

Before the Hearings Panel
appointed by Waimakariri District Council

Under the Resource Management Act 1991

In the matter of a hearing on submissions on the proposed Waimakariri District
Plan

Hearing Stream 10A: Development Areas

Rachel Claire Hobson and Bernard Whimp

Submission Number: 179

Further Submission Number: 90

Legal submissions on behalf of Rachel Claire Hobson and Bernard Whimp

9 February 2024

Submitter's solicitors:

Sarah Eveleigh | Sarah Schulte

Anderson Lloyd

Level 3, 70 Gloucester Street, Christchurch 8013

PO Box 13831, Armagh, Christchurch 8141

P: + 64 3 379 0037

E: sarah.eveleigh@al.nz | sarah.schulte@al.nz

**anderson
lloyd.**

May it please the Commissioners

- 1 These submissions are provided on behalf of Rachel Claire Hobson and Bernard Whimp (**the Submitters**, Submission 179 and Further Submission 90), on the proposed Waimakariri District Plan (**PWDP**), Stream 10A: Development Areas hearing.
- 2 The submission relates to the below (adjacent) land (**the Site**):
 - (a) 518 Rangiora-Woodend Road, Rangiora;¹ and
 - (b) 4 Golf Links Road, Rangiora.²
- 3 It is understood that the Panel is not anticipating that the Stream 10 hearings will involve technical evidence relating to rezoning, but will instead focus on the mechanics of the certification process and other matters relating to the Future Urban Development Area process.³
- 4 The Submitters are seeking:
 - (a) an extension of the North East Rangiora or South East Rangiora Development Area overlays, to include the Site within its boundary as a Future Development Area;⁴ and
 - (b) rezoning of the Site from Rural Lifestyle Zone to General Residential.⁵
- 5 These submissions relate to extension of the Future Development Areas, as relevant for Stream 10A.

Response to Officer's Report

- 6 In relation to the submission seeking inclusion of 518 Rangiora-Woodend Rd (and adjoining properties as appropriate) within the North East Rangiora Development Area or South East Rangiora Development Area,⁶ the Stream 10A Officer's Report recommends rejection of the relief sought as stated below:

¹ Legal description Part Rural Section 1054.

² Legal description Lot 2 DP 16884.

³ Minute 14, dated 28 November 2024, at paragraph [5].

⁴ Submission #179.1 and 179.2.

⁵ Further submission #90.

⁶ Note: The Submission Summary splits the relief sought into two submission points: Submission #179.1 (DEV-NER-O1) and #179.2 (DEV-SER-O1). The Officer's Report incorrectly summarises submission point #179.2.

291. For Rachel Claire Hobson and Bernard Whimp, I consider that the first requirement of any extension of a development area is an outline development plan, as this is a requirement of the CRPS. The submitter has not supplied an ODP to consider, and as such, I cannot assess any proposed inclusion of this site into an adjacent development area at this time.

- 7 The Outline Development Plan (**ODP**) for the Site forms part of the section 32AA assessment and a suite of technical reports filed with Waimakariri District Council on 12 December 2023. The technical reports form the basis of evidence to be produced in the Stream 12 hearing in support of rezoning. This will include planning, transport, flood impact, geotechnical and economics evidence.
- 8 This evidence in support of the rezoning will also be relevant for the Panel's consideration of the Submitters' request for inclusion within a Future Development Area, whether or not the submission seeking rezoning is accepted.
- 9 To avoid duplication in the preparation and presentation of evidence, the Submitters request that the Panel consider the submissions seeking inclusion in a Future Development Area and rezoning concurrently when the Submitters' evidence is presented in Stream 12. We understand that this approach is consistent with the Panel's direction in Minute 14.
- 10 In response to the Officer's comments regarding the ODP, for the avoidance of doubt the ODP filed with Waimakariri District Council on 12 December 2023 is **attached** to these legal submissions (see Appendix A).

Conclusion

- 11 The Submitters respectfully seek that the panel defer its consideration of submission points 179.1 and 179.2 until the Submitter's evidence has been presented in the Stream 12 hearing.

Dated 9 February 2024



Sarah Eveleigh / Sarah Schulte
Counsel for Rachel Claire Hobson and Bernard Whimp

Appendix A

