To: The Registrar
Environment Court
Christchurch

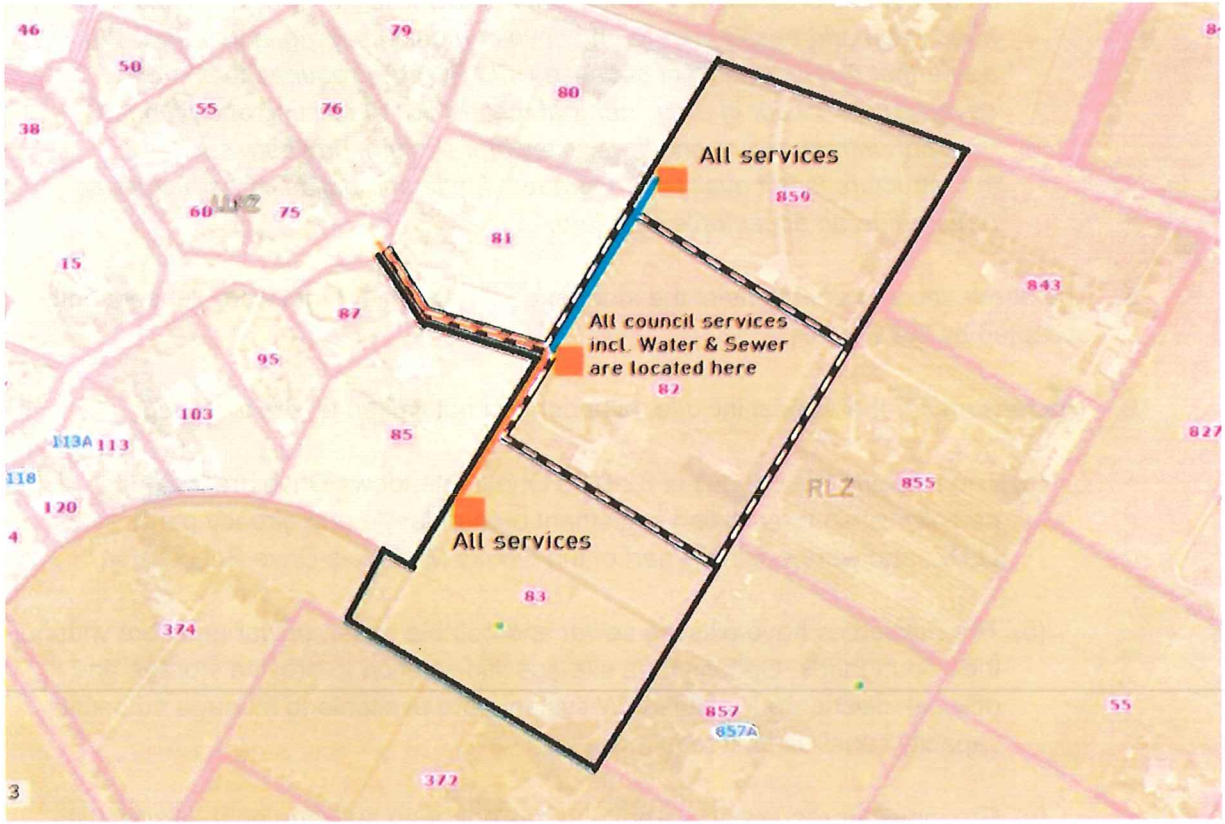
1. I, **Richard Wayne Black** of Mandeville, Company Director (Appellant) appeal against part of a decision of the Waimakariri District Council (Respondent) on the following decision:

   (a) Waimakariri District Council Proposed Waimakariri District Plan Recommendations of the PDP Hearings Panel Recommendation Report 34

2. I made a submission on the Proposed Waimakariri District Plan.

3. My submission sought the rezoning of 82 Ohoka Meadows Drive along with 83 Ohoka Meadows Drive and 859 Tram Road (the Properties) from Rural Lifestyle Zone to Large Lot Residential Zone (LLRZ). The Properties are shown in Figure 1 below.

Figure 1: 82, 83 Ohoka Meadows Drive & 859 Tram Road



4. There were no further submissions in support of, or opposition to, my submission.

5. I am not a trade competitor for the purposes of section 308D of the Resource Management Act 1991.

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6. I received notice of the decision on or about 14 July 2025.

7. The part of the decision that I am appealing is the Independent Hearing Panel's consideration of a number of submissions within the Mandeville/Swannanoa area (my submission included) which sought a rezoning to LLRZ. The Panel recommended that the rezoning requests be declined on the basis of wastewater constraints, as follows:

   (a) *76. We therefore agree with the s42A report author that these submissions should not be accepted on the basis of the wastewater constraints in the area. When that is overcome, we agree that most of the rezoning requests are likely to contribute to and improve the function of this low-density urban area. We recommend that the Council considers future development of the Mandeville and Swannanoa area in a strategic and integrated manner, potentially culminating in a plan change.*

   (b) *Recommendation Report 34*
   63. The main reason that the s42A report author recommended against the rezonings in this area was that there is no (or very limited) capacity within the Mandeville/Ōhoka wastewater system, while the existing road network is also considered to be constrained. Groundwater resurgence was also highlighted as a potential problem in this location. In Mr Buckley's view, these issues need to be addressed prior to any development occurring in the area. We agree that this is significant because UFD-P3(2)(e) requires that such development "occur in a manner that makes use of existing and planned transport infrastructure and the wastewater system, or where such infrastructure is not available, upgrades, funds and builds infrastructure as required, to an acceptable standard."

8. The above recommendations of the Independent Hearings Panel were subsequently accepted by the Council.

9. The reasons for the Appeal include, although are not limited to, the following:

   (a) The property boundaries of 82 & 83 Ohoka Meadows Drive are located partially within the existing settlement of Mandeville and already partly zoned LLRZ, and were originally part of the Ohoka Meadows Drive Subdivision

   (b) The Properties have existing sewer and potable water, power and fibre within their boundaries. Options for a site-specific solution to provide storage and off-peak discharge from the WW systems are available to manage potential capacity constraints, if required.

   (c) Groundwater resurgence is not and has not been an issue on the Properties. Sewer system inundation is not and has not been an issue on the Properties. To the extent groundwater resurgence has been identified as a problem in the S 42A Report, the Council has a plan in place to remedy the ground resurgence issue: https://letstalk.waimakariri.govt.nz/mandeville-resurgence-channel-upgrades

(d) Given the existing access through a residential subdivision, it would be disruptive and very difficult to farm this land. The best utilisation of this land would therefore be LLRZ.

(e) A rezoning of the Properties to LLRZ meets the relevant UFD-P3 criteria.

10. The Appellant seeks the following relief:

(a) A rezoning of the Properties to LLRZ; and
(b) Such other alternative or consequential relief the Court may consider appropriate to give effect to the relief sought.

RICHARD WAYNE BLACK

Richard Black

Date: 10th August 2025

Address for service of Appellant:
82 Ohoka Meadows Drive
Mandeville North
KAIAPOI 7692

Telephone: 02 726 22266
Email: richard@blax.nz

Attachments to Notice of Appeal

1. A copy of my submission on the Proposed Waimakariri District Plan

2. Stream 12C Summary of Martin Pinkham_Black LLRZ

3. Stream 12C Statement of Martin Pinkham_Black LLRZ; and

4. A copy of the Independent Hearings Panel Recommendation Report 34.

ADVICE TO RECIPIENTS OF NOTICE

How to become party to proceedings

You may be a party to the appeal if you lodge a notice of your wish to be a party to the proceedings (in form 33) with the Environment Court within 15 working days after this notice was lodged with the Environment Court.

You may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing requirements (see Form 38).

How to obtain copies of documents relating to appeal or inquiry

The copy of this notice served on you does not attach a copy of the relevant application. This document may be obtained, on request, from the Appellant.

Advice

If you have any questions about this notice, contact the Environment Court Unit of the Department of Courts in Christchurch.

Contact details of Environment Court for lodging documents

Documents may be lodged with the Environment Court by lodging them with the Registrar.

The Christchurch address of the Environment Court is:

Justice and Emergency Precinct

20 Lichfield Street

Christchurch

8013

Telephone: (03) 3650905 or 03 3534434

Facsimile: (03) 365 1740

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CONSULTANTS
resource management & planning

Submission on Proposed Waimakariri District Plan

R[redacted] Black

November 2021

Waimakariri District Council

RESOURCE MANAGEMENT ACT 1991

WAIMAKARIRI DISTRICT COUNCIL

SUBMISSION ON THE PROPOSED WAIMAKARIRI DISTRICT PLAN

Submitter Details

Name:	Richard Black
Postal address:	C/- Aston Consultants Ltd
	Resource Management and Planning
	PO Box 1435
	Christchurch 8140
Email address:	fiona@astonconsultants.co.nz
Phone Number:	03 3322618
Mobile Number:	0275 332213
Contact Person	Fiona Aston

Trade Competition:

Ability to gain a trade competition advantage through this submission - No

Hearing Options:

We do wish to be heard in support of our submission. If others are making a similar submission, we may consider presenting a joint case with them at the hearing.

Specific Provisions to Which this Submission Relates:

All the Proposed Waimakariri District Plan (PWDP), including but not limited to:

District Planning Maps.

Large Lot Residential Provisions

Decision we wish the Council to make:

Preferred Relief:

1. Amend Proposed Waimakariri District Plan (PWDP) Planning Maps by rezoning our

property at 82 Ohoka Meadows Drive from Rural Lifestyle Zone **(RLZ)** to Large Lot Residential Zone (**LLRZ**), and other neighbouring properties as appropriate, namely 83 Ohoka Meadows Drive and 859 Tram Road as shown on the aerial below.

Figure 1: location of Black property (82 Ohoka Meadows Drive)

Our property adjoins and has its only access from the Ohoka Meadows rural residential subdivision.

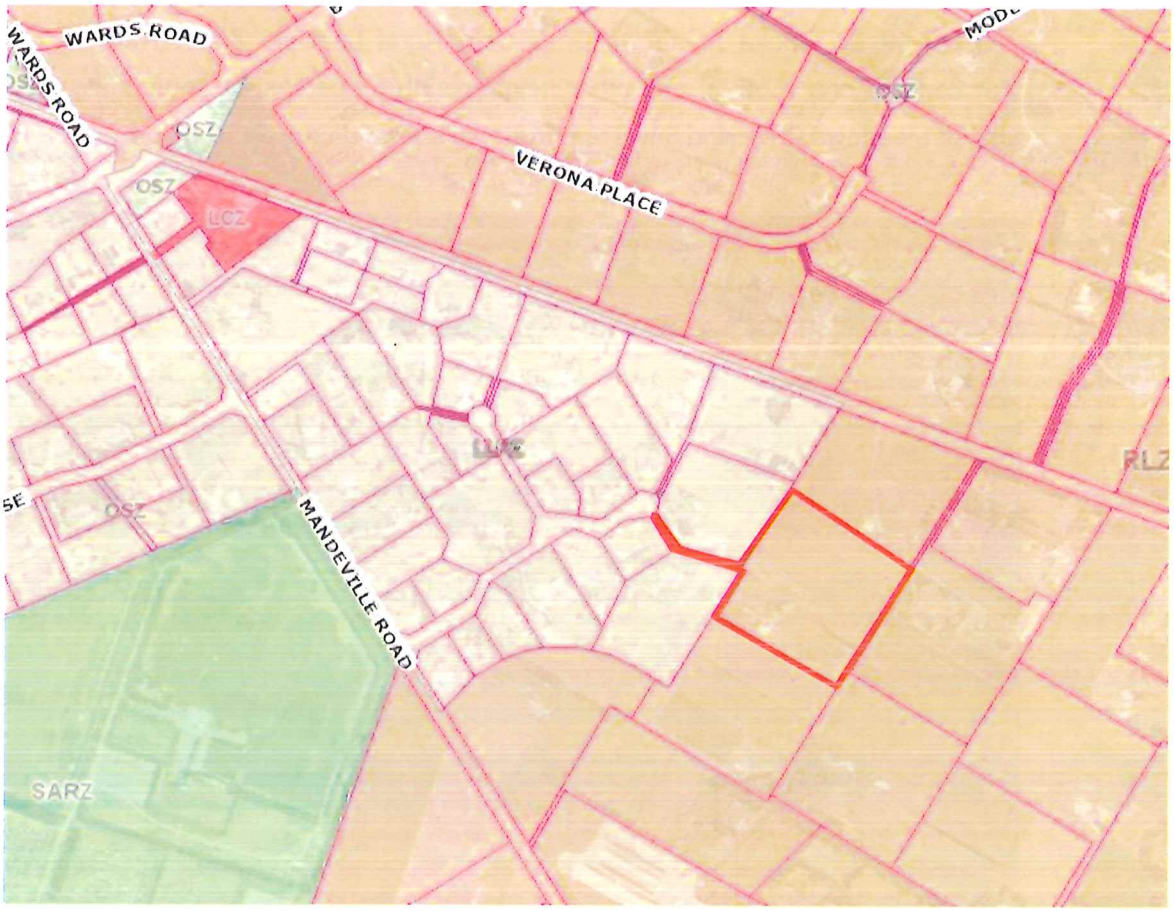


Figure: PWDP zoning (Black property outlined in red).

2. Any consequential, further or alternative amendments to the PWDP to be consistent with and give effect to the intent of this submission and the interests of the Submitter, including any changes to the LLRZ provisions.

Reasons for Submissions

a) Existing connections to the Council STEP system - 60mm sewer lateral and 60mm reticulated water lateral existing well within our property (160m inside our western boundary) already connected to Council reticulated supply with capacity for expansion.

b) Property is currently partially Rural Residential zoned

c) 4Ha Rural & Rural Residential zoned property that is accessed through an existing Rural Residential subdivision

d) Not within a flood area - in the 11 years that we have lived owned the property and lived here there has been no flooding on the property

e) The property is ready to develop - with the addition of water restrictors and sewer connections into the existing infrastructure that is currently well within the property and an additional power transformer no further work is required to subdivide.

f) With the ongoing requirement to care for our son who was diagnosed with Severe Aplastic Anemia in 2016, and now down to one full time wage, it would be of benefit for us to be able to release some of the equity we have in our property.

g) Consistent with all the Proposed Plan objectives and policies for LLRZones including UFD – P3 Location/extension of LLR Zones.

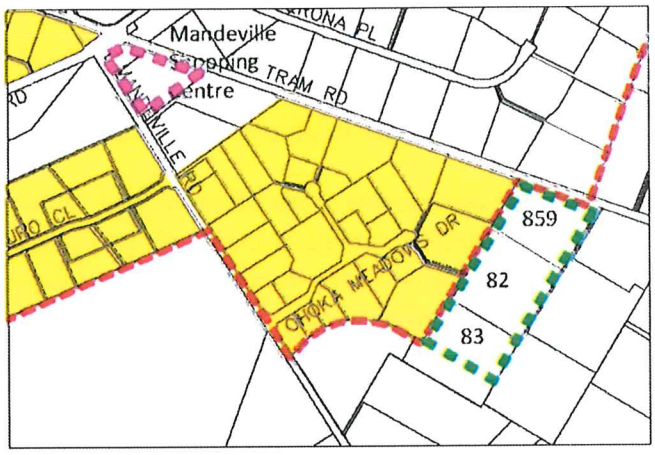
The property is situated on the South side of Tram road, does not exit directly to a main arterial route and is within walking distance to both the Mandeville Sports Centre (700m) and the Mandeville Village Commercial Hub (1000m)

SUMMARY SUBMISSION OF MARTIN PINKHAM
ON BEHALF OF RICHARD and SIMONE BLACK
REGARDING HEARING STREAM 12C

INTRODUCTION

1 My name is Martin John Pinkham. I have spent my career as a civil and environmental engineer. My full qualifications and experience are set out in Appendix J of the full submission.

2 I have prepared this submission in support of Richard and Simonne Blacks's submission on the Proposed Waimakariri District Plan (**PWDP**) to rezone approximately 11ha at Mandeville from Rural Lifestyle Zone (**RLZ**) to Large Lot Residential Zone (**LLRZ**). The addresses of these properties are 82 and 83 Ohoka Meadows Drive and 859 Tram Road. The diagram is part of WDC Planning Map 167 Mandeville North Growth Boundary dated 17 November 2014 and shows the location of the requested LLRZ rezoning.



3 The requested LLRZ zoning is located immediately adjacent to an existing LLRZ zone (Ohoka Meadows) and is within 500m of the existing Mandeville Shopping Centre, the existing service centre for this part of the district. Ohoka Meadows Drive is off Mandeville Road and is almost opposite the entrance to the Mandeville Recreation Area, the main sports and recreation facility for the local area. The requested LLRZ rezoning is 8.4km from the SH1 / Tram Road interchange. This location is as close to Christchurch than any other requested new LLRZ zone in Waimakariri District.

4 The establishment of 82 and 83 Ohoka Meadows Drive, and 859 Tram Road, came about from a subdivision of Lot 1 DP79267 to create Lots 1 to 3 DP394407 in March 2003. As each of these lots has an area of less than 4ha the consent application was considered a non-complying activity and was subject to an Environment Court hearing.

5 The conditions of consent required the establishment of rights of way from Ohoka Meadows Drive, and connection to the Ohoka Meadows potable water and wastewater systems. The subdivision also created easements for the installation of power and telecommunications to each of the lots along the western boundary of the subdivision. Each of the created lots is liable for water and wastewater rates associated with the Mandeville potable water and wastewater schemes, rubbish collection and drainage, along with district wide rates.

6 The land is poorly utilized for primary production with agricultural activities primarily employed to reduce fire risk. This is not untypical of this type of landholding in the Mandeville area. As other submitters have noted there is a significant demand for LLRZ type properties in the Waimakariri District, and that potential new residents are generally not interested in purchasing 4ha lots as they only wish to purchase a lot that provides more space than a residential lot in Christchurch and local towns. Many of these new residents purchase LLRZ type lots as a work from home base or obtain work in the Waimakariri District.

7 In accordance with the WDC Code of Practice any new lots would be required to install a large potable water tank, and an approved wastewater holding tank with its self-contained pump system. Each lot is

required to have a contract with an approved wastewater contractor to maintain the wastewater system. All buildings and hardstand areas on each lot would be required to install approved design soakpits to dispose of stormwater to ensure that there is no change in the runoff from each lot.

8 In 2010 the WDC developed a Rural Residential Development Plan (RRDP). This Plan identified Mandeville as a preferred Rural Residential development area, and in particular, south of Tram Road.

9 In 2019 the WDC undertook the development of a new non statutory Rural Residential Development Strategy (RRDS). I participated in this process and in my opinion this process was highly flawed. The preliminary assessment was very dismissive of Mandeville as an option and took the existence of the Mandeville Growth Boundary as a reason for dismissing Mandeville as an option. This was not logical, especially when it was considered that there were no other Preliminary Criteria triggered.

10 The assessments of the Officers Report has also highlighted that the non-statutory 2019 RRDS prepared by WDC has numerous and significant flaws. There are many areas identified for LLRZ zoning in the RRDS that have now been dismissed. There are likely to be many areas where LLRZ zoning has been requested that will meet the criteria detailed in UFD-P3 Identification/location and Extension of Large Lot Residential Zone areas. It is my opinion that the RRDS should be given little weight when considering requests for LLRZ rezoning.

11 The Black vs Waimakariri District Council Environment Court decision, included as Appendix O of the Officer Report WDC Plan Change 32 which established the Mandeville Growth Boundary (MGB) as shown as WDC Planning Map 167 Mandeville North Growth Boundary. The impetus for Plan Change 32 appeared to stem from a desire of the WDC to limit the expansion of the Mandeville area following a rash of plan changes to the north and southwest of Mandeville in response to a significant demand for rural residential property following the Christchurch earthquakes. The establishment of this MGB appears to have been quite arbitrary as it included areas that were zoned Residential 4A and 4B, and it effectively became the de facto RRDP boundary for the Mandeville area.

12 It is my view that the current process of developing a new District Plan should not necessarily be influenced by the Black vs Waimakariri District Council Environment Court decision as there is a completely different framework in place. For example, the previous Residential 4B zoning of the Ohoka Meadows development is now shown as a LLRZ zone in the PDP. In addition, the PDP contains UFD-P3 Identification/location and extension of Large Lot Residential Zone areas with clear criteria for where LLRZ should be established.

13 The Officer Report has many errors especially not acknowledging that each of these three properties are fully serviced with water and wastewater from the Mandeville schemes through the right of way off Ohoka Meadows Drive and is effectively part of the Ohoka Meadows development. The properties are also well serviced with power and communications with appropriate easements in place. In addition, the Council's Activity Management Plans for both potable water and wastewater schemes have provision for growth.

14 I concur with the Officers Response that concluded that LLRZ should not be considered to be urban, and therefore Policy 1 of the NPSUD is no longer relevant. It is acknowledged that the requested rezoning was not included in the 2019 RRDS. However, the development of the 2019 RRDS was highly flawed, and the Officer Report has already concluded that some areas included in the 2019 RRDS are no longer recommended for rezoning to LLRZ. The risk of reserve sensitivity effects on primary production is very low. The extent of the requested rezoning is so minor that an ODP is not warranted, and all details of extending services and access can be dealt with during the subdivision resource consent process.

15 It is my opinion that the only relevant National Policy Statements (NPS) and National Environmental

Standards (NES) relevant to this requested LLRZ rezoning relates to NES-HPL which requires a Regional Policy Statement (RPS) to identify Highly Productive Land and discourages development on HPL. A draft CRPS has been circulated and this shows that the requested Black LLRZ zoning is not in an area of HPL.

16 The relevant provision of the Canterbury Regional Policy Statement CRPS is policy 6.3.9 which requires any new LLRZ to be in a RRDS. However, as noted above the 2019 WDC RRDS is highly flawed and should be given little weight.

17 It is my opinion that the criteria detailed in Section Part 2 – District-wide matters Strategic directions UFD - Urban form and development, UFD-P3 Identification/location and Extension of Large Lot Residential Zone areas should take precedence when considering requested LLRZ zoning.

18 The requested rezoning requested in Submissions 247.1, 247.2, and 265.1 would result in the creation of approximately 10 new lots and this would have a minimal impact on the roading network, water network and wastewater network. The properties subject to this request for rezoning to LLRZ are already connected to the Fernside - Mandeville Water Scheme and the Mandeville Wastewater Scheme. In accordance with the WDC Code of Practice all buildings and hardstand areas on each lot are required to install approved design soakpits to dispose of stormwater.

19 Data from the Waimakariri District Natural Hazards Interactive Viewer shows that two of the three properties may be subject to low hazard level of flooding. Avoidance of these overland flow paths to construct dwellings on 5000m2 lots would be simple and is a common practice in rural residential developments. There are no other known natural hazards.

20 Feedback from the WDC Plan Development team has been that the primary greenspace and recreation area in the Mandeville area is the Mandeville Sports Ground located on Mandeville Road, and no further greenspace facilities would be required because of a rezoning to LLRZ.

21 The requested Black rezoning from RLZ to LLRZ will have a minimal effect on the environment as there will be little change in the use of the land from its current use. A LLRZ zoning will not preclude small scale primary production or activities reliant on the natural and physical resources of the environment but will be an efficient use of the land compared to the current inefficient use. The change to a LLRZ zoning will not be inconsistent with the area surrounding the site as the site does not lend itself to primary production activities currently due to its relatively small area. The proposal will maintain the existing character and reflect the existing activities surrounding the existing sites.

22 Thank you for the opportunity to present this summary submission.

Martin Pinkham
18 July 2024

BEFORE INDEPENDENT HEARING COMMISSIONERS APPOINTED BY THE WAIMAKARIRI DISTRICT COUNCIL

IN THE MATTER OF	The Resource Management Act 1991 (**RMA** or **the Act**)
AND	
IN THE MATTER OF	Hearing of Submissions and Further Submissions on the Proposed Waimakariri District Plan (**PWDP** or **the Proposed Plan**)
AND	
IN THE MATTER OF	Hearing of Submissions and Further Submissions on Variations 1 and 2 to the Proposed Waimakariri District Plan
AND	
IN THE MATTER OF	Submissions on the Proposed Waimakariri District Plan by **Richard and Simone Black (Submissions 247.1, 247.2 and 265.1)**

STATEMENT OF MARTIN PINKHAM
ON BEHALF OF RICHARD and SIMONE BLACK
REGARDING HEARING STREAM 12C

DATED: 12 July 2024

INTRODUCTION

1 My name is Martin John Pinkham.

2 I have spent most of my career as a civil and environmental engineer. I have a degree in civil engineering from the University of Canterbury, was a Professional Member of Institute of Professional Engineers of New Zealand and a Registered Engineer (prior to title ceasing),, and a former Member of Association of Local Government Engineers. My full qualifications and experience are set out in Appendix J of this statement.

3 I confirm that this statement is also prepared in accordance with the Environment Court's Code of Conduct.

4 I have prepared this statement regarding Hearing Stream 12C in support of Richard and Simonne Blacks's submission on the Proposed Waimakariri District Plan (**PWDP**) to rezone approximately 11ha at Mandeville from Rural Lifestyle Zone (**RLZ**) to Large Lot Residential Zone (**LLRZ**). The addresses of these properties are 82 and 83 Ohoka Meadows Drive and 859 Tram Road. Authority to present this statement is attached as Appendix A.

5 The original submissions are shown in Appendix B. Due to miscommunication between the Blacks and their consultant there was effectively a double up of submissions. This statement is based on amalgamating the submissions.

6 I wish the Panel to note that in November 2021 I made submissions to the PDP requesting the rezoning of many areas of land to LLRZ and opposed the rezoning of some areas of land to LLRZ that had been identified in the WDC RRDS. Subsequent to that process my wife and I purchased 859 Tram Road in October 2022 and are currently the owner of that land.

7 On 23 May 2024 the Waimakariri District Council (**Council**) released an Officer Report for Hearing Stream 12C prepared under section 42A of the RMA containing an analysis of submissions seeking Large Lot Residential Zone and recommendations in response to those submissions (**Officer Report**).

8 The Officer Report recommends that the Black rezoning submissions be rejected. My statement is filed in response to that Report.

SCOPE OF STATEMENT

9 In my statement I address the following matters:

(a) The background to the establishment of 82 and 83 Ohoka Meadows Drive and 859 Tram Road.

(b) A response to the Officer Report with particular emphasis on matters where there is a difference of view between myself and the Officer Report.

(c) Further details to support the original submissions.

10 In preparing this statement I have:

(a) Reviewed the Officer Report and the Appendices to that Report

(b) The Panel's questions to the s42A report writer (Appendix 1 to Minute 27)

(c) Reviewed the Officer's preliminary response to written questions on Large Lot Residential Rezoning dated 27 June 2024 (the **Officer's Response**);

CONTEXT AND APPROACH

11 As noted above, the Officer Report recommends declining the Black rezoning submissions. A range of reasons are given for this recommendation.

12 The approach I have adopted in this statement is to provide context to the location of the properties in question, identify those parts of the Officer Report (including Appendices attached to that Report) where I disagree with the Officer Report, and to explain my reasons for disagreement. There are also some matters noted in the Officer's Response that are relevant, and comments on these provided.

BACKGROUND

13 The establishment of 82 and 83 Ohoka Meadows Drive, and 859 Tram Road, came about from a subdivision of Lot 1 DP79267 to create Lots 1 to 3 DP394407 in March 2003. As each of these lots has an area of less than 4ha the consent application was considered a non-complying activity and was subject to an Environment Court hearing. A copy of the subdivision consent is attached as Appendix C.

14 The subdivision also created easement for power and telecommunications to each of the lots along the western boundary of the subdivision.

15 The conditions of consent required the establishment of rights of way from Ohoka Meadows Drive, and connection to the Ohoka Meadows potable water and wastewater systems. A Section 224c certificate was issued by Waimakariri District Council on 14 January 2010 confirming that these services had been installed, and that the other conditions of consent had been complied with.

16 Each of the created lots is liable for water and wastewater rates associated with the Mandeville potable water and wastewater schemes, rubbish collection and drainage, along with district wide rates.

17 A Mainpower 11kV power line is located on the western side of the 3 lots. Transformers on this line provide underground 240V power supplies to each lot.

18 While each lot is serviced with underground telephone connections AmuriNet have recently installed fibre cable on the surrounding roads and each lot can connect to the fibre network.

19 A brief description of each lot and current land use is detailed in Table 1 below:

Table 1 Existing Description and Land Use

Item	Lot 1 859 Tram Road	Lot 2 82 Ohoka Meadows	Lot 3 83 Ohoka Meadows
Size (ha)	3.05	3.64	3.77
Dwelling	Consent to erect dwelling lapsed, new application has been lodged	4-bedroom dwelling	No dwelling
Buildings	3 bay shed	2 large sheds	Large shed
Land use	Abandoned orchard, annual haymaking	Abandoned flower growing, annual haymaking, home business	Light grazing, annual haymaking

20 As noted in Table 1 above the land is poorly utilized for primary production with agricultural activities primarily employed to reduce fire risk. This is not untypical of this type of landholding in the Mandeville area.

21 Each of the lots is shown as RLZ in the Proposed District Plan. If the landowners request to rezone the land from RLZ to LLRZ is approved the landowners will be required to lodge subdivision resource consents to ensure compliance with the PDP and the WDC Code of Practice. Depending on the configuration of the subdivision there would be approximately 10 new lots created.

22 The implementation of the subdivision(s) will require a wide range of services to be constructed and may require upgrading of the water supply pipes in the ROW off Ohoka Meadows Drive, upgrading of the sewer pressure pipes in the ROW off Ohoka Meadows Drive, upgrading of the in the ROW off Ohoka Meadows Drive, the construction of additional rights of way, water pipes, pressure sewer pipes, power supplies and fibre cable ducts.

23 In accordance with the WDC Code of Practice any new lots will be required to install a large potable water tank, and an approved wastewater holding tank with its self-contained pump system. Each lot is required to have a contract with an approved wastewater contractor to maintain the wastewater system. All buildings and hardstand areas on each lot would be required to install approved design soakpits to dispose of stormwater to ensure that there is no change in the runoff from each lot.

WDC Rural Residential Strategy (RRDS)

24 In 2010 the WDC developed a non-statutory Rural Residential Development Plan (RRDP). This Plan identified Mandeville as a preferred Rural Residential development area, and in particular, south of Tram Road. The area in the southwest area has now been developed but in addition there have been large areas to the northwest of Mandeville (on the north side of Tram Road) that have been developed as rural residential in response to the significant demand following the Christchurch earthquakes, even though they were not identified as part of the plan.

25 In 2019 the WDC undertook the development of a new non statutory Rural Residential Development Strategy (RRDS). I participated in this process and in my opinion this process was highly flawed.

26 The preliminary assessment was very dismissive of Mandeville as an option. I have enclosed Page 3 of the Preliminary Assessment as Appendix F. I am of the view that the existence of the Mandeville Growth Boundary as a reason for dismissing Mandeville as an option was not logical, especially when it was considered that there were no other Preliminary Criteria triggered.

27 The concerns over high groundwater and undercurrents may have applied to some parts of Mandeville but there did not appear to be any detailed investigation of this matter. As the relevant section of Appendix-G-Mandeville-San-Dona-Groundwater-Assessment of the Officer Report has highlighted the areas to the east of the Mandeville Shopping area and south of Tram Road are not considered to be of concern.

28 The Hearings Panel that considered submissions to the draft RRDS did not have any expert members and there was very little change from the draft RRDS to the final version.

29 As noted in paragraph 210 to 212 of the Officers Report the North Swannanoa area (Area 1 of the RRDS) that was identified for LLRZ under the RRDS is now considered to be unsuitable and is now not recommended for rezoning to LLRZ.

30 As noted in paragraphs 383 to 393 of the Officers Report part of the Oxford area (Area 2 of the RRDS) that was identified for LLRZ under the RRDS is now considered to be unsuitable and is now not recommended for rezoning to LLRZ.

31 It is also noted that the landowners of Area 4 Gressons Road of the RRDS have requested alternative GRZ and MRZ zonings for 140ha of their land to the south of the Gressons Road LLRZO. This is inconsistent with the RRDS strategy of not having LLRZ zoning adjacent to GRZ and MRZ zones. It has been a consistent, and problematic, issue in Waimakariri District of landowners with LLRZ properties adjacent to GRZ and MRZ zones wanting to subdivide their land. This causes major issues for retrofitting urban services and altering the nature of the roads and streets from the distinctive LLRZ style to a fully urban style.

32 In summary, the assessments of the Officers Report has highlighted that the non-statutory 2019 RRDS prepared by WDC has numerous and significant flaws. There are many areas identified for

LLRZ zoning in the RRDS that have now been dismissed, but there are likely to be many areas where LLRZ zoning has been requested that will meet the criteria detailed in UFD-P3 Identification/location and Extension of Large Lot Residential Zone areas. It is my opinion that the RRDS should be given little weight when considering requests for LLRZ rezoning.

RESPONSE TO OFFICER REPORT

33 The Officer Report makes the following comments:

5.3.1 Matters raised by submitters

164. Richard Black [247.1], [247.2], and Richard and Simone Black [265.1] requests that 82 Ohoka Meadows Drive, 83 Ohoka Meadows Drive and 859 Tram Road be rezoned from RLZ to LLRZ (Figure 6). No supplementary information was provided with the submission.

Diagram 1

From Officer Report

165. I note that with respect to 82 Ohoka Meadows that this site was the subject site considered under Black v Waimakariri District Council which I have previously referenced.

34 The Black vs Waimakariri District Council Environment Court decision, is included as Appendix O of the Officer Report. The Environment Court decision of 29 May 2014, after a drawn out process, resulted in the Blacks being declined relief from WDC Plan Change 32 which established the Mandeville Growth Boundary (MGB) as shown as WDC Planning Map 167 Mandeville North Growth Boundary.

35 Paragraphs 76 to 79 of the EC decision highlight that, to quote Judge Newhook, *"That would have been a fine call....."* noting that the low level of environmental effects of aligning the MGB boundary to include the Black property had to be balanced by Policy 6.3.9 of the Canterbury Regional Policy Statement (CRPS) which required Rural Residential (as it was called then) development to be in accordance with an adopted Rural Residential Development Plan (RRDP). In this case the judge was referring to the 2010 WDC RRDP. Judge Newhook also noted that "*the RRDP was never intended as a statutory instrument under the RMA, was never put through the Schedule 1 RMA processes".*

36 The impetus for Plan Change 32 appeared to stem from a desire of the WDC to limit the expansion of the Mandeville area following a rash of plan changes to the north and southwest of Mandeville in response to a significant demand for rural residential property following the Christchurch earthquakes. The establishment of this MGB appears to have been quite arbitrary as

it included areas that were zoned Residential 4A and 4B, and it effectively became the de facto RRDP for the Mandeville area.

37 Judge Newhook also noted *"We are also left slightly wondering in policy terms how the limitation of rural residential growth around small settlements in Waimakariri District derives from the need for emergency legislation for recovery from the Christchurch earthquakes"*

38 It is my view that the current process of developing a new District Plan should not necessarily be bound by the Black vs Waimakariri District Council Environment Court decision as there is a completely different framework in place. For example, the previous Residential 4B zoning of the Ohoka Meadows development is now shown as a LLRZ zone in the PDP. In addition, the PDP contains UFD-P3 Identification/location and extension of Large Lot Residential Zone areas with clear criteria for where LLRZ should be established.

39 Diagram 2 below, is taken from part of WDC Planning Map 167 Mandeville North Growth Boundary dated 17 November 2014 and shows the location of the requested LLRZ rezoning. The full drawing is shown in Appendix C of this statement.

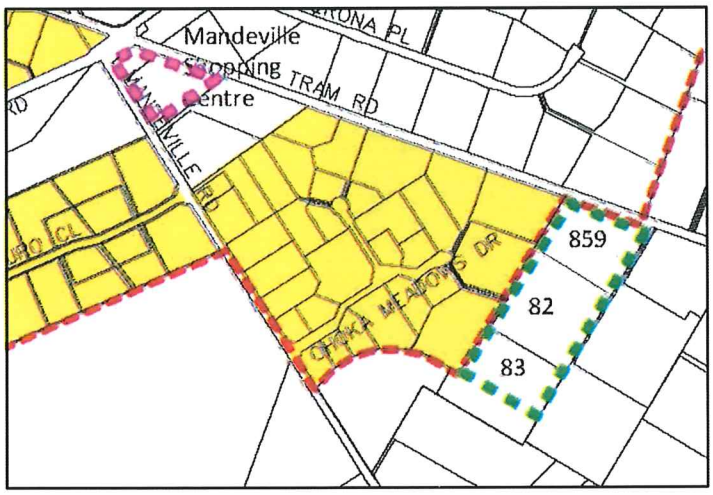


Diagram 2
From WDC Planning Map 167 Mandeville North Growth Boundary dated 17 November 2014

40 The following paragraphs discuss the assessment made in the Officer Report.

5.3.2 Assessment

166. The area comprises three properties located to the south of Tram Road. The total area is 11ha, and they are not serviced with water or wastewater. There is an intensive poultry operation approximately 180m to the south of the southernmost property. The northern most property has low levels of flooding risk. The properties are outside of the Mandeville Growth Boundary.

41 Firstly, as noted in the Background above, each of these three properties are fully serviced with water and wastewater from the Mandeville schemes through the right of way off Ohoka Meadows Drive and are effectively part of the Ohoka Meadows development. The properties are also well serviced with power and communications with appropriate easements in place. In addition, the Council's Activity Management Plans for both potable water and wastewater schemes have provision for growth in both schemes. I will discuss the servicing aspects of the requested rezoning in a further section of this statement.

42 Secondly, the intensive poultry operation only affects part of 83 Ohoka Meadows Drive but does not affect 82 Ohoka Meadows Drive and 859 Tram Road. It is acknowledged that the 300-metre

setback required in the Operative District Plan, and the Proposed District Plan, would limit the scope of LLRZ development of 83 Ohoka Meadows Drive and this is shown on the diagram above.

43 Thirdly, the low levels of flooding risk noted regarding the northern property (859 Tram Road) is one of two narrow overland flow paths running parallel to Tram Road, and as shown on the diagram below. Avoidance of these overland flow paths to construct dwellings on 5000m2 lots would be simple and is a common practice in rural and rural residential developments. As shown on the Diagram 3 below the risk of flooding is less than many areas of Ohoka Meadows.

Diagram 3
200 Year All Flood Hazard Risk from Waimakariri District Natural Hazards Interactive Viewer (green is Low Hazard)

164. The proposed rezoning is inconsistent with Policy 1 of the NPSUD as it does not meet the requirements of contribution to a well-functioning urban environment, in that it does not have good accessibility to jobs and community services, and does not support a reduction in GHG emissions. The rezoning does not meet the requirements of Policy 6.3.9 RPS, in that it was not identified in the RRDS, there is insufficient capacity in the wastewater network for it to be serviced, it could potentially result in reverse sensitivity effects on primary production, and no ODP was provided.

44 Firstly, it is my opinion that Policy 1 of the NPSUD does not apply to the requested rezoning to LLRZ. The Officers Response has also concluded that LLRZ should not be considered to be urban, and therefore Policy 1 of the NPSUD is no longer relevant.

45 Secondly, as shown on Diagram 2 above the requested LLRZ zoning is located immediately adjacent to an existing LLRZ zone (Ohoka Meadows). The location of this requested LLRZ rezoning is within 500m of the existing Mandeville Shopping Centre, the existing service centre for this part of the district. Ohoka Meadows Drive is off Mandeville Road and is almost opposite the entrance to the Mandeville Recreation Area, the main sports and recreation facility for the local area.

46 The requested LLRZ rezoning is 8.4km from the SH1 / Tram Road interchange. This location is as close to Christchurch than any other requested new LLRZ zone in Waimakariri District. It is noted that almost all the lots within the Mandeville Growth Boundary (MGB), as shown as WDC Planning Map 167 Mandeville North Growth Boundary, have been developed. As other submitters have noted there is a significant demand for LLRZ type properties in the Waimakariri District, and that

potential new residents are generally not interested in purchasing 4ha lots as they only wish to purchase a lot that provides more space than a residential lot in Christchurch and local towns. Many of these new residents purchase LLRZ type lots as a work from home base or obtain work in the Waimakariri District.

47 Thirdly, it is acknowledged that the requested rezoning was not included in the 2019 RRDS. However, as I discussed earlier in my statement, the development of the 2019 RRDS was highly flawed, and the Officer Report has already concluded that some areas included in the 2019 RRDS are no longer recommended for rezoning to LLRZ.

48 Fourthly, the risk of reserve sensitivity effects on primary production is very low. Table 2 below details the existing land uses on each side of the requested LLRZ zoning.

Table 2 Current Land Uses Adjacent to Black Requested LLRZ

Direction	Current land use
North	Has already been subdivided into approximately 2ha lots that were intended for olive growing but this activity appears to be unsuccessful. (on north side of Tram Road)
East	Has already been subdivided into approximately 4ha lots, one of which has been planted in olives that has been unsuccessful, and the balance used for horse grazing.
South	The part of 83 Ohoka Meadows Drive that is inside the 300m intensive farming area is used for light grazing and hay making.
West	Is already zoned LLRZ as part of the Ohoka Meadows development.

49 Lastly, the Officers Report notes that no ODP was provided. The extent of the requested rezoning is so minor that an ODP is not warranted, and all details of extending services and access can be dealt with during the subdivision resource consent process.

> *165. As with the other Mandeville rezoning requests, any additional development will have an impact upon the wastewater and roading networks, and could potentially contribute to increased flooding in those downstream areas, such as Silverstream and Kaiapoi. I do not support the rezoning submission for the properties.*

50 The requested rezoning requested in Submissions 247.1, 247.2, and 265.1 would result in the creation of approximately 10 new lots and this would have a minimal impact on the roading network, water network and wastewater network. The creation of approximately 10 new lots that are required to have a minimum average size of 5000m2 would have a minimal impact on the characteristics of the downstream overland flow paths. These matters are discussed in further detail elsewhere in my statement.

PLANNING FRAMEWORK

National Policy Statements (NPS) and National Environmental Standards

51 The following National Policy Statements (NPS) and National Environmental Standards (NES) are

relevant to this requested LLRZ rezoning.

Table 3 Relevant NPS or NES

NPS or NES	Relevance
NPS-UD	As discussed in paragraph 24 this is not relevant
NPS-HPL	The NES-HPL requires a Regional Policy Statement (RPS) to identify Highly Productive Land and discourages development on HPL. While Environment Canterbury has not formally updated the CRPS a draft has been circulated and this draft includes the assessment of HPL in each district. A copy of this draft, along with an extract from that draft showing the location of the requested LLRZ rezoning, is attached as Appendix E and shows that the requested Black LLRZ zoning is not in an area of HPL.
NPS-FM	Not relevant
NPS-IB	Not relevant
NES FW	Not relevant
NES-CS	A search of the Environment Canterbury LLUR has resulted in none of the three properties requested for LLRZ rezoning having any record of potential contamination.
NES-DW	Not relevant

Canterbury Regional Policy Statement (CRPS)

52 The relevant provision of the CRPS are summarized in the table below:

Table 4 Relevant Rules of the CRPS

Policy	Requirements	Commentary
6.3.3	Development within greenfield areas and rural residential areas to be in accordance with an ODP and sets out the requirements for ODPs, including density considerations;	This extent of the requested rezoning is so minor that an ODP is not warranted, and all details of extending services and access can be dealt with during the subdivision resource consent process.
6.3.9	Restricts new areas of rural residential development to only occur within areas identified in a Rural Residential Development Strategy (RRDS)	As noted in paragraphs 17 to 25 above the 2019 WDC RRDS is highly flawed and should be given little weight, and the criteria detailed in UFD-P3 Identification/location and Extension of Large Lot Residential Zone areas should take precedence when considering requested LLRZ zoning.

Proposed District Plan

53 The Proposed District Plan has specific policies regarding the identification/location and extension of Large Lot Residential Zone areas is described in Section Part 2 – District-wide matters Strategic directions UFD - Āhuatanga auaha ā tāone - Urban form and development, repeated below, along

with an assessment of the requested LLRZ rezoning:

UFD-P3 Identification/location and Extension of Large Lot Residential Zone areas

In relation to the identification/location of Large Lot Residential Zone areas:

- *new Large Lot Residential development is located in the Future Large Lot Residential Zone Overlay which adjoins an existing Large Lot Residential Zone as identified in the RRDS and is informed through the development of an ODP;*
- *new Large Lot Residential development, other than addressed by (1) above, is located so that it:*

Criteria	Assessment
• *occurs in a form that is attached to an existing Large Lot Residential Zone or Small Settlement Zone and promotes a coordinated pattern of development;*	Complies as it attached to the existing Mandeville LLRZ
• *is not located within an identified Development Area of the District's main towns of Rangiora, Kaiapoi and Woodend identified in the Future Development Strategy;*	Fully complies
• *is not on the direct edges of the District's main towns of Rangiora, Kaiapoi and Woodend, nor on the direct edges of these towns' identified new development areas as identified in the Future Development Strategy;*	Fully complies
• *occurs in a manner that makes use of existing and planned transport infrastructure and the wastewater system, or where such infrastructure is not available, upgrades, funds and builds infrastructure as required, to an acceptable standard; and*	Complies as it utilizes the existing Ohoka Meadows Drive and Tram Rd sealed roads. Complies as connection to the existing Mandeville potable water and wastewater schemes is possible (but may require an upgrade of some infrastructure in the existing ROW) The existing Mandeville potable water and wastewater systems have provision to accommodate new connections.
• *is informed through the development of an ODP.*	This extent of the requested LLRZ rezoning is so minor that an ODP is not warranted, and all details of extending services and access can be dealt with during the subdivision resource consent process.

ENGINEERING MATTERS

54 The following sections provide the relevant information as recommended in the Memo to Rezoning Submitters dated 12 December 2023.

Potable Water

55 The properties subject to this request for rezoning to LLRZ are already connected to the Fernside - Mandeville Water Scheme. This is a restricted supply and therefore requires each lot to have its own on-site storage and pressure pump system. The Officer Report has noted that the WDC Engineers have advised that additional connections to the Fernside - Mandeville Water Scheme are feasible. This is consistent with the data contained in the Fernside - Mandeville Water Scheme Activity Management Plan which shows that the scheme expects approximately 290 new connections over the next 20 years.. A copy of the following extracts from the Fernside - Mandeville Water Scheme Activity Management Plan are attached as Appendix G.

- Plan of the Serviced Area
- Table of Growth Projections
- Graph of Growth Projections

56 However, I note that the Plan for the Serviced Area is in error as the three properties subject to this request for rezoning to LLRZ are not shown on the Plan.

Wastewater

57 The properties subject to this request for rezoning to LLRZ are already connected to the Mandeville Wastewater Scheme. This is a pressure system and therefore requires each lot to have its own storage tank and a pressure pump system that pumps the wastewater to the WDC reticulation. The Officer Report has noted that the WDC Engineers have advised that additional connections to the Mandeville Wastewater Scheme are not feasible. This is inconsistent with the data contained in the Mandeville Water Scheme Activity Management Plan which shows that the scheme expects approximately 160 new connections over the next 20 years. A copy of the following extracts from the Mandeville Wastewater Scheme Activity Management Plan are attached as Appendix H.

- Plan of the Serviced Area
- Table of Growth Projections
- Graph of Growth Projections

58 However, I note that the Plan for the Serviced Area is in error as the three properties subject to this request for rezoning to LLRZ are not shown on the Plan.

Stormwater

59 In accordance with the WDC Code of Practice all buildings and hardstand areas on each lot are required to install approved design soakpits to dispose of stormwater. This approach ensures that there is minimal increase in the runoff characteristics resulting from the higher density of lots in a LLRZ development compared to an RLZ environment. Similarly. runoff from roads and rights of way are disposed to ground.

60 The Officers Report includes Appendix-G-Mandeville-San-Dona-Groundwater-Assessment, and

a copy of the section relevant to this statement is attached as Appendix I. The conclusions of this part of the report are that net groundwater take and reduction is not anticipated to be significant.

Natural Hazards

61 Data from the Waimakariri District Natural Hazards Interactive Viewer shows that two of the three properties may be subject to low hazard level of flooding as shown on Diagram 3 above. The low levels of flooding risk are two narrow overland flow paths running parallel to Tram Road which must be maintained. Avoidance of these overland flow paths to construct dwellings on 5000m2 lots would be simple and is a common practice in rural residential developments. As shown on the Diagram 3 below the risk of flooding is less than many areas of Ohoka Meadows.

62 There are no other known natural hazards.

Floor Levels

63 At the time of lodging subdivision resource consent, it will be necessary to establish finished floor levels to ensure that building platforms are located above, with sufficient freeboard, the overland flow paths noted in the Natural Hazards section above.

Greenspace Levels of Service

64 Feedback from the WDC Plan Development team has been that the primary greenspace and recreation area in the Mandeville area is the Mandeville Sports Ground located on Mandeville Road, and no further greenspace facilities would be required because of a rezoning to LLRZ.

Transport

65 The rezoning of the three lots in question to LLRZ could result in the creation of up to 10 new lots. Depending on the configuration of the future subdivision most of the traffic generation would be onto the existing Ohoka Meadows Drive. This may require some widening of the existing right of way. There may also need to be a relocation and upgrading of the existing entrance onto Tram Road. These are all matters that are normally dealt with at the time of subdivision.

CONCLUSION

66 The requested Black rezoning from RLZ to LLRZ will have a minimal effect on the environment as there will be little change in the use of the land from its current use. A LLRZ zoning will not preclude small scale primary production or activities reliant on the natural and physical resources of the environment but will be an efficient use of the land compared to the current inefficient use, which is detailed in Table 1 above. The change to a LLRZ zoning will not be inconsistent with the area surrounding the site as the site does not lend itself to primary production activities currently due to its relatively small area. The proposal will therefore maintain the existing character and

reflect the existing activities surrounding the existing sites.

67 Thank you for the opportunity to present this statement.

Martin Pinkham
12 July 2024

Appendices

Appendix A	Submissions 247 and 265
Appendix B	Authorisation from Richard Black
Appendix C	Mandeville Growth Area
Appendix D	RC015121 EC Decision to Subdivide and Erect Dwellings
Appendix E	HPL Map from Draft CRPS 2024
Appendix F	RRDS-PRELIMINARY-CRITERIA-ASSESSMENT 2019
Appendix G	Mandeville-Fernside-Water-Supply-Scheme-Activity-Management-Plan
Appendix H	Mandeville-Wastewater-Scheme-Activity-Management-Plan
Appendix I	Pages from Appendix-G-Mandeville-San-Dona-Groundwater-Assessment
Appendix J	Authors Qualifications and Experience

Sub	Sub	Section	Sub-	Provisi	Sentime	Submission Point Summary	Relief Sought Summary
265.1	Richard and; Simone Black	LLRZ - Large Lot Residential Zone	General	General	Amend	The identification/location of some of the Large Lot Residential Zones (LLRZ) are flawed and inconsistent with UFD-P3 Identification/location and extension of LLRZ areas. Application of UFD-P3 supports an extension of the existing Mandeville LLRZ to include the full extent of 82 Ohoka Meadows Drive, as this would meet the criteria: - it is attached and partially lies within existing LLRZ - it is not located in a Development Area - it is not located on the edge of Rangiora, Woodend or Kaiapoi - infrastructure is available for use and expansion - an Outline Development Plan is not required Additionally, no further roading is required, it does not exit onto a main arterial road, it is not within a flood area, is within walking distance of amenities, and it would be personally beneficial to release some of the equity from the property. An Environment Court decision in 2014 noted that development would result in relatively minor change to existing rural character.	Amend the mapped Large Lot Residential Zone in Mandeville to include the remainder of 82 Ohoka Meadows Drive.
247.1	Fiona Aston	Plannin g Maps	General	General	Amend	Rezone 82 Ohoka Meadows Drive from Rural Lifestyle Zone to Large Lot Residential Zone (LLRZ), and other neighbouring properties as appropriate, namely 83 Ohoka Meadows Drive and 859 Tram Road. The property is ready to develop with water restrictors and has existing connections to Council's wastewater system and reticulated water supply, with capacity for expansion. There is also an additional power transformer. It is currently rural and rural residential zoned and is accessed through an existing rural residential subdivision. The property is situated on the South side of Tram Road, does not exit directly to a main arterial route, and is within walking distance to both the Mandeville Sports Centre and the Mandeville Village Commercial Hub. It is not within a flood area, and submitter has not experienced flooding on the property. It would benefit submitter to release some of the property's equity. It is consistent with all LLRZ objectives and policies, and UFD–P3.	Rezone 82 Ohoka Meadows Drive from Rural Lifestyle Zone to Large Lot Residential Zone, and other neighbouring properties as appropriate, namely 83 Ohoka Meadows Drive and 859 Tram Road.
247.2	Fiona Aston	LLRZ - Large Lot Residential Zone	General	General	Amend	Rezone 82 Ohoka Meadows Drive from Rural Lifestyle Zone to Large Lot Residential Zone (LLRZ), and other neighbouring properties as appropriate, namely 83 Ohoka Meadows Drive and 859 Tram Road. The property is ready to develop with water restrictors and has existing connections to Council's wastewater system and reticulated water supply, with capacity for expansion. There is also an additional power transformer. It is currently rural and rural residential zoned and is accessed through an existing rural residential subdivision. The property is situated on the South side of Tram Road, does not exit directly to a main arterial route, and is within walking distance to both the Mandeville Sports Centre and the Mandeville Village Commercial Hub. It is not within a flood area, and submitter has not experienced flooding on the property. It would benefit submitter to release some of the property's equity.	Rezone 82 Ohoka Meadows Drive from Rural Lifestyle Zone to Large Lot Residential Zone, and other neighbouring properties as appropriate, namely 83 Ohoka Meadows Drive and 859 Tram Road.

Appendix B

PDP Hearings Administrator

Waimakariri District Council

Private Bag 1005

Rangiora

10 June 2024

Presentation of Evidence to PDP Hearing

Dear Audrey

I confirm that Martin Pinkham of Adderley Projects Limited is authorised to submit evidence to the Stream 12C Hearing on my behalf in relation to Submissions 247.1 and 247.2.

Yours faithfully

Richard Black

82 Ohoka Meadows Drive, Mandeville

PDP Hearings Administrator

Waimakariri District Council

Private Bag 1005

Rangiora

10 June 2024

Presentation of Evidence to PDP Hearing

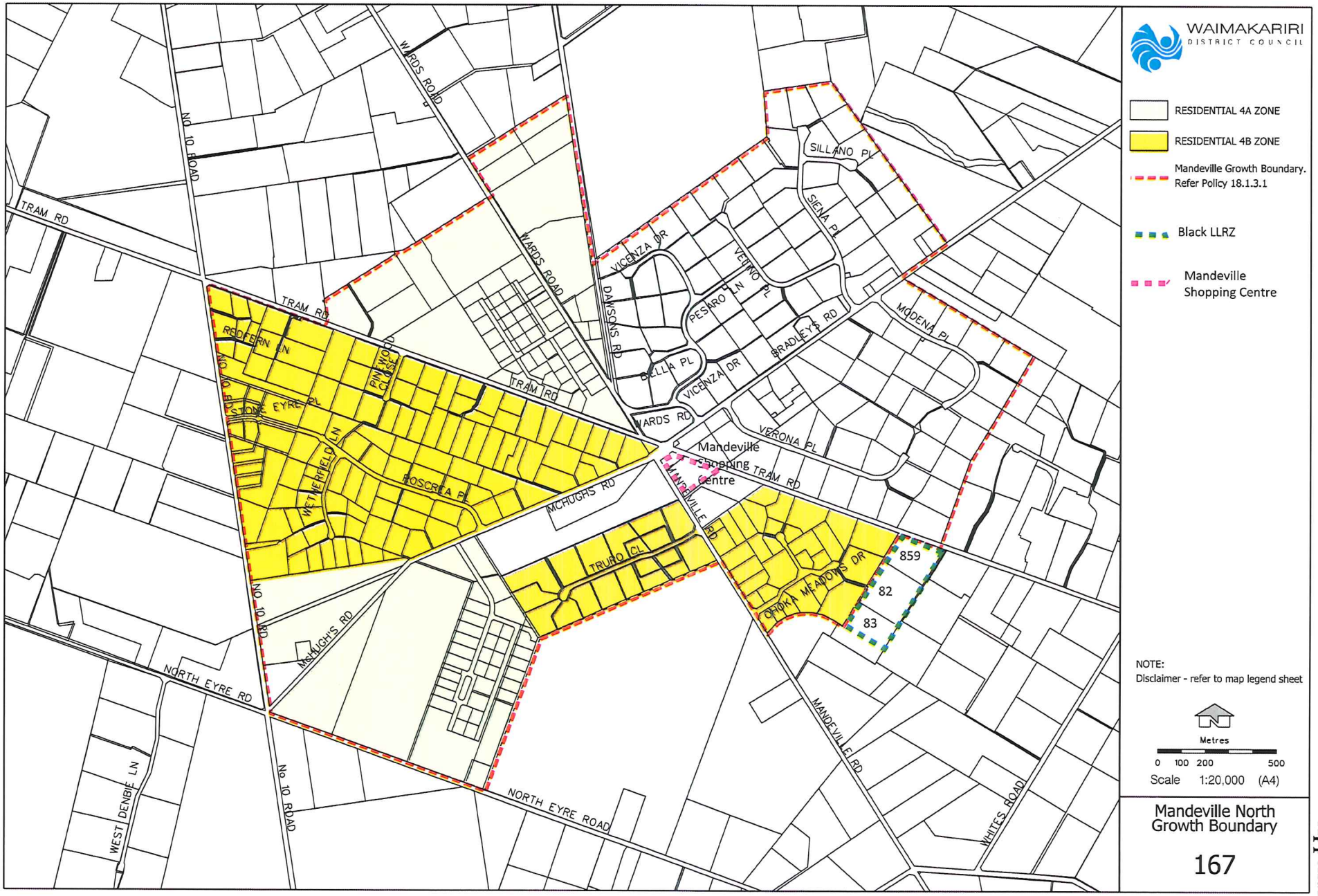
Dear Audrey

I confirm that Martin Pinkham of Adderley Projects Limited is authorised to submit evidence to the Stream 12C Hearing on my behalf in relation to Submission 265.1.

Yours faithfully

Richard and Simone Black

82 Ohoka Meadows Drive, Mandeville



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17/11/2014

Appendix C

015124/015122

IN THE MATTER of the Resource Management Act 1991 (the Act)

AND

IN THE MATTER of an appeal under section 120 of the Act

BETWEEN J.R.HARRIS

(RMA 349/02)

Appellant

AND WAIMAKARIRI DISTRICT COUNCIL

Respondent

BEFORE THE ENVIRONMENT COURT

Environment Judge J A Smith (sitting alone under section 279 of the Act)

IN CHAMBERS at CHRISTCHURCH

CONSENT ORDER

[1] The Court has read and considered the appeal and memorandum of the parties dated 14 February 2003.

[2] No other person has given notice of an intention to become a party or to be heard under section 271A or section 274 of the Act.

[3] In signing this consent order the Court has not considered the merits of the solution agreed by the parties (and in particular whether it achieves the purpose of the Act) but only confirmed that:

(a) All of the parties to the proceeding and any section 274 interested persons have executed the memorandum (unless stated otherwise for specific reasons) requesting this order; and

(b) The proposed order is prima facie reasonably within the scope of the submission and appeal initiating the proceeding.

[4] Therefore, this Court ORDERS, by consent, that the appeal is allowed to the extent that the conditions of consent are amended as set out in the attached Schedule.

[5] The appeal is otherwise dismissed.

[6] There is no order as to costs.

DATED at CHRISTCHURCH 5th March 2003.

J A Smith
Environment Judge
Entered: 10 MAR 2003

HARRIS CONDITIONS – RC015121

SUBDIVISION

That pursuant to Section 105 of the Resource Management Act 1991 consent be granted in part to subdivide Lot 1 DP 78267, comprising 15.2440ha, into four lots of 3.05ha (Lot 1), 3.64ha (Lot 2), 3.77ha (Lot 3) and 4.26ha (Lot 4) at 359 Tram Road, Mandeville, as a non complying activity subject to the flowing conditions imposed under Sections 108 and 220 of the Act:

1. **Standards**

At all stages of design and construction reference shall be made to the Waimakariri District Council Engineering Code of Practice.

2. **Easements**

All services, including open drains and access ways, serving more than one lot or traversing lots other than those being served and not situated within a public road or proposed public road, shall be protected by easements. All such easements, together with any amendments to the easements found necessary during the final engineering design, shall be granted and reserved.

3. **Power and Telephone**

The subdivider shall provide evidence in writing from the relevant utility service providers that existing electrical and telephone reticulation has the capacity to provide a service connection to each proposed lot.

4. **Plans and Specifications**

4.1 Three copies of plans and specifications of all works shall be submitted to the Council for approval prior to survey plan approval. The Council will approve complying documents in writing. Work shall not commence until the subdivider has confirmed receipt of Council approval.

4.2 Any subsequent amendments to the plans and specifications shall be submitted to the Council for approval.

5. **Trenching**

5.1 All works involving trenching shall meet the requirements of the Council's Standard conditions for Trenching. No excavation shall commence within a public road reserve without the prior receipt of a Trenching Permit from the Waimakariri District Council.

5.2 In the event of any works or trenching being required across the frontage of adjacent properties the subdivider shall inform the affected occupiers of those properties, 48 hours prior to the commencement of any work.

6. **Water Supply**

6.1 The subdivider shall provide an adequate and potable domestic water supply

to all proposed dwelling lots by connecting to the Mandeville Public Rural Restricted Water Supply Scheme from Chicks Meadows Drive, in accordance with approved plans and specifications.

6.2 Two cubic metres of water per day shall be established from the Mandeville Water Supply Scheme to each lot by providing the following:

(a) Toby valves and valve boxes at the road boundary to proposed Lots 2 and 3, for each of proposed Lots 1 to 4.

(b) The subdivider shall establish pipework, fittings, $2m^3$/day flow restrictors and storage tanks on each lot. The tanks shall accord with the Waimakariri District Council Rural Water Supply Bylaw 1992, and shall have a minimum capacity of 4000 litres.

6.3 The Council at the subdivider's expense shall carry out all connections to the existing public water supply.

6.4 Pursuant to Section 283 of the Local Government Act 1974, the subdivider shall pay the following service upgrading capital contributions to the Council calculated as follows:

Service	No of New Connections	Contribution	Total
Water	4	$2,250.00	$9,000.00
Total			$9,000.00

6.5 That any existing water connections (other than the water race) crossing the proposed boundary between any proposed lots shall be disconnected to the satisfaction of the Waimakariri District Council.

7. **Sewage Disposal**

7.1 The subdivider shall connect each lot off Chicks Meadows Drive, to the Chicks Meadows Sewage Treatment Plant, in accordance with approved plans and specifications.

7.2 Pursuant to Section 283 of the Local Government Act 1974 the subdivider shall pay the following service upgrading capital contributions to the Council calculated as follows:

Service	No of New Connections	Contribution	Total
Sewage	4	$2,250.00	$9,000.00
Total			$9,000.00

8. **Access**

8.1 The subdivider shall construct the right of way serving the three lots being created from lots 2, & 3 as necessary to accord with drawing 800-273 (attached).

8.2 The subdivider shall, for proposed Lot 4, install a minimum 375mm diameter culvert in the vehicle crossing where it crosses the roadside water race along Mandeville Road. The culvert shall include either a stone or concrete or

ground treated timber headwalls constructed at both ends. The accessway shall be upgraded and sealed to accord with the requirements of drawing 600-217 (attached).

9. **Conditions Auditing**

The Council will audit compliance with the conditions of consent by both site inspections and checking of associated documentation to the extent necessary to ensure the work is completed in accordance with the approved plans and specifications and to the Council's standards. The Council will undertake inspections and checking. The subdivider, or their authorised agent, shall notify Council at least one working day prior to commencing various stages of the works. This is to enable audit inspections required by the consent to be performed. Should the developer wish the Council to accept requests for inspections from any contractor engaged, Council must receive written authorisation.

The minimum level of inspection shall be as follows:

Water and Sewage

- Inspection and testing of sewer laterals
- On completion of works trenching
- Prior to the backfilling of service trenches

Access/Right of way

- On completion of excavation to sub-grade.
- Following compaction of base course prior to final surfacing.

Whole Works

- Prior to issue of a certificate under Section 224(c) of the Resource Management Act.

Where repeat inspections are required because of faulty workmanship or work not being ready contrary to the receipt of a notification, such inspections will be carried out at the current hourly rate for staff time and vehicle running costs for kilometres travelled. Currently these rates are between $50/hr and $70/hr depending on the Council officer inspecting and between $.45/km and $0.70/km for kilometres travelled.

10. **As Built Plans**

10.1 "As Built" plans setting out in detail the location of all services shall be provided to the Council immediately following completion of the works and are to be available at the time of the Condition Certificate inspection. Two sets of plans are to be provided at appropriate scales of 1:2000, 1:1000 and 1:500 as appropriate. In addition to the plans a practising registered civil engineer or registered surveyor shall provide a separate certificate stating that the As-built plans are a true and accurate record of all services.

Furthermore, where plans have been prepared using computer aided draughting techniques a copy of the file may be made available to the Council

in either of the following format – Intergraph (.DGN), Autocad (.DWG), or (.DXF).

11. **Works Conditions**

That a certificate under Section 224(c) of the Resource Management Act 1991 will not be issued until conditions 1 to 10 above have been met to the satisfaction of the Waimakariri District Council, at the expense of the subdivider.

12. **Rights of Way**

The rights of way, with any consequential amendment, A, and B are approved pursuant to Section 348 of the Local Government Act 1974.

ADVICE NOTES

a) The requirements and conditions listed is a statement of the Council's minimum standards. Where the subdivider proposes higher standards or more aesthetically acceptable alternatives these shall be submitted to the Council for approval.

b) Water-races are protected under a by-law. Any alteration to a water-race can only occur upon prior approval from the Waimakariri District Council. If then approved, the subdivider shall be responsible for all costs involved in the relocation of any water-races including culverts, crossings and any other structures that may be required.

c) The subdivider and purchasers of lots containing stock water races are advised that pursuant to The Waimakariri-Ashley Water Supply Act 1961 and Council bylaw, Council has legal right to enter onto any property subject to a water race, for the purpose of maintenance and cleaning. There are also restrictions as to buildings and trees within proximity of water races. Also, all new or altered sections of water race become property of the Council.

LAND USE

THAT pursuant to Section 105 of the Resource Management Act 1991 consent be granted to allow the erection of a dwelling on each of four lots created by the subdivision of Lot 1 DP 79267, being 959 Tram Road, Mandeville as a non-complying activity subject to the following conditions imposed under Section 108 of the Act;

1. The applicant shall be carried out in accordance with the attached approved application plan.

2. The house on the lot nearest Tram Road shall be set back a minimum of 50 metres from the Tram Road boundary.

3. That prior to the erection of a dwelling on Lots 1, 2 and 3, the consent holder shall demonstrate a financial commitment to the lot by;

   - Installing irrigation to a minimum value of $3,000
   - Erecting a shed to a minimum value of $3,000

- Planting a shelter to a minimum value of $500

4. **Management Contract – Lots 1, 2 and 3**

A signed agreement between the consent holder and a suitably qualified person, approved by the Council, shall be submitted to the Council for approval for Lots 1, 2 and 3. The agreement shall detail to the Council's satisfaction how the suitably qualified person will provide technical advice and oversee the establishment and management of the selected farming enterprise for a minimum period of three years, and shall include performance measures relating to the following factors: time frames, output, revenue and cost targets.

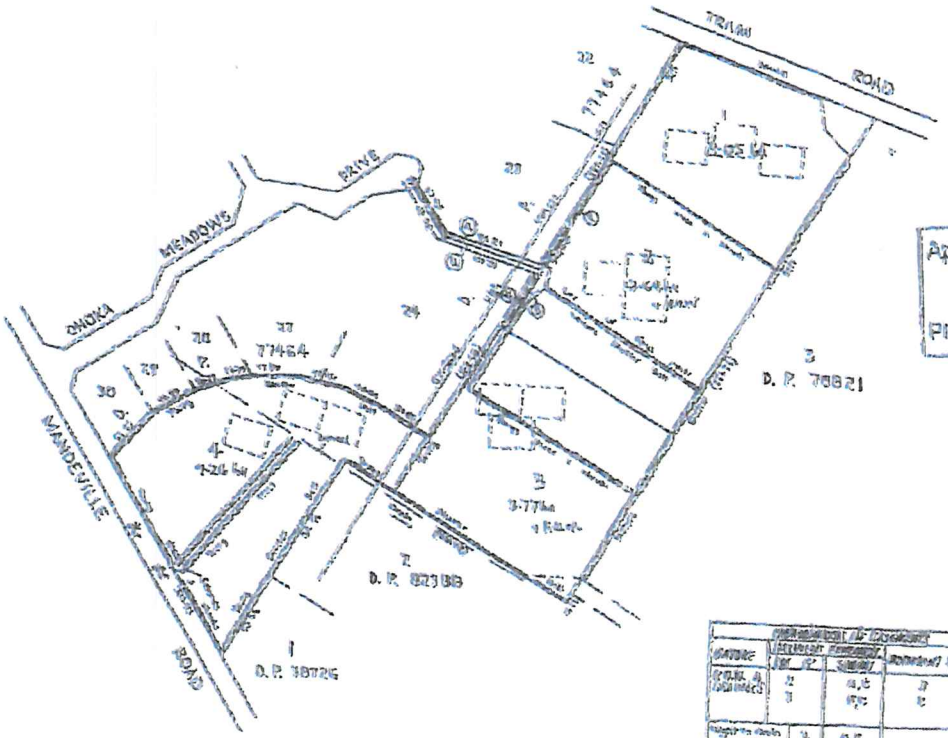
5. **Inspection**

That compliance with the above conditions shall be verified by inspection by a Council Officer pursuant to Section 35(2)(d) of the Resource Management Act 1991.The consent holder shall pay to the Council charges pursuant to Section 36(1)(c) of the Resource Management Act 1991 to enable the Council to recover its actual and reasonable costs in carrying out the inspections.

ADVICE NOTES

a) This consent does not constitute consent in terms of the Building Act and the Transitional Regional Plan.

b) The consent holder is advised that vehicle access to the lot must comply with the requirements of the Waimakariri District Vehicle Crossings Bylaw 1997. Wherein no vehicle may be taken onto any property in the Waimakariri District other than by way of a properly formed vehicle crossing. The owner or occupier of any lot who may require vehicular access across any footpath, berm and water channel adjoining that lot is required to apply in writing to the Council to construct a vehicle crossing at the owner's or occupier's cost. No owner or occupier of any lot can build, or allow to be built, any dwelling, other significant building or any part of such a building on any property unless the building site on that property is provided with adequate site access in terms of the above-mentioned bylaw



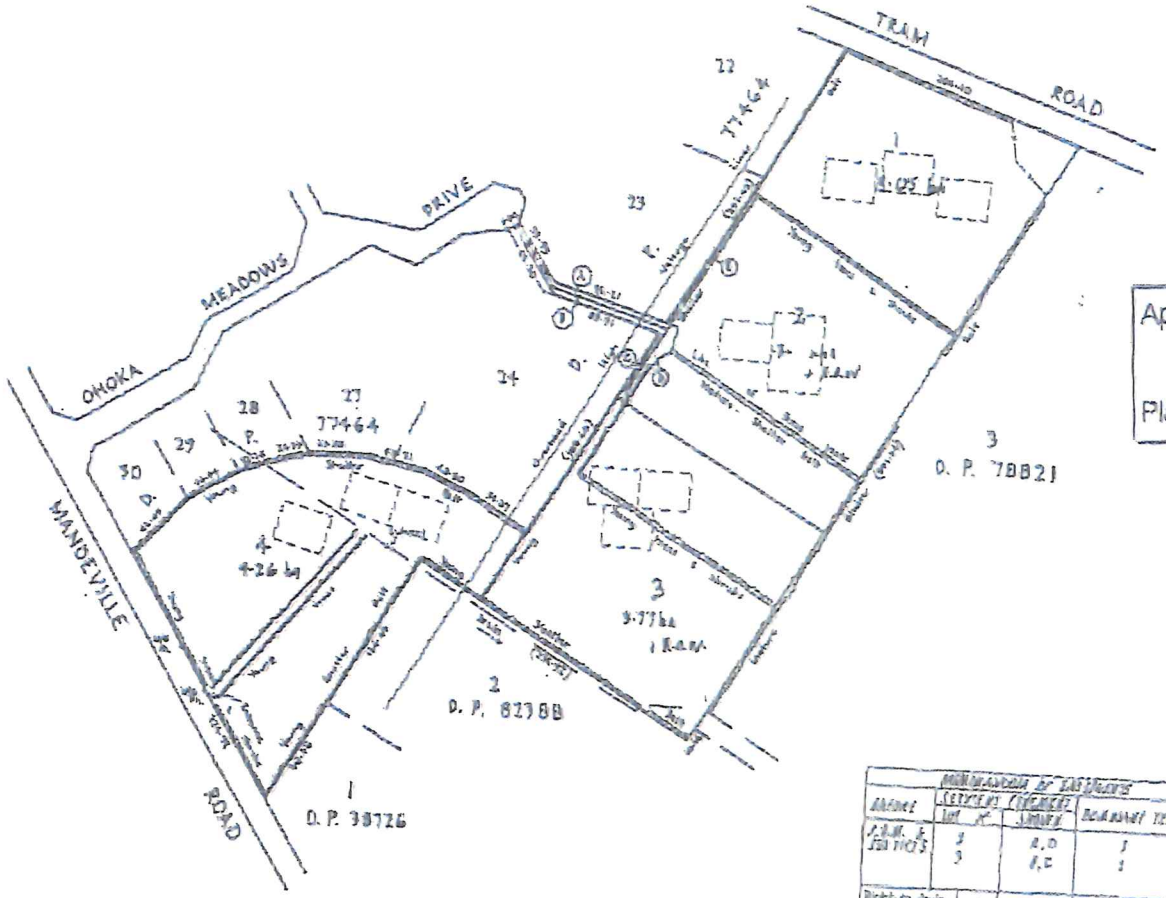
Approved Application

Plan

Proposed Subdivision of Lot 1 D.P. 79267 - C.T. 45C/184

T. Harris

THE SEAL OF THE MAORI LAND COURT NEW ZEALAND



Approved Application

Plan RC 215141 & RC 215122

Purpose	Schedule of Easements Lot	Area	Number Terminated
R.A.W. & Sewerage	3 3	A, D A, C	1 1
Right to drain storage & convey water	1 3	A, C B	1

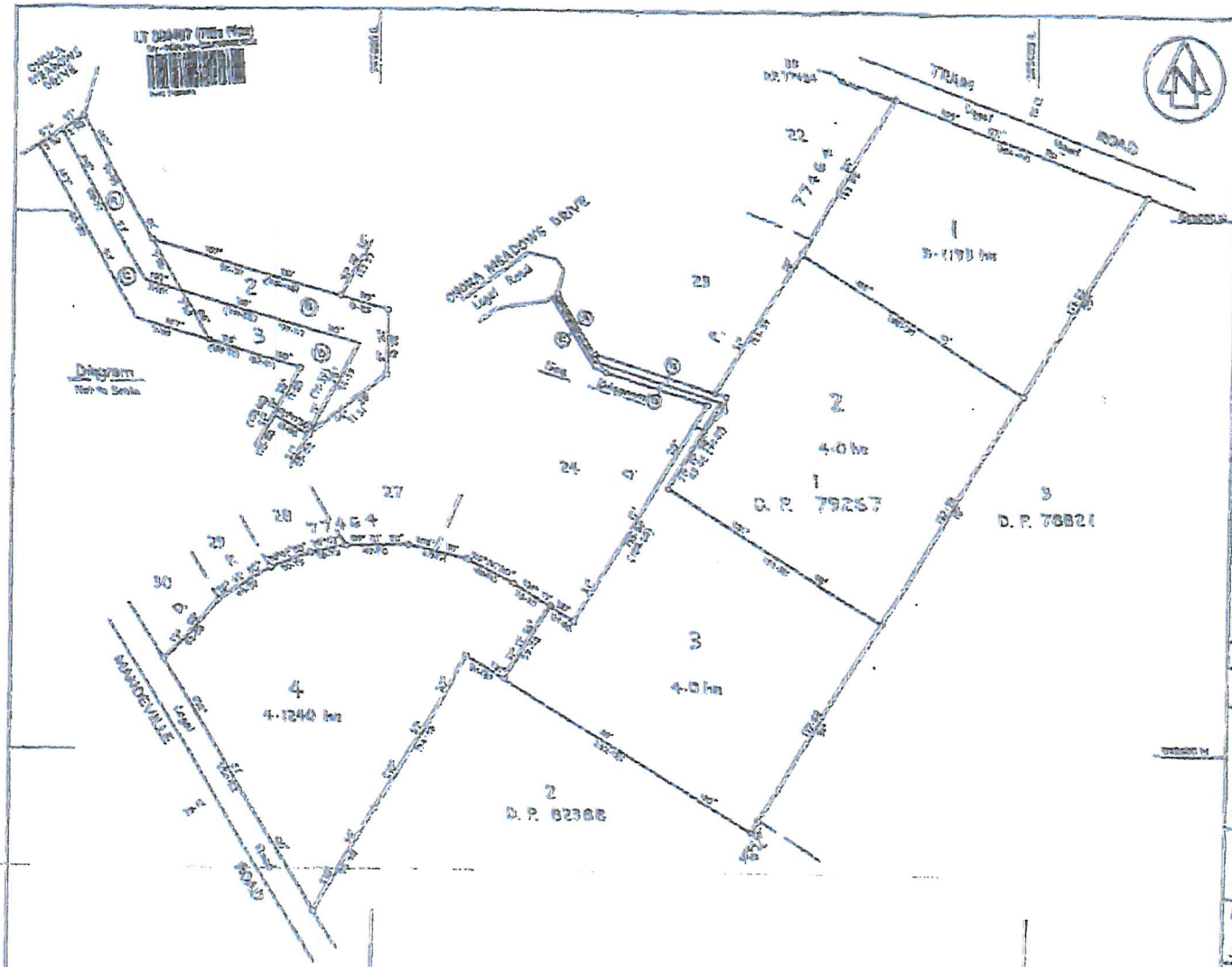
Note: Dotted lines indicate building platforms.

Proposed Subdivision of Lot 1 D.P. 79267 - C.T. 45C/184

T. Harris

Note: Areas & dimensions are approximate & subject to final survey & approval.

01/3



LAND DISTRICT Canterbury
SURVEY GEN. & DIST. ACT Regulations
NZMS 261 SNT ..... RECORD MAP No ....

Lots 1 - 4 being subdivision of Lot 1 D.P. 79267

TERRITORIAL AUTHORITY Waimakariri District
Surveyed by Fitzwall & Associates GSM
Scale 1:1000 Date March 2007

Approval

Registered Owners

I hereby certify that this plan was approved by the Waimakariri District Council pursuant to Section 105 of the Resource Management Act 1991 on the ... day of ..... subject to the granting or reserving of the easements set out in the Memorandum herein.

Authorised Officer

Memorandum of Easements

Nature	Servient Tenement Lot No.	Dominant Tenement Street	Dominant Tenement
Drain, Right to drain water & sewage, Right to convey telecommunications, water & electronic communications	2 3	A,B C,D	3 2

Existing Easements

Nature	Servient Tenement Lot No.	Dominant Tenement Street	Document
Drain, Right to drain water & sewage, Right to convey telecommunications, power & electronic communications	2 3	A C	E.C. A499614

Certificate of Title Already Issued

Lot 1 577605 Lot 2 577604
Lot 3 577606 Lot 4 577606

Class II Survey

Total Area ..... ha

Compiled in S.O.T. ....

Approval as to Survey

..... Chief Surveyor

Deposited this ..... day of ..... 20..

Registrar-General of Land

File Number 31407
Intention

DP 394407

RC015121

CERTIFICATE ISSUED PURSUANT TO THE RESOURCE MANAGEMENT ACT 1991

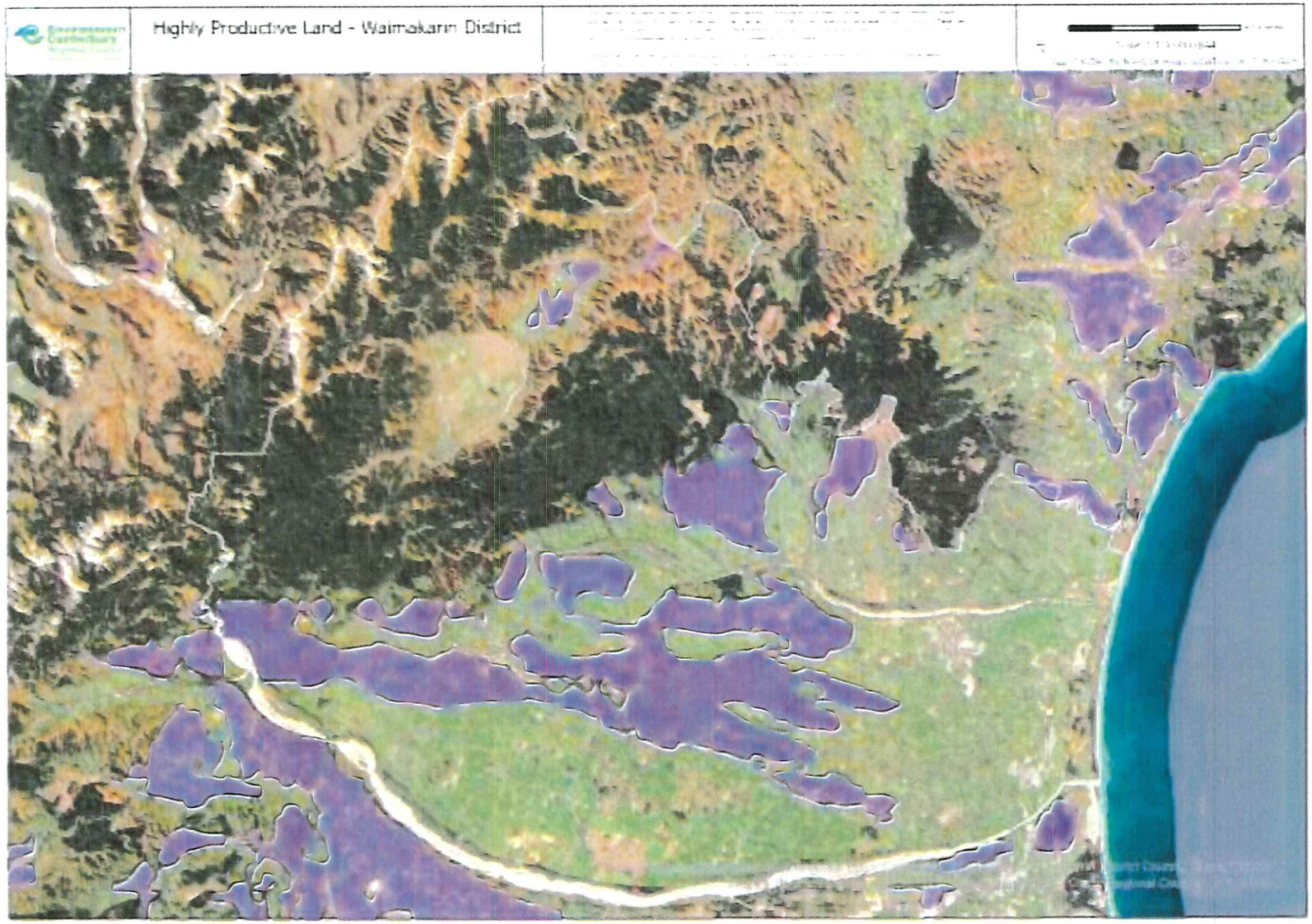
In the matter of the Land Transfer Plan 394407 and pursuant to Section 224(c) of the Resource Management Act 1991, I hereby certify that all of the conditions of the subdivision consent (Lots 1 - 4 being subdivision of Lot 1 DP 79267) have been complied with to the satisfaction of the Waimakariri District Council.

Dated at Rangiora this 14th day of January 2010

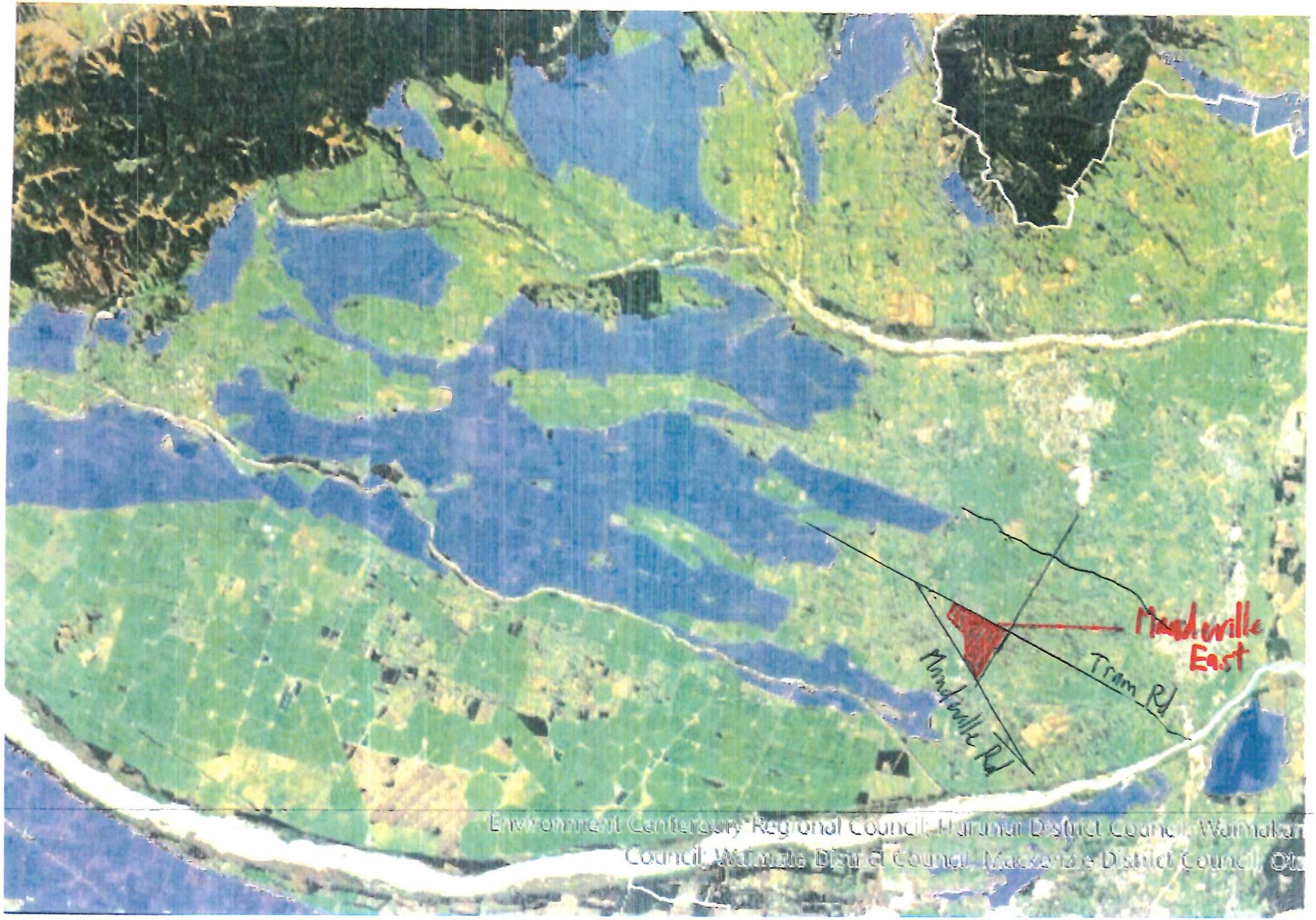
Authorised Officer

G:\PLAN\Section 224(c) database\015121 Harris 224c cert.doc

Waimakariri



Appendix E



Environment Canterbury Regional Council, Hurunui District Council, Waimakariri Council, Waimate District Council, Mackenzie District Council, Ota

Locality	Specific location (Source)	Preliminary Criteria Assessment	Site in or out
	• 219 - 221 Gladstone Rd (Landowner interested)	• Not connected to existing rural residential nodes or small settlements	OUT
Mandeville	• Ashworths Rd (Internal workshops) • West of No. 10 Rd (Internal workshops) • Area bounded by Tram Rd, Wards Rd, No. 10 Rd (Internal workshops) • South east of domain, 335 Mandeville Rd (Internal workshops) • East (Internal workshops) • South-west (Internal Workshops) • South-east (Internal Workshops) • 135 Wards Rd / North-west (DDS submission) • 229 North Eyre Rd, 238 No10 Road, 275 North Eyre Rd (DDS submission)	• Does not trigger any Preliminary Criteria • However removed under special circumstances as Mandeville has the Mandeville Growth Boundary around it which was put in there during Council Plan Change 32 in 2012 in order to address sprawl issues in Mandeville. Given this was only 6 years ago, there is no argument that the basis for this growth boundary has changed. Also Mandeville is affected by undercurrents / groundwater resurgence, along with high groundwater levels and overland flows. • Mandeville Growth Boundary shown on the following map: https://www.waimakariri.govt.nz/ data/assets/pdf file/0016/10393/sht167-dp2005.pdf	OUT
Swannanoa	• North Tram Rd, east Two Chain Rd (Internal workshops)	• Does not trigger any Preliminary Criteria	IN
	• 1275 Tram Rd (DDS submission)	• Does not trigger any Preliminary Criteria	IN
Ohoka	• South (Internal workshops) • South east (Internal workshops)	• Does not trigger any Preliminary Criteria	IN
	• South (Partially undeveloped RRDP area)	• Does not trigger any Preliminary Criteria	IN
Ashley / Loburn	• West of Cones Rd Res 4B (Internal workshops) • North Fawcetts Rd Res 4B (Internal workshops) • East of Cones Rd, parallel with Loburn Lea Res 4B (Internal workshops)	• Engineers advise that this area could be connected to reticulated water provided the appropriate critical mass was proposed • Therefore does not trigger any Preliminary Criteria	IN

Figure 14: A1 - Plan of Serviced area – Mandeville

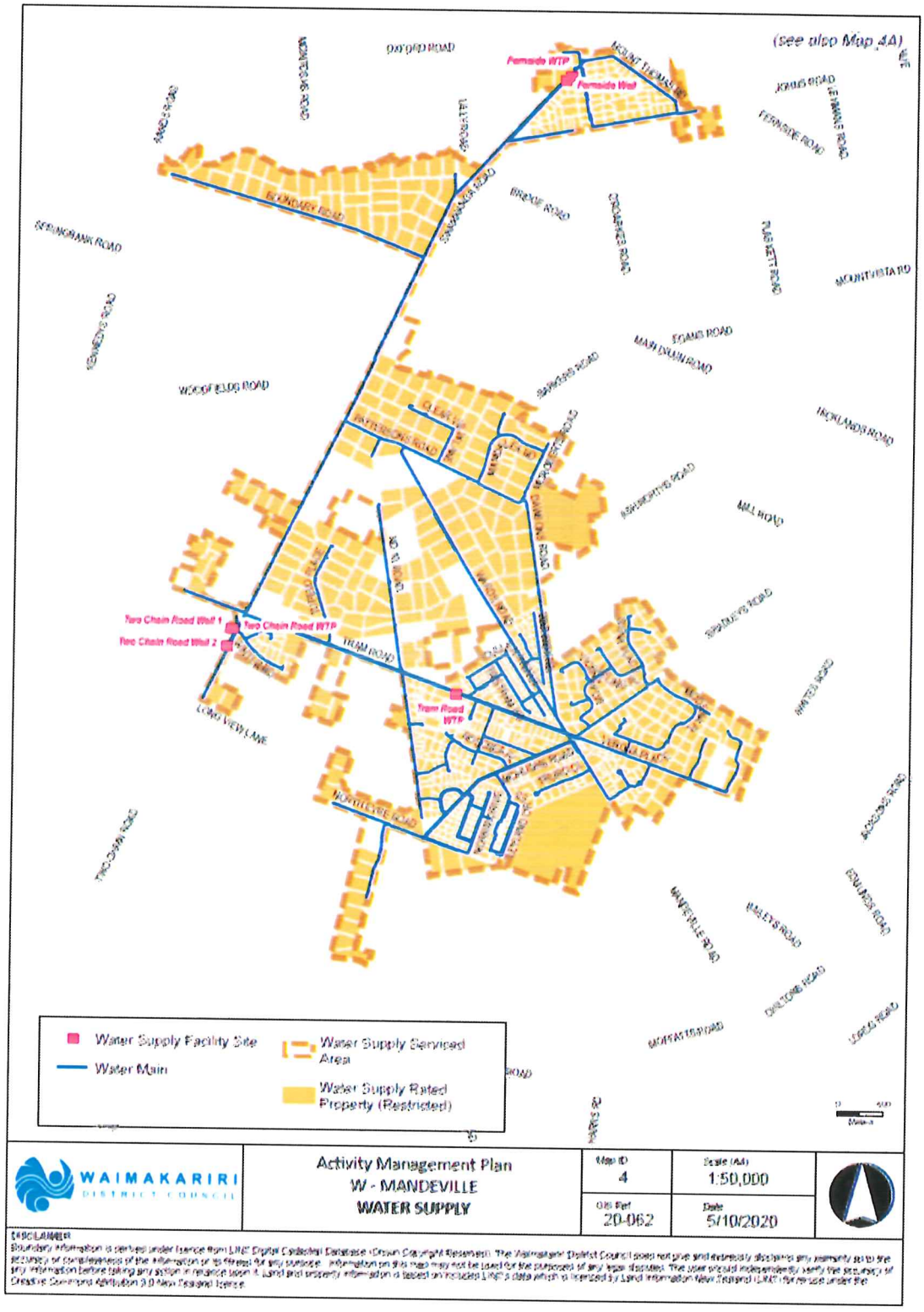


Table 11: Growth Projections

Mandeville-Fernside	Rates Strike July 2019	Years 1 - 3	Years 4 - 10	Years 11 - 20	Years 21 - 30	Years 31 - 50
	2019/20	2021/22 to 2023/24	2024/25 to 2030/31	2031/32 to 2040/41	2041-42 to 2050/51	2051/52 to 2070/71
Projected Connections	952	1,019	1,113	1,241	1,352	1,552
Projected Rating Units	2,012	2,146	2,334	2,589	2,812	3,213
Projected increase in Connections		7%	17%	30%	42%	63%
Projected Average Daily Flow (m3/day)	1,319	1,407	1,529	1,694	1,839	2,100
Projected Peak Daily Flow (m3/day)	1,801	1,956	2,171	2,465	2,721	3,182

Note that the time frames have been chosen to reflect the periods 3, 10, 20 and 30 years from the AMP release date, however due to the time it takes to complete the analysis the base rates strike data used was from 2019/20.

Longer term, connections are projected to increase by 63%. This long term projection is similar to the 2017 growth projection, 67% (used for the 2017 AMP). Both projections utilised the best data and information available to project the connections for the water schemes at the time. The base population projections given to PDU for 2019 infrastructure planning were more area specific than the 2017 projections (separating the Mandeville area into residential and rural), and has given a better projection for the Mandeville-Fernside scheme.

Water use predictions for the Mandeville-Fernside water supply scheme have been based on the standard assumption used when modelling the future water demands within the water distribution models, average and peak daily water use per day of 1,000 litres and 2,500 litres respectively (including losses).

Projections

Figure 5 and Figure 6 present the projected growth and corresponding demand trends for the Mandeville-Fernside-Fernside Water Supply Scheme.

Figure 5: Population Projections

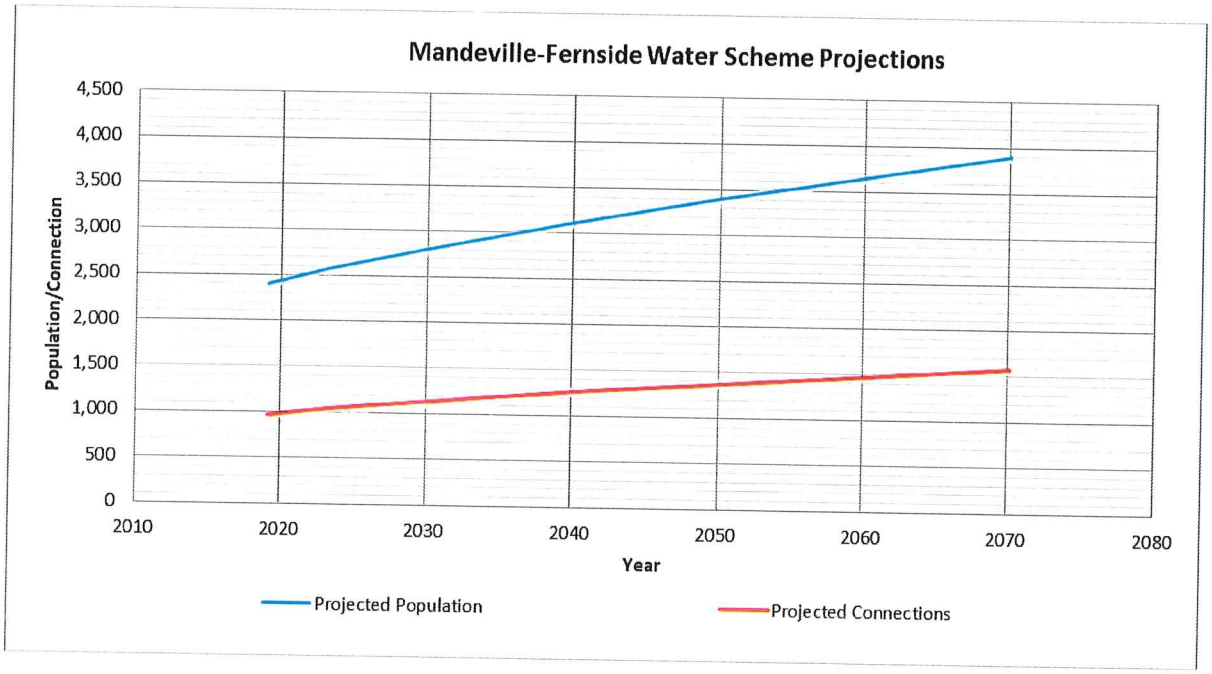
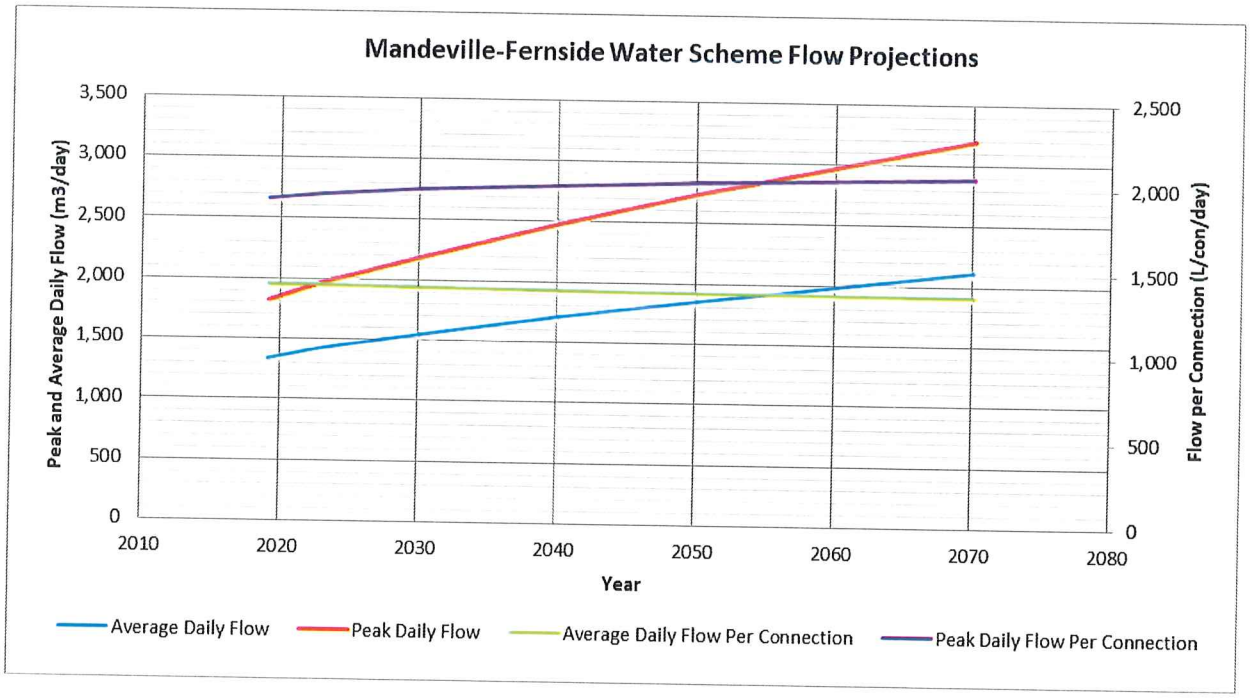


Figure 6: Flow Projections



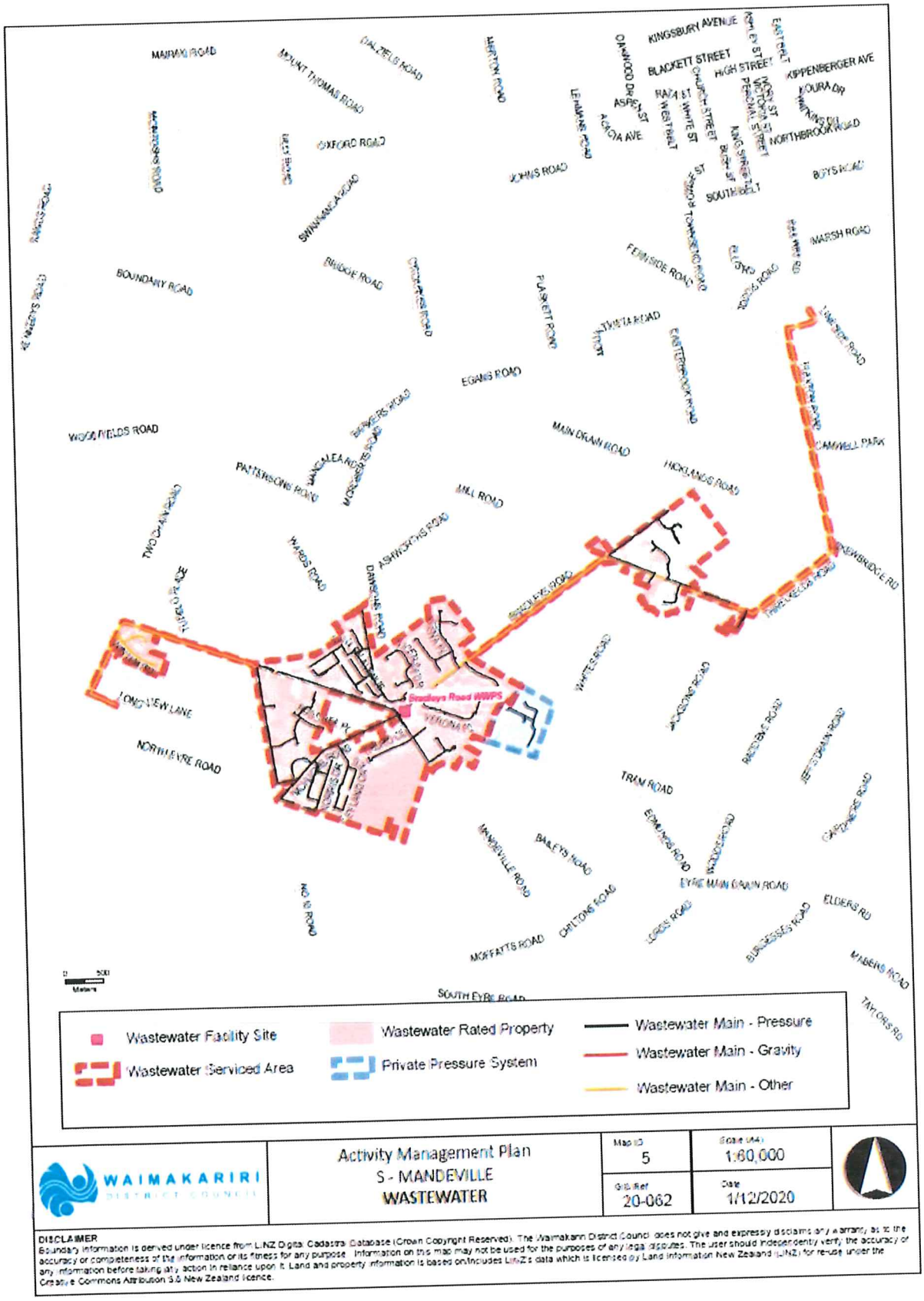
5.8 Capacity & Performance

This section of the AMP considers the capacity and performance of the Mandeville-Fernside Water Supply, both given the current demand, and also taking into account the forecast growth. The specific aspects of the scheme that have been considered are the source, treatment, storage, headworks, and reticulation system. These are discussed in more detail in the following sub-

APPENDIX 'A'.

PLANS

Figure 13: A1 - Plan of Serviced Area - Mandeville



The number of new residential connections are predicted to increase by 8 per year, during the 2021-31 Long Term Plan (LTP) period to accommodate this demand. Demand beyond the 2021-31 LTP period (2030/31 to 2070/71) is forecast to transition to a slightly lower growth profile resulting in an average of 6 new connections per year (Table 12).

Table 12: Growth Projections

Mandeville-Ohoka	Rates Strike July 2019	Years 1 - 3	Years 4 - 10	Years 11 - 20	Years 21 - 30	Years 31 - 50
	2019/20	**2021/22 to 2023/24**	**2024/25 to 2030/31**	**2031/32 to 2040/41**	**2041-42 to 2050/51**	**2051/52 to 2070/71**
Projected Connections	536	572	622	693	755	862
Projected Rating Units	592	628	678	749	811	918
Projected increase in Connections		7%	16%	29%	41%	61%
Projected Average Dry Weather Flow (m3/day)	248	273	307	354	396	468
Projected Peak Wet Weather Flow (m3/day)	1,208	1,330	1,499	1,737	1,948	2,307

Note that the time frames have been chosen to reflect the periods 3, 10, 20 and 30 years from the AMP release date, however due to the time it takes to complete the analysis the base rates strike data used was from 2019/20.

Longer term, connections are projected to increase by 61%. This long term projection is lower than the 2017 growth projection, of 109% (used for the 2017 AMP). Both projections utilised the best data and information available to project the connections for the wastewater schemes at the time. The base population projections given to PDU for 2019 infrastructure planning were more area specific than the 2017 projections (separating the Mandeville area into residential and rural), and has given a better projection for the Mandeville scheme.

Average Dry Weather Flow (ADWF) and Peak Wet Weather Flow (PWWF) projections have been based on the assumptions that for future development areas the Engineering Code of Practice (ECOP) ADWF or PWWF per person is added to the existing flow.

The assumptions made to calculate the future ADWF were based on the ECOP, with the residential 0.675m3/prop/day and non-residential 0.2m3/Ha/day; and the future PWWF was based on the ECOP, at residential 3.375m3/prop/day and non-residential 1m3/Ha/day.

On average Mandeville's existing Inflow/Infiltration level is considered low, resulting in below-average Peak Wet Weather Flow (PWWF).

Projections

Figure 5 & Figure 6 present the projected growth and corresponding demand trends for the Mandeville Area wastewater scheme.

Figure 5: Population Projections

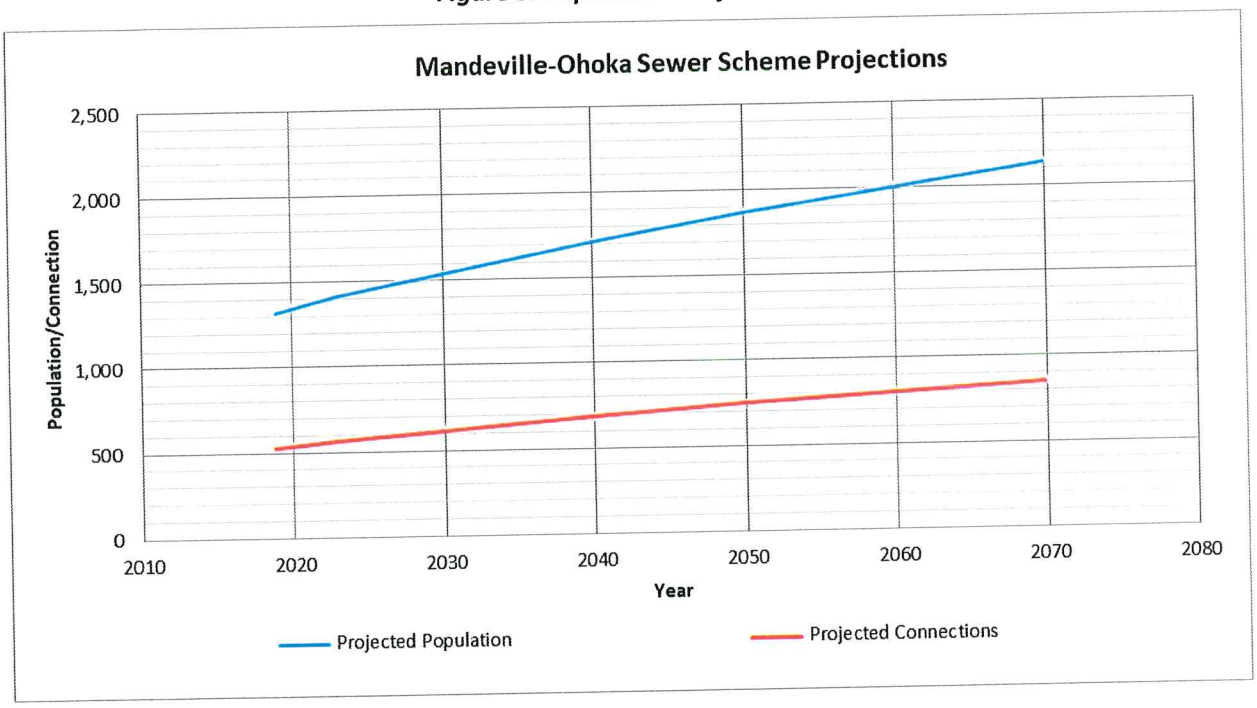
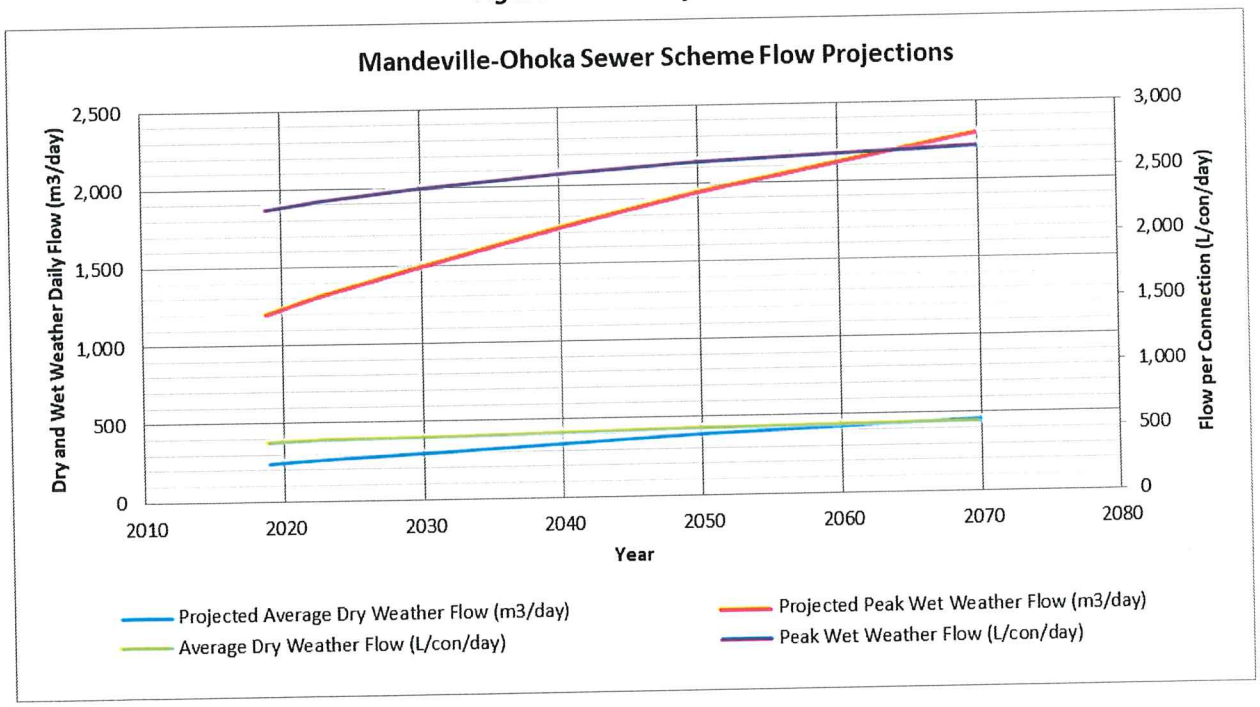


Figure 6: Flow Projections



Provide comments as to whether any expansion of the Mandeville area to the east along Tram Road down to the Whites Road intersection would result in groundwater issues

a) **given that most properties have bores what is the likely impact upon the underlying aquifer,**

b) **will localised irrigation cause an increase in shallow groundwater (bearing in mind the stock water race may be removed?**

Likely impacts for groundwater resulting from expansion to the east of Mandeville along Tram Road are the same as those previously described for San Dona.

Assuming that irrigation water is locally sourced shallow groundwater, as previously described, deep infiltration and recycling of groundwater is only anticipated to comprise a small proportion of the overall groundwater take. The overall effect is anticipated to be a net groundwater take and reduction in groundwater levels; however, this is also not anticipated to be significant.

Properly managed irrigation should also limit the potential for deep drainage and recharge to groundwater.

Appendix J

Author's Qualifications and Experience

QUALIFICATIONS

Bachelor of Engineering (Civil) University of Canterbury

Former Member of Institute of Professional Engineers of New Zealand

Registered Engineer (prior to title ceasing)

Former Member of Association of Local Government Engineers

May 2022 - **Retired**

January 2016 – May 2022 **Safety, Risk & Property Manager, McAlpines Ltd**

- Group Safety Manager for timber manufacturing and retail group with 380 employees in four locations.
- Group Risk Manager for McAlpines Group of companies with responsibility for $250 million of assets
- Responsible for environmental compliance of group's timber manufacturing and retail sites
- Responsible for building compliance of group's timber manufacturing and retail sites
- Principal project manager for a wide range of capital expenditure and operational improvement projects at timber processing and retail sites

May - November 2015 **Travelling in Europe with family**

July 2013 – May 2015 **National Projects Manager, Waste Management NZ Ltd**

- Principal project manager for a wide range of capital expenditure and operational improvement projects for Transpacific Industries, with focus on South Island projects
- Principal project manager for capital projects for Transwaste Canterbury Ltd, a public private partnership, including landfill development, environmental protection, power generation, and land development.
- Responsible for the technical performance and regulatory compliance of the Kate Valley Landfill, Redruth Landfill in Timaru, and Fairfield Landfill in Dunedin.
- Team leader of South Island project management team.

May 2010 – June 2013 **General Manager, Canterbury Waste Services**

- Profitable financial performance, leadership and general management of $20 million per annum operation with 45 staff including Kate Valley Landfill, transfer station to landfill waste haulage, and Fairfield Landfill.
- Principal advisor and administrator to the Board of Transwaste Canterbury Ltd, a public private partnership.
- Development and maintenance of strategic plan, and risk management plan.
- Champion of development and implementation of health, safety, and environmental compliance systems.
- Responsible for staff recruitment, training, and development of the organisation.
- Responsible for liaison with key customers, stakeholders, public and media.
- Responsible for the technical performance and regulatory compliance of the Kate Valley Landfill, Redruth Landfill in Timaru, and Fairfield Landfill in Dunedin.
- Winner of Service Industry section of 2010 Champion Canterbury Awards.

Oct 2004 – 2010 **Kate Valley Landfill Manager, Canterbury Waste Services**

- Responsible for financial and asset management of a $7 million division.
- Establishment of operational facilities, the purchase of plant, recruitment of 20 operations staff for Kate Valley Landfill ready for opening in June 2005.
- Member of the winning team of Infrastructure section of 2004 IPENZ Engineering Excellence Awards
- Preparation of Landfill Management Plan, and other operational plans, as required by consent conditions.
- Operation of landfill, compliance with consents including liaison with regulatory authorities and Peer Review Panel.

- Development and maintenance of whole of life planning and long term financial plans.
- Principal liaison contact with local community including Community Liaison Group, neighbours general public.
- Preparation and presentation of financial, operational and development proposals to board of directors of Transwaste Canterbury Ltd
- Responsible for staff recruitment, training, and development.
- Development and implementation of health, safety, and environmental systems.
- Design manager, and operational reviewer, of Redruth Landfill in Timaru, and Fairfield Landfill in Dunedin.

Jan 2000 – Oct 2004 **Development Manager, Canterbury Waste Services**

- Briefing, management and coordination of consultant team. Collation and review of technical data for resource consent applications for Kate Valley Landfill
- Preparation and presentation of evidence for local hearings and Environment Court.
- Development of landfill and waste haulage systems, including liaison with customers
- Design Manager for the Kate Valley Landfill and associated dams, roading access and other infrastructure with a value of over $20 million. Project designers received Gold Prize from Association of Consulting Engineers.
- Development of Alliance agreement, client representative for development and implementation of Alliance construction contract.

Oct 1993 – Dec 1999 **Technical Services Manager, Waimakariri District Council.**

- Management and operation of the Technical Services business unit of 12 to 15 professional/technical staff.
- Negotiating contracts, allocating and programming work, quality assurance and profitability of the unit.
- Responsible for Design Team, Development Team, Water and Waste Technical Team and Technical Records Team, including gaining of ISO accreditation for some operations.
- Project Manager for the District Development Strategy, and most major projects.
- Technical reviewer of submissions to the Waimakariri District Plan 1995 - 1997
- Engineer to Contract for most contracts, and principal contract advisor to Council.
- Author of the council's Code of Practice for Urban and Rural Development.

Sept1989 – Oct 1993 **Regional Manager/Director, T H Jenkins & Associates Consulting Engineers Ltd.**

- Responsible for the successful management of the Christchurch office, and the civil design of the whole practice.
- Responsible for nine professional/technical staff, procuring commissions, allocating and programming work, quality assurance and profitability of the branch.
- Project manager for the implementation of the $10 million Acute Services Review for CDHB including upgrading of clinical services across three sites, relocation of services to Christchurch Hospital, and relocating elective services to satellite sites.

July 1983 – Sept 1989 **Contracts Manager, Pavroc Contracting (now Fulton Hogan Canterbury Ltd)**

- Responsible for tendering for contracts, contract administration, allocation of people and plant resources.
- Maintenance management of a large fleet of specialised road building plant
- Management of a number of divisions with up to fifty staff throughout Canterbury.

Dec 1980 – July 1983 **Site Engineer, British Pavements (renamed Pavroc Holdings in 1981).**

- Supervising construction of large roading and drainage contracts throughout Canterbury.
- Design-build of a range of civil works for various institutions in the Canterbury area.
- Site Engineer for five months of the resurfacing of main runway, Nadi Airport, Fiji. Undertook all site surveying and quality control of asphalt laying operations. Responsibility for the management of runway operations with a staff of twenty-five expatriates and locals.

Waimakariri District Council
Proposed Waimakariri District Plan

Recommendations of the PDP Hearings Panel

Recommendation Report 34

Hearing Stream 12C
Rezoning Requests – Large Lot Residential Zones

This report should be read in conjunction with **Report 1** and **Recommendation Reports 2, 3, 35 and 36.**

Report 1 contains an explanation of how the recommendations in all subsequent reports have been developed and presented, along with a glossary of terms used throughout the reports, a record of all Panel Minutes, a record of the recommendation reports and a summary of overarching recommendations. It does not contain any recommendations per se.

Recommendation report 2 contains the PDP Panel's recommendations on the PDP's Part 2: District-wide Matters – Strategic directions - SD Strategic directions objectives and policies.

Recommendation report 3 contains the PDP Panel's recommendations on the PDP's Part 2: District-wide Matters – Strategic directions - UFD Urban Form and Development objectives and policies.

Recommendation report 35 contains the PDP Panel's recommendations on the PDP's Rezoning- Ōhoka- PDP and Variation 1.

Recommendation report 36 contains the PDP Panel's recommendations on the PDP's Rezoning- Residential.

Appendix 1: Schedule of attendances

Appendix 2: Recommended amendments to the Proposed Plan - Tracked from notified version (provisions not consequentially renumbered)

The Hearings Panel for the purposes of **Hearing Stream 12C** comprised Commissioners Gina Sweetman (Chair), Gary Rae, Allan Cubitt and Neville Atkinson.

1. Introduction

Report outline and approach

1. This is Report 33 of 37 Recommendation Reports prepared by the PDP Hearings Panel appointed to hear and make recommendations on submissions to the Proposed Waimakariri District Plan (PDP).

2. The report addresses submissions received requesting the district plan maps are amended to rezone land to Large Lot Residential.

3. We have structured our discussion on these topics and other rezoning requests differently to our other Recommendation Reports, as the rezoning requested is the focus of the decision sought by the submitter.

4. This Recommendation Report contains Appendix 1: Schedule of attendances at the hearing on this topic. We refer to the parties concerned and the evidence they presented throughout this Recommendation Report, where relevant.

5. We record that all submissions requesting rezoning of land to residential have been taken into account in our deliberations. More detailed descriptions of the submissions and key issues can be found in the relevant s42A Reports, Responses to Preliminary Questions and written Reply Report, which are available on the Council's website.

6. In accordance with the approach set out in Report 1, this Report focuses only on 'exceptions', where we do not agree fully or in part with the s42A report authors' recommendations and / or reasons, and / or have additional discussion and reasons in respect to a particular submission point, evidence at the hearing, or another matter.

7. The requirements in clause 10 of the First Schedule of the Act and s32AA are relevant to our considerations of the PDP provisions and the submissions received on those provisions. These are outlined in full in Report 1. In summary, these provisions require among other things:
   (a) our evaluation to be focussed on changes to the proposed provisions arising since the notification of the PDP and its s32 reports;
   (b) the provisions to be examined as to whether they are the most appropriate way to achieve the objectives; and
   (c) as part of that examination, that:
      i. reasonable alternatives within the scope afforded by submissions on the provisions and corresponding evidence are considered;
      ii. the efficiency and effectiveness of the provisions is assessed;
      iii. the reasons for our recommendations are summarised; and
      iv. our report contains a level of detail commensurate with the scale and significance of the changes recommended.

8. We have not produced a separate evaluation report under s32AA. Where we have adopted the recommendations of Council's s42A report authors, we have adopted their

reasoning, unless expressly stated otherwise. This includes the s32AA assessments attached to the relevant s42A Reports and/or Reply Reports. Those reports are part of the public record and are available on the Council website. Where our recommendation differs from the s42A report authors' recommendations, we have incorporated our s32AA evaluation into the body of our report as part of our reasons for recommended amendments, as opposed to including this in a separate table or appendix.

9. A fuller discussion of our approach in this respect is set out in Section 5 of Report 1.

2. Rezonings recommended be accepted by the s42A Report Author

Recommendations

10. We record our agreement with the s42A report author's recommendations to accept submissions seeking land to be rezoned, either in part or in full. We note that Mr Buckley provided a thorough and comprehensive s42A report, written responses to our preliminary questions, and a Reply Report in response to the matters raised at the hearing in respect to those particular rezoning requests. We also relied on our recommendations in respect to the Strategic Directions and in particular the Urban Form and Development Objectives and Policies when evaluating the evidence before us in respect to these rezoning requests.

11. In line with our 'exceptions' approach to reporting, we do not address the substance of these submissions further except in relation the submissions of Survus[1], Rainer and Hack[2], Stokes submission,[3] and the Fawcett Road proposal[4], which we deal with briefly below.

12. We also recommend amendments to the Development Area and associated Outline Development Plan ('ODP') provisions for several of the rezonings for both consistency and also to ensure that they can be implemented as intended. In doing so, we acknowledge the effort that both the report author and the submitters' planners put in to developing a generally consistent set of Development Area and ODP provisions, as this greatly assisted us in responding to the submissions made and making our recommendations.

Survus Submission

13. With respect to the Survus submission, we would highlight here our discussion in our Urban Form and Development recommendation report 3 in relation to the application of the NPS-HPL to those areas identified as 'LLRZ Overlay'. That report discussed at length the planning evidence of Ms Aston and the legal submissions of Mr Cleary, who presented on behalf of the Survus Consultants submission to rezone 25 Ashley Gorge Road. While we note that the s42A report author has now recommended that this

[1] 250
[2] 201
[3] 29
[4] 123.1, 135.1, 137.1, 138.1, 139.1, 140.1 and 141.1.

submission be accepted, we record here that we did not agree with his position that this site was not identified for development in accordance with the exceptions provided for under NPS-HPL, and therefore the NPS-HPL applied to this site. As we stated in that recommendation report:

> *"...we agree with the submitter that the areas must have been 'identifiable in practice' as the RRDS has been used to identify the areas in the Proposed District Plan. We agree with Ms Aston that a NPS should not be used to 'wind back the clock' when a 'quite rigorous public and evidential process' has been undertaken. Applying a strict legal interpretation in such circumstances is, in our view, unreasonable and not in accordance with the intent of the exemptions of the NPS-HPL."*

14. Hence, our reasons for recommending that the Survus submission be accepted are different as we did not see the NPS-HPL as a barrier for rezoning 25 Ashley Gorge Road to Large Lot Residential.

Rainer and Hack, and Stokes

15. We also record here that the submissions of Rainer and Hack were only partially considered in this stream as part of their submission was considered in HS12E. Hence, we recommend that this submission is accepted in part. We also note that the Stokes submission[5] was also considered (and accepted) in Hearing Stream 12E, so is also an 'accept in part' in this hearing stream.

Fawcett Road Rezoning Submission

16. This group of submissions[6] sought to rezone a cluster of nine properties in the Ashley Village area, adjoining Fawcett's and Boundary Road. The properties are currently zoned RLZ, with a LLRZ overlay, and a LLRZ is sought which would create approximately 61 lots from the combined properties.

17. The planning evidence on behalf of the submitters, from Mr Stewart Fletcher, took the Panel through the history of this rezoning request, which arose out of the land being identified in the Waimakariri Rural Residential Development Strategy (RRDS) as being suitable for development (hence the LLRZ overlay). In accordance with the requirements of the RRDS, the submitters undertook further investigative work, in consultation with Council, to determine whether the land was suitable for rezoning. This led to a comprehensive submission requesting the rezoning. The submission included a planning assessment, with associated ODP; a geotechnical assessment; a stormwater and servicing assessment; a water supply assessment; a traffic assessment; and a contamination report.

18. Despite this work, and the associated consultation with Council, the initial s42A report recommendation was to reject the submission. However, the s42A report author did say at paragraph 290 of his report that:

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[5] 29

[6] Alan and Margaret Fraser [123.1], Alison and Peter Batchelor [135.1], Anton and Deana Musson [137.1], Ron and Tracey Taylor [138.1] and Leanne and Paul Strathern [139.1]

"I am generally [in] support of rezoning the LLRZ Overlay area on the north side of Fawcetts Road. However, I recommend that the land retain the LLRZ Overlay until such a time that the submitters can provide the following information:
• An ODP that aligns with the requirements of SUB-P6;
•Provide an engineered design for a reticulated wastewater system;
•Provide an updated stormwater assessment; and
•Prove that there is sufficient pressure within the water supply network for firefighting purposes."

19. Mr Fletcher addressed these concerns in his evidence, which included an updated ODP and a reduced number of access points to Fawcett Road. In his reply report, the s42A report author identified several positive features of the proposal but remained concerned with the piecemeal nature of the development, which he considered would lead to poor integration with the roading network and three waters infrastructure. The main area of concern related to traffic safety issues with the Fawcett Road connections.

20. We directed expert conferencing for Hearing Stream 12C rezoning requests in Minute 33, which included the Fawcett Road rezoning request. While this occurred on 23 August 2024, we understand that the meeting concluded prior to a resolution being reached. We subsequently received a memorandum from Mr Fletcher (dated 10 December 2024), that outlined his concern with that process, and which provided further technical details, along with an amended ODP and traffic evidence[7], to resolve the remaining issues.

21. The amendments proposed included a further reduction in access points to Fawcett Road, with only five now being promoted. The traffic evidence provided in support of these changes contained a comparison of the various options considered, including the configuration recommended by Council. The report concluded that:

"...the Applicant's updated proposal (Option 4) is substantially similar to the Council's recommendation (Option 3). It is acknowledged that the Applicant's proposal creates one additional access point onto Fawcetts Road and a modest increase in traffic generation. However, considering the development's scale (approximately 60 lots are to be accommodated), the increase in traffic with direct access to/from Fawcetts Road is relatively minor compared to the existing situation – 8 vph to 14 vph in peak hours or 70 vpd to 120 vph per day, respectively.

The number of access points with direct access to Fawcetts Road would also be reduced from nine in the existing situation to five under the Applicant's updated proposal. While a relatively modest increase in traffic with direct access to Fawcetts Road can be expected, the rationalisation of access points is expected to outweigh any potential adverse impacts of the increase in traffic.

Therefore, the Applicant's updated proposal represents a practical compromise between the Council's ideal option (Option 3) and the constraints of the existing

[7] Urban Connection, 3 December 2024

residential configurations. It achieves RCA's key objectives, including fewer access points and reduced traffic at rights-of-way where feasible.

From a traffic engineering perspective, the proposal is expected to be accommodated within the existing roading environment with less than minor effects. The modest increase in traffic volumes is offset by the benefits of access point rationalisation, ensuring a balanced and functional outcome

22. The report also addressed the non-compliance of the separation distance between the site's new road intersection and the Max Wallace Drive intersection. Several factors were identified that when combined would mean that the reduced separation distance was unlikely to result in any traffic conflicts occurring. They concluded the effects of this non-compliance to be less than minor.

23. With respect to servicing, Mr Fletcher noted that *"it has already been confirmed that the area sought to be rezoned can be adequately serviced, there is no disagreement between parties regarding this"*, a fact confirmed at paragraph 266 of the s42A report where it said *"the review of water and wastewater servicing noted that there was adequate capacity in the network."*

24. With respect to stormwater management, Mr Fletcher noted that in his reply report, Mr Buckley provided comment from the Council which confirms that stormwater can be suitably managed. He also notes that no concern was raised about downstream flood effects. The Panel has reviewed the Memo from Mr Aramowicz and while we note that he does highlight a lack of some detail, he states that:

> *"Regardless, it was generally agreed between myself and Mr Petterson that if the areas shown for stormwater management on the revised ODP are noted as indicative only, as is the case on the revised ODP, then the final size and location of each of the 5 SWMA's, along with the boundaries of the subdivision scheme plan, can be determined in the future as part of detailed subdivision engineering design. This is a normal process."*

25. The s42A report author was provided with the opportunity to respond to Mr Fletcher's letter, which he did so in a memorandum dated 18 December 2024. Despite again raising concern with some of the ODP standards and the effect 'piecemeal' development may have on the provision of infrastructure, Mr Buckleys 'recommendation' was as follows:

> *11. In my opinion the approach of wanting to enable individual property owners to develop on a piecemeal basis result in a range of complex engineering issues. Despite this the proposed amendment to the development rules to generally align with the traffic evidence, means that the main concern with respect to traffic of Council has been addressed.*
>
> *12. From a planning perspective the proposed development could produce a good outcome and provide additional LLRZ housing for the district.*

26. While not explicitly stating that he recommends 'accepting' the rezoning request in these paragraphs, it appears to the Panel that it does just that, given the main concern (traffic effects) has now been addressed. The issues raised with respect to the provision

of services are matters that are generally resolved at subdivision consent stage, as noted by Mr Aramowicz in his stormwater memorandum. Mr Fletcher also stated that:

> *"In order to establish appropriate reticulated wastewater and water infrastructure connections the submitters will need to work with the Council engineering teams. This will also be necessary because other areas also propose to establish connections to the Council reticulated network on Cones Road, such as the Ashley Village settlement proposal which Mr Buckley recommends be approved."*

27. We agree with Mr Fletcher on this point. The subdivision provisions of the PDP are comprehensive and will ensure these matters are adequately addressed. However, the Panel was concerned with the vires of some of the ODP standards recommended by Mr Fletcher to address this issue. We have recommended some changes to those standards to address that concern.

28. In conclusion, the Panel recommends accepting the submissions that request the Fawcetts Road LLRZ Overlay area be rezoned LLRZ.

Two Chain Road and Tram Road, North Swannanoa

29. Mr Buckley also recommended accepting a submission[8] to remove the LLRZ Overlay from a group of properties on Two Chain Road and Tram Road, North Swannanoa. It was not clear to us whether the submitter had any ownership within this area as the submission was not discussed at the hearing. The main concern of the submitter appeared to relate to the site being separated from the existing LLRZ by both an Arterial and Collector Road. The submitter also raised the efficiency of the existing wastewater system in the area as a limiting factor.

30. Mr Buckley largely agreed with the submitter adding that *"there is no capacity within the wastewater network for any additional growth beyond those areas already zoned LLRZ."* On that basis he recommended that the Overlay be removed.

31. This particular site is part of the larger area discussed in Section 3 below under the heading 'Zoning Requests in the Swannanoa/Mandeville area'. We agree with the s42A report author that zoning requests in that area should not be accepted at this time due to the wastewater constraints in the area. However, we also note that are many of the zoning requests are likely to contribute to and improve the function of this low-density urban area if this constraint can be overcome. This would require a strategic approach to the entire area, that would consider all infrastructure matters and potential constraints.

32. To that end, we do not consider it appropriate that RRLZ Overlays are removed from the area given the land has obviously been identified as suitable for such development in the future. Hence, we recommend that the submission of Martin Pinkham[9] be rejected and that the Overlay remain.

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[8] Martin Pinkham[185.1]

[9] 185.1

Amendments to Development Area Provisions

33. Having reviewed the proposed Development Area provisions, we have made recommendations to:
    (a) improve the "implementability" of the provisions
    (b) be consistent with the How the Plan Works section of the PDP.

34. At a high level, these amendments have involved:
    (a) Changing the standard Rule 1 across the board so it requires land use, development and subdivision to be in accordance with the ODP and to comply with any specific Development Area Standard.
    (b) Including an Advisory Note which states that the rules and standards in the specific Development Area Chapter apply in addition to those in the rest of the Plan, and where they differ, that the Development Area rules and standards substitute that rule or standard.
    (c) Amending the format of the standards for fixed features in an ODP.
    (d) Removing parts of proposed rules which are subjective.
    (e) Changing some activity rules to standards.

35. The following table sets out at a high level the changes we recommend for each Development Area:

Development Area	Panel recommendations
NOD - North Oxford Outline Development Plan	Amend wording of the 'Introduction'. Amend the format of DEV-NOD-R1 Include an amended Advisory Note Amend the format of DEV-NOD-S1 and S2 Insert 'fixed features' into a new standard as DEV-NOD-S3
AVD - Ashley Village Development	Amend wording of the 'Introduction'. Amend the format of DEV-AVD-R1. Restructure DEV-AVD-S1 as a standard and delete reference to built form standards. Include Advisory Note Amend the format of DEV-AVD-S1 and S2
CR – Cones Road Development Area	Amend the wording of the 'Introduction' Amend the format of DEV-CR-R1 Include an amended Advisory Note
GSR - Gladstone Road Development Area	Amend wording of the 'Introduction'. Amend the format of DEV-GSR-R1. Restructure DEV- GSR-R2, R3 and R4 as standards and delete reference to built form standards. Include an Advisory Note
PRD - Parsonage Road Development	Amend wording of the 'Introduction' Delete the objective and the three policies Amend the format of DEV-PRD-R1 and identify clause 2 as a standard.

	Restructure DEV-PRD-R2 as a standard and delete reference to built form standards. Include an amended Advisory Note
FRD - Fawcetts Road Development Area	Amend wording of the 'Introduction' Amend the format of DEV-ADA-R1. Include an amended Advisory Note. Delete reference to build form standards. Restructure standards so prior approval of Council is not required. Delete DEV-ADA-BFS4 Transmission Lines

36. We note that in reviewing the Development Areas we have also recommended minor grammatical edits to some of the descriptive text.

3. Rezonings recommended to be rejected by the s42A report author

37. We record our general agreement with the s42A report author's recommendations to reject submissions seeking rezoning.

38. However, we do disagree with his recommendation to reject the submissions seeking amendments to the Mill Road Ōhoka Development Area provisions and associated ODP. We address this below. We also consider it appropriate that we provide additional comment in relation to a large number of rezoning requests for the Swannanoa/Mandeville area, given the significant amount of evidence and legal submissions we heard from submitters in that area.

39. Before we discuss these two matters below, we must also briefly comment on the s42A report author's recommendations in relation to the Tapp[10] submission for 3025 Oxford Road and the Allaway and Larsen[11] submission for Lehmans Road, Fernside.

40. With respect to the Tapp submission, the s42A report author recommended rejecting the submission to extend the LLRZ Overlay to an adjoining property owned by the submitter. That recommendation was on the basis of the property being affected by the Starvation Hill Fault avoidance overlay and flood hazard constraints. As a consequence of these issues, he also recommended that the existing LLRZ Overlay be removed from the property.

41. The Panel does not agree with this recommendation as there is simply no scope to make such a change. Neither the submitter nor any other party requested that the Overlay be removed. We do however recommend that the submitter's request be rejected.

[10] 37
[11] 236

42. Turning to the Allaway and Larsen submission, the s42A report author recommended rejecting this zoning request on the basis that no technical information was provided in respect to servicing and hazard constraints. He highlighted in his report that the property *"was previously considered in the RRDS and was excluded from inclusion as it was outside of the infrastructure boundary and could potentially foreclose the ability of Rangiora to expand out to the west."* In his reply report, Mr Buckley noted his agreement, in part, with Ms Ashton's assessment of the NPS-UD and suggested that we consider the option of extending the LLRZ Overlay across the property, for which there was scope within the submission.

43. The Panel is not comfortable with this approach given the site's strategic location on the boundary of Rangiora. While it is currently outside the infrastructure boundary, further investigation may identify this site as more suitable for higher density urban development as opposed to low density, large lot residential development. We recommend that a more strategic approach be taken to the future use of this land. At this point in time, however, we recommend the submission be rejected.

MILL - Mill Road, Ōhoka Development Area

44. The submissions we address here are from the following Mill Road properties owners at Ōhoka:
    - MacRae Land Company[12]
    - Ngaire Wilkinson[13]
    - Laurie and Pamela Richards,[14] and
    - Reece Macdonald[15].

45. These submitters sought changes to the MILL - Mill Road Ōhoka Development Area provisions and ODP (created under PC17) as opposed to a new zoning. In summary, changes sought were as follows:
    - Replace Density Area A located within the centre of the ODP area, specifically over 38 Kintyre Lane, with Density Area B. This would enable allotments within the centre of the ODP area to be a minimum size of 2,500m^2 (as discussed further below), rather than 1ha.
    - Reduce the minimum allotment size for Density Area B from 4,000m^2 to 2,500m^2. No changes are proposed to the maximum number of allotments (81) or minimum allotment size for Density Area A (1ha) or the minimum average allotment size (5,000m^2).
    - Remove "character street with landscaping & planting provisions" from the MILL provisions.
    - Provide a new Local Road with potential primary pedestrian and cycle route connecting from the rear of the ODP area through 53 Threlkelds Road to Threlkelds Road.

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[12] 409.1 to 409.3
[13] 23.1
[14] 289.1, 289.2 and 289.3
[15] 308.1 – 308.3

46. The s42A report author recommended that the submissions be rejected (except for the Macdonald submission[16] in relation to the internal road issue) because of concerns with the change in density in relation to stormwater and flood hazard management; changes to residential character; and design of the new access.

47. The planner for MacRae Land Company, Ms Winter, addressed these issues in her evidence. In relation to concern with the minimum lot size, she noted that the submitter no longer proposes to reduce the 1ha minimum allotment size for Density A, while the provisions of the current ODP would be upheld because the maximum number of allotments (81) and the minimum average allotment size (5,000m^2) would remain unchanged. MCL's landscape architect, Mr Head, considered the density change to be 'neutral' because the numbers of dwellings, the primary generator of potentially adverse visual effects, would be no different than what is currently provided. Council's landscape peer reviewer, Mr Read, essentially agreed with this.

48. Mr Head also supported the removal of the street tree character requirements from a landscape and visual impact perspective. Council's landscape architect did not support the deletion of these provisions, considering they should remain given they were initially supported and/or approved by Council at the time. However, Counsel for MCL, Ms Eveleigh, outlined the history of PC17 in relation to this notation, which she submitted does not support its retention.

49. Ms Winter also considered it necessary to retain Lot 200 as a Local Road given that Kintyre Lane is unable to become a public road due to legal impediments. MCL's traffic engineer, Mr Carr, supported both Lot 200 and a Threlkelds Road connection from a traffic safety and efficiency perspective. Council's traffic expert, Mr Binder, did not have any concerns with Mr Carr's conclusions in this regard.

50. With respect to the concern raised in relation to hazards, Ms Eveleigh noted that it is not proposing to increase the overall density of the Development Area. In MCL's view, the redistribution of density will provide flexibility to reduce density in areas subject to overland flow paths. This becomes a matter of design, which will be addressed at subdivision.

51. In his reply report, the s42A report author remained concerned with how the flood risk will be managed with a change in density. He noted that Ōhoka has existing drainage issues and is subject to regular flooding and groundwater resurgence. With respect to the roading change proposed, he changed his position on that, considering the impacts are likely to be less than minor. He also discussed the removal of the character trees provisions, and preferred Mr Binder's view that the implementation of these provisions would have "positive traffic safety outcomes regardless of the ultimate interpretation of this requirement."

52. Overall, the Panel favours the evidence of MacRae Land Company in relation to this matter. We acknowledge that overall density will not in fact change and, as a

[16] 308.3

consequence, there will be no more dwellings within this area than already provided for the current ODP. While we understand the concern of the s42A report author in relation to overland flow paths and resurgence issues, we agree with MacRae Land Company that this can be appropriately managed through the natural hazard provisions of the PDP and the subdivision consent process. The evidence from the JWS[17] in relation to the resurgence issue is that there are methods to manage it, and these methods were not used in the areas where it is currently a problem.

53. We also accept that it is necessary to amend the roading layout of the current ODP, given the legal issues with Kintyre Lane. We note that Mr Carr and Mr Binder agreed on this.

54. We also accept Ms Eveleigh's explanation in relation to the 'character street with landscaping and planting provisions' and agree with Mr Head's view that internal plantings will maintain an appropriate level of amenity. The s42A report author implied from Mr Binder's comments that the road carriageway would somehow be narrowed but having reviewed the evidence presented, we cannot see how this would be the case. Mr Binder merely noted that he was aware of some research that suggested carriageway trees have some positive traffic related effects. Mr Carr did respond to this in his supplementary evidence. He assessed the research on this matter and concluded it is not particularly persuasive. We agree.

55. As consequence, we recommend accepting the submission of MacRae Land Company, Ngaire Wilkinson and Laurie and Pamela Richards. We further recommend that the submission of Reece Macdonald be rejected.

56. The amended MILL – Mill Road Ōhoka Development Area provisions, including the ODP, are attached at Appendix 2.

Zoning Requests in the Swannanoa/Mandeville area

57. Overall, we agree with the s42A report author's recommendations to reject the rezoning requests in the Swannanoa/Mandeville area. While we are adopting an exceptions approach to reporting, we consider it is nevertheless appropriate to provide additional commentary in relation to these rezoning requests, given the significant amount of evidence and legal submissions we heard.

58. The relevant submissions are set out in the table below:

[17] Joint Witness Statement – Stream 12C/12D Stormwater Expert Conferencing

Swannanoa/Mandeville Rezoning Requests	
Submitter	Site
Submitters: [111; 134; 144; 162; 170; 177; 197; 203; 204; 243; 256; 258; 302; 331; 343; 35; 352; 359; 36; 374; 375; 376; 378; 381; 382; 388; 39; 396; 398; 401; 404; 418; 88; 97] Oxford -Ohoka Community Board [172] Refer to section 5.1.4 of 5.1.4 of the s42A report for submitters' names	San Dona
(Martin Pinkham [187.1], Oxford-Ohoka Community Board [172.1], Clifford Sinclair Bishop and Hope Elizabeth Hanna [200.1], Darrell O'Brien [225.1], Adrian Selwyn Meredith [232.1], Mark Lupi [269.1], Matt Pidgeon [327.1], Beth Suzanne Warman [328.1] and Margaret Boyd Pierson [329.1])	Mandeville East Extension
Andrew McAllister [8]	Tram and Two Chain Road, Swannanoa
Kevin Augustine and Diann Elizabeth Jones [317]	121 Wards Road, Mandeville North
Malcom Taylor [296]	Tram and Ward Road
Richard Black [247]; Simone Black [265]	Ōhoka Meadows
Prosser [224]	2 Ashworth Road
Anderson [32]	1 Tupelo Pl, North Swannanoa

59. The majority of the submitters in the Swannanoa/Mandeville area were requesting that their land be rezoned from RLZ to LLRZ. The Anderson and McAllister properties are also located within the LLRZ Overlay.

60. When assessed against the UFD-P3 criteria (as recommended by the Panel in its UFD – Urban Form and Development chapter recommendation report), most of these submission requests, if not all, would meet many of the criteria for rezoning. They are not in the Development Areas of the District's main towns and are all located immediately adjacent to a LLRZ area, with the exception of 1 Tupelo Place which is in 'close proximity' to a LLRZ area. This is consistent with UFD-P3 (2(c) and (d)).

61. With the exceptions of 121 Wards Road, Mandeville North (10 lots) and 1 Tupelo Pl, North Swannanoa (seven lots), rezoning these sites would also produce 'significant development capacity' in terms of UFD-P3(2(b)). Because they are already zoned RLZ, the NPS-HPL does not apply (UFD-P3 (2(f)), while any adverse reverse sensitivity effects could be avoided or mitigated (UFD-P (2(g)).

62. Overall, we consider that rezoning these sites would likely contribute to, and improve, the functionality of this low-density urban area in terms of UFD-P3 2(a), although we have not fully considered this matter because of the issue we discuss below.

63. The main reason that the s42A report author recommended against the rezonings in this area was that there is no (or very limited) capacity within the Mandeville/Ōhoka wastewater system, while the existing road network is also considered to be constrained. Groundwater resurgence was also highlighted as a potential problem in this location. In Mr Buckley's view, these issues need to be addressed prior to any development occurring in the area. We agree that this is significant because UFD-P3(2)(e) requires that such development *"occur in a manner that makes use of existing and planned transport infrastructure and the wastewater system, or where such infrastructure is not available, upgrades, funds and builds infrastructure as required, to an acceptable standard."*

64. Some of the submitters produced a significant amount of evidence in response to the recommendations of the s42A report author, in particular the San Dona submitters and the McAllister and Prosser submitters. Given the submitters' evidence recommended various different approaches to dealing with servicing issues in relation to their specific developments, particularly in relation to wastewater capacity issues[18], we directed expert conferencing in respect of wastewater, stormwater, and transportation. A key aspect of this was to enable us to fully understand any cumulative effects arising from the various rezoning requests, including in association with the rezoning request for Ōhoka, heard in Hearing Stream 12D. Not all the submitters were represented in the resultant expert conferencing and JWSs and as, a consequence, not all rezoning requests were assessed in the JWSs, such as San Dona.

65. After reviewing the JWS on traffic and stormwater management, we conclude that there is no significant impediment for the Hearing Steam 12C rezoning requests arising from these matters that cannot be overcome at the subsequent subdivision and land use consent stage (noting that the Hearing Steam 12D Ōhoka rezoning requested was also addressed in this JWS).

66. Our greater concern relates to the wastewater management issues. We asked two questions of the wastewater experts as follows:

1. *Taking into account that some areas are using a Septic Tank Effluent Pumping system and are connected to the Mandeville Area Wastewater Scheme and others are connected to the Waimakariri wastewater network, is there sufficient wastewater capacity to accommodate additional demand in the Swannanoa/Mandeville/Ohoka area? Please explain how the two systems operate, the capacity in each, and whether additional demand can be accommodated.*

2. *If it is identified that there would be adverse cumulative effects and that demand exceeds capacity, what might the triggers be for upgrades or new infrastructure to be provided, how could these be reflected in district plan provisions for each*

[18] For example, Mr Sookdev identified three options for wastewater servicing of the Prosser site.

rezoning request."

67. In terms of the Mandeville Area Wastewater Scheme, which is primarily a Septic Tank Effluent Pumping (STEP) system, all the experts agreed that 'inflow and infiltration' (I&I) is an issue due to high groundwater and potential ponding over septic tanks. With respect to capacity, they agreed that the current scheme allows for the development areas proposed by Council in the PDP, and while the scheme currently meets at least a 1 in 5-year level of service with full development, it does not meet a 1 in 50-year level of service. This is because *"storm events greater than 1 in 5 years have resulted in the system becoming overloaded for extended periods."* The JWS advised that *"residents have reported to Council they have not had wastewater service for an extended period of time"* and that *"the raw flow data from the Bradley's Road pump station shows in late July/early August 2022 the system was operating at or near capacity for approximately two weeks."*

68. The experts agreed that it will be expensive to resolve the existing I&I issues with this system. However, they also agreed it is technically feasible to find another solution and noted that this would need to be developer or Council-led. They went on to say that *"where multiple parties are involved, Council usually takes the lead and recoups costs through Development Contributions. This is currently not budgeted for by the Council".*

69. The areas of disagreement relate to use of 'off-peak' hours to pump. The Council representatives note that *"there is no unallocated design capacity in the current Mandeville WW system to support additional rezoning sought by the 12C submitters in the long-term"*. Given the current issues with the scheme, they considered that extra connections, which would discharge the additional flow by pumping during 'off-peak' times *"would not be reliable and would almost certainly increase the extent of issues (ie WW overflows) experienced by both existing and future residents that discharge to the current Bradleys Road Pump system during times of high inflow and infiltration."*

70. They did recognise that given the historic rate of subdivision in the Mandeville area, and the extent of existing development, there is "currently a small amount of un-*utilised capacity in the Mandeville-Ohoka WW system."* They agreed that *"it would be a reasonable compromise to allow the unused capacity to be used in the short term to facilitate growth by allowing a temporary connection for Ohoka 12D",* which was a part of this JWS process, provided capacity to the Mandeville area is reinstated before it becomes constrained.

71. Mr Sookdev, for the Prosser submission, disagreed with Council's position, highlighting that pumping of wastewater during "off peak" periods would work with temporary retention of wastewater to be provided on site during periods of inundation and infiltration. He referred to Mr O'Neill's evidence as an indication that there is spare capacity available, however Mr O'Neil confirmed that the statement referred to was not to be taken as an indication of available capacity as it was referring to one particular day only. Mr Mars, for McAllister, noted that there *"does*

not appear to have been sufficient investigation and modelling carried out to confirm the effects of storage and off-peak pumping" and until this has occurred, *"such an approach cannot be discounted".* Mr Sookdev agreed with this and noted that a pressurised system was proposed for Prosser, within which storage can be managed.

72. Mr Mars highlighted the issues with the current system and stated that *"if there are no plans to fix or this issue, then the current system does not have capacity to service any additional Lots regardless of the current zoning. Logic suggests that any additional connections from the current zone into the network would act to further overload the network during a 1 in 5 year storm and above."* He went on to say:

> *"If all 12C sites within the Mandeville area are allowed to be rezoned, this will increase the financial viability for a new main and spread the expenditure amongst developers making any such scheme more realistic. Developers will also partially start replacing the existing reticulation as they will be required to run new pressure reticulation from their respective subdivision areas, which can be upsized to cater for additional loading should the current STEP networks be replaced by LPS. However, without re-zoning, Mandeville will continue with its current wastewater issues, with no plans for remediation or upgrades, and little incentive for future developers to become involved."*

73. The second question asked what the triggers might be for upgrades/new infrastructure and how would they be reflected in the PDP provision. The experts merely stated that the first area applying for resource consent would trigger the need for the works, which would be funded *"through a combination of the Development Contribution policy, schedules and private developer agreements."* Mr Sookdev reiterated his belief that there is capacity to treat the wastewater from at least the Prosser development.

74. Unfortunately, the JWS does not provide us with any further certainty around the capacity to serve the developments proposed in any co-ordinated and efficient way, without others in the system potentially being disadvantaged. While we appreciate and understand Mr Sookdev's position, recommending approval of one or two of the requested rezonings through this process is essentially 'picking winners' which the Panel is not prepared to do.

75. We agree with Mr Mars' position that any additional connections, including from development that is already catered for by the current system, will act to further overload the system. We also agree with him that allowing the rezonings will increase the financial viability of a new system, but we do not consider that there has been a robust enough assessment of how that could be enabled though this process. We consider many, if not all, of the requested rezonings in this area seem logical and a more efficient use of land that will increase support for the existing facilities in Mandeville and Swannanoa. However, to progress what are currently 'piece-meal' developments will require a co-ordinated approach most likely lead by the Council given the multiple landowners involved (although we accept that the larger developers could combine to drive this).

76. We therefore agree with the s42A report author that these submissions should not be accepted on the basis of the wastewater constraints in the area. When that is overcome, we agree that most of the rezoning requests are likely to contribute to and improve the function of this low-density urban area. We recommend that the Council considers future development of the Mandeville and Swannanoa area in a strategic and integrated manner, potentially culminating in a plan change.

4. Conclusion

77. For the reasons summarised above, we recommend amendments be made to the Planning Maps to show the rezoning of the sites for which we have recommended rezoning occurs, and the adoption of a set of associated changes to the PDP provisions. Our recommended versions of the Development Area Chapters are shown in Appendix 2.

78. Overall, we find that our recommendations in respect to the LLRZ Rezoning requests will ensure the PDP better achieves the statutory requirements, national and regional direction, and our recommended Strategic Directions, and will improve its useability.

Appendix 1: Submitter attendance and tabled evidence for LLRZ Rezoning requests- Hearing Stream 12C

Attendee	Speaker	Submitter No.
Pete and Lizzy Anderson	• Pete and Lizzy Anderson	32 FS25
Ray Harpur	• Ray Harpur	388
Doug Guthrie	• Doug Guthrie	85
Andy Carr	• Andy Carr • Samantha Kealy	158
Rainer and Ursula Hack	• Bernie Warmington • Barbara Dean • James Hopkins • Andy Carr	201
Martin Pinkham Cliff Bishop and Hope Hanna Darrell O'Brien Adrian Meredith Mark Lupi Matt Pidgeon Beth Warman Margaret Pierson	• Martin Pinkham	187 200 225 232 269 327 328 329
Richard Black Richard and Simone Black	• Martin Pinkham	247 265
MacRae Land Co	• Sarah Eveleigh • Terri Winder	409 FS113
Morris Harris	• Morris Harris	348
Alistair Cameron	• Andrew Schulte • Peter Glasson	180 FS121
Mark and Melissa Prosser	• Chris Fowler • Mark Prosser • David Smith • David Delagarza • Danash Sookdev • Robert Wilson • Fraser Colegrave • Mark Allan	224
Crichton	• Jo Appleyard • Georgia Brown • Natalie Hampson	299
Christchurch International Airport Ltd	• Jo Appleyard	FS80
Survus	• Gerard Cleary • Stu Ford • Fiona Aston	250
Rick Allaway & Lional Larsen	• Fiona Aston	236
Andrew McAllister	• Andy Carr • Daniel McMullan • Cameron Mars • Ivan Thomson	8
Claire McKeever	• Claire McKeever	111
Alan and Margaret Fraser	• Stewart Fletcher	123

Alison and Peter Batchelor Aton and Deanna Musson Ron and Tracy Taylor Leanne and Paul Strathern Dianne and Geoff Grundy Graeme and Lynne Wellington		135 137 138 139 140 141
Tabled Evidence		
Daiken	• S Styles	
Mark and Melissa Prosser	• P Marambos	224
Survus	• Fiona Aston – • Frank Hobkirk • Morgan McIntosh • Andrew Carr • Stuart Ford • Ben O'Grady	250
Alistair Cameron	• Claire Malony • Elliot Duke • Ian Llyod • Gareth Oddy	180
Andrew Carr	• Andrew Smith • Antoni Facey • David Compton-Moen • Neeraj Pratap	158
Andrew McAllister	• Stuart Ford • Daniel McMullan • Jason Grieve • Frank Hobkirk	8
Rainer and Ursula Hack	• James Hopkins	201
Crichton	• Chris Thompson • David Compton-Moen • James Twiss • Jeremy Trevathan • Nicola Peacock • Tim McLeod • Victor Mthamo • Wayne Gallot	299
MacRae Land Company	• Sarah Eveleigh / Sarah Schulte • Andy Carr • Jeremy Head	409 FS113
Mark and Melissa Prosser	• Ian McPherson • Aaron Graham • Sharn Hainsworth • Vikramjit Singh • Fraser Miller • Stuart Ford • Roland Payne • David Delagarza • Mark Pringle	224
Paul Marambos	• Paul Marambos • Malcom Clemence	263

Lachlan and Gloria MacKintosh	• Lachlan and Gloria MacKintosh	380

Appendix 2: Recommended amendments to the Proposed Plan - Tracked from notified version (provisions not consequentially renumbered)

Scope Summary:

Each residential rezoning area has a primary submitter or submitters. This scope is outlined at the beginning of each development area, using the approach taken in Mr Wilson's Hearing 12E reports.

Submission scope for recommended PDP changes

North Oxford Development Area
• *Survus Consultants Ltd [250]*

NOD - North Oxford Development Area

Introduction

The design and layout of development is dictated by Bay and Ashley Gorge Roads determining the west and east boundaries. To the south is the urban area of Oxford. To the north Somerset Drive provides a further area of transition to the rural area.

Activity Rules Land use, development and subdivision

DEV-NOD-R1 Activities in the North Oxford Outline Development Plan Area	
Activity Status: PER Where land use, development and subdivision: 1. is in accordance with DEV-NOD-APP1; and 2. complies with DEV-NOD-S1, DEV-NOD-S2 and DEV-NOD-S3	**Activity status when compliance not achieved with DEV-NOD-R1(1): DIS** **Activity status when compliance not achieved with DEV-NOD-R1(2): as set out in the relevant standards**
Advisory Note The activity rules and standards in this Chapter apply in addition to the rules and built form standards for the underlying zone and Part 2: District-Wide matters chapters. Where a rule or standard is in conflict with this ODP, the ODP shall substitute the rule or standard.	

Standards

DEV-NOD-S1 Rear lots	
1. No more than 20% of the sites created in any one subdivision shall be rear lots.	**Activity status when compliance not achieved: RDIS** **Matters of discretion:** • SUB-MCD1 - Allotment area and dimensions • SUB-MCD2 - Subdivision design • SUB-MCD3 - Property access

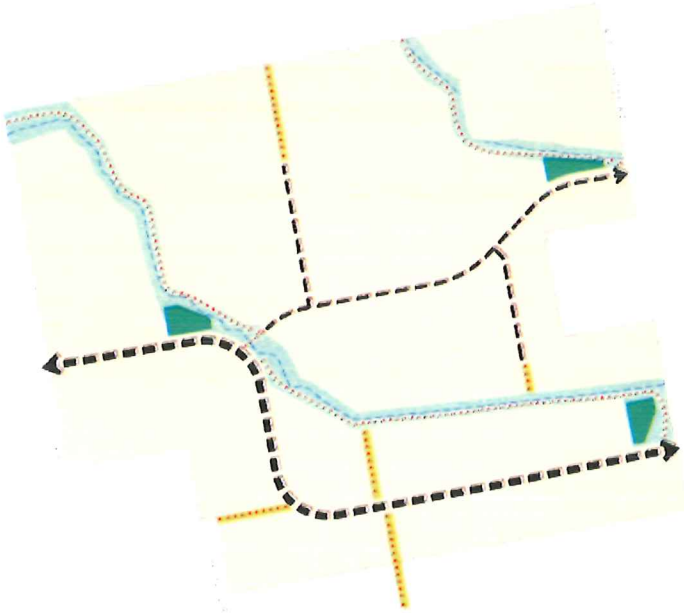
DEV-NOD-S2 Green network corridor	
1. The green network corridors in the North Oxford Outline Development Plan shall be setback a minimum of 7.5m from the centreline of the two rivers except where the river	**Activity status when compliance not achieved: RDIS** **Matters of discretion:** • SUB-MCD1 - Allotment area and

crosses the site of the existing dwelling and accessory buildings in the NE corner of the ODP.	dimensions • SUB-MCD2 - Subdivision design • SUB-MCD3 - Property access

DEV-NOD-S3 North Oxford Outline Development Plan Fixed Features	
Activity status: PER The following shall be provided as fixed features on the ODP: 1. Green links adjoining the two rivers 2. Water body setbacks and buffers 3. Stormwater detention areas subject to specific design and conditions of subdivision consent 4. Two primary road connections to Ashley Gorge Road and one primary access to Bay Road. 5. Water and wastewater mains will be laid in the roads.	**Activity status when compliance not achieved: DIS**

APPENDIX

DEV-NOD-APP1 North Oxford Outline Development Plan



LINE AND COLOUR LEGEND

ODP plan boundary

LLRZ

Open Space Reserve

Flow Path

Stormwater Reserve

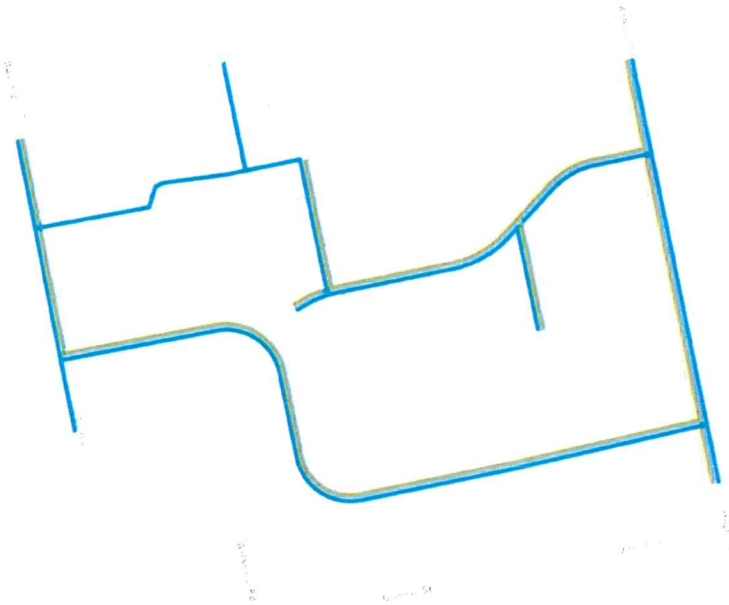
Primary Road

Secondary Road

Green Link + Cycleway

Waterways

North Oxford Outline Development Plan – Water and Wastewater



LINE AND COLOUR LEGEND

NEW SEWER MAIN

NEW WATER MAIN

ODP plan boundary

Submission scope for recommended PDP changes

Ashley Village Development Area
• *Alistair Cameron [180]*

AVD - Ashley Village Development Area

Introduction

Ashley Village has three road frontages and is contained within one single land title. The proposed development is proposed to be zoned Settlement Zone.

Activity Rules Land use, development and subdivision

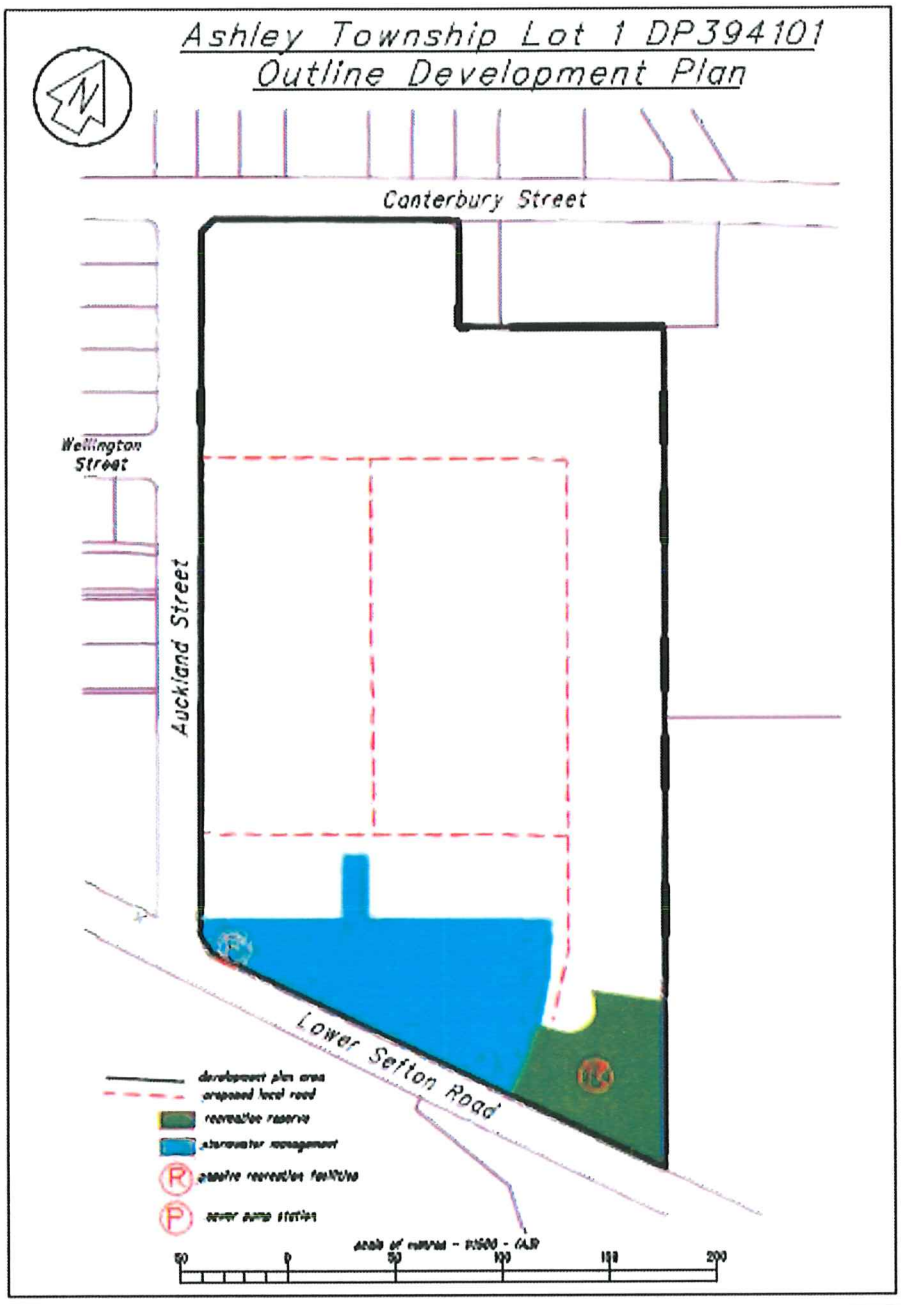
DEV-AVD-R1 Activities in the Ashley Village Outline Development Plan Area	
Activity Status: PER Where land use, development and subdivision: 1. is in accordance with DEV-AVD-APP1; and 2. complies with DEV-AVD-S1	**Activity status when compliance not achieved with DEV-AVD-R1(1): DIS** **Activity status when compliance not achieved with DEV-AVD-R1(2): as set out in the relevant standard**
Advisory Note The activity rules and standard in this Chapter apply in addition to the rules and built form standards for the underlying zone and Part 2: District-Wide matters chapters. Where a rule or standard is in conflict with this ODP, the ODP shall substitute the rule or standard.	

Standards

DEV-AVD-S1 Ashley Village Development Wastewater	
1. The subdivision shall connect into the Cones Road Wastewater Pumpstation.	Activity status when compliance not achieved: NC

APPENDIX

DEV-AVD-APP1 Ashley Village Outline Development Plan


Ashley Township Lot 1 DP394101
Outline Development Plan
Canterbury Street
Wellington Street
Auckland Street
Lower Sefton Road
development plan area
proposed local road
recreation reserve
stormwater management
passive recreation facilities
sewer pump station
50
0
50
100
150
200

Submission scope for recommended PDP changes

Cones Road Development Area
• *Andy Carr [158], Kyleston Farms Limited [70]*

CR – Cones Road Development Area

Introduction

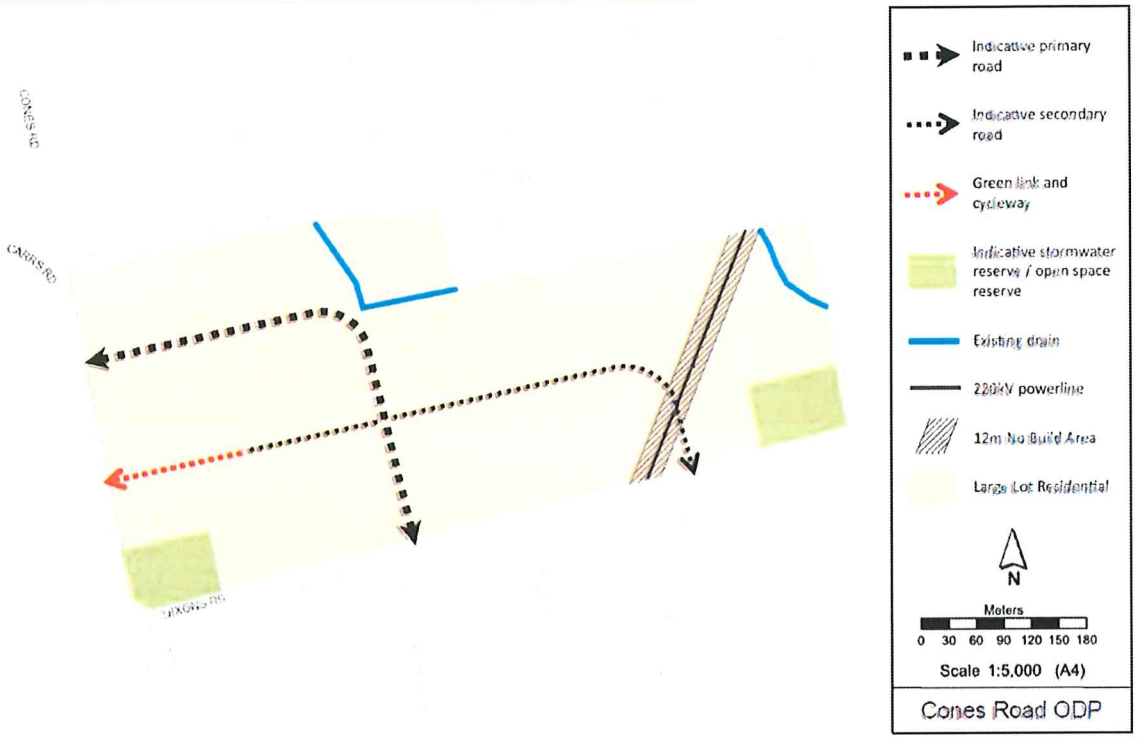
The Cones Road Development Area covers approximately 25 hectares to the northeast of the Cones Road and Dixons Road intersection.

Activity Rules Land use, development, and subdivision

DEV-CR-R1 Activities in the Cones Road Outline Development Plan Area	
Activity Status: PER 1. Where land use, development, and subdivision are in accordance with DEV-CR-APP1	**Activity status when compliance not achieved: DIS**
Advisory Note The activity rules in this Chapter apply in addition to the rules and built form standards for the underlying zone and Part 2: District-Wide matters chapters. Where a rule or standard is in conflict with this ODP, the ODP shall substitute the rule or standard.	

Appendix

DEV-CR-APP1 – Cones Road Zone Outline Development Plan



Submission scope for recommended PDP changes

Gladstone Road Development Area
• *Crichton Developments Ltd [299]*

GSR - Gladstone Road Development Area

Introduction

The Gladstone Road Development Area is located on the eastern edge of Woodend township. The site is located to the south of Gladstone Road and to the north-east of the East Woodend Development Area. The Woodend Bypass designation runs partially within the eastern area of the site and forms the eastern boundary of the development area.

Activity Rules Land use, development and subdivision

DEV-GSR-R1 Activities in the Gladstone Road Outline Development Plan Area	
Activity Status: PER Where land use, development and subdivision: 1. is in accordance with DEV-GSR-APP1; and 2. complies with DEV-GSR-S1, DEV-GSR-S2 and DEV-GSR-S3.	**Activity status when compliance not achieved with DEV-GSR-R1(1): DIS** **Activity status when compliance not achieved with DEV-GSR-R1(2): as set out in the relevant standard**

Standards

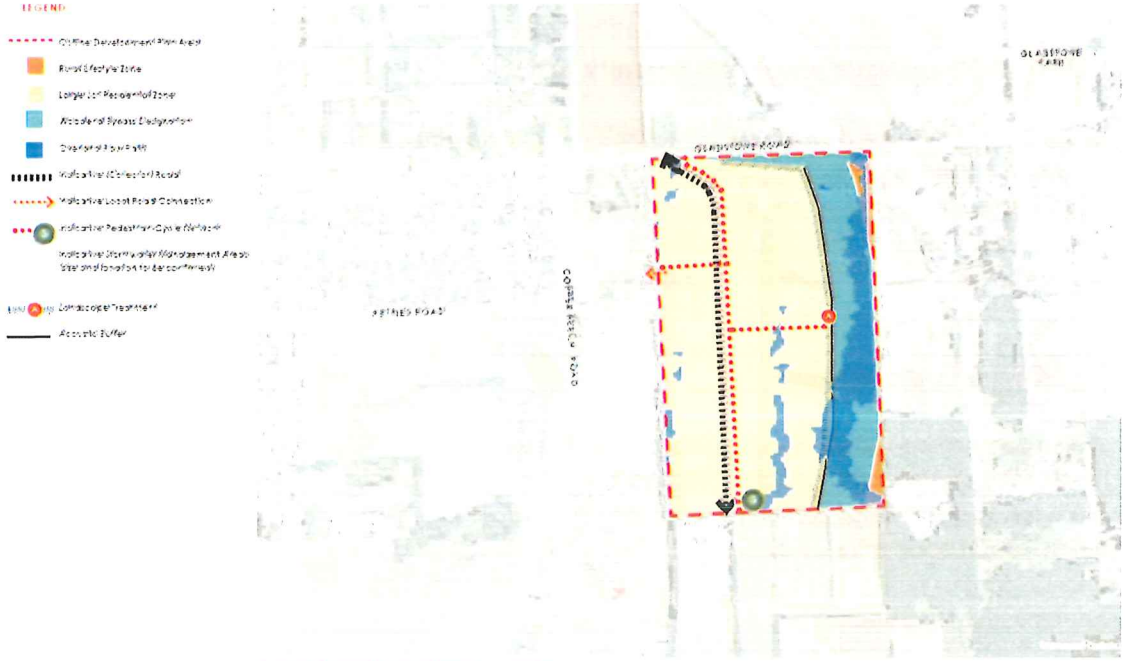
DEV-GSR-S1 Transport provisions	
1. Until such time as the Woodend Bypass is implemented and operational, development of the site shall not exceed the occupation of more than four allotments. 2. Following the implementation and operation of the Woodend Bypass, development shall be in accordance with DEV-GSR-APP1, inclusive of: (a) Gladstone Road shall be upgraded between Copper Beech Road and the full extent of the site frontage to include road design attributes identified in Table TRAN-3.	**Activity status when compliance not achieved: NC**
Advisory Note The activity rules and standards in this Chapter apply in addition to the rules and built form standards for the underlying zone and Part 2: District-Wide matters chapters. Where a rule or standard is in conflict with this ODP, the ODP shall substitute the rule or standard.	

DEV-GSR-S2 Acoustic and visual amenity buffer	
1. To manage noise and visual amenity effects on site from strategic infrastructure, a 3m high earth bund shall be formed along the full length of the eastern boundary of the site adjacent to the NZTA designation.	**Activity status when compliance not achieved: DIS**

DEV-GSR-S3 Landscaping	
1. The eastern boundary shall be landscaped for a width of 6m*, with species planted at 1m centres capable of achieving a minimum height of 5m once established. *Species shall include:* *i. Griselinia littoralis, Broadleaf;* *ii. Cordyline australis, Ti kouka;* *iii. Pittosporum tenufolium, Kohuhu;* *iv. Podocarpus totara, Totara;* *v. Phormium tenax, Flax;* *vi. Dacrycarpus dacrydioides, Kahikatea;* *vii. Sophora microphylla, SI Kowhai;* *viii. Korokia species; and* *ix. Cortaderia richardii, SI Toetoe.* **Note this 6m width can encompass the 3m bund required under DEV-GSR-S2.*	**Activity status when compliance not achieved: DIS**

APPENDIX

DEV-GSR-APP1 Gladstone Road Outline Development Plan



A. OUTLINE DEVELOPMENT PLAN (SCALE 1:5,000@A3)

Map Data © Google - INTERACTIVE MAP

Submission scope for recommended PDP changes

Parsonage Road Development Area
• *Rainer and Ursula Hack [201]*

PRD - Parsonage Road Development Area

Introduction

The Parsonage Road Development Area is located between the eastern edge of Woodend township and the proposed Woodend Bypass.

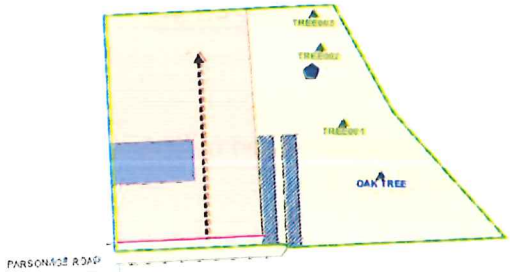
Activity Rules Land use, development and subdivision

DEV-PRD-R1 Activities in the Parsonage Road Outline Development Plan Area	
Activity status: PER Where land use, development, and subdivision: 1. is in accordance with DEV-PRD-APP1 and 2. complies with DEV-PRD-S1 and DEV-PRD-S2 with	**Activity status when compliance not achieved with DEV-PRD-R1(1): DIS** **Activity status when compliance not achieved with DEV-PRD-R1(2): as set out in the relevant standard**
Advisory Note The activity rules and standards in this Chapter apply in addition to the rules and built form standards for the underlying zone and Part 2: District-Wide matters chapters. Where a rule or standard is in conflict with this ODP, the ODP shall substitute the rule or standard.	

Standards

DEV-PRD-S1 Parsonage Road	
1. Parsonage Road to the south of 110 Parsonage Road shall be upgraded to meet local road standards.	**Activity status when compliance not achieved: DIS**
DEV-PRD-S2 Tree Protection	
1. The oak tree marked on the Outline Development Plan in DEV-PRD-APP1 shall be retained within a lot with a minimum lot size of 2500m^2	**Activity status when compliance not achieved: RDIS** **Matters of discretion are restricted to:** Matters of control/discretion listed in SUB-MCD13 - Historic heritage and notable trees

Appendix
DEV-PRD-APP1 – Parsonage Road ODP



KEY:

- MEDIUM DENSITY RESIDENTIAL ZONE
- LARGE LOT RESIDENTIAL ZONE
- OUTLINE DEVELOPMENT PLAN AREA
- PROPOSED ROAD DESIGN
- LOCAL ROAD
- LOCAL ROAD (INTERNAL)
- INDICATIVE DRAINAGE/WATER MANAGEMENT AREA
- MONITORED DRAIN
- DISTINCT PLAN NOTABLE TREE TO BE RETAINED
- OAK TREE TO BE RETAINED
- RETAIN EXISTING TREES ALIGN DRIVEWAY TO EXISTING CROSS

NOTE:

- MAXIMUM SIZE OF 2000M² AROUND THE EXISTING HERITAGE NEW DEALAND EATER BUILDING (DEMOLAX 113 PARSONAGE RD)

AREAS (M²):

- LARGE LOT RESIDENTIAL ZONE - 19274.76
- MEDIUM DENSITY RESIDENTIAL ZONE - 9969.73
- MEDIUM DENSITY RESIDENTIAL ZONE NET AREA (EXCLUDING ROAD AND STORMWATER) - 6924.50

N

METERS

0 25 50 75 100 125

SCALE 1:2000 (A0)

PARSONAGE ROAD
OUTLINE DEVELOPMENT PLAN

Submission scope for recommended PDP changes

Mill Road Development Area
• *MacRae Land Company [409], Ngaire Wilkinson [23], and Reece Macdonald [308]*
• *Note: a number of changes have also been made under clauses 16(2) and 10(2)(b) for structure and style consistency purposes and to correct minor errors*

MILL - Mill Road Development Area

Introduction

The Mill Road Outline Development Plan Area is located at the southern end of Ohoka Township. It comprises an area of Large Lot Residential Zone, with separate densities provided for within the development.

The key features of DEV-MILL-APP1 include:

- Density Areas A and B, providing for between one and two households per ha;
- amenity tree planting;
- pedestrian and cycleways;
- indicative roading layouts;
- setbacks from Mill Road; and
- stormwater management areas.

Activity Rules

DEV-MILL-R1 Mill Road Outline Development Plan	
Activity status: PER Where: 1. development shall be in accordance with DEV-MILL-APP1.	**Activity status when compliance not achieved: DIS**
Advisory Note • For the avoidance of doubt, where an Activity or Built Form Standard is in conflict with this ODP, the ODP shall substitute the provision.	

DEV-MILL-R2 Stormwater management

Activity status: PER Where: 1. All stormwater generated from the site shall be directed into and pass through one of the stormwater attenuation and water quality treatment systems prior to discharge from the site.	**Activity status when compliance not achieved: NC**
DEV-MILL- R3 Activities in the road and internal boundary setback	
Activity status: PER Where: 1. There shall be no fixed outdoor lighting within any road or internal boundary setback. 2. Within a 10m setback from the marked boundaries a minimum of one tree shall be planted for every 20m of the relevant allotment boundary. Such trees may be grouped within each allotment adjacent to the marked boundary. 3. Any hedge of more than 5m in length along any lot boundary shall not exceed 1.5m in height. 4. Trees required in accordance with (2) above shall: a. comprise a mix of large high amenity trees that reflect and complement species found in Ohoka, from the following tree list: i. *Cupressus macrocarpa* (macrocarpa), *C. x leylandii* (Leyland cypress) ii. *Eucalyptus pauciflora* (snow gum), *E. gunii* (cider gum), *E. cinerea* (silver dollar gum), *E. mannifera ssp mannifera* (Eucalyptus mannifera) iii. *Fagus spp* (European beech) iv. *Fraxinus excelsior* (European ash) v. *Ginkgo biloba* (ginkgo) vi. *Juglans nigra* (black walnut) vii. *Liquidambar styraciflua* (liquidamber) viii. *Magnolia grandiflora* (evergreen magnolia), *M. soulangeana* (saucer magnolia) ix. *Platanus x aceriflia* (London plane), *P. orientalis* (oriental plane) x. *Podocarpus totara* (Totara) xi. *Populus nigra x euramericana* 'Crows nest', *P. yunnanensis* (Chinese poplar) xii. *Quercus robur* (Enlish/common oak), *Q. rubra* (red oak), *Q.*	**Activity status when compliance not achieved: NC**

palustris (pin oak), *Q. ilex* (Holm oak), *Q. coccinea* (scarlet oak), *Q. cerris* (Turkey oak) xiii. *Robinia pseudoacacia* (black locust) xiv. *Tilia x europaea* (common lime) xv. *Ulmus glabra* (wych elm), *U. procera* (English elm), *U. hollandica 'Dodens'* (Dutch elm) b. be at least 1.5m in height above ground level at the time of planting; and c. be maintained so that any dead, dying, damaged or diseased plants are replaced immediately.	
DEV-MILL- R4 Subdivision design	
Activity status: PER Where: 1. Any subdivision shall provide for the protection of vegetation located downstream adjacent to the Mill Road and Threlkelds Road intersection together with the springs and watercourses that drain to that vegetation.	**Activity status when compliance not achieved: NC**

Built Form Standards

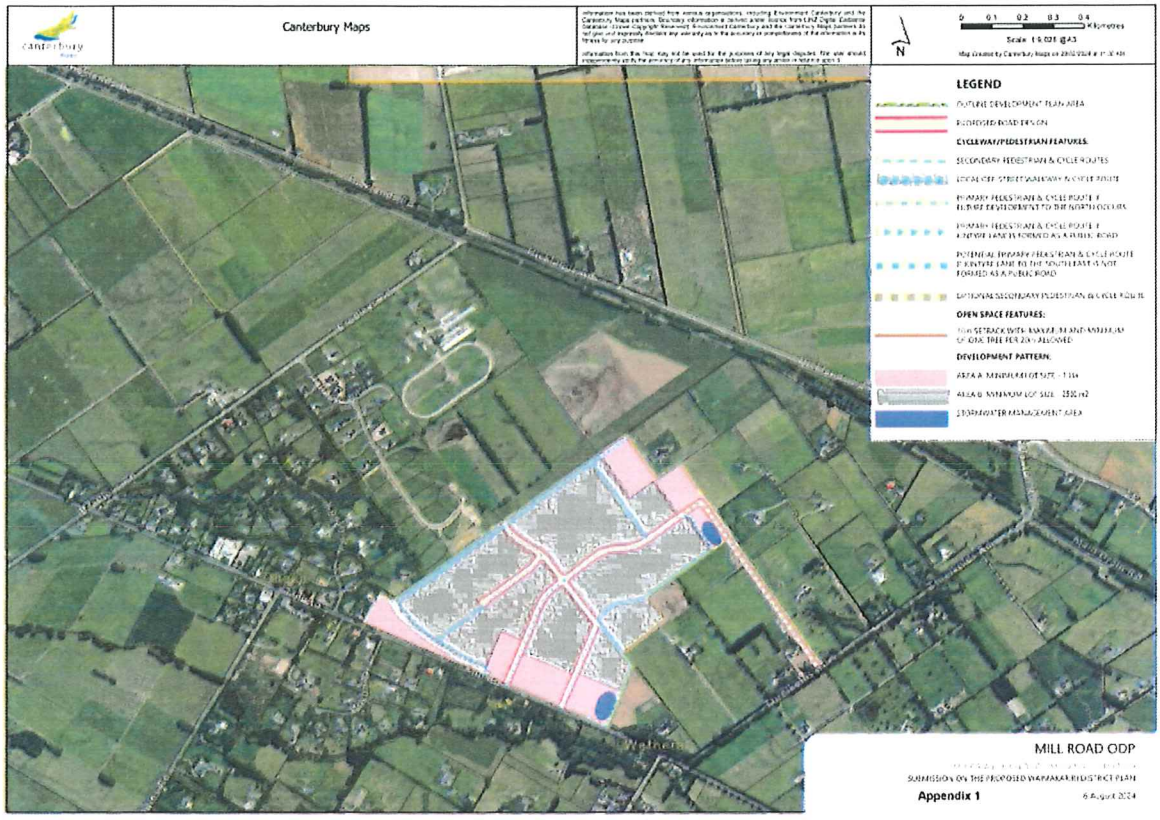
DEV-MILL-BFS1 Specific density and road frontage requirements	
1. For the purpose of SUB-S1: a. the maximum number of allotments across the DEV-MILL-APP1 area shall be 81; and b. allotment sizes shall be achieved within the following Density Areas: i. Density Area A shall achieve a minimum allotment size of no less than 1ha; ii. Density Area B shall achieve a minimum allotment size of no less than ~~4000~~2500m^2;[1] iii. the average area of all allotments shall be not less than 5000m^2; and iv. the minimum road frontage of any allotment adjoining Mill Road shall be 50m.	**Activity status when compliance not achieved: NC**

[1] MacRae Land Company [409.1 to 409.3]

DEV-MILL-BFS2 Specific access provisions	
1. There shall be no increase in the number of allotments with vehicle access to Kintyre Lane unless and until it is vested as a public road. 2. There shall be only one public road connecting to Mill Road. 3. Provision shall be made for a road connection to the land to the north in the location identified on DEV-MILL-APP1.	**Activity status when compliance not achieved: NC**
DEV-MILL-BFS3 Building restriction area	
1. No structures or dwellinghouses are permitted within Area C shown on the outline Development Plan.	**Activity status when compliance not achieved: NC**
DEV-MILL-BFS4 Building and structure setbacks	
1. For the purpose of LLRZ-BFS6 (1) (a) any building or structure, other than a fence, shall be set back a minimum of: a. 10m from any road boundary from a local road; b. 15m from the road boundary with Mill Road.	**Activity status when compliance not achieved: NC**
DEV-MILL-BFS5 Fencing	
1. For the purpose of LLRZ-BFS7 (1) and (2): a. Any fence erected within any road or internal site boundary setback shall be limited to: i. maximum height of 1.2m above ground level; ii. post and wire or post and rail fences; iii. be at least 50% transparent; and b. Any gate structure or wing walls shall be limited to: i. a maximum height of 1.8m above ground level; ii. gates shall be at least 50% transparent and constructed in timber; and iii. wing walls shall be constructed in either: timber, stone or plastered masonry, and if painted shall be finished in hues of grey, green or brown with a reflectivity value of no more than 37%.	**Activity status when compliance not achieved: NC**

Appendix – Amended Mill Road ODP

DEV-MILL-APP1 – Mill Road Ohoka ODP



Submission scope for recommended PDP changes

Fawcetts Road
• *Alan and Margaret Fraser [123], Alison and Peter Batchelor [135], Anton and Deana Musson [137], Ron and Tracey Taylor [138] and Leanne and Paul Strathern [139]*

FR - Fawcetts Road Development Area

Introduction

The Fawcetts Road Development Area is located to the north of Fawcetts Road and to the west of Boundary Road. The area is zoned for Large Lot Residential Development and the applicable provisions of the Waimakariri District Plan apply.

Activity Rules - Land use, development and subdivision

DEV-FR-R1 Activities in the Fawcetts Road Outline Development Plan Area	
Activity Status: PER Where land use, development and subdivision: 1. is in accordance with DEV-FR-APP1; and 2. complies with DEV-FR-S1 to DEV-FR- S4.	**Activity status when compliance not achieved: DIS** **Activity status when compliance not achieved with DEV-FR-R1(2): as set out in the relevant standards**
Advisory Note: For the avoidance of doubt, the purpose of the ODP is to facilitate the establishment of a transport network through the site and appropriate stormwater management. The activity rules and standards in this Chapter apply in addition to the rules and built form standards for the underlying zone and Part 2: District-Wide matters chapters. Where a rule or standard is in conflict with this ODP, the ODP shall substitute the rule or standard.	

DEV-FR-S 1 Vehicular Access	
1. When the internal local road connection to Boundary Road is formed and established, a formed 1.8 metre wide gravel pathway shall be established on the western side of Boundary Road to provide a pedestrian connection to Ashley Rakahuri School. 2. Vehicular access from Fawcetts Road (excluding via the internal local road) shall be limited as to the number of vehicle crossings and number of allotments served as follows: a. 21 Fawcetts Road shall include no more than one vehicle crossing, providing access to no more than two residential allotments.	**Activity status when compliance not achieved: DIS**

b. 49 Fawcetts Road shall include no more than one vehicle crossing providing access to no more than one residential allotment. c. 63 Fawcetts Road shall include no more than one vehicle crossing which shall be located directly on the eastern boundary of the property and shared with 65 Fawcetts Road. The vehicle crossing shall provide access to no more than two residential allotments on the property. d. 65 Fawcetts Road shall include no more than one vehicle crossing which shall be located directly on the western boundary of the property and shared with 63 Fawcetts Road. The vehicle crossing shall provide access to no more than two residential allotments on the property. e. 75 Fawcetts Road shall include no more than one vehicle crossing which shall be located directly on the eastern boundary of the property and shared with 87 Fawcetts Road. The vehicle crossing shall provide access to no more than two residential allotments on the property. f. 87 Fawcetts Road shall include no more than one vehicle crossing which shall be located directly on the western boundary of the property and shared with 75 Fawcetts Road. The vehicle crossing shall provide access to no more than three residential allotments on the property. g. 11 Boundary Road shall have no direct vehicular access to Fawcetts Road. All vehicular access shall be via Boundary Road.	

DEV-FR-S2 Reticulated services	
1. Prior to any subdivision occurring within the Outline Development Area, an integrated reticulated services plan shall be prepared by a suitably qualified expert that provides for the efficient servicing of	**Activity status when compliance not achieved: NC**

all development sites within the Outline Development Plan area. 2. All residential allotments within the Outline Development Plan area shall be connected to Council managed reticulated water and wastewater systems in accordance with the integrated reticulated services plan prepared under DEV-FR-S2(1).	

DEV-FR-S3 Stormwater	
1. Prior to any subdivision occurring within the Outline Development Area, an integrated stormwater disposal plan shall be prepared by a suitably qualified expert that provides for the efficient disposal of stormwater from the roading network and all sites within the Outline Development Plan area. 2. Any building erected on an allotment shall include provision for on-site stormwater disposal where this has been identified as required in the integrated stormwater plan for the Outline Plan area prepared under DEV-ADA-BFS3.1. 3. All residential dwellings must include roof water collection tanks with a minimum capacity of 5,000 litres.	**Activity status when compliance not achieved: DIS**

Appendix
DEV-FR-APP1 – Fawcetts Road ODP


Legend
FARCETTS ROAD
CANEL ROAD