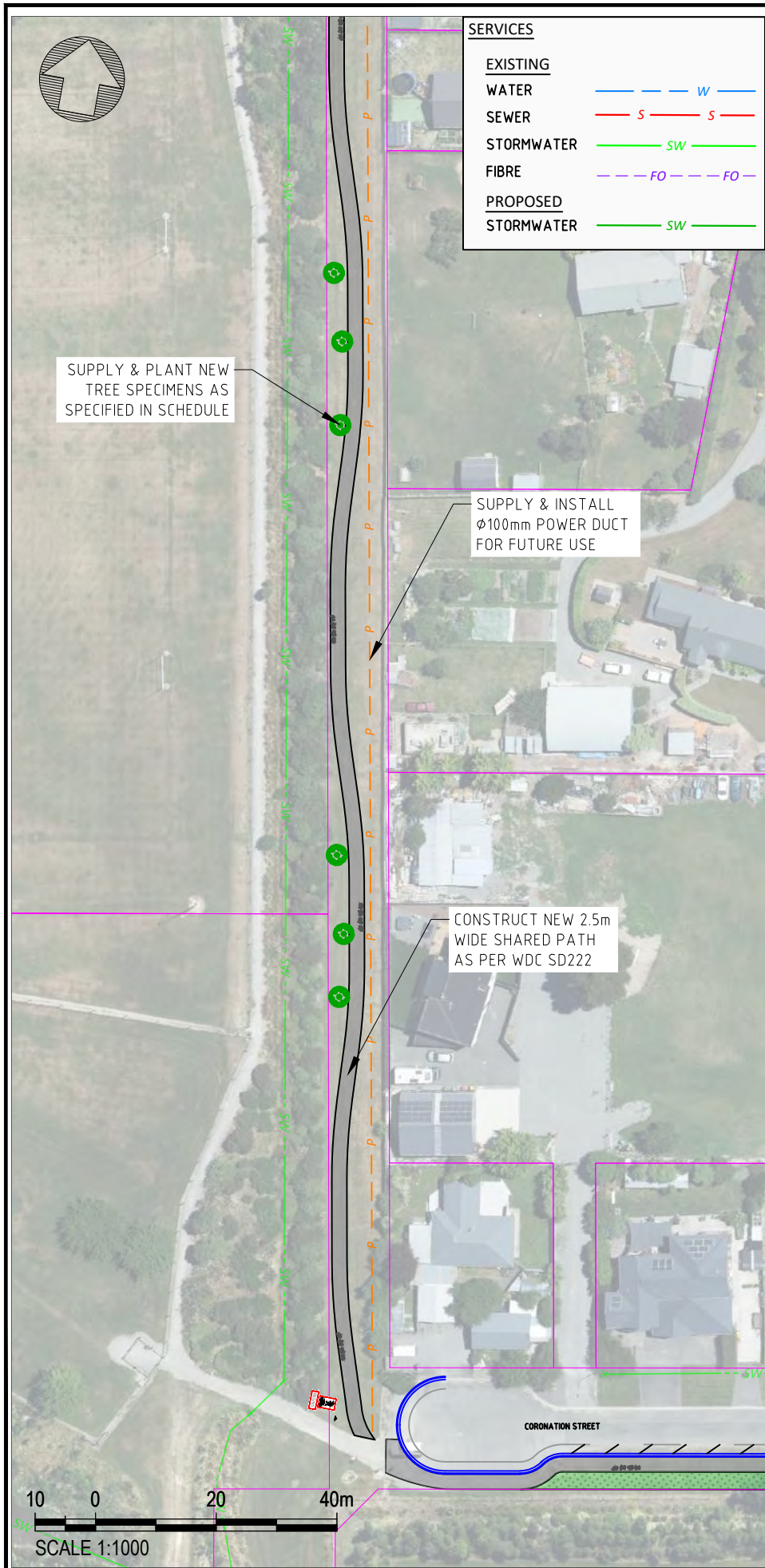
SURVEYED	---	---	PROJECT No	PD001951
DRAWN	AK	13/09/2023	CON No	
DRAWING CHKD	KS	15/09/2023	SCALE (A3)	1:500
DESIGNED	---	---	DATUM ORIGIN	
DESIGNED CHKD	---	---	HORIZONTAL	NZTM GD2000
APPROVED	---	---	VERTICAL	NZVD2016



PROJECT
RANGIORA TOWN CYCLEWAY

SHEET TITLE
CORONATION STREET

FOR APPROVAL
NOT FOR CONSTRUCTION
DRAWING
4354
SHEET
7
REVISION
A



REV	REVISION DETAILS	DRN	CHK	APP	DATE
A	DETAILED DESIGN	AK	KS	KS	18/09/2023

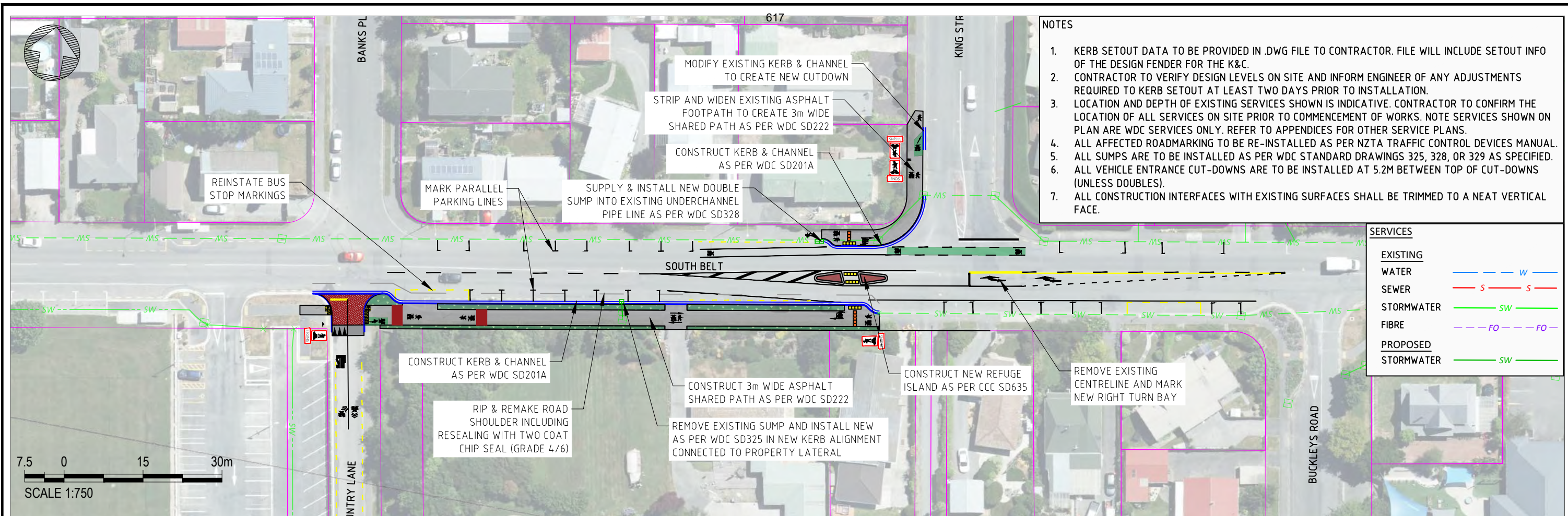
SURVEYED	---	---	PROJECT No	PD00951
DRAWN	AK	13/09/2023	CON No	
DRAWING CHKD	KS	15/09/2023	SCALE (A3)	AS SHOWN
DESIGNED	---	---	DATUM ORIGIN	
DESIGNED CHKD	---	---	HORIZONTAL	NZTM GD2000
APPROVED	---	---	VERTICAL	NZVD2016



PROJECT
RANGIORA TOWN CYCLEWAY

SHEET TITLE
SOUTHBROOK PARK LINK

FOR APPROVAL
NOT FOR CONSTRUCTION
DRAWING
4354
SHEET
8
REVISION
A



- NOTES**
1. KERB SETOUT DATA TO BE PROVIDED IN .DWG FILE TO CONTRACTOR. FILE WILL INCLUDE SETOUT INFO OF THE DESIGN FENDER FOR THE K&C.
 2. CONTRACTOR TO VERIFY DESIGN LEVELS ON SITE AND INFORM ENGINEER OF ANY ADJUSTMENTS REQUIRED TO KERB SETOUT AT LEAST TWO DAYS PRIOR TO INSTALLATION.
 3. LOCATION AND DEPTH OF EXISTING SERVICES SHOWN IS INDICATIVE. CONTRACTOR TO CONFIRM THE LOCATION OF ALL SERVICES ON SITE PRIOR TO COMMENCEMENT OF WORKS. NOTE SERVICES SHOWN ON PLAN ARE WDC SERVICES ONLY. REFER TO APPENDICES FOR OTHER SERVICE PLANS.
 4. ALL AFFECTED ROADMARKING TO BE RE-INSTALLED AS PER NZTA TRAFFIC CONTROL DEVICES MANUAL.
 5. ALL SUMPS ARE TO BE INSTALLED AS PER WDC STANDARD DRAWINGS 325, 328, OR 329 AS SPECIFIED.
 6. ALL VEHICLE ENTRANCE CUT-DOWNS ARE TO BE INSTALLED AT 5.2M BETWEEN TOP OF CUT-DOWNS (UNLESS DOUBLES).
 7. ALL CONSTRUCTION INTERFACES WITH EXISTING SURFACES SHALL BE TRIMMED TO A NEAT VERTICAL FACE.

SERVICES

EXISTING	PROPOSED
WATER	W
SEWER	S
STORMWATER	SW
FIBRE	FO
PROPOSED STORMWATER	SW

3D DESIGN TO COME

NORTH-WEST ALIGNMENT LONGSECTION

REV	REVISION DETAILS	DRN	CHK	APP	DATE
A	DETAILED DESIGN	AK	KS	KS	18/09/2023

SURVEYED	---	---	PROJECT No	PD001951
DRAWN	AK	13/09/2023	CON No	
DRAWING CHKD	KS	15/09/2023	SCALE (A3)	1:750
DESIGNED	---	---	DATUM ORIGIN	
DESIGNED CHKD	---	---	HORIZONTAL	NZTM GD2000
APPROVED	---	---	VERTICAL	NZVD2016



PROJECT	RANGIORA TOWN CYCLEWAY
---------	------------------------

SHEET TITLE	SOUTH BELT
-------------	------------

FOR APPROVAL NOT FOR CONSTRUCTION	
DRAWING	4354
SHEET	REVISION
9	A

Survey Responses

21 February 2020 - 11 September 2023

Tell us what you think

Let's Talk Waimakariri

Project: Rangiora Town Cycleway Stage One



VISITORS					
164					
CONTRIBUTORS			RESPONSES		
48			50		
48	0	0	50	0	0
Registered	Unverified	Anonymous	Registered	Unverified	Anonymous



Respondent No: 1

Login:

Email:

Responded At: Aug 24, 2023 08:55:34 am

Last Seen: Sep 06, 2023 00:06:07 am

IP Address:

Q1. Any feedback on the Rangiora Town Cycleway (Stage 1) ?

A terrific idea and we will use it.

Q2. Name:

Q3. Email/Phone:



Respondent No: 2

Login:

Email:

Responded At: Aug 25, 2023 05:58:06 am

Last Seen: Sep 04, 2023 21:32:42 pm

IP Address:

Q1. Any feedback on the Rangiora Town Cycleway (Stage 1) ?

The plan looks good

Q2. Name:

Q3. Email/Phone:

**Respondent No:** 3**Login:****Email:****Responded At:** Aug 26, 2023 09:51:16 am**Last Seen:** Aug 25, 2023 21:41:37 pm**IP Address:****Q1. Any feedback on the Rangiora Town Cycleway (Stage 1) ?**

Making the section of Railway road between Marsh Road and Pack n Save is a thoughtless decision! It will be easy for the delivery trucks to enter Pack n Save, but where do they exit to??? If they have to turn left down railway road the only option is to drive right by Southbrook School and use the new traffic lights which will cause even more congestion not to mention endanger our tamariki's lives...or I guess they could drive through the Pack n Save car park and cause even more congestion there as well!!!! This has to be the stupidest suggestion ever. Since putting in the new lights that area has more traffic than it did before, we don't need huge delivery trucks clogging it up as well. Wouldn't it be a better idea to develop the cycleway to connect to Todd/Ellis Road and around behind Mitre 10 and out at Southbrook park? I use the dog park often and see lots of cyclists using the "track" that is already there.

Q2. Name:

Georgina

Q3. Email/Phone:



Respondent No: 4

Login:

Email:

Responded At: Aug 26, 2023 10:00:02 am

Last Seen: Aug 30, 2023 04:17:46 am

IP Address:

Q1. Any feedback on the Rangiora Town Cycleway (Stage 1) ?

Is it really necessary to move the current Southbrook Cycleway around the back when accident statistics suggest there is a not a problem where it is and the move will create other dangers that have been identified through this process

Q2. Name:

Q3. Email/Phone:

**Respondent No:** 5**Login:****Email:****Responded At:** Aug 26, 2023 10:12:26 am**Last Seen:** Aug 25, 2023 22:03:02 pm**IP Address:****Q1. Any feedback on the Rangiora Town Cycleway (Stage 1) ?**

I think that the proposed cycle way is endangering children and families. Railway road is already very busy with cars and trucks being that a busy supermarket is there and 2 local schools. As a parent of a child at Southbrook School i feel this very strongly. We have been at the school for a total of 11 years and have seen some great improvements in the area but this cycle way will be a huge step backwards forcing trucks to use torleese street or go back through the pak n save car park. Either way it puts lives at risk unnecessarily. I have already witnessed cars traveling far too fast down railway road and adding even more traffic to the mix is a terrible idea for a narrow road that is already reaching maximum capacity especially during peak times like school drop off or pick up. The parking for residents and staff of the local businesses is already a concern, the cycleway will drastically reduce this.

Q2. Name:

not answered

Q3. Email/Phone:

elizabethmorgan414@msn.com



Respondent No: 6

Login:

Email:

Responded At: Aug 26, 2023 13:31:53 pm

Last Seen: Aug 26, 2023 01:30:30 am

IP Address:

Q1. Any feedback on the Rangiora Town Cycleway (Stage 1) ?

Seems very complicated

Q2. Name:

Q3. Email/Phone:

**Respondent No:** 7**Login:****Email:****Responded At:** Aug 27, 2023 17:30:47 pm**Last Seen:** Aug 27, 2023 05:20:20 am**IP Address:****Q1. Any feedback on the Rangiora Town Cycleway (Stage 1) ?**

While I think that this route is somewhat indirect, I do think that it is the best option given that the main road is so much busier and therefore much more dangerous for cyclists. This route is also good for providing a safe route for both cyclists and pedestrians to schools and the southern park and ride. As a result I think that this path will be useful for increasing cyclist numbers as well as public transport usage (especially when stage 2 is built as it will connect even more areas to the park and ride), and therefore will assist in reducing congestion along the main road. Overall I fully support this route and I think it will be a great piece of infrastructure for Rangiora

Q2. Name:**Q3. Email/Phone:**

**Respondent No:** 8**Login:****Email:****Responded At:** Aug 31, 2023 18:54:38 pm**Last Seen:** Aug 31, 2023 06:25:32 am**IP Address:****Q1. Any feedback on the Rangiora Town Cycleway (Stage 1) ?**

My young family and I reside at ■ Highfield Lane, which is one of the properties that back onto Country Lane, of which one section of the bike lane is proposed. I spoke to Aaron at the recent drop-in session, he took me considerably over the plans, and has kindly advised that he can keep me informed of the future developments (please forward this to Aaron on his request). BACKGROUND: We purchased our home a couple of years ago as we started our family because it seemed like a great location to bring up a family. Namely it was at the end of quiet cul de sac, with Country Lane and the planted vegetation creating a private and quiet separation from the public rugby grounds. We also noted mainly only locals walked down the lane, so it felt safe and secure to walk down at anytime of day. Accordingly, as one may appreciate, we are greatly concerned about the cycleway being proposed down our quiet Country Lane for a number of reasons, all of which will greatly impact our home life. Please see concerns listed below: 1. SAFETY. The cycleway will bring a lot more people and "eyes" down the back of our homes, especially at night when the lights are installed. This will impact the security of our homes, both during the day and night. In addition, we use the lane often with our young children (along with our neighbours) and there is the concern of bike safety for them too. If this cycleway goes ahead as planned down Country Lane, can you please advise what safety measures will be put in place given it is a hidden lane? e.g., security cameras. 2. NOISE. Country Lane and the planted vegetation creates a great sound belt between the public rugby grounds and the homes along Country Lane. This was a big drawcard to our purchase of our home. The cycleway will change that, both day and night. Please can you advise what will be done in terms of landscaping to cancel out noise for our property? 3. LIGHTING. We note there is plans to add lighting to the cycleway. This will likely create major light pollution at night to our property, again completely impacting our home as we know it. It will likely also attract more youth at night, again impacting safety. Please can you advise how light pollution will be mitigated from impacting our properties? 4. COST. When we first heard of the potential cycleway, we were rather perplexed at the creation of a whole new cycleway, and the large cost associated, given there seemed to us to be a couple of different alternative options that would be more cost effective and/or "kill two birds with one stone". The first option would be to simply turn Buckleys Road into a Neighbourhood Greenway as it is currently a relatively quiet street and would link in nicely to the planned cycle track. The second option would be to update/seal the current pathway around the outer rim of Southbrook Park, turning it into a pathway for both cyclists and walkers. This track is currently very rutty and muddy and thus is often left unused. By transforming this walkway into the cycleway, Council would be using ratepayers money more wisely as you are adding a cycleway at the same time as doing a much needed fix of an already created pathway. Thank you for hearing our concerns. We hope you will look at them seriously and consider the impact on us and our surrounding neighbours when there are easier and more cost effective alternatives available. Linda Graveson, on behalf of The Graveson Family

Q2. Name:

Q3. Email/Phone:



Respondent No: 9

Login

Email

Responded At: Aug 31, 2023 20:02:12 pm

Last Seen: Aug 31, 2023 07:59:03 am

IP Address:

Q1. Any feedback on the Rangiora Town Cycleway (Stage 1) ?

Great idea. Would be ideal if you don't have to cross the road (twice) when coming from west side of town on your way south (once at traffic lights and once just before end of town)

Q2. Name:

Q3. Email/Phone:

**Respondent No:** 10**Login:****Email:****Responded At:** Aug 31, 2023 22:33:38 pm**Last Seen:** Aug 31, 2023 10:13:40 am**IP Address:****Q1. Any feedback on the Rangiora Town Cycleway (Stage 1) ?**

Hi There I am opposed to the cycle way as 1.5 million dollars could be better spent on fixing our roads. We are currently in a recession and the money could be spent on better things to help the ratepayer. Cycle ways in Christchurch are also in decline and not used as much as they should be to justify the outlay. There we're very little statistics to justify the cycle way as a health and safety benefit due to only three people being injured using the current Southbrook road over a ten year period. This hardly rates as a health and safety issue to justify a 1.5 million dollar spend. You would have that number of injuries at a netball game on the weekend. LGFA money is not free and is sourced from taxpayers. Pak n Saves delivery area is a big concern in regards to the 2mtr buffer zone and the amount of large trucks coming and going. I would be more concerned about the risk of a fatality by introducing the cycleway into an area with big trucks and blind spots. The disturbance to the business is also a factor that should be carefully considered. I don't believe the people of the Waimakariri District want this cycleway, and it appears it is being pushed by LGNZ which further increases our debt level.

Q2. Name:**Q3. Email/Phone:**

**Respondent No:** 11**Login:****Email:****Responded At:** Aug 31, 2023 22:50:13 pm**Last Seen:** Aug 31, 2023 10:49:20 am**IP Address:**

Q1. **Any feedback on the Rangiora Town Cycleway (Stage 1) ?**

Don't know anything about it. But if it's climate change related I am not sold. Where do you get your science from?

Q2. **Name:**

Q3. **Email/Phone:**

**Respondent No:** 12**Login:****Email:****Responded At:** Sep 01, 2023 09:47:40 am**Last Seen:** Aug 31, 2023 21:35:29 pm**IP Address:****Q1. Any feedback on the Rangiora Town Cycleway (Stage 1) ?**

I personally believe that building a cycle lane at the cost of 1.5 million dollars at this time, is a waste of tax payers resource. Congesting Rangiora's busiest road for a period of time to supplement individuals whose means of transport do not incur any road user taxes is ridiculous. Not to mention the fact that we are currently experiencing gross inflation, this project is an absurd way to be spending the hard earned tax and rate payers money. I would suggest utilising the proposed budget for something more meaningful.

Q2. Name:

Q3. Email/Phone:

**Respondent No:** 13**Login:****Email:****Responded At:** Sep 01, 2023 15:54:20 pm**Last Seen:** Sep 11, 2023 21:33:28 pm**IP Address:****Q1. Any feedback on the Rangiora Town Cycleway (Stage 1) ?**

We often cycle to Kaiapoi and are looking forward to having a safe way to connect from the Pachendale Track to Rangiora. However we have grave concerns about the proposed South Belt crossing which is in a position I would never choose to cross the road. ALTERNATE ATTACHED. (Hand drawn map in TRIM. Record number: 230901136061)

Q2. Name:**Q3. Email/Phone:**

not answered

**Respondent No:** 14**Login:****Email:****Responded At:** Sep 01, 2023 17:17:52 pm**Last Seen:** Sep 01, 2023 05:15:54 am**IP Address:****Q1. Any feedback on the Rangiora Town Cycleway (Stage 1) ?**

Absolute waste of time and money , which could be better spent repairing current roading. In addition sharing on pavements is a no no a cyclists have no thought to other people, they also ignore road signs and traffic lights

Q2. Name:**Q3. Email/Phone:**

**Respondent No:** 15**Login:** [Redacted]**Email:** [Redacted]**Responded At:** Sep 01, 2023 20:19:00 pm**Last Seen:** Sep 01, 2023 08:15:24 am**IP Address:** [Redacted]**Q1. Any feedback on the Rangiora Town Cycleway (Stage 1) ?**

This is a want, not a need. Not justified with the current level of council debt.

Q2. Name:**Q3. Email/Phone:**

**Respondent No:** 16**Login:** **Email:** **Responded At:** Sep 03, 2023 08:34:34 am**Last Seen:** Sep 02, 2023 20:20:28 pm**IP Address:** **Q1. Any feedback on the Rangiora Town Cycleway (Stage 1) ?**

Mon - Fri between 7.30 - 5.30 you can only drive one car down the street from the new lights. Cars are constantly backing up or turning into residential driveways to get out of the way. Children walking down the footpath are already at risk of being hit. Residents can't see around parked cars to get out of their driveways safely. Add a cycleway and this makes it even more unsafe for children at the two schools and one preschool that walk to school. So please fix the traffic issue parking issue before you put in the cycleway. Remove parking on one side of the street Monday - Friday 7.30 - 5.30. There is also a flooding issue outside 27 - 31 Coronation St this has been an issue since the council replaced the culvert/open drain in 1999 the current system has never worked. 60mtrs on railway road one way. Cars already take a short cut down there towards the schools to avoid the congestion at the Pak n save lights this will make it even faster for cars to take that option so will increase the traffic down that street and around the cycleway. Pak n save already class there carpark from railway road to southbrook road as the Pak n save highway so this will also increase this traffic thru their carpark.

Q2. Name:

Q3. Email/Phone:



Respondent No: 17

Login: [Redacted]

Email: [Redacted]

Responded At: Sep 03, 2023 17:09:19 pm

Last Seen: Sep 03, 2023 05:00:18 am

IP Address: [Redacted]

Q1. Any feedback on the Rangiora Town Cycleway (Stage 1) ?

Excellent plan to provide a safer route for cyclists

Q2. Name:

Q3. Email/Phone:

**Respondent No:** 18**Login:** **Email:** **Responded At:** Sep 03, 2023 22:15:53 pm**Last Seen:** Sep 03, 2023 10:12:35 am**IP Address:** **Q1. Any feedback on the Rangiora Town Cycleway (Stage 1) ?**

This is an absolutely ridiculous waste of money and resources. Many people have already stated this, including cyclists. The route itself is unnecessary when it makes the route so much longer and the impact to the surrounding business and homeowners is unnecessary. We do not want our rates wasted on these ridiculous ideas, you're bleeding us dry as it is and you can guarantee if given the choice most residents would choose to have their rates lowered than have this.

Q2. Name:**Q3. Email/Phone:**



Respondent No: 19

Login:

Email:

Responded At: Sep 04, 2023 06:09:10 am

Last Seen: Sep 03, 2023 18:08:13 pm

IP Address:

Q1. **Any feedback on the Rangiora Town Cycleway (Stage 1) ?**

Not a fan, waste of our tax payers money

Q2. **Name:**

Q3. **Email/Phone:**



Respondent No: 20

Login:

Email:

Responded At: Sep 04, 2023 06:55:56 am

Last Seen: Sep 03, 2023 18:53:41 pm

IP Address:

Q1. **Any feedback on the Rangiora Town Cycleway (Stage 1) ?**

Q2. **Name:**

Q3. **Email/Phone:**

**Respondent No:** 21**Login:****Email:****Responded At:** Sep 04, 2023 07:00:09 am**Last Seen:** Sep 03, 2023 18:58:35 pm**IP Address:****Q1. Any feedback on the Rangiora Town Cycleway (Stage 1) ?**

I think it is a great idea - facing vthe traffic through Southbrook has put me off cycling the track to Kaiapoi

Q2. Name:**Q3. Email/Phone:**



Respondent No: 22

Login: [Redacted]

Email: [Redacted]

Responded At: Sep 04, 2023 07:02:29 am

Last Seen: Sep 03, 2023 19:01:13 pm

IP Address: [Redacted]

Q1. Any feedback on the Rangiora Town Cycleway (Stage 1) ?

What a waste of ratepayers money. It's just going to add to the traffic congestion in the area.

Q2. Name:

Q3. Email/Phone:



Respondent No: 23

Login:

Email:

Responded At: Sep 04, 2023 07:20:03 am

Last Seen: Sep 03, 2023 19:18:29 pm

IP Address:

Q1. **Any feedback on the Rangiora Town Cycleway (Stage 1) ?**

Q2. **Name:**

Q3. **Email/Phone:**



Respondent No: 24

Login:
Email:

Responded At: Sep 04, 2023 07:27:49 am

Last Seen: Sep 03, 2023 19:25:26 pm

IP Address:

Q1. Any feedback on the Rangiora Town Cycleway (Stage 1) ?

Do not want this. Very quietly done. There should be huge discussions with the public.

Q2. Name:

Q3. Email/Phone:

**Respondent No:** 25**Login:****Email:****Responded At:** Sep 04, 2023 08:14:01 am**Last Seen:** Sep 03, 2023 20:08:46 pm**IP Address:****Q1. Any feedback on the Rangiora Town Cycleway (Stage 1) ?**

Great plan, I cycled through southbrook to work in kaiapoi for over 15years and the route has got more dangerous each year especially after the chch earthquakes. The passendale track has made a huge difference to Cycle safety removing the risk of having to ride down lineside road. Makes sense to make the access to and from the cycleway safer.

Q2. Name:**Q3. Email/Phone:**

**Respondent No:** 26**Login****Email****Responded At:** Sep 04, 2023 08:23:29 am**Last Seen:** Sep 03, 2023 20:22:26 pm**IP Address:**

Q1. **Any feedback on the Rangiora Town Cycleway (Stage 1) ?**

A great initiative to keep cyclists safer and to encourage more cycling

Q2. **Name:**

Q3. **Email/Phone:**

**Respondent No:** 27**Login:****Email:****Responded At:** Sep 04, 2023 11:52:25 am**Last Seen:** Sep 03, 2023 23:45:10 pm**IP Address:****Q1. Any feedback on the Rangiora Town Cycleway (Stage 1) ?**

Why are all ratepayers to be charged for the construction of this when a majority will not use it? Put the money into more widely used infrastructure eg light rail services which can also meet environmental challenges and \$s can be recouped with user pays! Has a survey ever been done to seek info re user numbers before moving forward with such projects - 'nice to have for a minority' is simply not good enough!

Q2. Name:**Q3. Email/Phone:**



Respondent No: 28

Login:

Email:

Responded At: Sep 04, 2023 12:06:47 pm

Last Seen: Sep 04, 2023 00:05:30 am

IP Address:

Q1. Any feedback on the Rangiora Town Cycleway (Stage 1) ?

Building this cycleway sounds like a great investment, as currently it is quite dangerous to cycle down towards Pak n save

Q2. Name:

Q3. Email/Phone:

**Respondent No:** 29**Login:****Email:****Responded At:** Sep 04, 2023 12:57:02 pm**Last Seen:** Sep 04, 2023 00:55:04 am**IP Address:****Q1. Any feedback on the Rangiora Town Cycleway (Stage 1) ?**

It's is going to be such a pain for vehicles not to be able to use the railway road to. No need for it. What is the gain?.

Q2. Name:

Q3. Email/Phone:

**Respondent No:** 30**Login:****Email:****Responded At:** Sep 04, 2023 18:57:22 pm**Last Seen:** Sep 04, 2023 06:54:58 am**IP Address:****Q1. Any feedback on the Rangiora Town Cycleway (Stage 1) ?**

Waste of money.We live on Fernside/ Lineside Rd corner. Only a miniscule per cent of North Canterbury use it .

Q2. Name:**Q3. Email/Phone:**

**Respondent No:** 31**Login:****Email:****Responded At:** Sep 05, 2023 10:28:05 am**Last Seen:** Sep 04, 2023 22:26:35 pm**IP Address:****Q1. Any feedback on the Rangiora Town Cycleway (Stage 1) ?**

The route down Railway road seems sensible and will provide a safe place for cyclists where they don't compete with motorists at the pinch point of Southbrook Road

Q2. Name:**Q3. Email/Phone:**

**Respondent No:** 32**Login:****Email:****Responded At:** Sep 05, 2023 10:34:48 am**Last Seen:** Sep 04, 2023 22:31:21 pm**IP Address:****Q1. Any feedback on the Rangiora Town Cycleway (Stage 1) ?**

I believe this would be hugely beneficial. The sealed connection from Woodend to Rangiora and Kaiapoi to Rangiora is great so if it could be similar to those it would be a very desirable cycle add on. I for one would absolutely be using it for recreational cycling.

Q2. Name:**Q3. Email/Phone:**



Respondent No: 33

Login: [Redacted]

Email: [Redacted]

Responded At: Sep 05, 2023 11:10:18 am

Last Seen: Sep 04, 2023 23:03:08 pm

IP Address: [Redacted]

Q1. Any feedback on the Rangiora Town Cycleway (Stage 1) ?

This is a very positive step toward providing better facilities for cyclists.

Q2. Name:

Q3. Email/Phone:

**Respondent No:** 34**Login:** [REDACTED]**Email:** [REDACTED]**Responded At:** Sep 05, 2023 14:31:33 pm**Last Seen:** Sep 11, 2023 21:33:28 pm**IP Address:** [REDACTED]**Q1. Any feedback on the Rangiora Town Cycleway (Stage 1) ?**

1. Comments the proposal along South Belt. • There are fourteen houses in Country Lane which can mean up to twenty-eight bins (2 per household) placed between Thursday evening and Friday evening. It gets crowded at the eastern corner of Country Lane at the moment and it will be worse with the cycle lane taking out the bulge in the kerb. • The relocated bus stop will be in the flow of traffic, rather than in a "pull in" to the side. As the popularity of the park and ride increases and the new rest home increases traffic, this could become a bottleneck causing irrational overtaking and other bad driving behaviour. The best place for the bus stop has always been to the west of the cycle storage boxes at the park and ride. This provides a pull in and it centralises the bus stops and the park and ride into a hub. The addition of a pedestrian crossing here would increase safety for bus travellers in both directions. 2. Comments on the route using the "paper road and Country Lane" • The "paper road" part of this route will have no lighting and could be perceived as unsafe for some. There are high fences to one side and high bushes to the other. • At the presentation on Thursday, someone asked why the cycle way was running east on South Belt then on the King Street, instead of west and up Bush Street. The engineer said it was a longer route into town and "have you ever tried to get cyclists not to take the shortest route available"? The obvious shortest route is to go from Coronation Street up Buckley's Ave. then a short dog leg onto King Street. There is a wide berm with an existing kerb between the berm and the road. Also, it has street lighting, so will be perceived as a safer route during the hours of darkness. Some trees may be in the way, but you can meander around them as your plan shows a meandering track up the "paper road". You may have to remove a couple of them. This is a favourite route for cyclists already. 3. Development of 101, South Belt. I am looking at future development of our land at the west of our section at 101, South Belt and have the following concerns. • Depending on the road type for South Belt (Urban Collector, Local or other), the minimum distance for a vehicle crossing from Country Lane could be 10m, which is right in the cycle lane transition between Country Lane and South Belt. I raised this at the presentation and the engineer suggested we discuss this further. • The proposed and existing bus stop location could also pose a problem. When the bus stop was placed there with no notification or consultation, I phoned the council and spoke to a lady, whose name I didn't record, and said I was concerned about the effect on future development. She said they wouldn't let it interfere so I took her word and left it at that. She will remember the conversation as I also said I was concerned about lazy parkers parking close to our driveway because it was closer than walking to/from the car park. Generally, I support the building of safe cycle ways and am happy with the proposal for one along South Belt, as long as the development potential of our property is not impacted.

Q2. Name:

Q3. Email/Phone:

**Respondent No:** 35**Login****Email****Responded At:** Sep 05, 2023 14:41:17 pm**Last Seen:** Sep 05, 2023 02:31:20 am**IP Address:****Q1. Any feedback on the Rangiora Town Cycleway (Stage 1) ?**

Very good cycle way plan ,except for the crossing over southbelt, as it should be west of king street not east as the traffic builds up on king street trying to turn into southbelt as well as the traffic coming down southbelt. It could pose a danger to people at the proposed crossing east on southbelt.

Q2. Name:**Q3. Email/Phone:**

**Respondent No:** 36**Login:****Email:****Responded At:** Sep 05, 2023 16:43:08 pm**Last Seen:** Sep 05, 2023 04:33:51 am**IP Address:****Q1. Any feedback on the Rangiora Town Cycleway (Stage 1) ?**

I cycle from the Passchendaele Memorial Path through to the Rangiora Town Centre on a semi-regular basis. During peak time and at school pick up and drop off times it is somewhat hazardous to be on a bicycle in the area where you are proposing changes, so I appreciate the efforts to offer a better option. The proposed route does however make the journey longer as it zigzags back and forth. If you want people to use bicycles in place of cars more, then obviously making it safe for them to do so is the first priority, but also making it convenient (and potentially less convenient for cars) is ideal if you want to create change. An uptake in bicycle usage provides a range of broader outcomes to the area, individuals and the community. To foster this, the bicycle routes would ideally be the shortest, fastest and the most convenient and safest way to get from A to B. A route that means you have to cover a greater distance than the less safe alternative will not be used as much as intended and the safety risk will therefore still remain. Any improvements you can come up with which shortens this route (or at least makes it very pleasant due to attractive landscapes) would be welcomed.

Q2. Name:**Q3. Email/Phone:**



Respondent No: 37

Login: [Redacted]

Email: [Redacted]

Responded At: Sep 05, 2023 18:58:00 pm

Last Seen: Sep 05, 2023 06:57:39 am

IP Address: [Redacted]

Q1. Any feedback on the Rangiora Town Cycleway (Stage 1) ?

Love it - safe and easy!

Q2. Name:

Q3. Email/Phone:

**Respondent No:** 38**Login:****Email:****Responded At:** Sep 05, 2023 18:58:46 pm**Last Seen:** Sep 01, 2023 21:15:11 pm**IP Address:****Q1. Any feedback on the Rangiora Town Cycleway (Stage 1) ?**

Any improvement on current, for the better safety for cyclists is welcome. I run the bike group from Pegasus and we are often in Southbrook, as we arrive via Passchendale, we stop for coffee at Mitre 10, then head back to Rangiora via Southbrook Road/Percival Street. (not our favourite route, due to the amount of traffic), so any cycle path that keeps us off that main road, is a great step. A gravel path down Marsh Road, would be a great addition, to link us back onto Tuahiwi and out to the Rangiora/Woodend Road bike path, but I presume that's off the table. Question: Are there any plans for the area on the side of the Cam River/Cox Road, that might eventually link through to March Road ? Thank you for opportunity to comment, my group of 14 (and the separate Mens group), use all the cycle trails regularly.

Q2. Name:**Q3. Email/Phone:**

**Respondent No:** 39**Login:****Email:****Responded At:** Sep 06, 2023 09:30:21 am**Last Seen:** Sep 05, 2023 21:25:59 pm**IP Address:****Q1. Any feedback on the Rangiora Town Cycleway (Stage 1) ?**

As long as its very well used its not a waste of ratepayer money. Users should pay, to use & maintain it, as that's the policy we are told applies to all things.

Q2. Name:**Q3. Email/Phone:**

**Respondent No:** 40**Login:** **Email:** **Responded At:** Sep 06, 2023 13:50:26 pm**Last Seen:** Sep 06, 2023 01:46:14 am**IP Address:** **Q1. Any feedback on the Rangiora Town Cycleway (Stage 1) ?**

I support the cycleway. Bike paths encourage people to exercise as part of daily life, reducing the burden of obesity and metabolic disease in the population and improving mental health. Primary prevention reduces downstream costs on the health system. The use of bikes for transport reduces fossil fuel use, benefitting the environment for future generations.

Q2. Name:**Q3. Email/Phone:**



Respondent No: 41

Login:

Email:

Responded At: Sep 06, 2023 13:51:52 pm

Last Seen: Sep 06, 2023 01:47:04 am

IP Address:

Q1. Any feedback on the Rangiora Town Cycleway (Stage 1) ?

It is great to see traffic planning moving in a more bicycle friendly direction

Q2. Name:

Q3. Email/Phone:

**Respondent No:** 42**Login:** [REDACTED]**Email:** [REDACTED]**Responded At:** Sep 06, 2023 14:22:33 pm**Last Seen:** Sep 11, 2023 21:33:28 pm**IP Address:** [REDACTED]**Q1. Any feedback on the Rangiora Town Cycleway (Stage 1) ?**

Safety for children at 2 Local schools and one Preschool. Currently you can only get one car down Coronation St towards the lights, Mon-Fri 7:30 - 5pm. Residents have to watch for children, cars on street and now bikes. No issue with Bike Lane. Issue is unsafe exits from driveways. Need No Parking on one side of Coronation St from lights to 25 Coronation St Mon - Friday. Also Major flooding issue outside 31 & 27 Coronation St.

Q2. Name:**Q3. Email/Phone:**

**Respondent No:** 43**Login:****Email:****Responded At:** Sep 07, 2023 06:24:49 am**Last Seen:** Sep 06, 2023 18:23:18 pm**IP Address:****Q1. Any feedback on the Rangiora Town Cycleway (Stage 1) ?**

I do not believe this is a good priority to spend money on. It is not something that benefits the majority.

Q2. Name:

N

Q3. Email/Phone:

N

**Respondent No:** 44**Login:** **Email:** **Responded At:** Sep 07, 2023 11:17:35 am**Last Seen:** Sep 06, 2023 23:12:20 pm**IP Address:** **Q1. Any feedback on the Rangiora Town Cycleway (Stage 1) ?**

As a keen cyclist I think cycleway connection of the Passchendaele Memorial Path through to the Rangiora Town centre is essential for cyclist safety and it has my full support.

Q2. Name:

Q3. Email/Phone:

**Respondent No:** 45**Login:****Email:****Responded At:** Sep 07, 2023 16:17:17 pm**Last Seen:** Sep 07, 2023 03:57:42 am**IP Address:****Q1. Any feedback on the Rangiora Town Cycleway (Stage 1) ?**

I am in support of safe cycling infrastructure to both encourage people to ride bikes, and to create safer passage for cyclists through Southbrook. The Council reports that there was 'overwhelming feedback to invest the Council's level of investment in the provision of walking and cycling facilities', and in particular this specific route, during consultation for the Walking and Cycling Strategy. The Council would no doubt have spent a lot of time and money on both the Walking and Cycling Strategy and the options analysis and consultation for this Rangiora Town Cycleway. (If I interpret correctly, the idea for this route came about as a direct result of the Walking and Cycling Strategy (WCS) feedback). For a safe cycling route through Southbrook not to be supported by Council makes a mockery of their commitment to public participation, climate change and the provision of safe infrastructure. If feedback from the WCS consultation indicated that the communities preference was for a safer route through Southbrook, and there is government funding to assist, why would it not be supported by elected members? A safe route for Southbrook has been a long time coming since the opening of the Passchendaele Memorial Path. It's well known that a lack of appropriate infrastructure creates actual or perceived safety risks which are barriers to cycling. It seems that there is very little support from this Council on any type of safe cycling infrastructure, and they only seem to listen to the anti-cycling rhetoric, the loudest squeaky wheel or to those who think that because they don't see any cyclists the moment they pass through a particular area, that there are no cyclists (think Peraki Street). There are some interesting and concerning comments on the recent Facebook post from RACB member Steve Wilkinson commenting about how many accidents involving cyclists have occurred: 'seems a lot of money for what gain'. This is a short sighted and completely ignorant view. Why should people have to get killed or seriously injured before safe infrastructure is put in place? Many near misses and lower-level incidents are not reported to the Police but they do still happen. The comment from Damon Hurley: 'hardly any bikes using Southbrook Road'...has anyone ever thought that people may not use it because they feel it's unsafe? As pointed out in the consultation material, this is a major route carrying more than 25,000 cars and trucks a day and is obviously expected to grow as the districts population increases. My preference would be for the Council to look at Southbrook Road as a whole, rather than just how to get cyclists off it, although something is better than the current situation. (The proposed route isn't particularly direct for those who are more confident - please don't remove the existing lanes from Southbrook Road). If the Council is serious about climate change and mode shift, bus lanes along Southbrook Road should be a priority. These can also create a wider, safer corridor for cyclists to share with the bus. The Direct Bus is a convenient service until it gets to Southbrook Road where it comes to a complete stand-still and crawls along in the congestion. Does the Council have plans to create bus lanes through this area to further encourage people to use public transport? Or are elected members too concerned about what people will say about losing their precious on-street parking?

Q2. Name:

Q3. Email/Phone:

**Respondent No:** 46**Login:****Email:****Responded At:** Sep 07, 2023 16:44:28 pm**Last Seen:** Sep 11, 2023 20:33:14 pm**IP Address:****Q1. Any feedback on the Rangiora Town Cycleway (Stage 1) ?**

I am a homeowner (Highfield Lane) [REDACTED]. I have a number of concerns regarding a cycleway past my home (along with neighbours whom I am unsure whether they have made a formal submission or just spoken about it negatively over the dinner table!). Please note firstly that the deciding factor for purchasing where we did (along with my family, daughter, son-in-law and grandchild – soon to be grandchildren) was having a private back yard, lovely outlook and gate through the back of the property to the local park and dog park. I even loved that we had cows / farmland on the other side of the park but that, as you know, is now to have a 340+ house (so I understand) Summerset estate built on it. To be honest I have not noticed a large number of cyclists using Southbrook Road and/or Buckleys Road but that may of course increase with the new cycleway. That especially raises the question of whether it is really necessary to expend such huge amounts when those funds could be used more effectively elsewhere. My concerns in summary, should the cycleway go ahead down Country Lane, include: • Added noise and lack of privacy; • Not having easy access to the back of the property (for tree felling, pool maintenance etc); • Added lighting – the bright spotlight from the rugby club is enough thanks (will the lighting be perhaps knee high or at all?) • Easier access for criminals which, as you know, is becoming rather a large problem in Rangiora. Please advise what plans are in place to address my above concerns. Should you require me to expand on my comments / submission, please advise.

Q2. Name:**Q3. Email/Phone:**

**Respondent No:** 47**Login:****Email:****Responded At:** Sep 08, 2023 14:58:23 pm**Last Seen:** Sep 08, 2023 02:53:49 am**IP Address:****Q1. Any feedback on the Rangiora Town Cycleway (Stage 1) ?**

Excellent idea. The plan make sense. We need safer route to access the Rangiora - Kaiapoi cycle way along the railway line.

Q2. Name:**Q3. Email/Phone:**

**Respondent No:** 48**Login:****Email:****Responded At:** Sep 10, 2023 14:05:49 pm**Last Seen:** Sep 08, 2023 03:58:51 am**IP Address:****Q1. Any feedback on the Rangiora Town Cycleway (Stage 1) ?**

This feedback is on behalf of the Southbrook School Board. We are concerned about the impact of the changes proposed to Railway Road to allow the cycle lane to be put in there. We are particularly concerned that making Railway Road one-way between Marsh Road and the Pak'nSave entrance will result in large trucks using Torlesse Street to get back onto Southbrook Road. If trucks deliver to Pak'nSave, will the trucks leave via Pak'nSave rather than Torlesse Street, and what will be in place to control this? We are concerned primarily for our tamariki crossing the road when large trucks are more likely to be a risk than with the current layout, and secondly, that the design of the road means that Torlesse Street is already a narrow road, especially at the intersection of Railway Road and Torlesse Street, so trucks will be focusing on that and not on there being small people around. Secondly, in a more general sense we are concerned at the idea of the cycle lane going down Torlesse Street because it will likely encourage our tamariki to run across the road with their bikes to enter the cycle lane, when we aim to get everyone crossing at our designated crossings. Is the approved route a final route or have other routes been looked into? Perhaps a cycle lane down Todds Road onto Ellis Road, and along the lane to join up with the planned route would be a better option and not put Southbrook School tamariki at risk?

Q2. Name:

Q3. Email/Phone:

**Respondent No:** 49**Login:** **Email:** **Responded At:** Sep 11, 2023 07:54:52 am**Last Seen:** Sep 10, 2023 01:37:02 am**IP Address:** **Q1. Any feedback on the Rangiora Town Cycleway (Stage 1) ?**

Rangiora town cycleway (stage 1). This route will add an important link for people on bicycles in the Waimakariri district. Many users of the Passchendaele Memorial path do not have the confidence to cycle on Southbrook Road to connect the path into the centre of Rangiora. While the route looks a bit indirect, any route that provides a safer alternative to Southbrook Road is of value. The route also provides good connections to two schools It will combine a variety of on-road, shared path and greenway treatments, so it will be a challenge to make the route coherent, attractive and safe. It sounds as if there has already been some significant negotiation with rail and road corridor users towards this. Where the route uses on road facilities, they should be designed so it's clear whether it's a shared lane or a reserved cycle path. Speed management measures might be needed for motor vehicles in any shared zone where they are used. Where the route crosses roads, it will be important to provide a crossing that looks helpful for a safe crossing. This will be especially important where the route crosses Lineside Rd to connect the Passchendaele Memorial path. Signposting for the route will be important. It won't attract users if they can't find it. It will be important to remember that some more confident people may still choose to cycle on Southbrook Road, especially in non-peak traffic, so the existing on-road cycle lanes should be retained. There should also be allowance for cycles making a switch between routes by turning at the Southbrook/Torlesse/Coronation intersection. Stephen Wood & Spokes Canterbury

Q2. Name:

Q3. Email/Phone:

**Respondent No:** 50**Login:****Email:****Responded At:** Sep 11, 2023 16:23:05 pm**Last Seen:** Sep 11, 2023 03:47:00 am**IP Address:**

Q1. Any feedback on the Rangiora Town Cycleway (Stage 1) ?

Foodstuffs South Island Properties and PAK'n SAVE Rangiora are unable to support the proposed Railway Road cycleway for the following reasons:

Operation of the cycleway: The cycleway directs users into an environment largely dominated by frequent heavy truck movements. We do not believe this is a safe passage for cyclists being located in a heavy truck environment within an industrial area.

Location of Truck Park: This location is an improvement to the initial design but does create visual barrier issues with the static signalled railway crossing. We remain unsure as to whether this design meets safety audit requirements. The location of the truck park requires consideration to the design to ensure that the visibility to the railway network is not compromised.

Perception of road safety: There is a perception that the proposed cycle way will be road safe. We remain extremely concerned with the risks involved in this cycle design and its location. The cycle lane design is adjacent to an active railway network system, a proven unsafe crossing point with poor visibility and high volume truck movements. We strongly suggest that Council have elevated the risks for cyclists through the placement of the cycle lane on Railway Road.

Extent of Works: PAK'n SAVE Rangiora is the employer of nearly 300 local staff, and operates 24/7 – seven days per week. Operations include truck and trailer units servicing the PAK'n SAVE which will be operating at the same peak times as cycleway use. Construction will be disruptive and will compromise access to the PAK'n SAVE and our operating conditions of consent. Construction Effects Operating our truck delivery times are set to strict times as these support stock to store, staff availability and rostering, product to shelf (such as fresh and bread products). Night works would therefore be the only option for construction works to occur on the roadway. These would be required to be limited to outside of our delivery times to ensure full accessibility to the PAK'nSAVE site. The impact these works would have on residential neighbours outweighs any benefit of a cycleway in this location.

Road Cycle Safety It is our understanding that the Council are not removing the cycleway on Southbrook Road which initially was the entire premise to divert cyclists off Southbrook Road. We feel that the Council has misguided both the community and its financial funding supporters.

Political Influence We remain extremely concerned that Council have prioritised funding and the short time frames to achieve immediate funding rather than a robust safety corridor for cyclists and road users of Rangiora. We are concerned that some elected representatives have dominated both Community Board and Council presentations with their own personal views rather than the stance of practical safety.

Higher priority streets for cycleways: According to publicly available data from NZTA provided by the NZ police there are at least 9 roads and streets that have had more (some significantly more) injury accidents involving cyclists than Southbrook Road in the Rangiora township. Priority should be given to these areas for safe cycleways if safety is the driver of this proposal.

No support from local businesses None of the businesses on the affected streets that I have spoken with were willing to offer their support of the proposal when asked.

Lack of consultation at early planning stage The opportunity to have input at the consultation stage was not given to PAK'nSAVE. Opposition to this proposal could have been tabled very early in the process which I believe would have lead to a different outcome and proposal.

Businesses that use this stretch of road for trucking: 1) Pak n Save 2) North Canterbury Truck and Tractor Services 3) Allied Concrete 4) Engineering North Canterbury 5) Paramount Plumbing 6) Aktron (formally oil distributors) 7) Fontera often use this corner as there is dairy farms down Marsh Road Have each of these businesses been openly consulted with and given the opportunity for comment? Planning design means large trucks would not be able to turn left onto Railway Road from Station Road without conflict of trucks exiting PAK'nSAVE due to shape of corner. Road layout on the latest plan limits the ability of trucks to safely turn left into Station Road (Northbound on Railway Rd) with a truck and trailer due to changing corner shape and low visibility through existing building structures. Any vehicle waiting to cross the railway heading North on Marshs Rd will have to wait blocking traffic from all other directions at the noted Stop sign. The traffic lights at Torlesse Street are being underutilised and people are still using the PAK'nSAVE lights to get onto Southbrook Road in peak traffic. This design has the potential to exacerbate the issue and force more cars to use PAK'nSAVE as a thoroughfare due to reducing options to exit the area by adding one way traffic to an area that doesn't currently have that. The conflict point of trucks, trains, cars, cycles and pedestrians at the intersection of the four roads is dangerous by design and does not adequately ensure the safety of all cycleway and road users at an already dangerous intersection. There are three recorded crashes of trains and cars at the intersection already, how does this design improve the safety of cycleway and road users?.

Respondent #	SUPPORT		OPPOSE			
	Generally support	Support but have concerns re design	General objection	General objections to expenditure on Cycleways	Oppose railway Road portion	Oppose Country lane section
1	1					
2	1					
3						1
4						1
5						1
6			1			
7		1				
8						1
9	1					
10					1	
11					1	
12					1	
13		1				
14					1	
15					1	
16			1			
17	1					
18					1	
19					1	
20						
21	1					
22					1	
23						
24					1	
25	1					
26	1					
27					1	
28	1					
29						1
30					1	
31	1					
32	1					
33	1					
34		1				
35		1				
36		1				
37	1					
38	1					
39		1				
40	1					
41	1					
42		1				
43					1	
44	1					
45		1				
46						1
47	1					
48						1
49	1					
50						1
SUBTOTAL	18	8	2	12	6	2
TOTAL	26			22		

Kieran Straw

From: Aaron Kibblewhite
Sent: Wednesday, 27 September 2023 2:18 PM
To: Don Young
Subject: FW: Rangiora Town Cycleway - Let's Talk
Attachments: icons8-facebook-circled-02_3a69da14-9fa0-426c-abb5-683778f84960.png

Hi Don,

Please see below email response from Southbrook School.

Regards,
Aaron

Aaron Kibblewhite | Senior Project Engineer
Project Delivery Unit



From:
Sent: Wednesday, September 13, 2023 2:57 PM
To: Dan Gordor

Caution: [THIS EMAIL IS FROM AN EXTERNAL SOURCE] DO NOT CLICK links or attachments unless you recognise the sender email

Kia ora Aaron

Thank you for your time this afternoon to reassure us about our concerns around truck traffic around our school.

We now understand that the new system should direct trucks away from our school roads and ensure the safety of our tamariki.

We also discussed the possibility of having signs to ensure that the trucks do not come past Southbrook School.

We appreciate that we can keep an open dialogue if issues should arise.

Ngā mihi

██████████ Presiding Member

Subject: Re: Rangiora Town Cycleway - Let's Talk

Good morning Aaron

We met as a Board last evening. We are extremely concerned about the proposed road changes. We believe this will cause our roads to be extremely unsafe for our tamariki at Southbrook School.

The Board would like the opportunity to meet with you to discuss our concerns further.

We look forward to hearing from you.

Ngā mihi

Principal

Southbrook School

Rangiora

On Fri, Aug 25, 2023 at 9:23 AM Aaron Kibblewhite

> wrote:

Good Morning,

Please use the below link or see the attached to find out more information about the upcoming Rangiora Town Cycleway project. We are having a drop in session on Thursday evening next week at the Southbrook Rugby Clubrooms where we look forward to discussing the current plans and receiving feedback.

If you would like to contact us regarding this project but cannot make it to the drop-in session feel free to get in touch via the website survey link, print and mail back the attached feedback form, or simply contact either Kieran or myself.

<https://letstalk.waimakariri.govt.nz/rangiora-town-cycleway-stage-one>

Kind regards,
Aaron

Aaron Kibblewhite | Senior Project Engineer
Project Delivery Unit

waimakariri.govt.nz

Waimakariri District Council: No-Stopping Restriction Schedule associated with Rangiora Town Cycleway Project

Item	Locality	Street	Side of Street	Location	Distance [m]	No. of spaces impacted	Notes
	Rangiora	Railway Road	West	Outside 642 Lineside Road (southern end)	4	1	Planted kerb build out (i.e not no stopping lines)
	Rangiora	Railway Road	West	Outside 642 Lineside Road (northern end)	4	0	Planted kerb build out (too small for parking currently)
	Rangiora	Railway Road	West	Outside 16 Railway Road	4	1	Planted kerb build out (i.e not no stopping lines)
	Rangiora	Railway Road	West	Outside Allied Concrete	20	8*	Informal angle parking outside Allied Concrete
	Rangiora	Railway Road	East	Angle parking south of Dunlops Rd For 10m north of Dunlops Rd (extending existing by 5m) to improve sight lines at level crossing	65	10*	Informal angle parking converted to formal parallel parking spaces. Additional on-road spaces will be added north of Dunlops to balance this.
	Rangiora	Railway Road	East	improve sight lines at level crossing	10	1	
	Rangiora	Torlesse Street	South	Outside No 36 Southbrook Rd (Torlesse St side)	6	1	Required to fit off-road cycle facility in conjunction with traffic signals
	Rangiora	Coronation Street	West	Cul-de-sac head	45	0	Alters parking to remove parking from turn around area. No formal existing spaces lost Residents request following street meeting. Design allows for 3 x parks at end of lane for visitor
	Rangiora	Country Lane	Both	South Belt to end of public laneway.	100	16	parking
	Rangiora	South Belt	North	No. 7 King Street	25	3	For pedestrian refuge
	Rangiora	South Belt	South	No. 99	37	6	For pedestrian refuge

Waimakariri District Council: Schedule of Trees to be removed

Item	Locality	Street	Side of Street	Location	Asset ID	Notes
	Rangiora	Railway Road	East	Outside Carters	TR009715	To be replaced in kerb build out within carriageway
	Rangiora	Railway Road	East	Outside Carters	TR009713	To be replaced in berm on western side of road
	Rangiora	Railway Road	East	Outside Carters	TR009712	To be replaced in kerb build out within carriageway
	Rangiora	Railway Road	East	Outside Carters	TR009711	To be replaced in berm on western side of road
	Rangiora	Railway Road	East	Outside Carters	TR009714	To be replaced in kerb build out within carriageway
	Rangiora	Railway Road	West	Outside Pak n Save	not recorded	To be replaced with new within buffer between footpath and roadway on eastern side of Railway Road
	Rangiora	Railway Road	West	Outside Pak n Save	not recorded	To be replaced with new within buffer between footpath and roadway on eastern side of Railway Road
	Rangiora	Railway Road	West	Outside Pak n Save	not recorded	To be replaced with new within buffer between footpath and roadway on eastern side of Railway Road
	Rangiora	Railway Road	West	Outside Pak n Save	not recorded	To be replaced with new within buffer between footpath and roadway on eastern side of Railway Road
	Rangiora	Railway Road	West	Outside Pak n Save	not recorded	To be replaced with new within buffer between footpath and roadway on eastern side of Railway Road
	Rangiora	Railway Road	West	Outside Pak n Save	not recorded	To be replaced with new within buffer between footpath and roadway on eastern side of Railway Road
	Rangiora	Coronation Street	South	No. 10 Coronation St	TR007688	To be replaced west of Buckleys Road

SAFETY, HEALTH AND ENVIRONMENT

ENTERPRISE-WIDE SHE TEMPLATE (Adapted for LCRAG SFAIRP Process)

04-TEM-006-SHE SFAIRP STATEMENT REPORT

1. DOCUMENT DETAILS

Project Name:	Waimakariri District Council cycle path development at Rangiora – Marsh Rd Level Crossing, c27.2km MNL
----------------------	--

Project Stage:	Design <input checked="" type="checkbox"/>	Implementations/Closeout (Construction) <input type="checkbox"/>	Operations <input type="checkbox"/>
-----------------------	--	--	-------------------------------------

Disciplines Covered:					
Track <input checked="" type="checkbox"/>	Civil <input type="checkbox"/>	Structures <input type="checkbox"/>	Signals & Comms <input checked="" type="checkbox"/>	Mechanical <input type="checkbox"/>	Traction/Elec <input type="checkbox"/>
Facilities <input type="checkbox"/>	Operations <input checked="" type="checkbox"/>	Rollingstock <input type="checkbox"/>	Network Services <input checked="" type="checkbox"/>	Ships <input type="checkbox"/>	
Others Please Specify:					

Document Control:		
DRAFT v1	For KiwiRail review.	07/08/23
DRAFT v2	Updated after KiwiRail review. For all stakeholders review.	18/08/23
FINAL	Updated after all stakeholders review.	14/09/23

2. DOCUMENT APPROVAL

Project Assurance SFAIRP Due-diligence Declaration Confirming that:	Completed
1. SHE Risk Assessment has been implemented as intended and communicated to the key stakeholders and that the hazard/risks associated with project stage have been established, understood, and the relevant controls have been identified, implemented or planned.	<input type="checkbox"/>
2. SFAIRP statement demonstrate a reasoned and supported arguments, that there are no other practical measures that could reasonably be taken to reduce risks further and that the controls implemented provide the highest level of protection that is reasonably practicable for these circumstances.	<input type="checkbox"/>
3. Due diligence checks have been undertaken verifying that the identified controls are appropriate and documented evidence is available to confirm the risks have been mitigated to a degree consistent with KiwiRail systems and standards.	<input type="checkbox"/>

Prepared by Author:	Phil McQueen Ltd	Signature		Date	14/09/23
Content Reviewed by:	Senior Level Crossings Engineer	Signature	E COOK	Date	14/9/2023
Technical Authority Approval:	Professional Head Signals	Signature	martin.tompkins <small>Digitally signed by martin.tompkins Date: 2023.09.14 13:21:39 +1200</small>	Date	
Operations Approval:	GM SI Operations	Signature		Date	25/9/23
Zero Harm Approval:	Head of Safety Risk Assurance	Signature		Date	26/09/2023

3. PURPOSE AND SCOPE OF THIS REPORT

The Waimakariri District Council (WDC) are planning to construct a new cycleway adjacent to the railway corridor on Railway Road in Rangiora. The cycleway is a separate 2.5m shared use path at the southern end of Railway Road (where it passes by Marsh Road), and transitions to a “neighbourhood Greenway” where it passes by Dunlops Road. The cycleway will pass by (and therefore informally connect) to the existing level crossings at Marsh Road and Dunlops Road, which constitutes a Change in Use. WDC has commissioned an LCSIA report from Stantec to assess the safety risk at the crossings and to provide safety recommendations for level crossing upgrades, and subsequently have commissioned this SFAIRP report.

This SFAIRP report is for Marsh Rd level crossing. A separate report has been prepared for Dunlops Rd.

In summary:

- Marsh Rd is a minor road in Southbrook, Rangiora, where it crosses the Main North Line railway, and runs east through predominantly rural land.
- The existing road level crossing is controlled by Stop signs.
- There are no formed pedestrian/ cycle level crossings. The LCSIA creates a “pseudo” cycle crossing for analysis purposes, but notes that there is no formal pedestrian crossing at present, nor would one be constructed because of the adjacent cycleway.
- The LCSIA reports that user volumes for both rail and road are expected to remain close to the current level, without any significant increase. Train speeds are also expected to remain the same as the existing scenario. The main change for motorists using the crossing will be the addition of cyclists waiting on the new cycleway to give way to vehicles, before crossing the road.
- The LCSIA report describes the effects on the road level crossing and on the pseudo cycle crossing, the associated changes in risk, and recommends safety improvements.
- The LCSIA report found that risk at the pseudo cycle crossing will increase and recommends various safety improvements. FLB are required to achieve criteria 1 & 2, and a lesser set of improvements will achieve criterion 1 only.

- A SFAIRP review of whether FLB are reasonably practicable for the pseudo cycle crossing has not been sought.
- The LCSIA report found that risk at the road crossing will increase due to the change in use (by a small amount from LCSS 42 to 44) and recommends various safety improvements. HAB are required to achieve criteria 1 & 2, and a lesser set of improvements to achieve criterion 2 only.
- Waimakariri DC has advised that a new road is to be built linking Lineside Road to Rangiora East and is planned for completion in 2030 at which time the Marsh Road, and Dunlops Road level crossings will be closed, and access will be provided from the new road.
- Waimakariri DC considers that installing HAB at the road crossing may not be “reasonably practicable” and has commissioned an SFAIRP review to assist in reaching a conclusion.

Therefore the purpose of this SFAIRP Report is to review whether HAB is “reasonably practicable” for the road crossing, by applying the process described in the LCRAG (v5), Appendix 9.

The figures below show the existing crossing and are extracted from the LCSIA report figures 4-1 and 4-2.

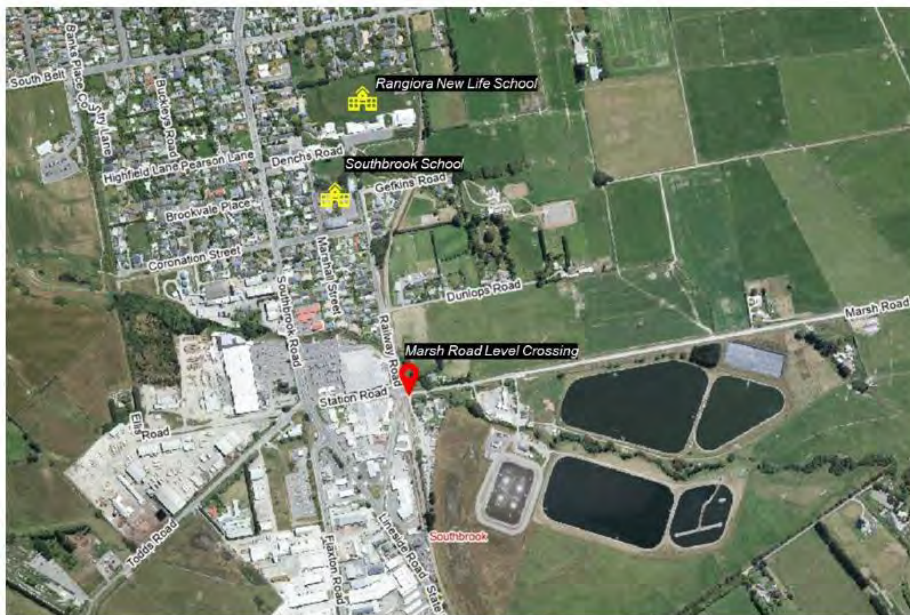


Figure 4-1: Marsh Road level crossing location (Canterbury Map Viewer)

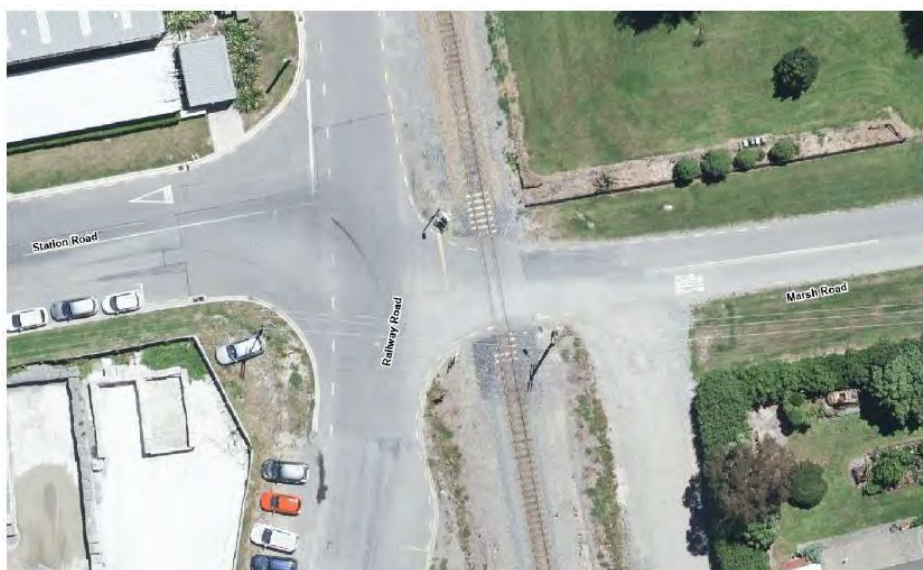


Figure 4-2: Marsh Road level crossing aerial (Canterbury Map Viewer)

4. APPLICABLE REGULATIONS, ACTS AND STANDARDS

Type	Description
KiwiRail Engineering Standards	KiwiRail Infrastructure has a comprehensive suite of engineering standards and supporting documents, including those applying to level crossings. In particular, the Signals and Telecommunication Standard: Active Level Crossings (S-ST-LC-2103), which specifies minimum levels of protection at crossings.
NZTA Traffic control devices manual (TCD manual) – Part 09: Level crossings	The TCD manual provides standards for traffic control devices including at level crossings.
Level crossing risk assessment	The <u>Level Crossing Safety Impact Assessment (LCSIA)</u> and <u>Australian Level Crossings Assessment Model (ALCAM)</u> are methods used in NZ for assessing level crossing risk and identifying appropriate risk controls. The <u>Level Crossing Risk Assessment Guide (LCRAG)</u> , prepared jointly by KiwiRail and NZTA Waka Kotahi, provides guidance on risk assessment and describes the SFAIRP review process to be used if there are risk controls identified that are considered to be “not reasonably practicable” to implement.
Act	Railways Act 2005
Act	Health & Safety at Work Act 2015
Regulations	Health & Safety at Work Regulations 2016

5. KEY CONSTRAINTS, ASSUMPTIONS, AND DEPENDENCIES

The risk has been assessed, and safety recommendations identified, using the LCSIA process.

This SFAIRP Report has been prepared using the process set out in LCRAG (v5) Appendix 9 and relies on the information contained in the reference documents listed in section 10, and where noted further information provided separately.

6. STAKEHOLDER ENGAGEMENT

The Key Stakeholders are:

Stakeholder	Reason for Engagement
KiwiRail	The KiwiRail South Island Region is responsible for the maintenance of the infrastructure and the rail operations at the level crossing. KiwiRail Engineering Services and Zero Harm groups are KiwiRail's technical authorities re level crossing design and safety risk.
Waimakariri District Council (WDC)	WDC is the Road Controlling Authority for the road at the level crossing.
Waimakariri District Council (WDC)	WDC is the proponent for the new cycleway affecting the level crossing.

Engagement with stakeholders took place as part of the LCSIA of the crossing and included all relevant parties including worker representatives. Details are in the LCSIA report.

7. RISKS BEING CONSIDERED

Risk/Hazard ID	System/Rail Network - Key Risks/Hazards Description
	The risk of harm caused by a train vs road user collision at the road level crossing for the future use cases.

The key factors driving this risk are the existence of a level crossing of road and rail, and the change in use of the adjacent intersection arising from the planned cycleway.

This risk is not new, as it exists to a degree today at the existing crossing. Neither is it novel, as the same risk exists in varying degrees at numerous other level crossing locations on the rail network. However, the changes at the crossing will result in increased traffic levels with an associated change in risk which must be considered, and appropriate controls identified.

8. SFAIRP JUSTIFICATION STATEMENT

KiwiRail currently manages this risk through a number of existing controls, selected and applied to each crossing site as appropriate, and which fall under KiwiRail’s Safety Case and Licence to Operate. Therefore, this SFAIRP statement focuses on how existing controls will be applied at the crossing site.

The Risk has been assessed and the following Hierarchy of Controls considered:

Controls Considered		Results
Elimination	Grade Separation Closure	Not considered in this report
Substitution	N/A	N/A
Engineering	Half Arm Barriers.	Not Practicable
Engineering	Road/rail intersection layout and design details and physical works.	To be Implemented
Administrative	Signs and road markings.	To be Implemented

The LCSIA report found that risk at the Marsh Road road crossing will increase due to the change in use (by a small amount from LCSS 42 to 44) and recommends various safety improvements. HAB are required to achieve criterion 1, and a lesser set of improvements to achieve criterion 2. Waimakariri DC has advised that Marsh Road crossing will close in 2030 (ie in 7 years from now) in conjunction with the opening of a new road that will provide alternative access. WDC considers that HAB for the road crossing may not be reasonably practicable and has commissioned an SFAIRP review to assist in reaching a conclusion.

HAB are a suitable control and an available control.

Regarding cost proportionality, the analysis shows that for a 7 year life, the ICAF ratio is 23 (using the 2021 MoT VoSL of \$4.88m) or 9 (using the 2023 WK VoSL of \$12.5m). Therefore the cost of HAB is grossly disproportionate or is at the high end of the LCRA “grey area” of 2 – 10 where cost proportionality is inconclusive.

Considering that the cycleway change induces just a small proportion of the assessed risk, and that there are alternative treatments to achieve criterion 2, and that Waimakariri DC intends to close the crossing in 2030, HAB, in the circumstances and context of this cycleway development and future road closure, are not a reasonably practicable control. The planned closure of Marsh Rd crossing by 2030 is subject to Council processes. If it does not eventuate, this may alter the SFAIRP conclusion and the requirement for HAB at Marsh Rd would need to be revisited.

Implementing the recommended safety improvements without HAB will reduce the risk SFAIRP and be fit for the future use of the road level crossing by the projected future traffic in the context of the proposed development.

The following section “Controls Implemented / Considered” provides further detail on the controls proposed to be implemented and those that were considered and found to be not reasonably practicable.

It should be noted that this report is focused on the safety risk reduction aspects of the proposed solution and does not have scope to consider any wider amenity and development opportunities which might drive a different solution for other reasons as well as safety risk reduction.

9. CONTROLS IMPLEMENTED / CONSIDERED

Risk/Hazard ID	RISK DESCRIPTION	SFAIRP JUSTIFICATION	Hierarchy of Control IMPLEMENTED	Hierarchy of Control CONSIDERED
	<p>The risk of harm caused by a train vs road vehicle collision at the level crossing for the future use cases.</p>	<p>Half arm barriers. <i>[Half-arm barriers (HAB).</i> <i>HAB are a suitable control as they would reduce the risk at the crossing.</i> <i>HAB are an available control as they are an established and accepted control which is widely used in the industry including in NZ.</i> <i>Considering cost proportionality:</i></p> <ul style="list-style-type: none"> - <i>The comparison is between installing:</i> <ul style="list-style-type: none"> o <i>all the recommended safety improvements identified by the LCSIA <u>including</u> HAB.</i> o <i>all the recommended safety improvements identified by the LCSIA but <u>excluding</u> HAB.</i> - <i>This is to consider whether the additional cost for HAB is proportionate to the safety benefit obtained.</i> - <i>The fatal return period (FRP) calculated by the ALCAM analysis for the Future stage changes from 1,860 years to 729 years if HAB are not installed. This equates to an additional 0.025 fatalities over 30 years (the assumed life of an HAB installation).</i> - <i>However, WDC plans to build a new road which will connect to Marsh Rd and enable the crossing to be closed with completion in 2030. Therefore the HAB would be in use for 7 years, or less if installation lead time is allowed for. This equates to an additional 0.006 fatalities over 7 years.</i> - <i>The latest Ministry of Transport VoSL (June 2021 update) is \$4.88M, which gives a value of risk reduction of \$28k for a 7 year life.</i> - <i>The recent Waka Kotahi (2023) VoSL is \$12.5m, which gives a value of risk reduction of \$73k for a 7 year life.</i> - <i>The cost to install HAB at Marsh Rd has not been provided. However, previous indicative estimates from KiwiRail for other sites are typically</i> 		<p>Engineering</p>

Risk/Hazard ID	RISK DESCRIPTION	SFAIRP JUSTIFICATION	Hierarchy of Control IMPLEMENTED	Hierarchy of Control CONSIDERED
		<p><i>for a cost of “\$500k upwards”, and another recent SFAIRP review was advised of a cost range for HAB of \$600-900k.</i></p> <ul style="list-style-type: none"> - <i>While a bespoke estimate for Marsh Rd HAB would be preferable, in order to progress the analysis, and after discussion with KiwiRail, a cost of \$650k has been assumed.</i> - <i>The ICAF ratio for the addition of HAB is 23 (MoT 2021 VoSL) or 9 (Waka Kotahi 2023 VoSL) assuming a 7 year life.</i> - <i>The LCRAG App 9 guidance is that an ICAF ratio of</i> <ul style="list-style-type: none"> o <i>2 or less will generally be considered proportionate.</i> o <i>10 or greater will generally be considered grossly disproportionate.</i> o <i>Between 2 and 10 will require specific consideration and justification.</i> - <i>Using the MoT 2021 VoSL, ICAF is 23 and the cost is grossly disproportionate.</i> - <i>Using the Waka Kotahi 2023 VoSL, ICAF is 9, at the high end of the LCRAG “grey area” of 2 – 10 where cost proportionality is inconclusive.</i> <p><i>Based on the information available, HAB are a suitable control, are an available control, and the cost is grossly disproportionate, or inconclusive, depending on the VoSL assumption, for the 7 year life of the installation.]</i></p>		
	<p>The risk of harm caused by a train vs road vehicle collision at the level crossing for the future use cases.</p>	<p>Road/rail intersection layout and design details to maximise effectiveness of controls and reduce hazard likelihood at this site. <i>[Includes:</i></p> <ul style="list-style-type: none"> - <i>Change intersection priority to give the east-west movement right of way and mark STOP on the western approach to the crossing.</i> - <i>Raised platforms on Station Road and Marsh Road approaches.</i> - <i>Install adjacent corridor fencing to the level crossing.]</i> 	Engineering	
	<p>The risk of harm caused by a train vs road vehicle collision</p>	<p>Road/rail intersection layout and design details to maximise effectiveness of controls and reduce hazard likelihood at this site. <i>[Includes:</i></p>	Administrative	

Risk/Hazard ID	RISK DESCRIPTION	SFAIRP JUSTIFICATION	Hierarchy of Control IMPLEMENTED	Hierarchy of Control CONSIDERED
	at the level crossing for the future use cases.	<ul style="list-style-type: none"> - Consider RAIL X marking on Station Road. - Review the location of the limit line for cyclists on both approaches to Marsh Road.] 		

Summary of ALCAM fatal return period outputs for Marsh Rd from LCSIA report Table 4-13:

Table 4-13: Marsh Road level crossing ALCAM changes

Scored Items	Updated Existing	Change in Use	Minimum Mitigation	Proposed Design	Future Score
ALCAM risk band	Medium High	Medium High	Medium High	Medium Low	Medium Low
ALCAM risk score % change	N/A	+8%	+6%	-60%	-58%
Fatal return period	770 years	716 years	729 years	1,940 years	1,860 years

10. REFERENCE DOCUMENTS

1. Stantec report: Marsh Road and Dunlops Road Level Crossing Safety Impact Assessment, Rev 1, 10/07/23.
2. Joint KiwiRail and Waka Kotahi publication: Level Crossing Risk Assessment Guide (LCRAG), v5.

SFAIRP Statement Report - Marsh Rd FINAL

Final Audit Report


2023-09-25


Created:	2023-09-25
By:	Phil McQueen (pjmccq@xtra.co.nz)
Status:	Signed
Transaction ID:	CBJCHBCAABAA0J-ylhEAg1Xf6s9RchVQrMPII85ltrIK


"SFAIRP Statement Report - Marsh Rd FINAL" History


 Document digitally presigned by martin.tompkins (martin.tompkins@kiwirail.co.nz)
2023-09-14 - 1:21:39 AM GMT

 Document created by Phil McQueen (pjmccq@xtra.co.nz)
2023-09-25 - 7:40:01 AM GMT

 Document emailed to Phil McQueen (philmccqnz@gmail.com) for signature
2023-09-25 - 7:40:54 AM GMT

 Email viewed by Phil McQueen (philmccqnz@gmail.com)
2023-09-25 - 7:41:06 AM GMT

 Document e-signed by Phil McQueen (philmccqnz@gmail.com)
Signature Date: 2023-09-25 - 7:52:53 AM GMT - Time Source: server

 Agreement completed.
2023-09-25 - 7:52:53 AM GMT

SAFETY, HEALTH AND ENVIRONMENT

ENTERPRISE-WIDE SHE TEMPLATE (Adapted for LCRAG SFAIRP Process)

04-TEM-006-SHE SFAIRP STATEMENT REPORT

1. DOCUMENT DETAILS

Project Name:	Waimakariri District Council cycle path development at Rangiora – Dunlops Rd Level Crossing, c27.4km MNL
----------------------	--

Project Stage:	Design <input checked="" type="checkbox"/>	Implementations/Closeout (Construction) <input type="checkbox"/>	Operations <input type="checkbox"/>
-----------------------	--	--	-------------------------------------

Disciplines Covered:					
Track <input checked="" type="checkbox"/>	Civil <input type="checkbox"/>	Structures <input type="checkbox"/>	Signals & Comms <input checked="" type="checkbox"/>	Mechanical <input type="checkbox"/>	Traction/Elec <input type="checkbox"/>
Facilities <input type="checkbox"/>	Operations <input checked="" type="checkbox"/>	Rollingstock <input type="checkbox"/>	Network Services <input checked="" type="checkbox"/>	Ships <input type="checkbox"/>	
Others Please Specify:					

Document Control:		
DRAFT v1	For KiwiRail review.	08/08/23
DRAFT v2	Updated after KiwiRail review. For all stakeholders review.	18/08/23
FINAL	Updated after all stakeholders review.	14/09/23

2. DOCUMENT APPROVAL

Project Assurance SFAIRP Due-diligence Declaration Confirming that:	Completed
1. SHE Risk Assessment has been implemented as intended and communicated to the key stakeholders and that the hazard/risks associated with project stage have been established, understood, and the relevant controls have been identified, implemented or planned.	<input type="checkbox"/>
2. SFAIRP statement demonstrate a reasoned and supported arguments, that there are no other practical measures that could reasonably be taken to reduce risks further and that the controls implemented provide the highest level of protection that is reasonably practicable for these circumstances.	<input type="checkbox"/>
3. Due diligence checks have been undertaken verifying that the identified controls are appropriate and documented evidence is available to confirm the risks have been mitigated to a degree consistent with KiwiRail systems and standards.	<input type="checkbox"/>

Prepared by Author:	Phil McQueen Ltd	Signature		Date	14/09/23
Content Reviewed by:	Senior Level Crossings Engineer	Signature	E COOK	Date	14/9/2023
Technical Authority Approval:	Professional Head Signals	Signature	martin.tom pkins <small>Digitally signed by martin.tom pkins Date: 2023.09.14 13:20:13 +12'00'</small>	Date	
Operations Approval:	GM SI Operations	Signature		Date	25/9/23
Zero Harm Approval:	Head of Safety Risk Assurance	Signature		Date	26/09/2023

3. PURPOSE AND SCOPE OF THIS REPORT

The Waimakariri District Council (WDC) are planning to construct a new cycleway adjacent to the railway corridor on Railway Road in Rangiora. The cycleway is a separate 2.5m shared use path at the southern end of Railway Road (where it passes by Marsh Road), and transitions to a “neighbourhood Greenway” where it passes by Dunlops Road. The cycleway will pass by (and therefore informally connect) to the existing level crossings at Marsh Road and Dunlops Road, which constitutes a Change in Use. WDC has commissioned an LCSIA report from Stantec to assess the safety risk at the crossings and to provide safety recommendations for level crossing upgrades, and subsequently have commissioned this SFAIRP report.

This SFAIRP report is for Dunlops Rd level crossing. A separate report has been prepared for Marsh Rd.

In summary:

- Dunlops Rd is a minor no-exit road in Southbrook, Rangiora, where it crosses the Main North Line railway, and runs east providing access to five houses before dead ending.
- The existing road level crossing is controlled by Stop signs.
- There are no formed pedestrian/ cycle level crossings. The LCSIA creates a “pseudo” cycle crossing for analysis purposes, but notes that there is no formal pedestrian crossing at present, nor would one be constructed because of the adjacent cycleway.
- The LCSIA reports that user volumes for both rail and road are expected to remain close to the current levels, although notes there may be an increase in cyclists using the crossing and the new cycleway for school trips. Train speeds are also expected to remain the same as the existing scenario.
- The LCSIA report describes the effects on the road level crossing and on the pseudo cycle crossing, the associated changes in risk, and recommended safety improvements.
- The LCSIA report found that risk at the pseudo cycle crossing will increase but does not make any recommendations for cyclist specific safety improvements. FLB are required to achieve criteria 1 & 2, otherwise criterion 1 only is achieved.

- A SFAIRP review of whether FLB are reasonably practicable for the pseudo cycle crossing has not been sought.
- The LCSIA report found that risk at the road crossing will increase due to the change in use (by a small amount from LCSS 31 to 32) and recommends various safety improvements. HAB are required to achieve criteria 1 & 2, and a lesser set of improvements to achieve criterion 2 only.
- Waimakariri DC has advised that a new road is to be built linking Lineside Road to Rangiora East and is planned for completion in 2030 at which time the Marsh Road, and Dunlops Road level crossings will be closed, and access will be provided from the new road.
- Waimakariri DC considers that installing HAB at the road crossing may not be “reasonably practicable” and has commissioned an SFAIRP review to assist in reaching a conclusion.

Therefore the purpose of this SFAIRP Report is to review whether HAB is “reasonably practicable” for the road crossing, by applying the process described in the LCRAG (v5), Appendix 9.

The figures below show the existing crossing and are extracted from the LCSIA report figures 5-1 and 5-2.

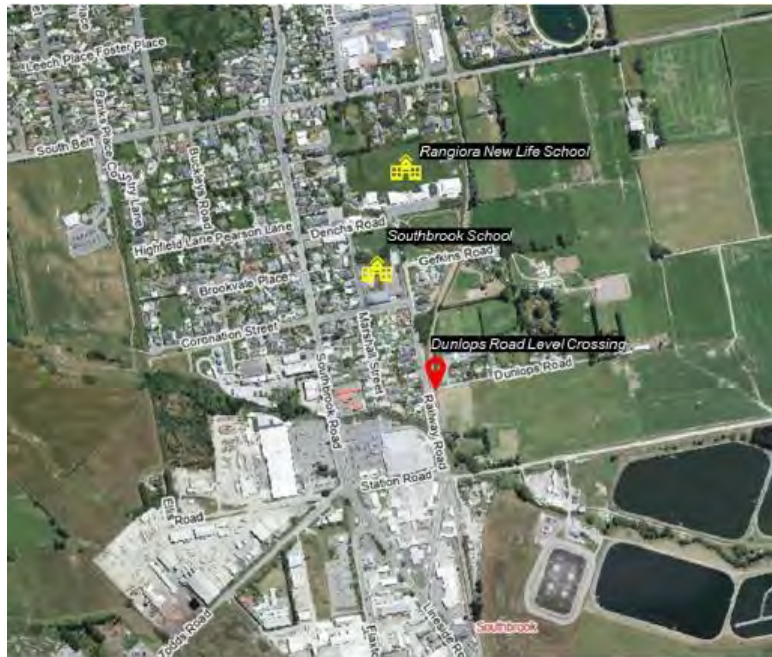


Figure 5-1: Dunlops Road level crossing location (Canterbury Map Viewer)



Figure 5-2: Dunlops Road level crossing aerial (Canterbury Map Viewer)

4. APPLICABLE REGULATIONS, ACTS AND STANDARDS

Type	Description
KiwiRail Engineering Standards	KiwiRail Infrastructure has a comprehensive suite of engineering standards and supporting documents, including those applying to level crossings. In particular, the Signals and Telecommunication Standard: Active Level Crossings (S-ST-LC-2103), which specifies minimum levels of protection at crossings.
NZTA Traffic control devices manual (TCD manual) – Part 09: Level crossings	The TCD manual provides standards for traffic control devices including at level crossings.
Level crossing risk assessment	The <u>Level Crossing Safety Impact Assessment (LCSIA)</u> and <u>Australian Level Crossings Assessment Model (ALCAM)</u> are methods used in NZ for assessing level crossing risk and identifying appropriate risk controls. The <u>Level Crossing Risk Assessment Guide (LCRAG)</u> , prepared jointly by KiwiRail and NZTA Waka Kotahi, provides guidance on risk assessment and describes the SFAIRP review process to be used if there are risk controls identified that are considered to be “not reasonably practicable” to implement.
Act	Railways Act 2005
Act	Health & Safety at Work Act 2015
Regulations	Health & Safety at Work Regulations 2016

5. KEY CONSTRAINTS, ASSUMPTIONS, AND DEPENDENCIES

The risk has been assessed, and safety recommendations identified, using the LCSIA process.

This SFAIRP Report has been prepared using the process set out in LCRAG (v5) Appendix 9 and relies on the information contained in the reference documents listed in section 10, and where noted further information provided separately.

6. STAKEHOLDER ENGAGEMENT

The Key Stakeholders are:

Stakeholder	Reason for Engagement
KiwiRail	The KiwiRail South Island Region is responsible for the maintenance of the infrastructure and the rail operations at the level crossing. KiwiRail Engineering Services and Zero Harm groups are KiwiRail's technical authorities re level crossing design and safety risk.
Waimakariri District Council (WDC)	WDC is the Road Controlling Authority for the road at the level crossing.
Waimakariri District Council (WDC)	WDC is the proponent for the new cycleway affecting the level crossing.

Engagement with stakeholders took place as part of the LCSIA of the crossing and included all relevant parties including worker representatives. Details are in the LCSIA report.

7. RISKS BEING CONSIDERED

Risk/Hazard ID	System/Rail Network - Key Risks/Hazards Description
	The risk of harm caused by a train vs road user collision at the road level crossing for the future use cases.

The key factors driving this risk are the existence of a level crossing of road and rail, and the potential for the cycleway to drive an increase in cyclists using the crossing.

This risk is not new, as it exists to a degree today at the existing crossing. Neither is it novel, as the same risk exists in varying degrees at numerous other level crossing locations on the rail network. However, the changes at the crossing will result in increased traffic levels with an associated change in risk which must be considered, and appropriate controls identified.

8. SFAIRP JUSTIFICATION STATEMENT

KiwiRail currently manages this risk through a number of existing controls, selected and applied to each crossing site as appropriate, and which fall under KiwiRail’s Safety Case and Licence to Operate. Therefore, this SFAIRP statement focuses on how existing controls will be applied at the crossing site.

The Risk has been assessed and the following Hierarchy of Controls considered:

Controls Considered		Results
Elimination	Grade Separation Closure	Not considered in this report
Substitution	N/A	N/A
Engineering	Half Arm Barriers.	Not Practicable
Engineering	Road/rail intersection layout and design details and physical works.	To be Implemented
Administrative	Signs and road markings.	To be Implemented

The LCSIA report found that risk at the Dunlops Road road crossing will increase due to the change in use (by a small amount from LCSS 31 to 32) and recommends various safety improvements. HAB are required to achieve criterion 1, and a lesser set of improvements to achieve criterion 2. Waimakariri DC has advised that Dunlops Road crossing will close in 2030 (ie in 7 years from now) in conjunction with the opening of a new road that will provide alternative access. WDC considers that HAB for the road crossing may not be reasonably practicable and has commissioned an SFAIRP review to assist in reaching a conclusion.

HAB are a suitable control and an available control.

Regarding cost proportionality, the analysis shows that, for a 7 year life, the ICAF ratio is 41 (using the 2021 MoT VoSL of \$4.88m) or 16 (using the 2023 WK VoSL of \$12.5m). Therefore the cost of HAB is grossly disproportionate for the 7 year life of the installation.

Considering that the cycleway change induces just a small proportion of the assessed risk, and also that there are alternative treatments to achieve criterion 2, and that Waimakariri DC intends to close the crossing in 2030, HAB, in the circumstances and context of this cycleway development and future road closure, is not a reasonably practicable control. The planned closure of Dunlops Rd crossing by 2030 is subject to Council processes. If it does not eventuate, this may alter the SFAIRP conclusion and the requirement for HAB at Dunlops Rd would need to be revisited.

Implementing the recommended safety improvements without HAB will reduce the risk SFAIRP and be fit for the future use of the road level crossing by the projected future traffic in the context of the proposed development.

The following section “Controls Implemented / Considered” provides further detail on the controls proposed to be implemented and those that were considered and found to be not reasonably practicable.

It should be noted that this report is focused on the safety risk reduction aspects of the proposed solution and does not have scope to consider any wider amenity and development opportunities which might drive a different solution for other reasons as well as safety risk reduction.

9. CONTROLS IMPLEMENTED / CONSIDERED

Risk/Hazard ID	RISK DESCRIPTION	SFAIRP JUSTIFICATION	Hierarchy of Control IMPLEMENTED	Hierarchy of Control CONSIDERED
	The risk of harm caused by a train vs road vehicle collision at the level crossing for the future use cases.	<p>Half arm barriers.</p> <p><i>[Half-arm barriers (HAB).</i></p> <p><i>HAB are a suitable control as they would reduce the risk at the crossing.</i></p> <p><i>HAB are an available control as they are an established and accepted control which is widely used in the industry including in NZ.</i></p> <p><i>Considering cost proportionality:</i></p> <ul style="list-style-type: none"> - <i>The comparison is between installing:</i> <ul style="list-style-type: none"> o <i>all the recommended safety improvements identified by the LCSIA <u>including</u> HAB.</i> o <i>all the recommended safety improvements identified by the LCSIA but <u>excluding</u> HAB.</i> - <i>This is to consider whether the additional cost for HAB is proportionate to the safety benefit obtained.</i> - <i>The fatal return period (FRP) calculated by the ALCAM analysis for the Future stage changes from 2,893 years to 1,231 years if HAB are not installed. This equates to an additional 0.014 fatalities over 30 years (the assumed life of an HAB installation).</i> - <i>However, WDC plans to build a new road which will connect to Dunlops Rd and enable the crossing to be closed with completion in 2030. Therefore the HAB would be in use for 7 years, or less if installation lead time is allowed for. Repeating the calculation for this scenario equates to an additional 0.003 fatalities over 7 years.</i> - <i>The latest Ministry of Transport VoSL (June 2021 update) is \$4.88M, so the value of the risk reduction is \$16k for a 7 year life.</i> - <i>The recent Waka Kotahi (2023) VoSL is \$12.5m, which gives a value of risk reduction of \$41k for a 7 year life.</i> - <i>The cost to install HAB at Dunlops Rd has not been provided. However, previous indicative estimates from KiwiRail for other sites are</i> 		Engineering

Risk/Hazard ID	RISK DESCRIPTION	SFAIRP JUSTIFICATION	Hierarchy of Control IMPLEMENTED	Hierarchy of Control CONSIDERED
		<p><i>typically for a cost of "\$500k upwards", and another recent SFAIRP review was advised of a cost range for HAB of \$600-900k.</i></p> <ul style="list-style-type: none"> - <i>While a bespoke estimate for Dunlops Rd HAB would be preferable, in order to progress the analysis, and after discussion with KiwiRail, a cost of \$650k has been assumed.</i> - <i>The ICAF ratio for the addition of HAB is 41 (MoT 2021 VoSL) or 16 (Waka Kotahi 2023 VoSL) assuming a 7 year life.</i> - <i>The LCrag App 9 guidance is that an ICAF ratio of</i> <ul style="list-style-type: none"> o <i>2 or less will generally be considered proportionate.</i> o <i>10 or greater will generally be considered grossly disproportionate.</i> o <i>Between 2 and 10 will require specific consideration and justification.</i> - <i>Using the MoT 2021 VoSL, ICAF is 41 and the cost is grossly disproportionate.</i> - <i>Using the Waka Kotahi 2023 VoSL, ICAF is 16, and the cost is grossly disproportionate.</i> <p><i>Based on the information available, HAB are a suitable control, are an available control, and the cost is grossly disproportionate for the 7 year life of the installation, therefore HAB is not reasonably practicable.]</i></p>		
	<p>The risk of harm caused by a train vs road vehicle collision at the level crossing for the future use cases.</p>	<p>Road/rail intersection layout and design details to maximise effectiveness of controls and reduce hazard likelihood at this site. <i>[Includes:</i> <ul style="list-style-type: none"> - <i>Install street lighting at crossing.]</i> </p>	Engineering	
	<p>The risk of harm caused by a train vs road vehicle collision at the level crossing for the future use cases.</p>	<p>Road/rail intersection layout and design details to maximise effectiveness of controls and reduce hazard likelihood at this site. <i>[Includes:</i> <ul style="list-style-type: none"> - <i>Install Advance warning signs and road marking as per TCD Pt 9.</i> - <i>Gate the STOP signage at the crossing.</i> </p>	Administrative	

Risk/Hazard ID	RISK DESCRIPTION	SFAIRP JUSTIFICATION	Hierarchy of Control IMPLEMENTED	Hierarchy of Control CONSIDERED
		- <i>Install cross hatching over the crossing.]</i>		

Summary of ALCAM fatal return period outputs for Dunlops Rd from LCSIA report Table 5-11:

Table 5-11: Dunlops Road level crossing ALCAM changes

Scored Items	Updated Existing	Change in Use	Minimum Mitigation	Proposed Design	Future Score
ALCAM risk band	Medium	Medium	Medium	Medium Low	Medium Low
ALCAM risk score % change	N/A	+7%	-4%	-61%	-58%
Fatal return period	1,191 years	1,117 years	1,231 years	3,066 years	2,893 years

10. REFERENCE DOCUMENTS

1. Stantec report: Marsh Road and Dunlops Road Level Crossing Safety Impact Assessment, Rev 1, 10/07/23.
2. Joint KiwiRail and Waka Kotahi publication: Level Crossing Risk Assessment Guide (LCRAG), v5.

SFAIRP Statement Report - Dunlops Rd FINAL

Final Audit Report

2023-09-25

Created:	2023-09-25
By:	Phil McQueen (pjmccq@xtra.co.nz)
Status:	Signed
Transaction ID:	CBJCHBCAABAARcWst8tT0bMIX8WlebCHQaNezuY1YbA


"SFAIRP Statement Report - Dunlops Rd FINAL" History

 Document digitally presigned by martin.tompkins (martin.tompkins@kiwirail.co.nz)


2023-09-14 - 1:20:13 AM GMT

 Document created by Phil McQueen (pjmccq@xtra.co.nz)

2023-09-25 - 7:56:21 AM GMT

 Document emailed to Phil McQueen (philmccqnz@gmail.com) for signature

2023-09-25 - 7:56:43 AM GMT

 Email viewed by Phil McQueen (philmccqnz@gmail.com)

2023-09-25 - 7:56:52 AM GMT

 Document e-signed by Phil McQueen (philmccqnz@gmail.com)

Signature Date: 2023-09-25 - 7:57:15 AM GMT - Time Source: server

 Agreement completed.

2023-09-25 - 7:57:15 AM GMT