

**BEFORE THE HEARINGS PANEL  
FOR THE PROPOSED WAIMAKARIRI DISTRICT PLAN**

**UNDER** the Resource Management Act 1991 (RMA)  
**IN THE MATTER** of the Proposed Waimakariri District Plan  
**AND**  
**IN THE MATTER** of Hearing Stream 8: Subdivision (Rural and Residential)

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**STATEMENT OF EVIDENCE OF VICTORIA WATT ON BEHALF OF THE  
CANTERBURY REGIONAL COUNCIL**

**SUBDIVISION (RURAL AND RESIDENTIAL)**

**28 MARCH 2024**

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## SUMMARY STATEMENT

- 1 The Canterbury Regional Council (**Regional Council**) submission was generally supportive of the notified Proposed Waimakariri District Plan (**pWDP**) provisions subject to this hearing stream. The Regional Council did, however, seek some amendments to the provisions relating to the Subdivision (Rural and Residential) chapter.
- 2 My evidence focuses on the recommendations that are important in giving effect to primarily to the Canterbury Regional Policy Statement (**CRPS**) along with relevant national direction, and to achieving the best outcomes for the rural and residential areas in the District.
- 3 I have reviewed the Section 42A (**S42A**) reports prepared by Mr Mark Buckley (Wāwāhia whenua / Subdivision – Rural) and Ms Rachel McClung (Wāwāhia whenua / Subdivision – Urban) for the Waimakariri District Council.
- 4 All but two of the recommendations set out in the S42A reports address the matters addressed in the Regional Council's submission. My evidence therefore focusses on these three outstanding issues. These issues would be addressed by the suggested amendments as noted in Appendix 1 to my evidence in relation to SUB-O1 and SUB-P6, beyond that provided by the S42A report.
- 5 These requested amendments are in relation to:
  - a. SUB-O1, regarding the Regional Council's submission point seeking to add "environmental values" to the wording of the objective; and
  - b. SUB-P6, regarding the reference to natural hazards in requirements for outline development plans.

**INTRODUCTION**

- 6 My full name is Victoria Elizabeth Moodabe Watt.
- 7 I am a Senior Planner at the Regional Council, a position I have held since January 2023.
- 8 I hold a Bachelor of Science in Geography and Environmental Science from the University of Canterbury. I have over 4 years' experience in planning.
- 9 My relevant experience includes drafting plan provisions, section 32 report writing, and preparing submissions on plan changes.
- 10 Prior to joining the planning team at the Regional Council in 2023, I worked as a Resource Consent Planner in the Consents Planning team at the Regional Council processing resource consent applications.
- 11 I have prepared this planning evidence on behalf of the Regional Council.

**CODE OF CONDUCT**

- 12 Whilst I acknowledge that this is not an Environment Court hearing, I confirm that I have read and am familiar with the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023. I have complied with the Code of Conduct in preparing this evidence and I agree to comply with it while giving any oral evidence during this hearing. Except where I state that I am relying on the evidence of another person, my evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.
- 13 Although I am employed by the Regional Council, I am conscious that in giving evidence in an expert capacity that my overriding duty is to the Hearing Panel.

**SCOPE OF EVIDENCE**

- 14 I have been asked to provide evidence in relation to the Subdivision (Rural and Residential) chapter of the pWDP.

- 15 My evidence addresses:
- a. An overview of the Regional Council's interest in the pWDP and the Subdivision (Rural and Residential) chapter;
  - b. The relevant statutory framework with a particular focus on the CRPS;
  - c. Recommendations in the relevant Section 42A Reports (insofar as they relate to the Regional Council's submission points), including:
    - i. Officer's Report: Wāwāhia whenua / Subdivision – Rural, prepared by Mr Mark Buckley for Waimakariri District Council, dated 13 March 2024.
    - ii. Officer's Report: Wāwāhia whenua / Subdivision – Urban, prepared by Ms Rachel McClung for Waimakariri District Council dated 13 March 2024.
- 16 In preparing my evidence I have reviewed the following documents:
- a. The Section 32 report prepared and notified by Waimakariri District Council (**WDC**);
  - b. The notified provisions of the Subdivision (Rural and Residential) chapter of the pWDP;
  - c. The submissions made on the notified provisions Subdivision (Rural and Residential) chapter of the pWDP, to the extent they are relevant to the Regional Council's interests;
  - d. The S42A reports referred to above;
  - e. The CRPS;
  - f. The National Policy Statement on Urban Development 2020 (**NPS-UD**); and
  - g. The National Policy Statement for Highly Productive Land 2022 (**NPS-HPL**).

#### **REGIONAL COUNCIL'S INTEREST AND OVERVIEW OF SUBMISSION ON HEARING STREAM 8 OF THE PWDP**

- 17 The Regional Council considers that the pWDP chapters the subject of Hearing Stream 8 generally give effect to the CRPS, but the Regional

Council has suggested some amendments in order to better give effect to the CRPS in relation to some specific provisions that are the subject of Hearing Stream 8.

- 18 The Regional Council works with territorial authorities across the region, including through engagement on draft district plan provisions, and district development, growth management and town centre strategies. The Regional Council also lodges submissions on publicly notified plan changes, where a plan change application raises issues relevant to the implementation of the CRPS. Since 2003, the Regional Council has worked collaboratively as a part of the Greater Christchurch Partnership on planning and managing urban growth and development in Greater Christchurch.
- 19 The focus of the Regional Council's submission was to ensure that the CRPS is given effect to and to avoid any duplication or inconsistencies with the regional planning framework. This reflects the Regional Council's statutory responsibility regarding the implementation of the CRPS. Where necessary, submission points have been made in partial support of the proposed provisions, with amendments requested where these would achieve greater consistency or better give effect to the CRPS.
- 20 A copy of my recommended amendments to the provisions, the subject of Hearing Stream 8, is provided as **Appendix 1** to this statement of evidence.

## **STATUTORY FRAMEWORK**

- 21 Section 75(3) of the RMA requires that:

A district plan must give effect to –

- (a) any national policy statement; and
  - (b) any New Zealand coastal policy statement; and
  - (ba) a national planning standard; and
  - (c) any regional policy statement.
- 22 Relevant national and regional planning documents that the provisions relevant to Hearing Stream 8 of the pWDP must give effect to include

the NPS-UD, the New Zealand Coastal Policy Statement (**NZCPS**) in relation to the coastal environment, the NPS-HPL and the CRPS.

- 23 Section 75(4) requires that a district plan must not be inconsistent with any applicable water conservation order or regional plan, including the Canterbury Land and Water Regional Plan (**CLWRP**).
- 24 My opinion as expressed in this statement of evidence has been informed by this statutory framework, and I have taken guidance from the relevant policy documents when suggesting amendments to the provisions, given the requirement to give effect to both national policy statements and the CRPS under the RMA.
- 25 I have not sought to repeat all the provisions contained in these national and regional planning documents. My evidence focusses on those I consider to be most relevant to the Subdivision (Rural and Residential) chapters of the pWDP and the submission made by the Regional Council.
- 26 I address the CRPS further below.

### **Canterbury Regional Policy Statement (CRPS)**

#### *Policy Framework*

- 27 The policy framework in the CRPS that is relevant to subdivision is found in a number of chapters throughout the document. I have noted below the specific policies that address subdivision and relate to this hearing stream.
- 28 Objective 5.2.1 and Policy 5.3.1 from Chapter 5 of the CRPS (Land use and Infrastructure) seek development to be located and designed so that it functions in a way that achieves consolidated, well designed and sustainable growth in and around existing urban areas as the primary focus, urban growth and rural development promote a coordinated pattern of development, and that urban areas support consolidation.
- 29 Policy 5.3.5 addresses the serviceability of development for potable water, and sewage and stormwater disposal. The associated method sets out that territorial authorities will detail objectives and policies and may include methods in district plans which ensure development can be efficiently and effectively served for the collection, treatment and disposal of sewage and stormwater, and the provision of potable water,

in order to avoid or mitigate adverse effects on the environment and human health.

- 30 Policy 6.3.1 from Chapter 6 of the CRPS (Recovery and Rebuilding of Greater Christchurch) addresses enabling development of existing urban areas and greenfield priority areas, including intensification in appropriate locations where it supports the recovery of Greater Christchurch.
- 31 Policy 6.3.3 asserts that development in greenfield priority areas or Future Development Areas and rural residential development is to occur in accordance with the provisions set out in an outline development plan. Subdivision in these areas must not proceed ahead of the incorporation of an outline development plan in a district plan.
- 32 Policy 6.3.9 addresses rural residential development and notes that the location of rural residential development must be outside the greenfield priority areas for development, Future Development Areas, and existing urban areas. It also notes that all subdivision and development must be located so that it can be economically provided with a reticulated network and appropriate stormwater treatment and disposal. Lastly of note, a rural residential development area shall not be regarded as in transition to full urban development.
- 33 Policy 6.3.12 speaks to enabling urban development in the Future Development Areas identified on Map A, in relevant circumstances (for example, that there is a need to provide further feasible development capacity).
- 34 Objective 10.2.1 from Chapter 10 of the CRPS (beds of rivers and lakes and their riparian zones) sets out provisions for activities in beds and riparian zones and protection and enhancement of bed and riparian zone values where subdivision, use and development of river and lake beds and their riparian zones should be enabled while protecting all significant values of those areas, and enhancing those values in appropriate locations.
- 35 Objective 11.2.1 from Chapter 11 of the CRPS (Natural Hazards) states that new subdivision, use and development of land which increases the risk of natural hazards to people, property and infrastructure is avoided or, where avoidance is not possible, mitigation measures minimise such risks.

- 36 Policy 11.3.1 states to avoid new subdivision of land in high hazard areas unless it is not likely to result in loss of life or serious injuries in the event of a natural hazard occurrence and is not likely to suffer significant damage or loss in the event of a natural hazard occurrence (among other things). This is particularly relevant to the Regional Council's outstanding submission point regarding SUB-P6, addressed further below.
- 37 Policy 11.3.8 states that when considering natural hazards, and in determining if new subdivision, use or development is appropriate and sustainable in relation to the potential risks from natural hazard events, local authorities shall have particular regard to the effects of climate change.
- 38 Objective 12.2.1 from Chapter 12 (Landscape) sets out the identification and protection of outstanding natural features and landscapes within Canterbury and their values are specifically recognised and protected from inappropriate subdivision, use, and development.

#### **Relevant National Direction**

- 39 It's worth noting that the following objectives and policies from national direction are relevant to this chapter of the pWDP:
- a. Policy 7 of the NPS-HPL;
  - b. Objective 1, Policy 1, Policy 6 of the NPS-UD; and
  - c. Objective 5, Objective 6, Policy 7, Policy 25 of the NZCPS (as relevant to the coastal environment).

#### **RECOMMENDATIONS IN THE S42A REPORTS**

- 40 The Regional Council in its submission:
- a. supported SUB-O3, SUB-P3, SUB-P4, SUB-R10, SUB-S12 and SUB-MCD10 as notified, in the pWDP;
  - b. supported in part but sought amendments to SUB-O1, SUB-P1, SUB-P6, SUB-R4, SUB-MCD6; and
  - c. opposed in part SUB-MCD5.



- 41 In order to give effect to the CRPS, namely Objective 5.2.1 and Policy 5.3.1, the Regional Council requested a new policy to be inserted into the framework which requires the design, location and layout of subdivision to avoid or mitigate the adverse effects of natural hazards. This is to reflect what has already been proposed within SUB-O1.
- 42 The Regional Council also sought the aligning of terminology for consistency. The rules reference 'building platforms' while the matters for control and discretion reference 'identified building platforms'.
- 43 Ms McClung notes that the rules require the identification of a building platform, and the matters of control and discretion are then requiring consideration of where the identified building platform has been located in relation to the specific matter.
- 44 Ms McClung considers no change to the terminology is required. Following the clarification from Ms McClung, I concur with her assessment on this point.

#### **Outstanding issues from the Regional Council's submission**

- 45 I have reviewed the S42A reports. The majority of the recommendations are supportive of the Regional Council's submission points, but there are two points where my view differs from that of the S42A officer.
- 46 These points are in relation to:
- a. SUB-O1, regarding the Regional Council's submission point seeking to add "environmental values" to the wording of the objective; and
  - b. SUB-P6, regarding the reference to natural hazards in requirements for outline development plans.

#### *Objective SUB-O1*

- 47 The Regional Council in its submission sought the objective be amended to include environmental values. The provision as notified does give effect to the CRPS Objective 5.2.1 and Policy 5.3.1, but the requested amendment will enable the objective and policy framework of the pWDP to recognise subdivision that may be necessary to respond to environmental or climate change pressures (therefore better giving effect to the CRPS generally).

- 48 The amendment would also give effect to Objective 1 and Policy 1 of the NPS-UD with regard to New Zealand having well-functioning urban environments that are resilient to the likely current and future effects of climate change.
- 49 Ms McClung notes that the CRPS provisions do not use the term 'environmental values' and does not agree that introducing the new term will provide greater consistency with the CRPS. Ms McClung recommends no change to the objective.
- 50 While I agree that the term environmental values does not necessarily sufficiently recognise subdivision that may be necessary to respond to environmental or climate change pressures, I remain of the opinion that the above justification should be better reflected in the objective.
- 51 The inclusion of environmental values in the objective would also allow for the reflection of other environmental matters that are set out through the policies that appear to intend to give effect to this objective. For example, SUB-P6 refers to any land to be set aside for "environmental or landscape protection or enhancement". In my opinion, that is not sufficiently connected to "conservation values" as referred to in SUB-O1, and a reference to "environmental values" would enable these matters to connect the objectives and policies in this regard.
- 52 Reference to "environmental values" would enable values over and above what is simply conserving what is already in place (for example in relation to biodiversity), consistent with other provisions of national direction and the CRPS.
- 53 For these reasons, I continue to support the inclusion of "environmental values" in SUB-O1.

Policy SUB-P6

- 54 The Regional Council's submission supported this provision but requested a criterion is added requiring that any high hazard areas are avoided, and other natural hazards are addressed in accordance with Chapter 11 of the CRPS.
- 55 Currently the Outline Development Plans criteria in the pWDP does not require assessment of natural hazards or detailing how natural hazards have been addressed.

- 56 Ms McClung notes that Policy 11.3.1 of the CRPS seeks to avoid new subdivision in high hazard areas and mitigate in lower hazard areas. Ms McClung is of the opinion that Policy 11.3.1 is not an absolute avoidance policy, but rather, is a hierarchical risk management policy.
- 57 I do not completely agree with this statement and note that Policy 11.3.1 requires the avoidance of new subdivision, use and development unless subdivision, use or development:
- a. is not likely to result in loss of life or serious injuries in the event of a natural hazard occurrence; and
  - b. is not likely to suffer significant damage or loss in the event of a natural hazard occurrence; and
  - c. is not likely to require new or upgraded hazard mitigation works to mitigate or avoid the natural hazard; and
  - d. is not likely to exacerbate the effects of the natural hazard.
- 58 I also note that point 6 of Policy 11.3.1 of the CRPS states:
- “Within greater Christchurch, is proposed to be located in an area zoned in a district plan for urban residential, industrial or commercial use, or identified as a “Greenfield Priority Area” on Map A of Chapter 6, both at the date the Land Use Recovery Plan was notified in the Gazette, in which the effect of the natural hazard must be avoided or appropriately mitigated”.*
- 59 At this point in time, the mitigation component of the policy only applies to the areas that was zoned urban residential, industrial or commercial use, or identified as a Greenfield Priority Area in the CRPS or operative WDP at December 2013 (when the Land Use Recovery Plan was notified in the Gazette). As such, new Development Areas should be avoided in high hazard areas.
- 60 Ms McClung states the exclusion of natural hazards is a gap given SUB-P6 is giving effect to Policy 6.3.3 of the CRPS. However, she does not agree that SUB-P6 should include a new subclause to avoid high hazard areas.
- 61 Ms McClung recommends a new clause which reads *“show how the adverse effects associated with natural hazards are to be avoided, remedied or mitigated, as appropriate.”*

62 Ms McClung considers this new clause gives effect to the CRPS and recommends that the Regional Council recommendation be accepted in part.

63 I agree with the intent of Ms McClung's recommendations, but would like to note it relies on NH-P3 (as notified<sup>1</sup>) in order to prevent subdivision in high hazards areas that would be inconsistent with Policy 11.3.1 of the CRPS, as reference simply to "appropriate" without context does not give effect to Policy 11.3.1 (i.e. it is not clear when avoidance is required, as compared to remediation or mitigation). As such I propose a reference be added to make it clear to plan users that NH-P3 needs to be considered when assessing SUB-P6:

*"show how the adverse effects associated with natural hazards are to be avoided, remedied or mitigated, as appropriate, in accordance with NH-P3."*

#### **Provisions the Regional Council sought to retain as notified**

64 The Regional Council's submission sought that the following provisions be retained in the pWDP as notified, in order to give effect to the CRPS:

- a. Objective SUB-O3;
- b. Policy SUB-P3;
- c. Policy SUB-P4;
- d. Rule SUB-R10;
- e. Subdivision Standards SUB-S12; and
- f. Matter of Discretion SUB-MCD10.

65 I have reviewed the S42A report in respect of each of these provisions. I agree with the recommendations as set out in the S42A report in relation to each of these provisions, as the recommendations give effect to the CRPS.

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<sup>1</sup> I note also that the Regional Council's evidence on Hearing Stream 3 sought amendments to NH-P3, which I also support.

- 66 Where the S42A officer has suggested an amendment to the notified provision, I agree that this is appropriate and consistent with the original intent of the provisions.
- 67 I note for SUB-P4 the Regional Council's submission point is not addressed in the body of the S42A report, but I note that Table B8 provides the officer's reasoning in agreement with the Regional Council's submission point that this provision should be retained as notified. I support this approach, consistent with the Regional Council's submission and the CRPS.

### **Provisions the Regional Council's submission sought to be amended**

- 68 In its submission, the Regional Council sought amendments to a number of provisions from the notified provisions. This section of my evidence addresses these provisions, the S42A officer's recommendations, and my opinion on those recommendations.

#### *Policy SUB-P1*

- 69 The Regional Council through its submission sought the additional clause of 'Recognises and provides the ability to adapt and respond to the effects of climate change and environmental pressures.'
- 70 This would be consistent with SUB-O1 and give effect to CPRS Policy 11.3.8 which states, when considering natural hazards, and in determining if new subdivision, use or development is appropriate and sustainable in relation to the potential risks from natural hazard events, local authorities shall have particular regard to the effects of climate change.
- 71 Ms McClung agrees with the recommendation that climate change should be addressed in the SUB policies and notes that this would give effect to Section 7(i) of the RMA and CRPS Policy 11.3.8 and be consistent with SUB-O1.
- 72 Ms McClung notes however, as SUB-P1 addresses Design and amenity, and SUB-P3 addresses sustainable design, this would be best addressed as a new clause within SUB-P3. Ms McClung accepts CRC's recommendation in part and that the amendment sought is made to SUB-P3.

- 73 I agree with Ms McClung's recommendations and consider with the proposed amendments SUB-P1 and SUB-P3 give effect to the CRPS.

*Rule SUB-R4*

- 74 The Regional Council supports this rule subject to its submission points (and relief sought through evidence) on the flood assessment overlays and the definition for high coastal flood hazard area being accepted, as per the Matepā māhorahora - Natural Hazards Chapter / hearing stream. To summarise, the Regional Council submission sought that the urban and non-urban flood assessment overlays be amended to address any gaps or limitations and to capture all of the areas that have been identified as susceptible to flooding.
- 75 The Regional Council sought to change the applicability of the rule for overland flow paths to flood assessment overlays and amend the rule to capture all activities that have the potential to cause offsite effects (as addressed above). The general submission point sought that NH-P2-P4 all refer to the risk from flooding to surrounding properties and the conveyance of flood waters.
- 76 The pWDP currently includes definitions for "High flood hazard area" and "High coastal flood hazard area". Both definitions are inconsistent with the "High Hazard Area" definition in the CRPS (Policy 11.3.1). I agree with the amendments recommended by Mr Willis as the redrafted definition of High Hazard Area as noted in Mr Andrew Willis's s42A report, dated 22 June 2023.
- 77 There is an additional note to say that there is a spelling error in sub-clause 1 and 2, where with, should be within. Ms McClung notes that this was corrected in the clause 16(2) minor amendments to the District Plan, dated 20 October 2022.

*Matter of Discretion SUB-MCD6*

- 78 The Regional Council's submission sought the incorporation of an advice note that highlights any onsite wastewater treatment system must be permitted under the regional plan or resource consent will be required from the Regional Council.
- 79 I support the requirement as part of the district plan to consider if a site can be adequately serviced by a wastewater system if there is no reticulated wastewater system available. Any onsite wastewater system

will either need to be permitted under the CLWRP or resource consent would be required. To ensure plan users are aware of this requirement a new advice note could be included to address this.

- 80 Mr Buckley notes that the discharge from an onsite wastewater treatment is a Regional Council function, and is relevant to subdivision, and also applies to new residential dwellings and minor residential dwellings within the Rural Zones. Mr Buckley notes that it would be more appropriate to place the advice note in Part 1 of the Proposed Plan in 'How to read the plan section on advice notes'. Mr Buckley agrees in part to the Regional Council's submission point.
- 81 I agree with Mr Buckley's recommendation and consider SUB-MCD6 gives effect to the CRPS. However, I still request for clarity and to assist plan users that an advice note be included in Part 1 of the pWDP as suggested by Mr Buckley, highlighting that onsite wastewater treatment systems must be permitted under the regional plan or consent will be required from CRC.

*Matter of Discretion SUB-MCD5*

- 82 The Regional Council's submission opposed this provision as notified in part and requested an amendment to clause (3) to ensure that these effects cannot be used to justify not putting appropriate mitigation in place.
- 83 Clause (3) requires consideration of "*Any effects from fill or difference in finished ground levels on stormwater management on the site and adjoining properties and the appropriateness of the fill material.*"
- 84 If floor levels are the predominant mechanism for controlling flood hazards, then adverse effects on adjoining properties could still occur. That may mean that the development may not be appropriate, rather than that the effects should be reduced through mitigation.
- 85 Mr Buckley notes that any assessment of hazard mitigation as part of a subdivision resource consent, where a natural hazards risk is present, would require an assessment to be undertaken in accordance with the provisions of the Natural Hazards chapter.
- 86 Mr Buckley also notes that Objective NH-O1 and NH-O3 require adverse effects on people and property from natural hazard management methods to be avoided in the first instance.

- 87 Mr Buckley observes that Rule NH-R1 requires that any new natural hazard sensitive activity has a flood assessment certificate in order to be built. Where buildings are located in an overland flow path a resource consent is required that has as part of the matters of discretion the consideration of displacement of flood water onto other sites.
- 88 As noted by Mr Buckley, SUB-MCD5 contains two references to consideration of effects on adjoining properties. SUB-MCD5(1)(e) requires the location of any earthworks or fill to consider the impacts on hazards on any allotment or other adjoining land, and SUB-MCD(3) any effects of fill or differences in ground level on adjoining properties. Where SUB-MCD5 is relevant, any assessment should also be considered against NH-P2 and NH-P3 which states, 'the risk to surrounding properties is not significantly increased and the net flood storage capacity is not reduced' and EW-P2 for earthworks in a flood assessment overlay. Mr Buckley considers that through these mechanisms there is sufficient consideration given to effects on neighbouring properties.
- 89 Following the assessment and clarification around the operation of SUB-MCD5, I concur with Mr Buckley's recommendations and consider that there is adequate regard to effects on adjoining properties through the notified wording.

#### *New Policy*

- 90 The Regional Council submission requests that a new policy be inserted which requires the design, location and layout of subdivision to avoid or mitigate the adverse effects of natural hazards.
- 91 Whilst SUB-O1 requires a pattern of development and urban form that ensures communities are resilient to climate change and natural hazards, this matter is not specifically addressed in the policies.
- 92 Mr Buckley notes that the natural hazard policies that relate to subdivision are set out in the Natural Hazards chapter.
- 93 Mr Buckley also notes, in response to natural hazards the Subdivision chapter includes at Objective SUB-O1(4) 'supports community resilience to climate change and risk from natural hazards'. There are no 'natural hazards' policies within the Subdivision chapter, as these matters are



covered in the Natural Hazards chapter as required by the national planning standards.

- 94 Mr Buckley states that Rules SUB-R4 (as it relates to the activity of subdivision within a flood hazard area) and SUB-R9 (relates to subdivision within a fault awareness and fault avoidance overlay) control subdivision within the hazard areas.
- 95 Mr Buckley concludes that given the clear reference to subdivision within the Natural Hazards policies, and the requirement to read the plan as a whole, he does not agree that a new policy is required within the subdivision chapter to address natural hazards.
- 96 Following Mr Buckley's explanation for how the pWDP works as a whole, I agree with his recommendations and consider the avoidance or mitigation of adverse effects from natural hazards will be adequately managed in the pWDP.

## **CONCLUSION**

- 97 In summary, I generally agree with the recommendations of the S42A report officers. I have two outstanding requested amendments to SUB-O1 and SUB-P6 that in my opinion would help with the clarity of the provisions and to ensure that the CRPS is given effect to. The amendment sought will enable the objective and policy framework to recognise subdivision that may be necessary to respond to environmental or climate change pressures.

Dated this 28<sup>th</sup> day of March 2024



Victoria Watt

**Appendix 1 – Amendments sought to the pWDP through the Regional Council submission on the Subdivision (Rural and Residential) chapter**

Provision	As notified	Council S42A Drafting	Canterbury Regional Council Recommended Amendments (in red)
<b>Residential</b>			
SUB-O1	<p><b>Subdivision design</b></p> <p>Subdivision design achieves an integrated pattern of land use, development, and urban form, that:</p> <ol style="list-style-type: none"> <li>1. provides for anticipated land use and density that achieve the identified future character, form or function of zones;</li> <li>2. consolidates urban development and maintains rural character except where required for, and identified by, the District Council for urban development;</li> <li>3. supports protection of cultural and heritage values, conservation values; and</li> <li>4. supports community resilience to climate change and risk from natural hazards.</li> </ol>	No amendments to the Proposed Plan.	<p><b>Subdivision design</b></p> <p>Subdivision design achieves an integrated pattern of land use, development, and urban form, that:</p> <ol style="list-style-type: none"> <li>1. provides for anticipated land use and density that achieve the identified future character, form or function of zones;</li> <li>2. consolidates urban development and maintains rural character except where required for, and identified by, the District Council for urban development;</li> <li>3. supports protection of cultural and heritage values, conservation, <b>environmental</b> values; and</li> <li>4. supports community resilience to climate change and risk from natural hazards.</li> </ol>
SUB-P6	<p><b>Criteria for Outline Development Plans</b></p> <p>Ensure that new Residential Development Areas, new Large Lot Residential Zones, new Commercial and Mixed Use Zones and new Industrial Zones shall not be subdivided until an ODP for that area has been included in the District Plan and each ODP shall:</p> <ol style="list-style-type: none"> <li>1. be prepared as a single plan; and</li> </ol>	<p><b>Criteria for Outline Development Plans</b></p> <p>Ensure that new Residential Development Areas, <u>new General Residential Zones</u>, new Large Lot Residential Zones, new Commercial and Mixed Use Zones and new Industrial Zones shall not be subdivided until an ODP for that area has been included in the District Plan and each ODP shall:</p> <ol style="list-style-type: none"> <li>1. be prepared as a single plan; and</li> </ol>	<p><b>Criteria for Outline Development Plans</b></p> <p>Ensure that new Residential Development Areas, <u>new General Residential Zones</u>, new Large Lot Residential Zones, new Commercial and Mixed Use Zones and new Industrial Zones shall not be subdivided until an ODP for that area has been included in the District Plan and each ODP shall:</p> <ol style="list-style-type: none"> <li>3. be prepared as a single plan; and</li> </ol>

Provision	As notified	Council S42A Drafting	Canterbury Regional Council Recommended Amendments (in red)
	<p>2. be prepared in accordance with the following:</p> <ul style="list-style-type: none"> <li>a. identify principal roads, connections and integration with the surrounding road networks, relevant infrastructure and areas for possible future development;</li> <li>b. any land to be set aside: <ul style="list-style-type: none"> <li>i. for community facilities or schools;</li> <li>ii. parks and land required for recreation or reserves;</li> <li>iii. for business activities;</li> <li>iv. the distribution of different residential densities;</li> <li>v. for the integrated management of water systems, including stormwater treatment, secondary flow paths, retention and drainage paths;</li> <li>vi. from development for environmental or landscape protection or enhancement; and</li> <li>vii. from development for any other reason, and the reasons for its protection.</li> </ul> </li> <li>c. for new Residential Development Areas demonstrate how each ODP area will achieve a minimum net density of at least 15 lots or</li> </ul>	<p>2. be prepared in accordance with the following:</p> <ul style="list-style-type: none"> <li>a. identify principal roads, connections and integration with the surrounding road networks, relevant infrastructure and areas for possible future development;</li> <li>b. any land to be set aside: <ul style="list-style-type: none"> <li>i. for community facilities or <del>schools</del> <u>educational facility</u>;</li> <li>ii. parks and land required for recreation or reserves;</li> <li>iii. for business activities;</li> <li>iv. the distribution of different residential densities;</li> <li>v. for the integrated management of water systems, including stormwater treatment, secondary flow paths, retention and drainage paths;</li> <li>vi. from development for environmental or landscape protection or enhancement; and</li> <li>vii. from development for any other reason, and the reasons for its protection.</li> </ul> </li> <li>c. for new Residential Development Areas demonstrate how each ODP area will achieve a minimum net</li> </ul>	<p>4. be prepared in accordance with the following:</p> <ul style="list-style-type: none"> <li>a. identify principal roads, connections and integration with the surrounding road networks, relevant infrastructure and areas for possible future development;</li> <li>b. any land to be set aside: <ul style="list-style-type: none"> <li>i. for community facilities or <del>schools</del> <u>educational facility</u>;</li> <li>ii. parks and land required for recreation or reserves;</li> <li>iii. for business activities;</li> <li>iv. the distribution of different residential densities;</li> <li>v. for the integrated management of water systems, including stormwater treatment, secondary flow paths, retention and drainage paths;</li> <li>vi. from development for environmental or landscape protection or enhancement; and</li> <li>vii. from development for any other reason, and the reasons for its protection.</li> </ul> </li> <li>c. for new Residential Development Areas demonstrate how each ODP area will achieve a minimum net</li> </ul>

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	<p>households per ha, unless there are demonstrated constraints then no less than 12 households per ha;</p> <p>d. identify any cultural, natural, and historic heritage features and values and show how they are to be enhanced or maintained;</p> <p>e. indicate how required infrastructure will be provided and how it will be funded;</p> <p>f. set out the phasing and co-ordination of subdivision and development;</p> <p>g. demonstrate how effective provision is made for a range of transport options, including public transport systems, pedestrian walkways and cycleways, both within and adjoining the ODP area;</p> <p>h. for new Residential Development Areas, demonstrate how open space, playgrounds or parks for recreation will be provided within a 500m radius of new residential allotments including:</p> <p>i. transport connectivity for active, public and other transport modes;</p> <p>ii. connection to any other open space or community facility and other zones; and</p>	<p>density of at least 15 lots or households per ha, unless there are demonstrated constraints then no less than 12 households per ha;</p> <p>d. identify any cultural, natural, and historic heritage features and values and show how they are to be enhanced or maintained;</p> <p>e. indicate how required infrastructure will be provided <del>and how it will be funded</del>;</p> <p>f. set out the phasing and co-ordination of subdivision and development;</p> <p>g. demonstrate how effective provision is made for a range of transport options, including public transport systems, pedestrian walkways and cycleways, both within and adjoining the ODP area;</p> <p>h. for new Residential Development Areas, demonstrate how open space, playgrounds or parks for recreation will be provided within a 500m radius of new residential allotments including:</p> <p>i. transport connectivity for active, public and other transport modes;</p> <p>ii. connection to any other open space or community facility and other zones; and</p>	<p>density of at least 15 lots or households per ha, unless there are demonstrated constraints then no less than 12 households per ha;</p> <p>d. identify any cultural, natural, and historic heritage features and values and show how they are to be enhanced or maintained;</p> <p>e. indicate how required infrastructure will be provided <del>and how it will be funded</del>;</p> <p>f. set out the phasing and co-ordination of subdivision and development;</p> <p>g. demonstrate how effective provision is made for a range of transport options, including public transport systems, pedestrian walkways and cycleways, both within and adjoining the ODP area;</p> <p>h. for new Residential Development Areas, demonstrate how open space, playgrounds or parks for recreation will be provided within a 500m radius of new residential allotments including:</p> <p>i. transport connectivity for active, public and other transport modes;</p> <p>ii. connection to any other open space or community facility and other zones; and</p>

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	<p>iii. potential use of open space for stormwater management;</p> <p>i. show how other potential adverse effects on and/or from nearby existing or designated strategic infrastructure (including requirements for designations, or planned infrastructure) will be avoided, remedied or appropriately mitigated;</p> <p>j. show how other potential adverse effects on the environment, the protection and enhancement of surface and groundwater quality, are to be avoided, remedied or mitigated;</p> <p>k. include any other information which is relevant to an understanding of the development and its proposed zoning; and</p> <p>l. demonstrate that the design will minimise any reverse sensitivity effects.</p>	<p>iii. potential use of open space for stormwater management;</p> <p>i. show how other potential adverse effects on and/or from nearby existing or designated strategic infrastructure (including requirements for designations, or planned infrastructure) will be avoided, remedied or appropriately mitigated;</p> <p>j. show how other potential adverse effects on the environment, the protection and enhancement of surface and groundwater quality, are to be avoided, remedied or mitigated;</p> <p>k. include any other information which is relevant to an understanding of the development and its proposed zoning; <del>and</del></p> <p>l. demonstrate that the design will minimise any reverse sensitivity effects; <u>and</u></p> <p>m. <u>Show how the adverse effects associated with natural hazards are to be avoided, remedied or mitigated, as appropriate.</u></p>	<p>iii. potential use of open space for stormwater management;</p> <p>i. show how other potential adverse effects on and/or from nearby existing or designated strategic infrastructure (including requirements for designations, or planned infrastructure) will be avoided, remedied or appropriately mitigated;</p> <p>j. show how other potential adverse effects on the environment, the protection and enhancement of surface and groundwater quality, are to be avoided, remedied or mitigated;</p> <p>k. include any other information which is relevant to an understanding of the development and its proposed zoning; <del>and</del></p> <p>l. demonstrate that the design will minimise any reverse sensitivity effects; <u>and</u></p> <p>m. <b>Show how the adverse effects associated with natural hazards are to be avoided, remedied or mitigated, as appropriate, in accordance with NH-P3.</b></p>