

Before the Independent Hearings Panel
Appointed by the Waimakariri District Council

Under the Resource Management Act 1991

In the matter of a hearing on submissions to the proposed Waimakariri District
Plan: Rezone 308 Cones Road, Ashley

Andrew Carr

Submitter ID: 158

Statement of evidence of Samantha Leeanne Kealey

5th day of March 2024

Qualifications and experience

- 1 My full name is Samantha Leeanne Kealey.
- 2 I have more than eight years' experience in the field of resource management planning and on numerous occasions have provided planning evidence in proceedings. I hold a Bachelor of Planning from the University of Auckland. I am an Intermediate Member of the New Zealand Planning Institute.
- 3 I currently hold the position of Senior Planner at Town Planning Group where I have been employed since October 2022.
- 4 My previous work experience includes working in the public sector, with my previous employer being the Waimakariri District Council where I was employed as a Senior Processing Planner.
- 5 In my current role as a planning consultant, my experience includes providing planning advice to clients with respect to plan development and changes, applying for resource consents, and preparing evidence in respect of these matters. I am familiar with the operative and proposed Waimakariri District Plans, having worked with them on a number of occasions.

Code of Conduct for Expert Witnesses

- 6 While this is not a hearing before the Environment Court, I confirm that I have read the Code of Conduct for expert witnesses contained in the Environment Court of New Zealand Practice Note 2023 and that I have complied with it when preparing my evidence. Other than when I state I am relying on the advice of another person, this 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.

Scope of evidence

- 7 This evidence is provided in support of Andrew Carr's (**Mr Carr**) submission to rezone 308 Cones Road, Loburn, from notified Rural Lifestyle Zone (**RLZ**) with Large Lot Residential Zone Overlay (**LLRZO**), to Large Lot Residential Zone (**LLRZ**) subject to an Outline Development Plan (**ODP**), through the Proposed Waimakariri District Plan (**PDP**).¹ My role has been to provide planning advice on the appropriate zoning and rule framework for the Site.
- 8 I am aware of a submission lodged in respect of 90 Dixons Road², which also sought rezoning to LLRZ. Given 90 Dixons Road shares a common boundary with

¹ Mr Andrew Carr, submission reference 158

² Kyleston Farms Ltd, submission reference 70

308 Cones Road, in my view the combined scale of these two sites is appropriate for inclusion in a single Outline Development Plan.

- 9 I highlight however that not all of 90 Dixons Road was notified as RLZ with LLRZO, but only the central and western portions. The submission for 90 Dixons Road sets out that a zoning of LLRZ is sought “*rather than an overlay*” and so it is reasonable in my view to conclude that the submission is therefore limited to only that part of 90 Dixons Road that was notified with an overlay. My assessment (and the assessment of the technical experts) therefore relates to that part of 90 Dixons Road, rather than the entirety of the allotment.
- 10 My evidence therefore addresses both 308 Cones Road, and that part of 90 Dixons Road subject to the notified LLRZO (together referred to as the “**Site**”) in respect of rezoning. I have prepared evidence in relation to:
 - (a) The Site and existing environment;
 - (b) The proposed rezoning and amendments to the PDP to achieve the relief sought (**Proposal**);
 - (c) The effects of the Proposal;
 - (d) Assessment of the appropriateness of the Proposal in accordance with Section 32AA of the RMA.
 - (e) The statutory framework, as relevant to the Proposal.
- 11 I have visited the Site and am familiar with the area.
- 12 In preparing this statement of evidence I have considered the following documents:
 - (a) The statements of evidence dated 13th, 28th, 26th February 2024 and 5th March 2024, respectively, prepared by:
 - (i) Mr Antoni Facey – transport;
 - (ii) Mr Andrew Smith – geotechnical
 - (iii) Mr Neeraj Pratap – Stormwater; and
 - (iv) Mr David Compton-Moen – urban design, landscape, amenity and character.
 - (b) the PDP provisions relevant to my evidence, as notified, and as amended by Council Right of Reply Reports; and
 - (c) relevant submissions.

Executive Summary

- 13 The submissions³ sought an appropriate residential zone such as the LLRZ as directed by the Rural Residential Development Strategy 2019⁴. I consider LLRZ to be the most appropriate residential zone to achieve the relief sought, noting the position of the Site surrounded by rural lifestyle activities as well as large lot residential land use activities.
- 14 The Proposal (incorporating the rezoning, ODP and amendments to the PDP provisions) has been assessed by expert evidence encompassing transport, stormwater, geotechnical, urban design, landscape, visual amenity and character matters. These reports conclude that any potential adverse effects of the Proposal are able to be appropriately avoided or mitigated.
- 15 I have assessed the Proposal against the requirements of s32 of the RMA and the higher order planning documents.
- 16 The Proposal provides for additional residential land development capacity that is responsive to the growth of the Waimakariri district urban environment. The site is well located on main routes to the Rangiora township, within a growing residential catchment, and accessible by multiple transport modes. Development on the site is consistent with a compact and consolidated urban form and will contribute to a well-functioning urban environment.
- 17 Overall, I consider that the Proposal is the most appropriate outcome for the Site and is the most efficient and effective means of achieving the purpose of the RMA, the relevant objectives of the PDP and other relevant statutory documents.

The Site and Existing Environment

- 18 The Site subject of this evidence is legally described as Lot 3 DP 386430 and Lot 4 DP 80565, as contained in Records of Title 345976 and CB45C/1015, located at 308 Cones Road and 90 Dixons Road, Ashley.
- 19 308 Cones Road is a rectangular shaped site of 4.085 hectares in area, bounded by Cones Road to the west, a private right of way to the north and undeveloped rural land to the east and south.

³ Mr Andrew Carr, submission reference 158 and Kyleston Farms Ltd, submission reference 70

⁴https://www.waimakariri.govt.nz/_data/assets/pdf_file/0035/69686/Rural-Residential-Development-Strategy.pdf

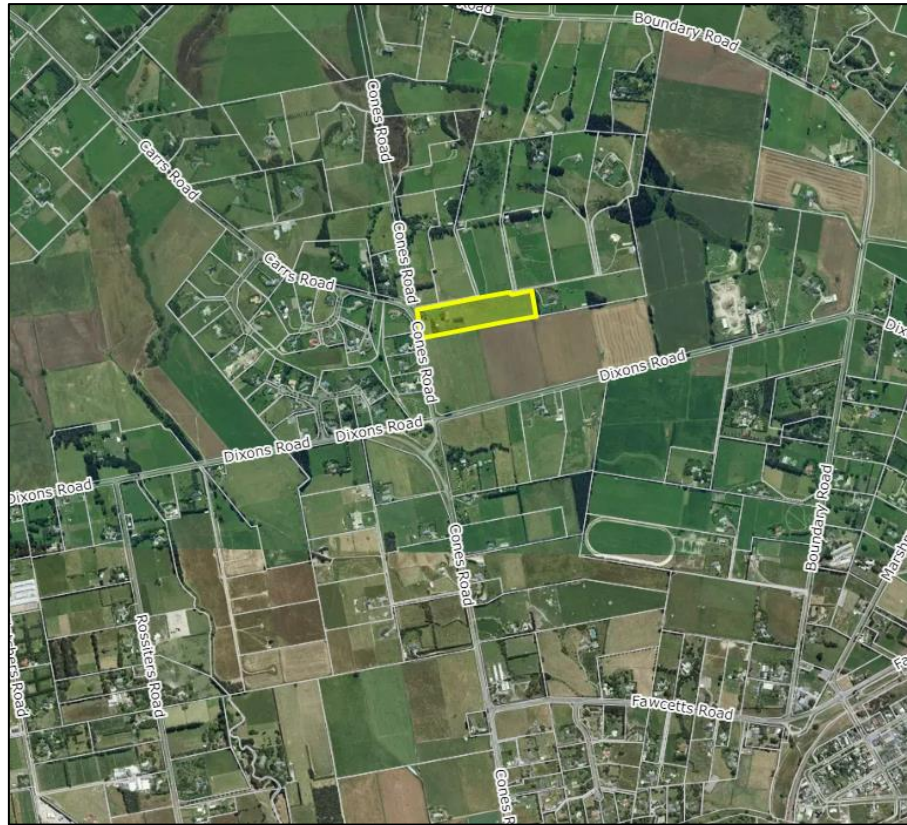


Figure 1: Site Location 308 Cones Road (Source: Grip Maps)

- 20 90 Dixons Road is a rectangular shaped site with an irregular square shape toward the east of the land holding comprising of 47.97 hectares in area (although only 20.5 hectares lies within the notified LLRZO). 90 Dixons Road is bounded by Cones Road to the west, Dixons Road to the south and undeveloped rural land to the north and east.



Figure 2: Site Location 90 Dixons Road with area of proposed rezoning in orange (GRIP Maps)

- 21 The Site is currently undeveloped rural pasture and is located to the east of the existing Large Lot Residential Zoned and developed land of Loburn Lea.
- 22 The Site is proposed to be zoned as Rural Lifestyle Zone under the PDP. Under the PDP, the Site is subject to a Large Lot Residential Zone Overlay (**LLRZO**), which sets out a requirement for an Outline Development Plan (**ODP**) for the Site. Under the Operative District Plan, the Site is zoned Rural.
- 23 The land to the west is the existing 'Loburn Lea' Large Lot Residential Zone area and is approximately 40 hectares containing 44 residential lots. The area has been defined in **Figure 3** by a dark blue outline. The subject site is outlined in black and white dashed lines and the proposed Outline Development Plan submitted with this evidence and subsequently discussed further is outlined by the light blue line.

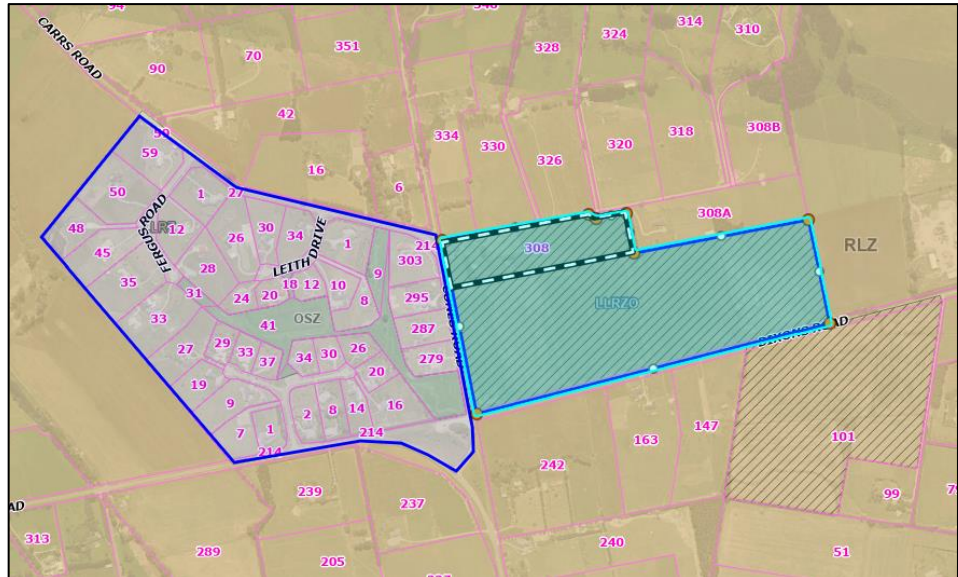


Figure 3: Existing Loburn Lea area adjacent to site (dark blue outline) and area that could be rezoned under an ODP (light blue outline). (Source: Waimakariri DC website).

Proposed Rezoning

Overview

- 24 Mr Carr’s submission⁵ sought to rezone 308 Cones Road to an appropriate urban zone, preferably LLRZ, and any consequential amendments required in the PDP to give effect to this.
- 25 Of the residential zones identified within the PDP, I consider that LLRZ is the most appropriate zone. The zone provides for residential living opportunities for predominantly detached residential units on lots larger than other Residential Zones. LLRZs are located near but outside the established townships.⁶

Outline Development Plan

- 26 A new ODP is proposed to be inserted in the District Plan, shown in **Figure 4** below and as **Attachment [3]**. This ODP has been informed by planning, transport, stormwater, geotechnical and urban design advice.

⁵ Andrew Carr, Submission reference 158, Submission point 015

⁶ <https://waimakariri.isoplan.co.nz/draft/rules/0/258/0/0/0/226> - Large Lot Residential Zone Purpose

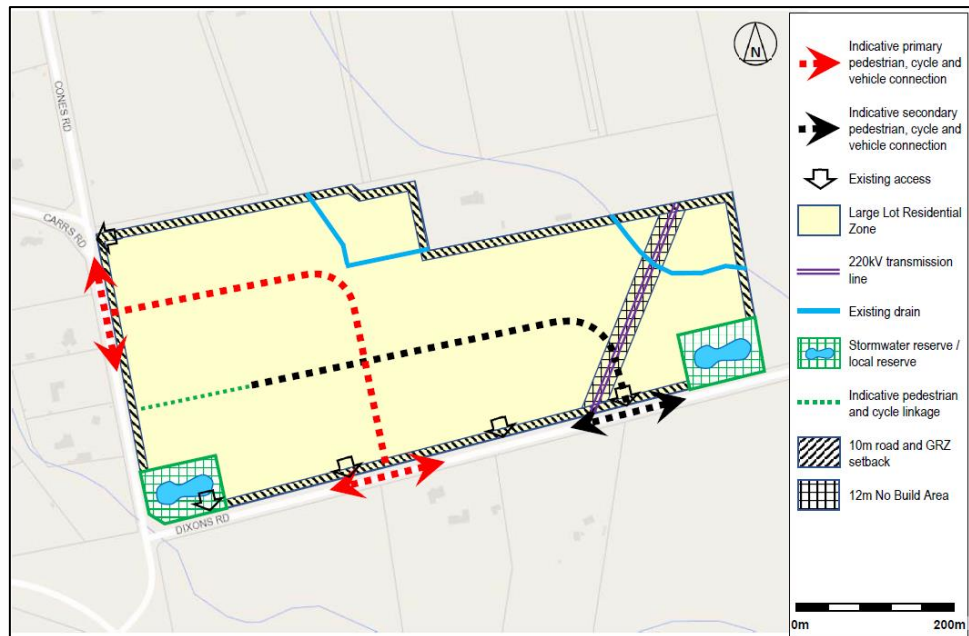


Figure 4: Proposed ODP

Proposed Amendments to the PDP

- 27 There are currently existing development areas and new development areas identified in the PDP; these development areas include ODPs and some include their own objectives and policies with rules with others just having specific rules. In this case, I consider that the LLRZ provisions are able to be adopted. However, to reflect the particular locational attributes of the Site, a new ODP is proposed and will be required to be included under the Wahanga waihanga – Development Areas chapter (**LOB** – Loburn Lea East).
- 28 A full track change version of my proposed amendments is included and summarised below in **Table 1**. Amendments are proposed to the following PDP Chapters:
- (a) Part 3 – Area specific matters / Wahanga waihanga -Development Areas / New Development Areas.
 - (b) Planning Maps
- 29 Amendments are not proposed to any other chapter of the PDP.

Table 1 Summary of amendments to PDP provisions

Provision	Description / Reason	Amendment (additional text <u>underlined</u> , deleted text struckthrough)
<p><u>DEV-LOB</u> <u>Loburn Lea East</u> <u>Development</u> <u>Area</u></p>	<p>Add new development area and Introduction.</p>	<p><u>LOB – Loburn Lea East Development Area</u></p> <p><u>Introduction</u></p> <p><u>The Loburn Lea East Development Area is located in the southeast of Loburn. The area is a Large Lot Residential Zone that provides for low density residential activities.</u></p> <p><u>Key features of DEV-LOB-APP1 include:</u></p> <ul style="list-style-type: none"> • <u>Indicative primary pedestrian, cycle and vehicle connection;</u> • <u>Indicative secondary pedestrian, cycle and vehicle connection;</u> • <u>proposed stormwater / local reserve areas;</u> • <u>setbacks from the existing transmission line, Cones Road and Dixons Road and the RLZ;</u> • <u>residential density requirements of two households per ha; and</u> • <u>amenity landscape treatment.</u>
<p><u>DEV-LOB-R1</u> <u>Loburn Lea Eat</u> <u>Development</u> <u>Area Outline</u> <u>Development</u> <u>Plan</u></p>	<p>Add new development Activity Rules</p>	<p><u>Activity status: PER</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> 1. <u>development shall be in accordance with DEV-LOB-APP1</u> <p><u>Activity status when compliance not achieved: DIS</u></p> <p><u>Advisory Note:</u></p>

Provision	Description / Reason	Amendment (additional text <u>underlined</u> , deleted text struckthrough)
		<ul style="list-style-type: none"> For the avoidance of doubt, where an Activity or Built Form Standard is in conflict with this ODP, the ODP shall substitute the provision.
<u>DEV-LOB-BFS1</u> <u>Specific density requirements</u>	Add new Built Form Standard to manage the effects on neighbouring Rural Lifestyle Zone properties.	<ol style="list-style-type: none"> <u>For the purpose of subdivision standard SUB-S1:</u> <ol style="list-style-type: none"> <u>The maximum number of allotments across the DEV-LOB-APP1 area shall be 44; and</u> <u>Residential allotment sizes shall be a minimum of 2,500m² with an average minimum of 5,000m² across the DEV-LOB-APP1 area.</u>
<u>DEV-LOB-BFS2</u> <u>Building restriction area</u>	Add new Built Form Standard to manage the effects on neighbouring Rural Lifestyle Zone properties.	<ol style="list-style-type: none"> <u>No structures or dwellinghouses are permitted within the 12m No Build Area shown on the DEV-LOB-APP1 area.</u>
<u>Appendix</u> <u>DEV-LOB-APP1</u> <u>– Loburn Lea</u> <u>East ODP</u>	Add new Outline Development Plan into the Loburn Lea East New Development Area	Input Outline Development Plan
Planning Maps	Identify LLRZ zoning over the site extent.	Show LLRZ over the ODP area.

30 I consider that the proposed changes to the PDP described above to be within the scope of the submission. These fall as consequential changes necessary to recommend an *appropriate* Outline Development Plan and Large Lot Residential Zone.

S42A Report and Consultation with Council Staff

31 The Rezoning S42A Report has not been released by Council staff due to the timeframe requirements of submitter evidence for rezonings due 40 working days prior to the deadline for the Council s42A report. Therefore, this evidence cannot address the Council S42A report.

32 Correspondence has been ongoing with Waimakariri District Council in regard to the rezoning package and in alignment with Minute 10.

33 On the 31st of August 2023 a meeting was held with the Council Planning Development Manager, Mr Matthew Bacon, the Development Manager of the Project Delivery Unit, Ms Jennifer McSloy, the applicant, Mr Andrew Carr, Principal Planner at Town Planning Group, Anita Collie and myself, Samantha Kealey, Senior Planner at Town Planning Group. The meeting was to discuss the capacity of the reticulated network for servicing the Site, to discuss the ODP and identify any other matters of concern to Council staff in respect of the proposed rezoning.

34 Following this meeting numerous emails followed to get confirmation of water, waste and servicing comments. These comments were received and preliminary advice from Council's networking team stating appropriate capacity was available on the 26th of October 2023.

35 On the 15th of November 2023 a full preliminary rezoning package was sent to Council for comment which included the following:

- Confirmation of Sewer servicing capacity from WDC
- Geotechnical Reports
- Hurunui District Council confirmation of Water servicing capacity
- Landscape Visual Impact and Urban Form Assessment
- Outline Development Plan
- Outline Development Plan Narrative
- Transportation Assessment
- Peer Review of Transportation Assessment

- Stormwater Feasibility Assessment Report
- Preliminary Site Investigation
- Written Approval from Chorus
- Written Approval from Mainpower

36 Correspondence was undertaken with Council following lodgement of the preliminary information package. On the 20th of December 2023 Council advised that a subcontractor (WSP) had been engaged to review and provide comment on the information provided. Council responded on the 8th of February 2024 outlining what Council had, at that time, been able to review from the information package due to time and procedural constraints, as well as expertise to undertake a review. The reports that were reviewed are:

- Outline Development Plan
- Outline Development Plan narrative
- Stormwater Reports
- Transportation Assessment
- Peer review of transportation assessment
- HDC confirmation of water and communication with WDC regarding water and sewer servicing

37 The response received from Council was that there were no material comments on most these topics and that the comments made were limited to development timing and the outcome of the rezoning hearings. There were comments provided regarding transport, and these have been addressed in the transport evidence of Mr Facey.⁷

38 Council advised that it was not able to provide feedback on the landscape visual assessment or geotechnical report.

39 A planning evaluation as well as expert evidence relating to transport, stormwater, geotechnical, urban design, landscape, visual amenity and character have been prepared with regard to the relevant feedback provided by Council staff.

⁷ Comment following Council review of information, Attachment [7]

Assessment of Effects of the Proposed Rezoning

40 The following effects are considered relevant to the Proposal:

- (a) Amenity and urban form
- (b) Transport
- (c) Geotechnical
- (d) Stormwater

Amenity and urban form

- 41 Mr Compton-Moen has provided an assessment of the effects of the rezoning on amenity, character and urban form.
- 42 Mr Compton-Moen assesses the effects on the amenity of adjoining rural areas⁸ and concludes that effects on surrounding and anticipated future residents can be effectively mitigated. Based on Mr Compton-Moen's advice, I consider the ODP and amended PDP provisions, as well as the existing built form and landscaping controls of the LLRZ, to be essential mitigation.
- 43 The change in zoning will change the visual amenity and views from adjacent and surrounding properties however, Mr Compton-Moen has confirmed that these will not be adverse.⁹ I accept his conclusions and that the visual amenity effects of the rezoning will be less than minor.
- 44 Mr Compton-Moen has confirmed that the ODP is an appropriate natural extension of the existing LLRZ of Loburn Lea in terms of size and scale and location.¹⁰ I agree with this conclusion and have further come to that conclusion within my own assessment of planning matters addressed later in this evidence.
- 45 Overall, I consider that effects on character and amenity of surrounding RLZ and LLRZ land are able to be appropriately managed by way of the notified PDP provisions and amendments proposed in my evidence.
- 46 Based on the above, I consider effects on amenity, character, landscape and urban form are able to be appropriately avoided or mitigated.

Transport

⁸ D. Compton-Moen evidence, paragraph 4.2

⁹ D. Compton-Moen evidence, paragraph 4.3

¹⁰ D. Compton-Moen evidence, paragraph 5.2 and 5.3

- 47 Mr Facey has provided evidence regarding transportation matters, including consideration of the transport related effects of the Proposal and transport matters reflected within the ODP.
- 48 The initial transportation report was prepared by Mr Carr who is the submitter and landowner of 308 Cones Road, and also a transportation engineer with 34 years' experience. To eliminate any perception of conflict of interest, a peer review of Mr Carr's assessment was undertaken by Mr Facey.
- 49 The transportation assessment and the peer review were presented to Council for the purposes of feedback aligning with the Hearing Panel's Minute 1, paragraph 75. Council provided brief commentary and raised three transportation matters, these are addressed within Mr Facey's evidence.
- 50 Transport effects of the future development can be assessed through the resource consent process; however the relevant access locations and indicative pedestrian and cycle linkages are appropriately captured on the ODP.¹¹ Mr Facey confirms that the traffic generated by the LLRZ development can be accommodated on the adjacent roading network.¹²
- 51 Mr Facey highlights that LLRZ areas are by their nature located outside urban areas which can limit viability of cycle and walking, however the sites are in close proximity to the Rangiora Township being a 9 to 13-minute cycle ride.¹³
- 52 Mr Facey has reviewed the PDP and in his view there will be a high degree of compliance with the transportation-related rules with a small number of non-compliances; however these will not result in effects that are noticeable in practice.¹⁴
- 53 The ODP shows intersections that will not meet the 800m separation distance to other intersections required by the notified version of the PDP. Mr Facey states that Standard NZS4404:2010 suggests a separation of 150m.¹⁵ Mr Facey goes on to suggest that there is no location to provide access to the sites where it is possible to achieve an 800m separation between intersections, despite Council envisioning the land use change to LLRZ with the use of the LLRZO indicating that access to

¹¹ A. Facey evidence, paragraph 4.6

¹² A. Facey evidence, paragraph 4.2

¹³ A. Facey evidence, paragraph 4.5

¹⁴ A. Facey evidence, paragraph 4.7

¹⁵ A. Facey evidence, paragraph 5.3

lots is required. Mr Facey concludes that the reduction in separation and outcome of the ODP is acceptable and should be supported.¹⁶

- 54 I also note the comment in the Transportation Assessment that the proposed intersection spacing is not inconsistent with the surrounding area (with a separation of 120m between the northern and southern Cones Road / Dixons Road intersections to the immediate south of the site, and 300m between the Carrs Road / Fergus Road and Carrs Road / Leith Drive intersections to the immediate north of the site).
- 55 Council commented that Cones Road is 0.5m narrower than standard and does not allow for cyclists. Whilst this is correct it is also an existing situation and not created by the rezoning proposal. Mr Facey confirms that this is not a matter which influences whether a site should be rezoned or not.¹⁷ I agree with Mr Facey and consider it is also relevant that the overlay means the site is anticipated for LLRZ. Mr Facey also drew the same conclusion on the last comment Council made, in that active travel links are provided and that this point is not necessary to meet a potential need at the time of rezoning. The legal roads within the vicinity of the site do not impede the extension of walking and cycling routes and that this can be assessed at the time of a subdivision consent.¹⁸
- 56 On the basis of Mr Facey's evidence, I consider that transport effects can be appropriately managed by the ODP or dealt with by specific assessment through a resource consent process. I consider that the transport effects of the Proposal can be appropriately avoided or mitigated.

Geotechnical

- 57 Mr Smith has provided an assessment of the effects of the rezoning on the geotechnical matters.
- 58 Mr Smith confirms that he previously supervised the preparation of a technical report regarding a geotechnical investigation of the site, and this is attached as Annexure B of his evidence.¹⁹
- 59 Mr Smith notes that two corrections are to be made to the geotechnical report for 90 Dixons Road. The area subject to the proposal does not include the Ashley Fault Avoidance Zone 2020 nor is it within a medium flood hazard.²⁰ On this basis I

¹⁶ A. Facey evidence, paragraphs 5.7 and 5.8 and 5.11

¹⁷ A. Facey evidence, paragraph 5.14

¹⁸ A. Facey evidence, paragraph 5.18 and 5.19

¹⁹ A. Smith evidence, paragraph 3.3

²⁰ A. Smith evidence, paragraphs 4.2 and 4.3

consider the potential effects from the Fault Avoidance Zone and the medium flood hazard will be eliminated.

- 60 Mr Smith demonstrates that the Proposal is not subject to significant erosion, slippage or falling debris, that liquefaction risk is negligible, and the assessment area has low subsidence risk. 308 Cones Road is confirmed as being very low risk to flooding and 90 Dixons Road has small areas of low risk to flooding in a 200-year flood event.²¹
- 61 Mr Smith demonstrates that the Proposal did not achieve the NZS3604:2011 definition of 'good ground' which means that site specific geotechnical reports would be required for building locations however can be undertaken at resource consent or building consent stage.²²
- 62 On the basis of Mr Smith's evidence, I consider that geotechnical effects can be appropriately managed by the ODP or dealt with by specific assessment through a resource consent process. I consider that the geotechnical effects of the Proposal can be appropriately avoided or mitigated and that the site is suitable for Large Lot Residential Zoning.

Stormwater

- 63 Mr Pratap has provided an assessment of the effects of the rezoning on stormwater.
- 64 Mr Pratap confirms that he previously prepared a technical report and is attached as Annexure B to his statement of evidence.²³
- 65 Mr Pratap confirms that an email was received from Council on 9 February 2024 that set out that the Council had reviewed the reports and had no material comments to make.²⁴
- 66 Within Mr Pratap's evidence he confirms that test pitting at 308 Cones Road did not identify any potential locations for discharge of stormwater to land. He states that a suitable solution is for discharge to an existing drain with attenuation on site which is manageable.²⁵

²¹ A. Smith evidence, paragraph 4.4a and b

²² A. Smith evidence, paragraph 4.4c

²³ N. Pratap evidence, paragraph 3.3

²⁴ N. Pratap evidence, paragraph 3.5

²⁵ N. Pratap evidence, paragraph 4.1a

67 The evidence of Mr Pratap also confirms for 90 Dixons Road that the use of attenuation basins and discharging by means of a controlled outlet would be practicable and locating these at existing topographical depressions²⁶ as shown on the ODP would be beneficial.

68 Overall, Mr Pratap is therefore supportive of the site to be rezoned as LLRZ²⁷. On the basis of his evidence, I consider that stormwater effects can be appropriately managed by the ODP or dealt with by specific assessment through a resource consent process. I consider that the stormwater effects of the Proposal can be appropriately avoided or mitigated.

Effects Conclusion

69 On the basis of the above, I accept the conclusions of the relevant experts and consider that any potential adverse effects of the Proposal are able to be appropriately avoided or mitigated.

Resource Management Act – s32AA

70 Section 32AA(1)(a) of the RMA requires a further evaluation in respect of the amendments sought to the existing proposal since the section 32 evaluation was completed. Section 32AA(1)(b) states that the further evaluation must be undertaken in accordance with sections 32(1) to (4), while section 32AA(c) requires that the level of detail must correspond to the scale and significance of the changes.

71 Section 32(1)(a) requires that an evaluation must examine the extent to which the objectives of the proposal are the most appropriate way to achieve the purpose of the RMA. No alterations are proposed to the PDP Objectives and in accordance with section 32AA(1)(a), no evaluation of the existing Objectives is required.

Proposed Waimakariri District Plan Objectives and Policies

72 Section 32(1)(b) requires examination of whether the proposed rezoning provisions are the most appropriate way of achieving the District Plan objectives. These are assessed in **Table 2** below.

²⁶ N. Pratap evidence, paragraph 4.1b

²⁷ N. Pratap evidence, paragraph 5.2

Table 2 Assessment of Proposal against PDP Objectives

PDP Objective ²⁸	Assessment
<p>SD-O2 Urban Development</p> <p>Urban development and infrastructure that:</p> <ol style="list-style-type: none"> 1. is consolidated and integrated with the urban environment; 2. that recognises existing character, amenity values, and is attractive and functional to residents, businesses and visitors; 3. utilises the District Council’s reticulated wastewater system, and potable water supply and where available; 4. provides a range of housing opportunities, focusing new residential activity within existing towns, and identified development areas in Rangiora and Kaiapoi, in order to achieve the housing bottom lines in UFD-O1; 5. supports a hierarchy of urban centres, with the District’s main centres in Rangiora, Kaiapoi, Oxford and Woodend being: <ol style="list-style-type: none"> a. the primary centres for community facilities; b. the primary focus for retail, office and other commercial activity; and c. the focus around which residential development and intensification can occur. 	<p>The Proposal is compatible with the character of the surrounding community with existing LLRZ located to the west. The Site is well connected and easily accessible, positioned on two roads and in relatively close proximity to the Rangiora township.</p> <p>The Proposal can connect to Council wastewater and is able to provide potable water. The Proposal provides a zone that will be able to facilitate additional housing supply in an area anticipated for development.</p> <p>The Proposal will contribute positively to the District by providing a LLRZ that upholds and enhances the existing environment whilst being a consolidated and integrated development.</p> <p>The Proposal will form part of the Rangiora urban environment (if rezoned) and is therefore consistent with the hierarchy of centres.</p> <p>The ODP as presented in Attachment [3] provides for access to a network of spaces and provides for connectivity between the existing land uses within the vicinity of the site especially with the existing Loburn Lea area to the west.</p> <p>LLR development is still limited as it creates larger land holdings than general residential. This proposal for rezoning is consistent with areas identified for future LLR development by the overlay. It has also been confirmed that there is adequate infrastructure for the proposed rezoning.</p>

²⁸ The versions of the Objectives cited are those available on the Proposed Waimakariri District Plan isoplan notified 18 September 2021 and revised 9 May 2023

PDP Objective ²⁸	Assessment
<p>6. provides opportunities for business activities to establish and prosper within a network of business and industrial areas zoned appropriate to their type and scale of activity and which support district self-sufficiency;</p> <p>7. provides people with access to a network of spaces within urban environments for open space and recreation;</p> <p>8. supports the transition of the Special Purpose Zone (Kāinga Nohoanga) to a unique mixture of urban and rural activities reflecting the aspirations of Te Ngāi Tūāhuriri Rūnanga;</p> <p>9. provides limited opportunities for Large Lot Residential development in identified areas, subject to adequate infrastructure; and</p> <p>10. recognise and support Ngāi Tūāhuriri cultural values through the protection of sites and areas of significance to Māori identified in SASM-SCHED1.</p>	<p>The proposal does not affect any SASM-SCHED1 sites.</p>
<p>UFD-O1 Feasible development capacity for residential activities</p> <p>Sufficient feasible development capacity for residential activity to meet specified housing bottom lines and a changing demographic profile of the District as follows:</p> <p>Housing Bottom Lines (Development Capacity) for the following:</p> <p>Short to Medium Term (2018-2028) 6,300 Residential Units</p> <p>Long Term (2028-2048) 7,100 Residential Units</p> <p>30 Year Time frame (2018-2048) 13,400 Residential Units</p>	<p>The Proposal provides for up to 44 new LLRZ allotments that will positively contribute to the housing bottom lines and the changing demographic profile of the District.</p> <p>The Proposal provides for choice and much needed LLRZ land as outlined within the Waimakariri Rural Residential Development Strategy 2019. Mr Compton-Moen provides an assessment of the compatibility of the Proposal with existing activities and those anticipated to develop under the PDP. The Proposal is considered to be an efficient use of land, appropriately supported by existing and potential infrastructure upgrades with future subdivision</p>

PDP Objective ²⁸	Assessment
	consents, as demonstrated by Mr Pratap, Mr Smith and Mr Facey's evidence.
<p>RESZ-O1 Residential growth, location and timing</p> <p>Sustainable residential growth that:</p> <ol style="list-style-type: none"> 1. provides more housing in appropriate locations in a timely manner according to growth needs; 2. is responsive to community and district needs; and 3. enables new development, as well as redevelopment of existing Residential Zones. 	<p>The Proposal provides for LLRZ growth adjacent to existing LLRZ land. The Waimakariri Rural Residential Strategy identifies projected demand of 385 rural residential households from 2019 for the next 10 years (to 2029).²⁹ The Proposal answers the growth needs in an appropriate location, responding to a projected need for growth in rural-residential households in the district.</p>
<p>RESZ-O2 Residential sustainability</p> <p>Efficient and sustainable use of residential land and infrastructure is provided through appropriate location of development and its design.</p>	<p>Mr Compton-Moen's evidence demonstrates that the Proposal is compatible with the existing environment and is an efficient and sustainable use of land. The land itself is anticipated for large lot residential development by way of the LLRZO it has been afforded, however through evidence is shown to be appropriate for LLRZ zoning. Mr Facey's evidence demonstrates that the Proposal design and location is efficient and effective in terms of transportation.</p>
<p>RESZ-O3 Residential form, scale, design and amenity values</p> <p>A form, scale and design of development that:</p> <ol style="list-style-type: none"> 1. achieves a good quality residential environment that is attractive and functional; 	<p>The Proposal is of a form, scale and design that provides for anticipated LLRZ development. The area of the proposal has been limited to 44 potential residential sites so as not to burden the infrastructure whilst future resource consent processes may see upgrades to services. Mr Compton-Moen's</p>

²⁹ Page 3, Waimakariri Rural Residential Strategy 2019 - chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.waimakariri.govt.nz/__data/assets/pdf_file/0035/69686/Rural-Residential-Development-Strategy.pdf

PDP Objective ²⁸	Assessment
<ol style="list-style-type: none"> 2. supports community health, safety and well-being; 3. maintains differences between zones; and 4. manages adverse effects on the surrounding environment. 	<p>evidence demonstrates that the Proposal will manage adverse effects on the surrounding environment and achieve a good quality Large Lot Residential environment that is attractive and functional.</p> <p>The supporting provisions (policies and rules) also serve this objective in terms of land development controls such as setbacks, landscaping and so forth and will apply in order to ensure that LLR development on this site achieves the objective.</p>
<p>RESZ-O5 Housing choice</p> <p>Residential Zones provide for the needs of the community through:</p> <ol style="list-style-type: none"> 1. a range of residential unit types; and 2. a variety of residential unit densities. 	<p>The Proposal provides for a LLRZ that has been identified as an area for Rural Residential growth through the Waimakariri Rural Residential Development Strategy 2019. The Proposal offers the district more choice in residential land offerings which in turn provides variety.</p>
<p>LLRZ-O1 Purpose, character, and amenity values of Large Lot Residential Zone</p> <p>A high quality, low density residential zone with a character distinct to other Residential Zones such that the predominant character:</p> <ol style="list-style-type: none"> 1. is of low density detached residential units set on generous sites; 2. has a predominance of open space over built form; 3. is an environment with generally low levels of noise, traffic, outdoor lighting, odour and dust; and 4. provides opportunities for agriculture activities where these do not detract from maintaining a quality residential environment, but provides limited opportunities for other activities. 	<p>The Proposal is for an area of land to be zoned LLRZ as a continuation of the LLRZ to the west. The Proposal will offer a high-quality, low-density environment. The proposed density is to align with that of the LLRZ outlined in the PDP whilst being a maximum of 44 allotments. Mr Compton-Moen's evidence demonstrates that the Proposal will fit in with the surrounding Rural Lifestyle zone. The Proposal will not compromise any agricultural activities beyond the site.</p>

PDP Objective ²⁸	Assessment
<p>TRAN-O1 A safe, resilient, efficient, integrated and sustainable transport system</p> <p>An integrated transport system, including those parts of the transport system that form part of critical infrastructure, strategic infrastructure, regionally significant infrastructure, and strategic transport networks, that:</p> <ol style="list-style-type: none"> 1. is safe, resilient, efficient and sustainable for all transport modes; 2. is responsive to future needs and changing technology; 3. enables economic development, including for freight; 4. supports healthy and liveable communities; 5. reduces dependency on private motor vehicles, including through public transport and active transport; and 6. enables the economic, social, cultural and environmental well-being of people and communities. 	<p>Mr Facey's evidence demonstrates that the Proposal can be accommodated by the transport network with minimal to no visible change in performance and would not require any change to planned transport infrastructure improvements.</p> <p>Mr Facey's evidence demonstrates that the Proposal is compatible with the existing transport infrastructure network and future needs due to the location of the Proposal in relation to the Rangiora township.</p> <p>Mr Facey's evidence also demonstrates that the Proposal will not have any adverse effects in terms of transportation.</p>
<p>TRAN-O4 Effects of activities on the transport system</p> <p>Adverse effects on the District's transport system from activities, including reverse sensitivity, are avoided, remedied or mitigated.</p>	<p>Mr Facey's evidence demonstrates that adverse effects of the Proposal can be adequately managed through resource consents, the PDP transport rules and the ODP, and that the Proposal to rezone to LLRZ can be supported from a transportation perspective.</p>

73 On the basis of the above assessment, I conclude that the Proposal is consistent with the PDP Objectives.

Efficiency and Effectiveness

74 In assessing the benefits and costs of the Proposal, the following options are considered:

- (a) Option 1: Retain the proposed zoning (RLZ with LLRZO); or
- (b) Option 2: Rezone the Site to LLRZ in accordance with the Proposal.

75 The benefits and costs of each option are outlined in **Table 3** below.

Table 3 Benefits and costs assessment

Benefits	Costs
<p>Option 1 - Retain proposed RLZ with LLRZO zoning</p>	
<ul style="list-style-type: none"> • The land remains available for housing development at 1 dwellinghouse per 4ha and contributes to rural housing supply in the district at a low density. • The land remains available for agricultural purposes. 	<ul style="list-style-type: none"> • Large lot residential development on the Site would need to be addressed through a future private plan change process. There are economic costs to the Submitter and uncertainty as to the outcome. • Rezoning of the Site to LLRZ via a future private plan change would take more time and delay provision of large lot residential sections to the market, delaying this Site's contribution to rural-residential growth in the district. • Inconsistent with Waimakariri Rural Residential Development Strategy 2019, which indicates the site as an area for LLRZ expansion and that additional LLR lots are required at this time. • Does not contribute to the diversity of residential options or growth potential in the District.
<p>Option 2: Rezone the Site to LLRZ in accordance with the Proposal</p>	
<ul style="list-style-type: none"> • Enables the development of Large Lot Residential housing supply on the Site. • Provides additional Large Lot Residential land, meeting an identified need and consistency with the Waimakariri Rural Residential 	<ul style="list-style-type: none"> • Reduces rural land for potential agricultural purposes.

Benefits	Costs
<p>Development Strategy 2019. The range of available LLRZ land in the Waimakariri is expanded.</p> <ul style="list-style-type: none"> • Economic benefit to the Submitter from being able to develop the land with some certainty. • Consistent with PDP rule framework that enables development outcomes on the site while appropriately managing effects on the environment. • Provides potential future linkages between the existing Loburn Lea LLRZ and the Proposal site. 	

- 76 Option 2 is the preferred option as the benefits outweigh the costs. The costs outweigh the benefits in respect of Option 1.
- 77 The Proposal, incorporating the rezoning, ODP and recommended amendments to the PDP provisions, is considered to be the most efficient and effective means of achieving the proposed relief and objectives of the PDP. The Proposal contributes to the diversity of residential offerings in the district and provides economic and social benefits, while appropriately maintaining the amenity of surrounding rural residential and rural zones and contributing to a well-functioning urban environment.

Risk of Acting or Not Acting

- 78 The supporting technical evidence does not identify any fundamental risks from the Proposal and confirms the suitability of the Site for large lot residential development. This information has been provided at a level of detail that is appropriate to a rezoning proposal, however further detailed technical engineering investigation on the development of the site has not yet been undertaken. This creates a risk in relation to acting, however it is small as a resource consent process will be required in respect of subdivision and the dwellings to be established. The further assessment required through the resource consent process enables appropriate management of this risk.
- 79 Risks associated with not acting includes shortfall of appropriate rural residential land in the Waimakariri District, and the provision of an overlay that creates a need for an additional plan change process in future. A risk of not acting is that Council will not meet its obligations under the NPS-UD and the intended outcomes under the Waimakariri Rural Residential Development Strategy to provide sufficient large lot residential land capacity.

Overall assessment

- 80 In summary, having had regard to matters of efficiency and effectiveness, I consider the Proposal is the most appropriate way to achieve the Objectives of the PDP.

Statutory Framework

National Policy Statements

- 81 The National Policy Statement for Urban Development is relevant to this Proposal. The National Policy Statement for Highly Productive Land is also relevant to this Proposal. For completeness, I note that no other National Policy Statements have specific relevance to the Proposal.

- 82 An assessment of the Proposal against the specific objectives and policies of the NPS-UD is provided in **Table 4** below. The Site falls within the definition of an urban environment if it is to be rezoned LLRZ and Waimakariri is a Tier 1 District Council.
- 83 An assessment of the Proposal against the specific objectives and policies of the NPS-HPL is provided in **Table 5** below.

Table 4 NPS-UD Objective and Policy Assessment

Objective	Supporting Policies	Assessment
<p>Objective 1: New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.</p>	<p>Policy 1: Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum:</p> <ul style="list-style-type: none"> (a) have or enable a variety of homes that: <ul style="list-style-type: none"> (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 (b) have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and (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; and (d) support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and 	<p>The Proposal will contribute to a well-functioning urban environment, as assessed against the criteria in Policy 1.</p> <p>The proposed LLRZ will provide for greater variety of residential land than is currently available in the District given there is currently limited areas of LLRZ. The land subject of this Proposal has been highlighted as suitable for LLRZ development under the Rural Residential Development Strategy 2019.</p> <p>The Proposal is consistent with good accessibility for people, given its proximity to the Rangiora Township, active transport infrastructure and the details presented in the transport evidence.</p> <p>The Proposal provides for a much-needed Large Lot Residential area adjoining an existing Large Lot Residential Development in an area that has been identified as suitable for this type of development.</p>

Objective	Supporting Policies	Assessment
	<p>(e) support reductions in greenhouse gas emissions; and</p> <p>(f) are resilient to the likely current and future effects of climate change.</p>	<p>The Proposal will support competitive land development markets by enabling development of additional LLR sections.</p> <p>The Site has no known vulnerabilities to climate change, and so is considered to be suitably resilient.</p> <p>Overall, the Proposal is consistent with Objective 1 and Policy 1 and will contribute to a well-functioning urban environment.</p>
	<p>Policy 2: Tier 1, 2, and 3 local authorities, at all times, provide at least sufficient development capacity to meet expected demand for housing and for business land over the short term, medium term, and long term.</p>	<p>Waimakariri District is wishing to meet a projected demand of approximately 385 rural residential households over the next 10 years from 2019 as stated within the Rural Residential Development Strategy.</p> <p>The Proposal provides a means of meeting this demand by rezoning land anticipated for LLRZ to facilitate future development. The proposal contributes to housing capacity which assists Council in meeting expected demand.</p>
<p>Objective 3: Regional policy statements and district plans enable more people to live in,</p>	<p>Policy 3: In relation to tier 1 urban environments, regional policy statements and district plans enable:</p>	<p>Large Lot Residential development in this location responds to growth in the surrounding urban area,</p>

Objective	Supporting Policies	Assessment
<p>and more businesses and community services to be located in, areas of an urban environment in which one or more of the following apply:</p> <p>(a) the area is in or near a centre zone or other area with many employment opportunities</p> <p>(b) the area is well-serviced by existing or planned public transport</p> <p>(c) there is high demand for housing or for business land in the area, relative to other areas within the urban environment.</p>	<p>(a) in city centre zones, building heights and density of urban form to realise as much development capacity as possible, to maximise benefits of intensification; and</p> <p>(b) in metropolitan centre zones, building heights and density of urban form to reflect demand for housing and business use in those locations, and in all cases building heights of at least 6 storeys; and</p> <p>(c) building heights of at least 6 storeys within at least a walkable catchment of the following:</p> <p>(i) existing and planned rapid transit stops</p> <p>(ii) the edge of city centre zones</p> <p>(iii) the edge of metropolitan centre zones; and</p> <p>(d) within and adjacent to neighbourhood centre zones, local centre zones, and town centre zones (or equivalent), building heights and densities of urban form commensurate with the</p>	<p>noting that the site is located along key transport routes to Rangiora Town Centre.</p> <p>The site is only a 9-13 minute cycle ride from the nearest centre zone and a similar distance from the nearest area of employment (a Light Industrial Zone). Mr Facey's evidence demonstrates that the Site is well located in the transport network to support mode choice and accessibility.</p> <p>Location of the site on the periphery of Rangiora Town Centre and adjacent to existing Large Lot Residential zoned land (Loburn Lea) consolidates development whilst also offering for a larger land holding within cycling distance of the Rangiora Town Centre, meeting the needs of the local community by providing option and choice.</p> <p>The subclauses in Policy 3 are not relevant as the proposal does not need to achieve the density requirements as the site is not in a city centre, a metropolitan centre or within and adjacent to neighbourhood centre zones, local centre zones, and town centre zones (or equivalent).</p>

Objective	Supporting Policies	Assessment
	level of commercial activity and community services.	
<p>Objective 4: New Zealand’s urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities, and future generations.</p>	<p>Policy 6: When making planning decisions that affect urban environments, decision-makers have particular regard to the following matters:</p> <ul style="list-style-type: none"> (a) the planned urban built form anticipated by those RMA planning documents that have given effect to this National Policy Statement (b) that the planned urban built form in those RMA planning documents may involve significant changes to an area, and those changes: <ul style="list-style-type: none"> (i) may detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types; and (ii) are not, of themselves, an adverse effect 	<p>Although the Site is currently a rural land use, the PDP presents a LLRZO which identifies the site for the proposed future LLR zoning. The site forms part of the planned future residential and urban environment.</p> <p>The Proposal has a number of benefits and contributes to a well-functioning urban environment as assessed in accordance with Policy 1.</p> <p>The Proposal will provide residential land development capacity that was outlined within the Waimakariri District Council Rural Residential Development Strategy as being required.</p> <p>The Proposal is not located in an area that would be subject to hazards arising from climate change. The Proposal has the ability to respond to effects of climate change, by locating on land that is stable, appropriate for development and has undergone assessment through various reports during a subsequent resource consent process, and by enabling active modes of</p>

Objective	Supporting Policies	Assessment
	<p>(c) the benefits of urban development that are consistent with well-functioning urban environments (as described in Policy 1)</p> <p>(d) any relevant contribution that will be made to meeting the requirements of this National Policy Statement to provide or realise development capacity</p> <p>(e) the likely current and future effects of climate change.</p>	<p>transport to be used to access development on the Site.</p>
<p>Objective 6: Local authority decisions on urban development that affect urban environments are:</p> <p>(a) integrated with infrastructure planning and funding decisions; and</p> <p>(b) strategic over the medium term and long term; and</p> <p>(c) responsive, particularly in relation to proposals that</p>	<p>Policy 8: 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:</p> <p>(a) unanticipated by RMA planning documents; or</p> <p>(b) out-of-sequence with planned land release.</p>	<p>The Proposal will add to residential land development capacity and contribute to a well-functioning urban environment as set out under Policy 1 above. The proposal is aligned with Council's medium- and long-term strategy for LLR development on this site, given the LLRZO as notified in the PDP.</p>

Objective	Supporting Policies	Assessment
would supply significant development capacity.		

Table 5 NPS-HPL Objective and Policy Assessment

Objective	Supporting Policies	Assessment
<p>Objective 2.1: Highly productive land is protected for use in land-based primary production, both now and for future generations.</p>	<p>Policy 1: Highly productive land is recognised as a resource with finite characteristics and long-term values for land-based primary production.</p>	<p>The National Policy Statement for Highly Productive Land (NPS-HPL) defines land “identified for future urban development” as land that has been identified in a published Future Development Strategy.</p>
	<p>Policy 2: The identification and management of highly productive land is undertaken in an integrated way that considers the interactions with freshwater management and urban development.</p>	<p>The Site has been identified within the Waimakariri Rural Residential Development Strategy published June 2019 and is therefore identified for future urban development land in terms of the NPS-HPL.</p>
	<p>Policy 3: Highly productive land is mapped and included in regional policy statements and district plans.</p>	<p>Highly Productive Land has not yet been mapped within the Waimakariri District.</p>

Objective	Supporting Policies	Assessment
	<p>Policy 4: The use of highly productive land for land-based primary production is prioritised and supported.</p>	<p>Council’s Mr Buckley in a memorandum to the Hearing Panel on 30 June 2023 stated “the NPS-HPL does not apply to RLZ that is either operative, or is subject to a review/change of that provision (until a decision is made)”.³⁰</p>
	<p>Policy 5: The urban rezoning of highly productive land is avoided, except as provided in this National Policy Statement.</p> <p>Policy 6: The rezoning and development of highly productive land as rural lifestyle is avoided, except as provided in this National Policy Statement.</p> <p>Policy 7: The subdivision of highly productive land is avoided, except as provided in this National Policy Statement.</p>	<p>I concur with this conclusion, and accordingly the land within the ODP is not considered as Highly Productive Land as it is intended under the PDP provisions as notified to be zoned RLZ whilst it is also afforded the LLRZO. Therefore, rezoning the land to LLRZ will not adversely affect any Highly Productive Land.</p>

³⁰ <https://www.waimakariri.govt.nz/council/district-development/rural-residential-development>

Objective	Supporting Policies	Assessment
	<p>Policy 8: Highly productive land is protected from inappropriate use and development.</p>	
	<p>Policy 9: Reverse sensitivity effects are managed so as not to constrain land-based primary production activities on highly productive land.</p>	<p>The Proposal is not considered to create any adverse reverse sensitivity effects on nearby land-based primary production activities. The Proposal provides setbacks from Rural Lifestyle land and Mr Compton-Moen’s evidence demonstrates that the Proposal will not have effects on the surrounding environment.</p>

Canterbury Regional Policy Statement

- 86 Section 73(4) requires the PDP to give effect to the Canterbury Regional Policy Statement (**CRPS**) and section 74(2) requires Council to have regard to the CRPS when preparing the PDP. No changes to the PDP Objectives are proposed and the Proposal has been assessed in **Table 3** above as remaining consistent with the PDP Objectives.
- 87 Chapters 5 (Land Use and Infrastructure) and 6 (Recovery and Rebuilding of Greater Christchurch) of the CRPS are relevant to this Proposal.
- 88 Objective 5.2.1 and supporting policies addresses the design function and location of development. This Site is located adjacent to an existing urban area (Loburn Lea) and so contributes to a consolidated urban form, with the Proposal being a continuation of the Loburn Lea area of development. The Proposal will enable large lot residential activity in a location near but outside the Rangiora township encouraging sustainable economic development and efficient transport connections. The Proposal is compatible with the safe, efficient and effective use of the strategic transport network, and does not impact any other regionally significant infrastructure. The specific rules applicable to development on the Site under the LLRZ will ensure compatibility between the Proposal and the surrounding activities and minimise potential for reverse sensitivity.
- 89 Policy 5.3.1 addresses regional growth and meeting growth needs whilst ensuring sustainable development patterns. The Proposal provides for development that is concentrated and well thought out in practicality of the urban area. The Proposal occurs in a concentrated form as a continuation of the existing Loburn Lea area whilst not expanding too far and remaining as a limited rural residential development.
- 90 Objective 6.2.1 (Recovery framework) seeks to enable development through a framework that addresses various matters, including identification of urban development priority areas and avoids urban development outside of existing urban areas or greenfield priority areas for development, unless expressly provided for in the CRPS. The CRPS provides opportunities for development such as the Proposal through Policy 6.3.3 Development in accordance with outline development plans.
- 91 Policy 6.3.9 Rural residential development addresses where rural residential development can occur and specifically states that rural residential development further to areas already zoned in district plans as at 1st January 2013 can only be provided for by territorial authorities in accordance with an adopted rural residential development strategy prepared in accordance with the Local Government Act 2002. The Waimakariri Rural Residential Development Strategy 2019 aligns with this and clearly outlines on page 18 the direction of growth specific to the site. The

Proposal also aligns with points 1 to 7 and in particular (a) to (l) listed under point 5 of Policy 6.3.9.

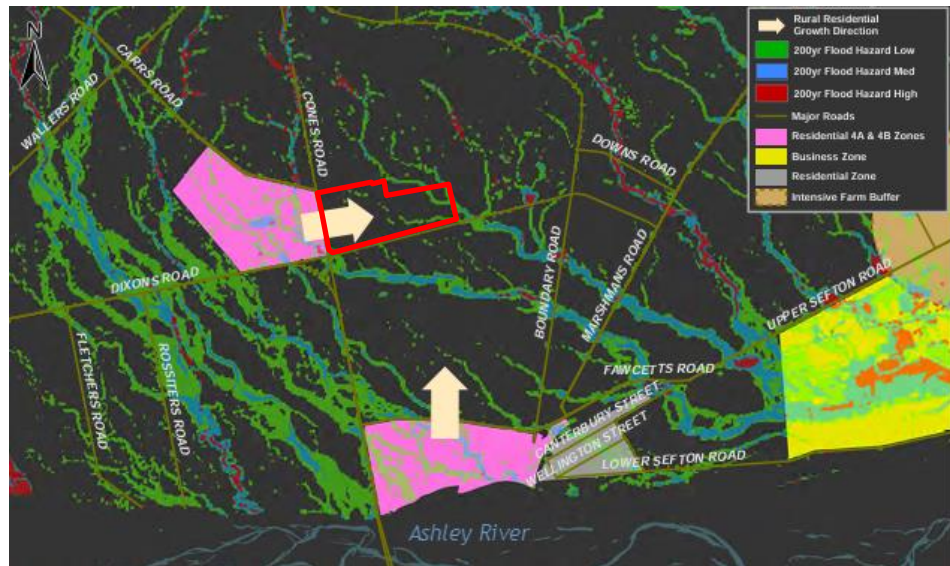


Figure 5: Rural Residential growth direction from the Waimakariri Rural Residential Development Strategy with the site outlined in red (WDC)

- 92 Policy 6.3.3 states rural residential development is to occur in accordance with the provisions set out in an outline development plan or other rules for the area. Therefore, the proposal has provided an ODP (**Figure 4** above) which is for an area that has been identified under the LLRZO however, the Proposal is for part of this area as “part of an integrated plan”.
- 93 I am aware that land towards the southeast of the Site, on the southern side of Dixons Road, has also been notified as RLZ and LLRZO, and that submissions have been received for this to also be rezoned directly to LLRZ. I have therefore given consideration to whether the ODP should also include this area, rather than stopping at Dixons Road.
- 94 To my knowledge, there is no planning guidance as to how to determine the appropriate extent of an ODP. I have therefore taken a first principles approach, of anticipating that the overall purpose of an ODP is to achieve good planning outcomes and an integrated pattern of development.
- 95 In this case, land to the south of Dixons Road is physically separated from land to the north of the road by a 20m strip of land (the legal road reserve). The sites are therefore not contiguous, as opposed to 90 Dixons Road and 308 Cones Road which share a common boundary.
- 96 One outcome of this physical separation is that the land to the north of Dixons Road does not have a material effect on the pattern of development within the land to the south of the road, and vice versa. There is not the ability to create a continuous infrastructure network within a wider site (say, for stormwater) because the

northern and southern parts are physically severed by the road. In other words, any infrastructure solution on the northern side of the road, is not influenced by any solution on the southern side. A further example of this is that an access serving the area on the southern side of Dixons Road is not affected by the access arrangements to land on the northern side.

- 97 This contrasts significantly with the two parcels of land to the north where development of (say) 308 Cones Road could compromise the ability to appropriately develop 90 Dixons Road unless there is an overarching plan in place (that is, an ODP) to inform development.
- 98 On this basis then, I consider that in practice, good planning outcomes are achieved (and in fact, can only be achieved) through having one ODP that covers the land on the northern side of Dixons Road. However, the physical separation created by Dixons Road means that in my view, development of land towards the south can be progressed separately to land towards the north, and therefore this area does not need to be included within the ODP. On this basis, I am able to support the physical extents of the proposed ODP and do not consider there are any planning-related reasons why it should be extended further south.
- 99 The outline development plan itself shows all of the requirements within point 3 (a to i included). The only significant feature within the ODP is that of the existing drains which are proposed to align with the rules in the PDP in terms of setbacks and protection management. The appropriate reports have been undertaken by the relevant experts in order to demonstrate that the proposal will have the required infrastructure and the ODP area is able to accommodate the proposed Large Lot Residential development that is anticipated.
- 100 Transport evidence has been provided which demonstrates the effective provision for a range of transport modes. The site is located in relatively close proximity to the Rangiora township allowing the outline development area to be accessible by cycle modes and e-bicycles and e-scooters.
- 101 The expert evidence provided shows that all infrastructure is suitable for the ODP area. Water and wastewater capacities have been confirmed with Waimakariri and Hurunui District Councils and Waimakariri District Council engineers have confirmed in pre circulated evidence that they had no material comment for water, wastewater or stormwater.
- 102 Surface and ground water quality has been assessed and provided in the form of stormwater reports. These conclude that the ODP area is suitable for development and that there will be no detrimental effect on surface or ground water quality.
- 103 Geotechnical reports, LLUR property statements, and a Preliminary Site Investigation where the LLUR identified potential contamination have all been

undertaken and provided. Once the site is developed through a resource consent process following the rezoning, the area of contamination is able to be remediated in a way that will not pose a risk to human health. No other natural hazards are present in the ODP area.

- 104 In relation to Policy 6.3.7, the policy refers to Map A however, Map A has not been amended to take into consideration the Waimakariri PDP and the new areas for development. Map A is predominantly focused on urban areas and residential and business land as opposed to LLRZ which is the focus of this evidence. The rezoning from RLZ to LLRZ provides appropriate intensification for the area. The rezoning enables a variety of lot sizes, and densities to the area and provides a continuation to the development to the west.
- 105 Policy 6.3.2 has been addressed within the ODP Narrative of the Proposal and shows that the Proposal gives effect to the following principles; Tūrangawaewae, Integration, Connectivity, Safety, Choice and diversity, Environmentally sustainable design, creativity and innovation.
- 106 For the above reasons, the Proposal is considered to be consistent with the CRPS.

Part 2 of the RMA

- 107 Section 5 of the RMA outlines that the purpose of the RMA is to promote the sustainable management of natural and physical resources. The Proposal will enable the provision of people and communities social, economic, and cultural wellbeing by providing additional residential land contributing to a more diverse residential offering in North Canterbury. On the basis of the supporting technical evidence provided, I consider that any adverse effects on the environment from the Proposal are able to be appropriately avoided, remedied or mitigated.
- 108 None of the matters identified in section 6 of the RMA are relevant to this Proposal.
- 109 In regard to section 7, the Proposal will enable the efficient use and development of the subject land and enable the maintenance of local amenity values by appropriately managing the interface of the proposed LLRZ with adjoining LLRZ and RLZ land. The Proposal has the ability to respond to effects of climate change, by locating close to existing LLRZ land, locating on main roading corridors, and enabling active modes of transport to be used to access development on the Site.
- 110 With respect to section 8, the principles of the Treaty of Waitangi have been taken into account through the PDP and submission process.

Conclusion

- 111 For the reasons set out above, I consider that the proposed rezoning, including the ODP and amendments to the PDP, is the most appropriate outcome for the Site,

and is the most efficient and effective means of achieving the purpose of the RMA, the relevant objectives of the PDP and other relevant statutory documents.



Samantha Leeanne Kealey

Dated this 5th day of March 2024

List of Attachments:

Attachment [1]: Hurunui District Council confirmation of Water

Attachment [2]: Communication with Waimakariri District Council – Confirmation of Services

Attachment [3]: Outline Development Plan

Attachment [4]: Outline Development Plan Narrative

Attachment [5]: Written Approval from Chorus

Attachment [6]: Written Approval from Mainpower.

Attachment [7]: Preliminary Advice from Council of Rezoning Package



A Carr
C/- Anita Collie
PO Box 35
Christchurch
8140

7 December 2022

Dear Andrew,

Water Application Number WS220428 – 308 Cones Road, Ashley

The Council can confirm that six additional water units are available on the Ashley Rural Water Supply for the above address.

Please note that all restrictors will be installed at the Cones Road boundary with individual DN25mm pipes to each tank to be located in the proposed right of way. Please note that this would include moving the restrictor for the current tank (Tank 181185) out to road boundary too.

This approval is based on hydraulic modelling and will be valid for the next 12 months. If included within the conditions of a resource consent, then the modelling approval should be included but the full water application conditions would apply. I encourage you to complete the applicable application form and return it to us by 7 December 2023. Should you wish to complete a full water application, the modelling fee for the first unit will not be charged.

Please note that no pipe installation can take place until the full water application has been received.

If you have any questions, please feel free to contact me.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Cynthia Otto'.

Cynthia Otto
Customer and Information Advisor

Phone 03 314-8816
Email cynthia.otto@hurunui.govt.nz

From: [Jennifer McSloy](#)
Sent on: Monday, 30 October 2023 4:11:23 pm
To: [Sam Kealey](#)
Subject: RE: 308 Cones Road - Proposed District Plan - Rezone (waste capacity) (2689-21)

Follow up: Follow up
Start date: Monday, 30 October 2023 1:00:00 pm
Due date: Monday, 30 October 2023 1:00:00 pm

Cheers,
Jen

Jennifer McSloy | Development Manager
Project Delivery Unit

Phone: [0800 965 468](tel:0800965468) (0800 WMK GOV)
Mobile: [+64 27 247 9815](tel:+64272479815)
DDI: [+64 3 311 8947](tel:+6433118947)



waimakariri.govt.nz

From: Sam Kealey <sam@townplanning.co.nz>
Sent: Thursday, October 26, 2023 3:25 PM
To: Jennifer McSloy <jennifer.mcsloy@wmk.govt.nz>
Subject: RE: 308 Cones Road - Proposed District Plan - Rezone (waste capacity) (2689-21)

Caution: [THIS EMAIL IS FROM AN EXTERNAL SOURCE] DO NOT CLICK links or attachments unless you recognise the sender email address and know the content is safe.

Hi Jen,

Thank you for coming back to us with that.

On your point regarding water and it not having capacity to support all the developments would you please be able to confirm what the current capacity is and what the current system can accommodate?
I note that there is a vast difference between 9 units that it can accommodate and 127 units which is the total of all developments that could take place if all the rezoning submissions went ahead.

If you could see if the network planning team have a figure or range that could be accommodated in the current system that would be greatly appreciated.

Kind Regards,



Sam Kealey – Senior Planner

Cell: 021 057 3762 | Email: sam@townplanning.co.nz
Town Planning Group | www.townplanning.co.nz
Offices in Queenstown, Wānaka, Christchurch & Auckland

From: Jennifer McSloy <jennifer.mcsloy@wmk.govt.nz>
Sent: Thursday, October 26, 2023 11:17 AM

To: Sam Kealey <sam@townplanning.co.nz>

Subject: RE: 308 Cones Road - Proposed District Plan - Rezone (waste capacity) (2689-21)

Hi Sam,

I heard back from our network planning team this morning.

Water

- Ashley network is a restricted network, and generally there has been no additional growth work looked at for the network.
- If only 308 Cones Road was to connect to water (9 units), there would be capacity in the system. However;
- There is not capacity in the system to support connections for all the developments you list below and 308 Cones Road.
- This number of additional connections cause issues in the Ashley village and surrounding area. Pressure drops below minimum service levels, and capacity upgrades would be required to meet the LOS in the area.
- We have not investigated what upgrades are required for the long-term demand scenario. Developments in this area should expect to contribute towards upgrades required to service their site. This is something that would need to be discussed with HDC

Sewer

- There is capacity in the system for additional connections required for 308 Cones Road, as well as the other connections mentioned below.

Cheers,
Jen

Jennifer McSloy | Development Manager

Project Delivery Unit

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Mobile: [+64 27 247 9815](tel:+64272479815)

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From: Sam Kealey <sam@townplanning.co.nz>

Sent: Wednesday, October 25, 2023 10:38 AM

To: Jennifer McSloy <jennifer.mcsloy@wmk.govt.nz>

Subject: RE: 308 Cones Road - Proposed District Plan - Rezone (waste capacity) (2689-21)

Caution: [THIS EMAIL IS FROM AN EXTERNAL SOURCE] DO NOT CLICK links or attachments unless you recognise the sender email address and know the content is safe.

Hi Jen,

I am following up again as we still have not heard anything in regard to the water and the waste and we are starting to edge towards Christmas.

We would really like to start having all of our information to WDC however the waste and water seem to be the only outstanding information.

Would you please be able to urgently follow this up.

Kind Regards,



Sam Kealey – Senior Planner

Cell: 021 057 3762 | Email: sam@townplanning.co.nz
Town Planning Group | www.townplanning.co.nz
Offices in Queenstown, Wānaka, Christchurch & Auckland

From: Jennifer McSloy <jennifer.mcsloy@wmk.govt.nz>
Sent: Wednesday, October 11, 2023 11:59 AM
To: Sam Kealey <sam@townplanning.co.nz>
Subject: RE: 308 Cones Road - Proposed District Plan - Rezone (waste capacity) (2689-21)

Hi Sam,

I'll add that query re the water into the servicing query – it's with the team at the moment for comment.

They should hopefully get back to me this week.

Cheers,
Jen

Jennifer McSloy | Development Manager
Project Delivery Unit

Phone: 0800 965 468 (0800 WMK GOV)
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DDI: +6433118947



waimakariri.govt.nz

From: Sam Kealey <sam@townplanning.co.nz>
Sent: Wednesday, October 11, 2023 9:27 AM
To: Jennifer McSloy <jennifer.mcsloy@wmk.govt.nz>
Subject: RE: 308 Cones Road - Proposed District Plan - Rezone (waste capacity) (2689-21)
Importance: High

Caution: [THIS EMAIL IS FROM AN EXTERNAL SOURCE] DO NOT CLICK links or attachments unless you recognise the sender email address and know the content is safe.

Hi Jen,

I am just following up as we are trying to get all of our information together and were seeing if you had those servicing comments for us to go through.

We have tried talking to Hurunui in regard to the water and used the following which is all of the proposed rezonings in Mr Carr's vicinity as discussed in our meeting:

- #70: 90 Dixons Road (north of road): 20.7ha. 48 lots
- #70: 90 Dixons Road (south of road): 15.4ha. 35 lots
- #158: 308 Cones Road: 4.1ha: 9 lots
- #271: 59 Dixons Road and 125 Boundary Road: 10.0ha = 23 lots
- #312: 119 Boundary Road: 5.2ha = 12 lots

However we haven't had much luck in getting definitive answers about water capacity and wonder if it is better to go through WDC to Hurunui in regard to capacity?

Kind Regards,



Sam Kealey – Senior Planner

Cell: 021 057 3762 | Email: sam@townplanning.co.nz
Town Planning Group | www.townplanning.co.nz
Offices in Queenstown, Wānaka, Christchurch & Auckland

From: Jennifer McSloy <jennifer.mcsloy@wmk.govt.nz>
Sent: Thursday, September 28, 2023 9:56 AM
To: Sam Kealey <sam@townplanning.co.nz>
Subject: RE: 308 Cones Road - Proposed District Plan - Rezone (waste capacity) (2689-21)

Hi Sam,

Sorry I actually had an email open to you yesterday to apologise for the delay, but didn't get round to hitting send!

As Matt and I mentioned when we met, we've received (and are receiving) a large number of enquiries from rezoning submitters, and engineering are also being asked to provide input to the reporting officer's reports addressing the servicing aspects of rezoning submissions. I'm in the process of setting up a system and a team to tackle the workload to avoid us effectively double handling each rezoning submission. I'll use 308 Cones Road as one of the 'early cases' to get some servicing comments back through to you in the next week or so.

Cheers,
Jen

Jennifer McSloy | Development Manager
Project Delivery Unit

Phone: 0800 965 468 (0800 WMK GOV)
Mobile: +64272479815
DDI: +6433118947



waimakariri.govt.nz

From: Sam Kealey <sam@townplanning.co.nz>
Sent: Thursday, September 28, 2023 9:34 AM
To: Jennifer McSloy <jennifer.mcsloy@wmk.govt.nz>
Subject: FW: 308 Cones Road - Proposed District Plan - Rezone (waste capacity) (2689-21)
Importance: High

Caution: [THIS EMAIL IS FROM AN EXTERNAL SOURCE] DO NOT CLICK links or attachments unless you recognise the sender email address and know the content is safe.

Hi Jen,

We have not heard anything further in regard to the capacity of the reticulated network in order to confirm capacity for waste.

Could you please provide an update as to how we are getting on with this please.

Kind Regards,



Sam Kealey – Senior Planner

Cell: 021 057 3762 | Email: sam@townplanning.co.nz
Town Planning Group | www.townplanning.co.nz
Offices in Queenstown, Wānaka, Christchurch & Auckland

From: Sam Kealey

Sent: Thursday, September 14, 2023 10:36 AM

To: jennifer.mcsloy@wmk.govt.nz

Subject: 308 Cones Road - Proposed District Plan - Rezone (waste capacity) (2689-21)

Hi Jen,

Thank you for taking the time to speak with Anita, Andy and myself on the 31st of August.

As discussed could you please provide a contact that we can discuss the capacity of the reticulated network in order to confirm capacity and preapproval for our outline development plan proposal.

Kind Regards,

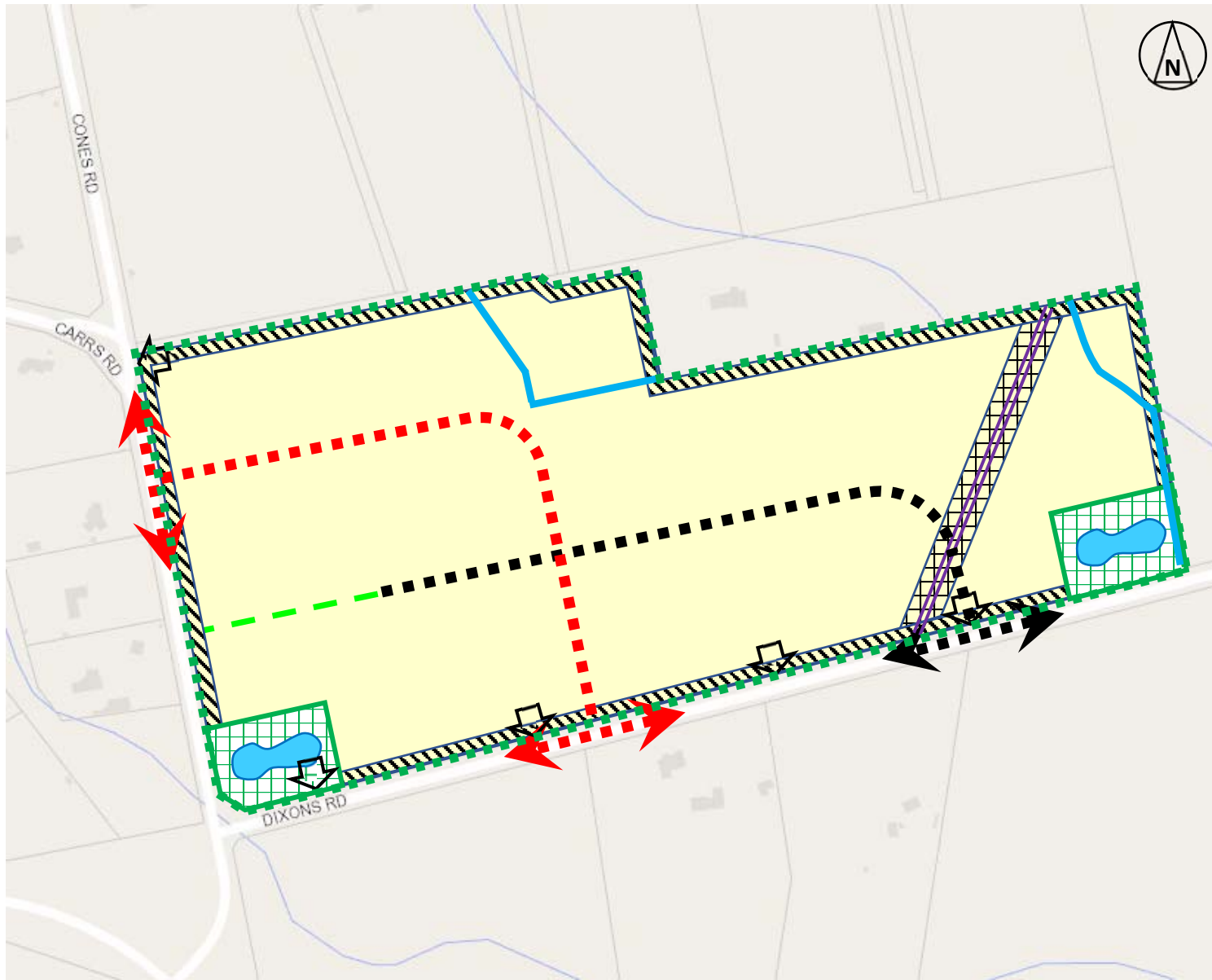














Sam Kealey – Senior Planner

Cell: 021 057 3762 | Email: sam@townplanning.co.nz

Town Planning Group | www.townplanning.co.nz

Offices in Queenstown, Wānaka, Christchurch & Auckland



-  Indicative primary pedestrian, cycle and vehicle connection
 -  Indicative secondary pedestrian, cycle and vehicle connection
 -  Existing access
 -  Large Lot Residential Zone
 -  220kV transmission line
 -  Existing drain
 -  Stormwater reserve / local reserve
 -  Indicative pedestrian and cycle linkage
 -  Landscape treatment (see Urban Design Assessment)
 -  10m road and GRZ setback
 -  12m No Build Area
-  0m 200m

Loburn Lea East

Land Use Plan

The Outline Development Plan for Loburn Lea East recognises the Council's expectations for Large Lot Residential Zone, which has a minimum lot size fixed at 5,000sqm. As such there is limited scope to introduce varying densities within the site. Furthermore, the approach taken has been to minimise the use of cul-de-sacs, which also then means that the development pattern of Loburn Lea cannot be replicated (as all access to those residences is provided via cul-de-sacs). Accordingly, the general development pattern has instead sought to reflect the immediate environment created by Cones Road and Dixons Road, which have straight sections connected by relatively sharp curves.

The introduction of an Outline Development Plan in a prime location at the intersection of Dixons Road and Cones Road and adjacent to Loburn Lea (which is currently zoned as Residential 4B and proposed to be zoned as Large Lot Residential Zone) provides consistency and continuity, and effective and efficient development. This area is perfectly situated to continue the type of development that is provided in Loburn Lea, address the rural residential dwelling shortfall previously identified by the Council, and uphold the character and amenity associated with the rural residential area. Reverse sensitivity effects will therefore be less than minor, and the Outline Development Plan is an appropriate response to what is anticipated within the Waimakariri District.

The site is in two parcels, under separate ownership, with 308 Cones Road comprising the northern part of the site and 90 Dixons Road comprising the southern part. The Outline Development Plan has been devised to allow one parcel to be developed without the need to rely on any infrastructure within the other, while still ensuring that ultimately there will be a seamless and integrated layout provided. Consequently, staging of development could commence at the north, under the control of one land owner, or from the south, under the control of the other land owner, without difficulty.

It is anticipated that the phasing and co-ordination of development will begin in the northern portion of the Outline Development Plan without reliance on the southern parcel of land until such time that that owner is ready to undertake development.

Overall, there are few constraints to development with the site being heavily modified through farming, and having a topography with only minor undulations and a gentle gradient from north to south. However, there is a 220kV transmission line that runs through the eastern part of the site which has an associated National Grid Yard of 12m on either side.

There is also an easement that runs along the southern boundary of 308 Cones Road for conveyance of telecommunications and power. Written approvals have already been received from Mainpower and Chorus for a subdivision of 308 Cones Road and associated access arrangements located on the alignment of the east-west portion of the primary roading connection.

Movement Network

The Outline Development Plan for Loburn Lea East provides access to the wider transportation networks through a small movement network within the sites comprising one primary and one secondary road.

The greatest travel desire lines associated with the site will be to and from the south, with this being the direction of the commercial, retail, education and employment opportunities in Rangiora. Consequently, the movement network provides the strongest connections towards the west of the site to avoid imposing unnecessary travel distance on residents. One end of the primary road connects to Cones Road to the south of the Cones Road / Carrs Road intersection to provide a convenient route for those living towards the north and northwest of the site, with the other end connecting onto Dixons Road to serve those living further towards the southwest.

The secondary road runs east-west through the centre of the site and has the main function of providing connectivity to the primary road. Towards the east, the secondary road curves southwards to meet Dixons Road, which allows for travel to and from located to the east. However, as the extent of this travel is not expected to be significant, the secondary road status is considered to be appropriate. The secondary road extends westwards past the primary road but does not connect to Cones Road due to the need to ensure an appropriate separation of intersections on Cones Road. However, the east-west route continues as a green route to Cones Road, suitable for walking and cycling.

Only the more significant roads are identified in the movement network plan, and it is possible that additional tertiary roads may be required. However these will respond to detailed subdivision design of those areas.

The specific roading classification of all roads will be ultimately determined at the time of development, to provide flexibility and match the eventual roading hierarchy made operative through the District Plan.

It is unlikely that a public transport service will operate through the site in future, but nevertheless, the primary route allows for a service to penetrate into the site with all residences within a 7-minute walk of such a route. In practice, it is more likely that any route would use Cones Road, and because of the green route and northwestern part of the primary route, 90% of the site lies within a 10-minute walking time of such a bus route.

The low traffic volumes anticipated on the roading network means that in common with other Large Lot Residential Zones, pedestrians and cyclists will share the movement lanes with motorised vehicles and no specific footpaths or cycle paths will be provided within the road reserves. The roads will be designed to meet appropriate guides and will promote reduced vehicle speeds and hence support a safe environment for walking and cycling.

Although the specific location of the elements of the movement network will be flexible to allow for subdivision, the position of the east-west section of the primary route is fixed and lies directly on the common boundary between the two land parcels. Locating this section of road in this manner means that either landowner is able to form, or partially form, the road, in order to provide access to their parcel without the need to use any land belonging to the other.

Open Space and Stormwater Reserves

The Outline Development Plan for Loburn Lea East indicates two indicative stormwater management systems but does not include any open space.

The two stormwater reserves are located to the southeastern and southwestern corners of the site and are at the lowest parts of the Outline Development Plan area. Since the land falls from north to south, this is the logical place for these reserves. The nature of the LLRZ means that the internal roading network will be constructed with swales, which can then feed-in to these areas. Run-off from roofs and hardstand areas can be directed to these swales and then further to the stormwater management areas.

The size of the stormwater reserves will be finalised at each subdivision stage. However, work has already been carried out at 308 Cones Road and has shown that this area is able to meet its own stormwater needs without having to rely on infrastructure within 90 Dixons Road, which again ensures that the two land parcels can be developed independently of one another.

There is an existing watercourse towards the northeast of the site, and this can be protected as required. Appropriate setbacks can be provided as required under the District Plan.

The green route to Cones Road, suitable for walking and cycling, ensures residents have easy access to the Open Space Zone within Loburn Lea and to the locally well-used walking and cycling route on Cones Road north of Carrs Road. In fact, the green route and the northwestern part of the primary route taken together mean that more than 55% of the site is within a 500m walking/cycling distance of the Open Space Zone at Loburn Lea.

The Council has signalled plans for a cemetery on the eastern boundary of 90 Dixons Road, and if developed as a park-like setting, is also able to be considered as open space. However, if this does not eventuate, there would be a need for an additional Open Space Zone towards the east of the site. This can easily be accommodated in a prominent and easily accessed location.

Water and Wastewater Network

The site is served by a reticulated potable water supply (and there is already supply of two water units to an existing property at 308 Cones Road). The site lies within the Ashley Rural Water Supply scheme, and Hurunui District Council (which manages this scheme) has confirmed that there are approximately 50 additional water units that are available for residential development on the site, and this is likely to be sufficient for full site development in view of the minimum lot size.

The Loburn Lea Wastewater System serves the existing residences to the immediate west of Cones Road, immediately adjacent to the southwestern corner of the site where there is also a pumping station. The Council connected the Loburn Lea scheme to the Eastern District Sewer Scheme in 2022. The Outline Development Plan area is therefore extremely well-placed to connect into the existing scheme and it has been confirmed that there is sufficient capacity in the system for full development of the site.

Ideally, the network would be constructed from south to north, so that there is wastewater infrastructure for residences to connect into. Temporary solutions may need to be discussed if development was to occur in the north (308 Cones Road) first, however this can be assessed when resource consents are sought.

It is not expected that large lot residential development in this location will have any adverse effects on, or implications for, the surface or ground water quality. The roading network provides swales which can be connected to the stormwater management areas.

Landscape Matters

The Outline Development Plan area is considered to be substantially modified through farming activities, rather than being natural. Existing vegetation is predominantly exotic species, used for shelter belts and along roads. Increased residential activity modifies the landscape of the existing site from one that is semi-open and agricultural in character to one that is more developed in nature. That said, the large lot sizes, coupled with sympathetic treatments such as open fencing, additional vegetation and enhancements of waterways, will retain a degree of rural character.

The density of built form will increase due to site development, but views of buildings will generally be limited. However, in order to reduce any perceived residual visual effects, the Outline Development Plan includes landscaping around the site boundary to provide a sympathetic visual buffer between the development and adjacent rural land.

Regional Policy Statement

The Outline Development Plan adheres to Policy 6.3.9 of the Canterbury Regional Policy Statement as the area is outside Christchurch City, outside existing urban areas and can be provided with water, sewer and stormwater as outlined above.

Legal and physical access can be provided to a sealed road and the location and design is not within the noise contours, not within a groundwater protection zone, not between any stop banks, does not have any character overlays or ecological protections, does not compromise military or aviation operations, provides access for emergency services and avoids any reverse sensitivity effects. The land is stable and is not subject to any cultural protection, and the Outline Development Plan area will cohesively integrate and consolidate with the existing settlement at Loburn Lea to the west.

Subdivision and land use consents will be integrated to provide a high quality rural residential development for the long-term maintenance of the prevailing rural residential character.

Waimakariri District Council
Private Bag 1005
Rangiora 7440

For planning enquiries please phone or email:
Phone: 0800 965 468
Email: duty.planner@wmk.govt.nz

1. Affected Person's Details

Full Name (1)	CHORUS
Full Name (2)	Nick Miskelly
Address of affected property	308 CONES ROAD, LOBURN
Postal Address	
Email Address	siteacquisition@chorus.co.nz
Contact telephone No;	09 975 2885

I am / We are the: Owner(s) Occupier(s) Owner(s) and Occupier(s) Director(s) Trustee(s) of the above property:

Utility Owner

2. The Application Site (Address or location of the proposed development or activity)

Note: This part may be filled in by the person applying for Resource Consent.

Name of Applicant (applying for Resource Consent)	Andrew Carr
Street Address (Location of the proposed activity)	308 Cones Road, Loburn, Waimakariri
Legal description (Certificate of Title)	Lot 3 Deposited Plan 386430
Resource Consent Number (if application already lodged)	RC225263 / RC225264

3. The Proposal

(Description of the proposed development or activity, including the ways it does not comply with the District Plan (attach extra pages if necessary))

Subdivision of one land parcel to form 7 rural-residential allotments plus one access lot. Consent is required as the application does not comply with the following provisions of the District Plan:
- Condition 30.6.1.1 as Lots 2 to 7 gain access to Cones Road, and Cones Road does not comply with Table 30.1
- Condition 30.6.1.13 as the legal width of the proposed accessway to Lots 2 to 7 is 0.5m less than required
- Condition 30.6.1.24 as the proposed access does not achieve a 250m sight distance to the north at Cones Road
- Standard 31.1.1.1 as the lot sizes fall below the minimum 4ha size
- Standard 32.1.1.1 as Lots 1 to 7 have a site area of less than 4ha and dimensions of less than 120m by 120m
- Standard 32.1.1.29 as Lots 2 to 7 do not meet Conditions 30.6.1.1, 30.6.1.13 and 30.6.1.24 as noted above

4. Privacy Information

All the relevant information on this form is required to be provided under the Resource Management Act 1991 for Waimakariri District Council to process the resource consent application referred to.

Under this Act this information can be made available to members of the public, including business organisations. The information produced may be made available to other departments of the Council. You have the right to access the personal information held about you by the Council which can be readily retrieved.

5. Signing a written approval form

If an application for a Resource Consent is to be processed as a non-notified application, the Resource Management Act requires that written approval must be obtained from every person whom the Council considers may be adversely affected to a minor or more than a minor extent. It is the responsibility of the applicant to consult with persons identified as being affected.

If you have been asked to give your written approval it is likely that this is because the Council considers you may be adversely affected by the proposed activity. This gives you the opportunity to consider the particular proposal and decide for yourself whether you are adversely affected and/or the degree to which you may be adversely affected.

If you are asked to give your written approval to someone's proposal as part of their application for a Resource Consent, we recommend the following:

1. Request that the applicant (or their representative) explain the proposal clearly and fully to you, including the ways it does not comply with the District Plan.
2. Study the application and associated plans of the proposed activity provided by them in order to understand the effects of the proposal. If there are no plans available at this stage, you may wish to wait until they are available. Ask for time to consider the documents if you think you need it.
3. Decide whether the proposal will adversely affect you or your property. You are entitled to ask the applicant for more information, but you should make a decision about whether you will sign the form or not as promptly as is reasonable in the circumstances. You may suggest amendments to the proposal that you consider would reduce the effects of the proposal on you. If you do this you should sign only the amended version of the proposal. Written approvals obtained will usually be submitted to the Council by the applicant as part of their application.
4. If you are satisfied that the proposed activity will not adversely affect you and/or the effects are acceptable to you, you may decide to sign the affected person's approval form on this document and a copy of the associated application including plans. You should then return them to the applicant (or their representative). If you are willing to sign subject to some other condition being met, this will need to be the subject of a civil agreement between yourself and the applicant.
5. If you change your mind after signing the form, you may withdraw your approval at any time before the hearing, if there is one, or otherwise before a decision is made on the application, by advising the Council in writing that your approval is withdrawn.
6. If you consider that you will be adversely affected by the proposal and/or do not wish to sign the approval form, you will need to advise the applicant (or their representative). There is no obligation to sign this form, and no reasons need to be given.
7. Conditional written approvals cannot be given.
8. If signing on behalf of a trust or company, please provide additional written evidence that you have signing authority.

Please note that if a property is owned by more than one person, all of the joint owners are considered to be 'affected persons'. If a property is rented out, the tenants may also be considered to be 'affected persons'.

If you do not give your approval and you are considered by the Council to be an adversely affected person, then the application must be publicly notified or processed on a limited notified basis, and you will have a formal right to lodge a submission on the application. Alternatively, the applicant may proceed without the need for Resource Consent if they amend their proposal so that it complies with the Plan, or if they amend their proposal so that it still needs Resource

Consent but the Council no longer considers that the proposal will affect you.

Please note that even though you may sign the affected person's approval form, Council must give full consideration to the application in terms of the Resource Management Act. However, if you give your approval to the application, Council is not able to have regard to any actual or potential effects the proposal may have on you. You are therefore encouraged to weigh up all the effects of the proposed activity before agreeing to it. Further written information regarding affected persons' approvals, the Resource Consent process and hearings is available from the Council upon request.

6. Written Approval

This is my written approval to the activity described above that is the subject of a resource consent application.

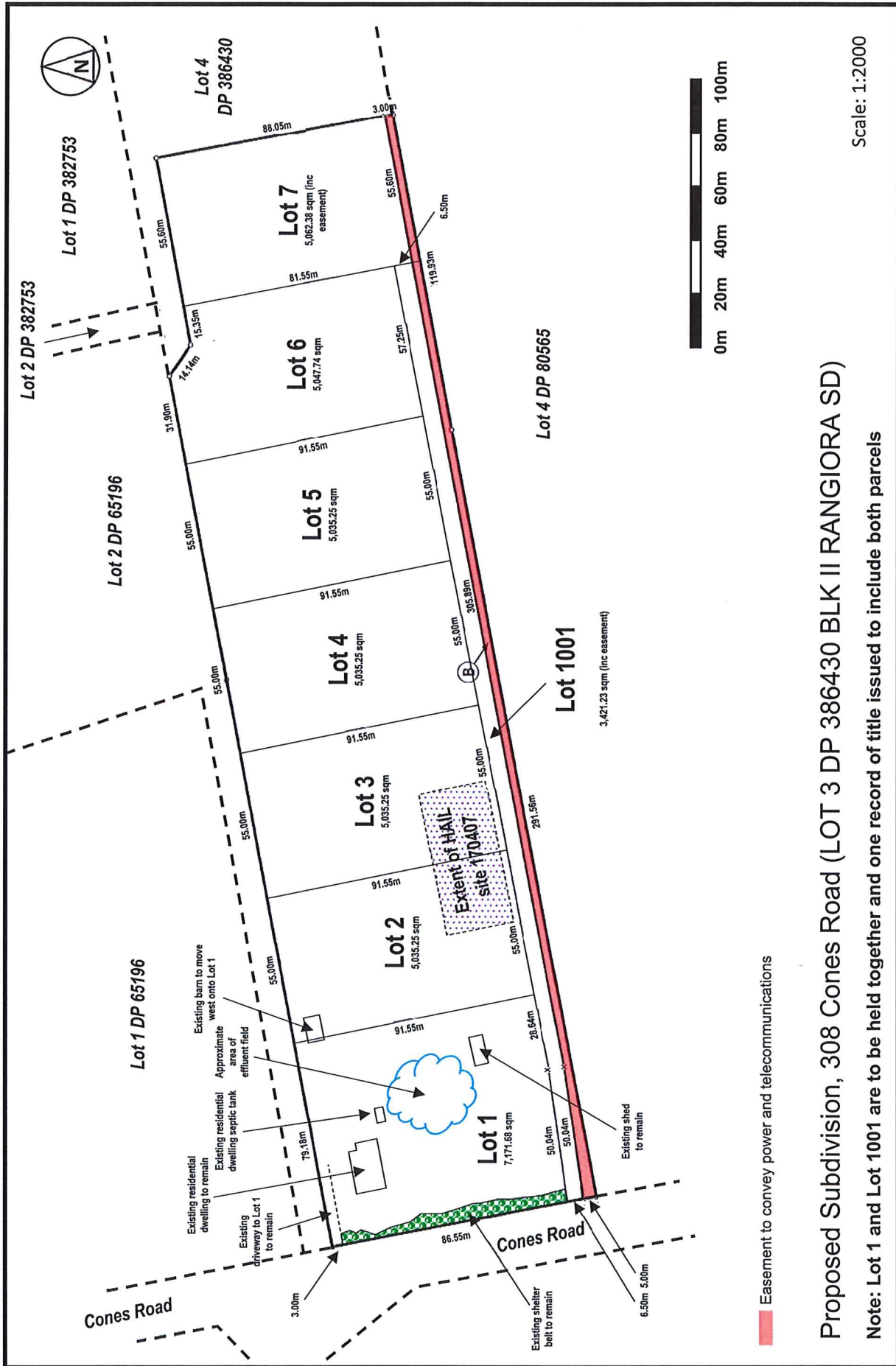
- I have read the full application for resource consent, the Assessment of Environmental Effects, and viewed any site plans
- In signing this written approval, I understand that the Council must decide that I am no longer an affected person, and the Council must not have regard to any adverse effects on me.
- I can confirm that I have viewed the application for resource consent and signed each page of the application plans.
- I understand that I may withdraw my written approval by giving written notice to the consent authority before a hearing, if there is one, or if there is not, before the application decision is determined.

All owners and occupiers of this property must have signed the approval form, if the property is held in a Trust, all Trustees must sign. Conditional written approvals cannot be accepted. Where this form has been signed on behalf of a trust or company, or under a Power of Attorney, please supply the necessary documentation to confirm that you have the signing authority.

Signature(s): (of person(s) giving written approval (or person(s) authorised to sign on their behalf – a signature is not required if you give your written approval by electronic means (note that the plans do still need to be signed)).

Signed (1): Nick Miskelly Date: 12/1/2023
Signed (2): _____ Date: _____

Name of persons giving written approval (1)	Nick Miskelly
Name of persons giving written approval (2)	
Email address for service of person(s) giving written approval:	siteacquisition@chow.co.nz
Contact telephone number:	099752885



■ Easement to convey power and telecommunications

Proposed Subdivision, 308 Cones Road (LOT 3 DP 386430 BLK II RANGIORA SD)

Scale: 1:2000

Note: Lot 1 and Lot 1001 are to be held together and one record of title issued to include both parcels

[Handwritten signature]

Waimakariri District Council
 Private Bag 1005
 Rangiora 7440

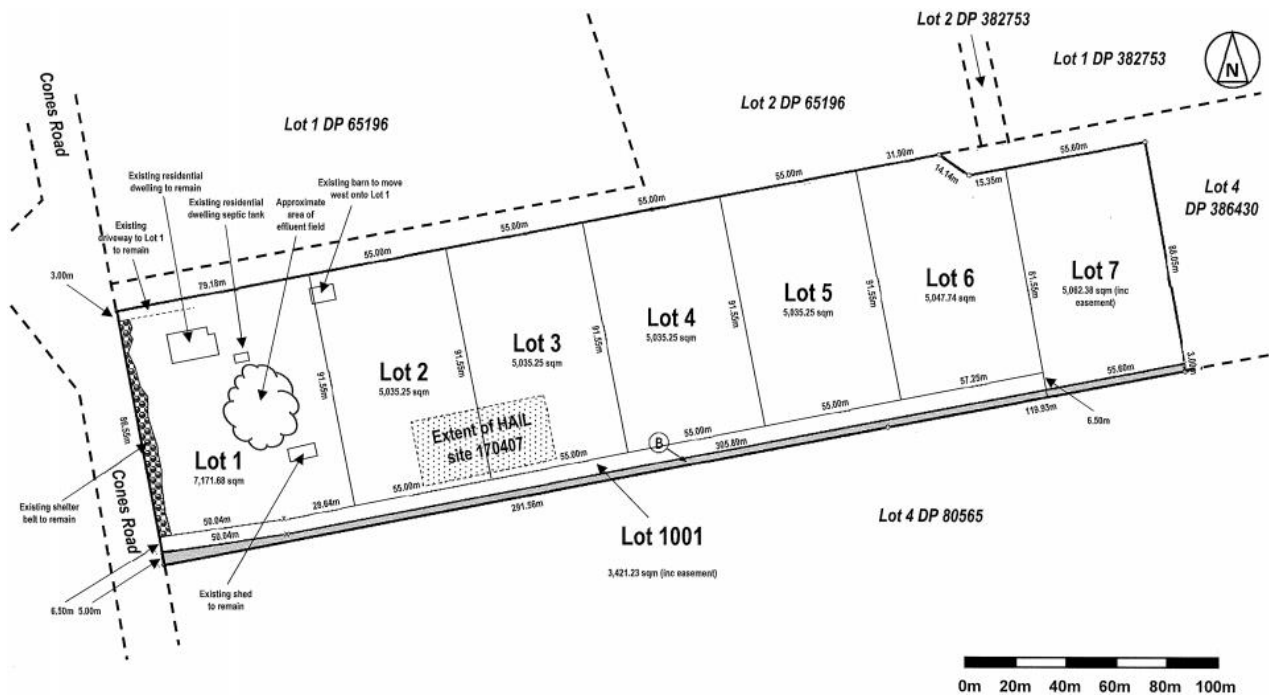
172 Fernside Road,
 RD1,
 Kaiapoi 7691

Attention Duty Planner

Dear Duty Planner,

Affected Party Address 308 Cones Road Rangiora – Easement in favour of MainPower NZ Limited across Lot DP386430 and RC225263 / RC225264

This letter is to inform you that as an affected party under the Resource Consent application RC225263 / RC225264, MainPower has no objection to Andrew Carr of 308 Cones Road, Loburn, Waimakariri using the Easement to Convey Power as a, in part, right of way for Lots 1, 2, 3, 4, 5, 6 and 7 where the benefits of the easement to MainPower will not be eroded. The full enjoyment of the easement will still need to apply to Lot 7.



Easement to convey power and telecommunications

Proposed Subdivision, 308 Cones Road (LOT 3 DP 386430 BLK II RANGIORA SD)

Note: Lot 1 and Lot 1001 are to be held together and one record of title issued to include both parcels

Scale: 1:2000

Your Sincerely

Mark Appleman
 General Manager Network

From: [Jennifer McSloy](#)
Sent on: Thursday, 8 February 2024 4:09:09 pm
To: [Sam Kealey](#); [Andy Carr](#)
CC: [Mark Buckley](#); [Matthew Bacon](#)
Subject: 308 Cones Road - draft evidence comments

Follow up: Follow up

Start date: Thursday, 8 February 2024 1:00:00 pm

Due date: Thursday, 8 February 2024 1:00:00 pm

Thank you for providing the following information in support of the proposed rezoning of 308 Cones Road and 90 Dixons Road on the proposed Waimakariri District Plan:

- a. Geotechnical report – 90 Dixons Road
- b. Geotechnical report – 308 Cones Road
- c. Landscape Visual Impact Assessment (including appendices 1 and 2)
- d. LLUR Property Statement – 90 Dixons Road
- e. LLUR Property Statement – 308 Cones Road
- f. Preliminary Site Investigation
- g. Outline Development Plan
- h. Outline Development Plan Narrative
- i. Transportation Assessment
- j. Peer Review of Transportation Assessment
- k. Stormwater Report – 90 Dixons Road
- l. Stormwater Report – 308 Cones Road
- m. Correspondence regarding water/wastewater servicing
- n. Written approval from Chorus and Mainpower.

Please note the information below, which sets out the parameters of Council's review process.

In Minute 10, the Hearings Panel confirmed it is unable to issue directions sought by Mr Carr and Momentum requiring the Council to review draft technical information for completeness, correctness or sufficiency. Instead, the Panel requested Council be responsive to technical information received, and amended Minute 1 requesting the Council to review any technical evidence provided by submitters in advance of 60 working days before the rezoning hearings, and to advise the submitter of the completeness and adequacy of the evidence in a timely manner, so that the submitter has the opportunity to provide any further information necessary.

To that end, and as foreshadowed in Council's memorandum dated 12 December 2023, timing and procedural constraints have limited Council's review to a high level review. A high level review has been undertaken on the following basis:

1. Council officers (or consultant) will not review reports in which they do not have expertise. The reports which have been reviewed are listed below.
2. A Council officer (or consultant) has undertaken a high-level review. The high level review has been made in good faith, and provides preliminary views only. Any comments on potential missing information and/or inadequacies are based on the Council reviewing officers' experience in receiving and processing development proposals. The officer/consultant may not identify all issues or may alter their views once they have had the opportunity to give technical reports a more considered review once it has been formally submitted. An absence of comment on a matter does not indicate agreement or acceptance of that matter.
3. The Council does not assume any legal liability or responsibility for the completeness, correctness, sufficiency or adequacy of your draft technical information.
4. It remains your responsibility to progress your submission request(s) and to obtain and rely solely on your own professional planning, legal and other professional advice in progressing your submission request.
5. The views expressed as part of the high level review are in no way binding (legally or otherwise) on Council officers or expert witnesses (including views to be provided by them in section 42A reports and expert evidence), nor on any decision by the Hearings Panel or Council. This high level review does not replace the in-depth assessment required in formally considering and/or determining your submission request.

6. To the extent permissible by law, the Council disclaims any liability to submitters (including for negligence) in relation to the high level review of your draft technical information.

Please remember Council officers/consultants are not the decision makers on your submission. The Hearings Panel may raise matters Council officers/consultants have not anticipated. A high level review of draft reports by Council officers are preliminary and non-determinative, and their views could be subject to change during the hearings process.

Council's engineering consultants have read the reports in which they have expertise, being:

- a. Outline Development Plan
- b. Outline Development Plan narrative
- c. Stormwater Report – 90 Dixons Road
- d. Stormwater Report – 308 Cones Road
- e. Transportation Assessment
- f. Peer review of transportation assessment
- g. HDC confirmation of water and communication with WDC regarding water and sewer servicing

There are no material comments regarding wastewater, water or stormwater (noting the previous correspondence has been provided by Council regarding capacity for water servicing, and the fact this may be limited depending on development timing and the outcome of the rezoning hearings). It is noted the 308 Cones Road stormwater report is supported by testing, whereas the 90 Dixons Road report is not.

Regarding transport, the consultant notes:

- i) The ODP includes intersections at 270m apart, while the PDP anticipates a distance of 800m given the 100km/h speed limit;
- ii) Cones Road is 0.5m narrower than standard, and does not allow for cyclists. Localised shoulder widening to support larger vehicle traffic (such as waste trucks) may be something the submitter wishes to consider.
- iii) The peer review paper suggests considering active travel links to the south, but perhaps the scale of this rezoning alone does not trigger the need. It is a point the submitter may wish to consider/address.

Kind regards,
Jen

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