

OFFICER'S REPORT FOR:

Hearing Panel

SUBJECT:

Proposed Waimakariri District Plan: Wāwāhia
whenua – Subdivision (Rural)

PREPARED BY:

Mark Buckley

REPORT DATED:

13 March 2024

DATE OF HEARING:

17 April 2024

Executive Summary

1. This report considers submissions received by the District Council in relation to the relevant objectives, policies, rules, definitions of the Proposed Plan as they apply to Wāwāhia whenua – Subdivision (Rural). The report outlines recommendations in response to the issues that have emerged from these submissions.
2. There were a number of submissions and further submissions received on Subdivision (Rural). The submissions received were diverse and sought a range of outcomes. The following are considered to be the key issues in contention in the chapter:
 - Subdivision consent applications prior to notification;
 - Enabling smaller rural lot subdivision; and
 - Subdivision within the National Grid Corridor.
3. This report addresses each of these matters, as well as any other issues raised by submissions.
4. Subdivision (Rural) is also subject to a number of consequential amendments arising from submissions to the whole of the Proposed Plan and other chapters.
5. I have recommended some changes to the Proposed Plan provisions to address matters raised in submissions and are summarised below:
 - Inclusion of an advice note around on-site wastewater treatment;
 - Consistency of terms being used; and
 - Minimising noise and vibration effects through subdivision design.
6. Having considered all the submissions and reviewed all relevant statutory and non-statutory documents, I recommend that the Proposed Plan should be amended as set out in section **Appendix A** of this report.
7. For the reasons set out in the Section 32AA evaluation included as Appendix C in this report, I consider that the proposed objectives and provisions, with the recommended amendments, will be the most appropriate means to:
 - achieve the purpose of the RMA where it is necessary to revert to Part 2 and otherwise give effect to higher order planning documents, in respect to the proposed objectives, and
 - achieve the relevant objectives of the Proposed Plan, in respect to the proposed provisions.

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Interpretation

8. Parts A and B of the Officer's reports utilise a number of abbreviations for brevity as set out in Table 1 below:

Table 1: Abbreviations

Abbreviation	Means
RMA	Resource Management Act 1991
District Council	Waimakariri District Council / territorial authority
Operative Plan	Operative Waimakariri District Plan
Proposed Plan	Proposed Waimakariri District Plan
NES	National Environmental Standard
NESETA	National Environmental Standards for Electricity Transmission Activities 2009
NESCF	National Environmental Standards for Commercial Forestry
NPS	National Policy Statement
NPSET	National Policy Statement on Electricity Transmission 2008
NPSUD	National Policy Statement on Urban Development 2020
RPS	Operative Canterbury Regional Policy Statement

Table 2: Abbreviations of Submitters' Names

Abbreviation	Means
CIAL	Christchurch International Airport Ltd
DoC	Department of Conservation Te Papa Atawhai
ECan	Environment Canterbury / Canterbury Regional Council
Federated Farmers	Federated Farmers of New Zealand Inc.
Forest and Bird	Royal Forest and Bird Protection Society
Kainga Ora	Kainga Ora - Homes and Communities
NZPork	New Zealand Pork Industry Board
Hort NZ	Horticulture New Zealand
KiwiRail	KiwiRail Holdings Limited
MainPower	MainPower New Zealand Ltd
Transpower	Transpower New Zealand Ltd
WDC	Waimakariri District Council (including as requiring authority)
Waka Kotahi	Waka Kotahi NZ Transport Agency

In addition, references to submissions includes further submissions, unless otherwise stated.

1 Introduction

1.1 Purpose

9. The purpose of this report is to provide the Hearing Panel with a summary and analysis of the submissions received on the Subdivision (Rural) and the related Strategic Directions objectives and to recommend possible amendments to the Proposed Plan in response to those submissions.
10. This report is prepared under section 42A of the RMA. It considers submissions received by the District Council in relation to the relevant strategic directions objectives, objectives, policies, rules, definitions, as they apply to the Subdivision (Rural) in the Proposed Plan. The report outlines recommendations in response to the key issues that have emerged from these submissions.
11. This report discusses general issues or topics arising, the original and further submissions received following notification of the Proposed Plan, makes recommendations as to whether or not those submissions should be accepted or rejected, and concludes with a recommendation for changes to the Proposed Plan provisions or maps based on the preceding discussion in the report.
12. The recommendations are informed by both the technical evidence provided by Waimakariri Rural Residential Development Strategy¹ and the Rural Subdivision and Housing Analysis² report, which is available on the district council website portal, and the evaluation undertaken by the author. In preparing this report the author has had regard to recommendations made in other related s42A reports including Urban Subdivision and Rural Zones.
13. The recommendations are informed by the evaluation undertaken by the author. As the Rural subdivision topic needs to provide provisions that integrate and are complementary to other PDP chapters, in preparing this report the author has had regard to the s42A recommendation reports for other chapters that have been prepared by other officers and a list of these reports is included in **Appendix C**. In addition, and where relevant, within each section of this report I have provided references to the s42A reports where the related issue is addressed in one of those reports.
14. This report is provided to assist the Hearings Panel in their role as Commissioners. The Hearings Panel may choose to accept or reject the conclusions and recommendations of this report and may come to different conclusions and make different recommendations, based on the information and evidence provided to them by submitters.
15. This report is intended to be read in conjunction with the Urban Subdivision s42A Officers Report. Part A – Overview which contains factual background information, statutory context and administrative matters pertaining to the district plan review and Proposed Plan. This report has been prepared on the basis that it is intended to be read in conjunction with the Urban subdivision s42A Officers' Report prepared by Rachel Mc Clung. Both authors appreciate it is somewhat artificial to split the Subdivision chapter into 'Urban' and 'Rural' aspects, as a number of the provisions cross over both reports. Ms Mc Clung and I agreed on which s42A report seemed more suitable to address the issue based on a mixture of where the issue primarily fell and each of the authors experience with the issue. Where the issue is relevant to both s42A reports, we have provided commentary and cross referencing within each of our respective reports.

¹ Waimakariri Rural Residential Development Strategy (2019)

² Quotable Values, 2018. Rural Subdivision and Housing Analysis: Waimakariri District.

16. The Subdivision chapter is subject to provisions introduced by *Variation 1: Housing Intensification* ('V1'). For clarity, the provisions introduced by V1 and submissions on them are addressed in the V1 s42A report and therefore are not addressed within this report.
17. The Subdivision chapter is not subjected to provisions introduced by *Variation 2: Financial Contributions* ('V2'). This Variation makes changes to the 'How the plan works' (Part 1 – Introduction and general provisions), and Financial Contributions (Part 2 – District wide matters) chapters of the plan, but not the Subdivision chapter. Accordingly, submissions on the provisions introduced by V2 are not addressed within this report.

1.2 Author

18. My name is Mark Thomas Buckley. My qualifications and experience are set out in **Appendix D** of this report.
19. My role in preparing this report is that of an expert planner.
20. I was involved in the preparation of the Proposed Plan and authored the Section 32 Evaluation Reports for Natural Character of Freshwater Bodies, Financial Contributions in Variation 2 and Airport Noise Contour Qualifying Matter in Variation 1.
21. During the Proposed Plan hearings I have been the author of the s42A Strategic Directions, Urban Form and Development and Rural Zones officer reports.
22. Although this is a District Council Hearing, I have read the Code of Conduct for Expert Witnesses contained in the 2023 Practice Note issued by the Environment Court. I have complied with that Code when preparing my written statement of evidence and I agree to comply with it when I give any oral evidence.
23. The scope of my evidence relates to Subdivision (Rural) and related strategic directions objectives SD-O4. I confirm that the issues addressed in this statement of evidence are within my area of expertise as an expert policy planner.
24. Any data, information, facts, and assumptions I have considered in forming my opinions are set out in the part of the evidence in which I express my opinions. Where I have set out opinions in my evidence, I have given reasons for those opinions.
25. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

1.3 Supporting Evidence

26. The expert evidence, literature, legal cases or other material which I have used or relied upon in support of the opinions expressed in this report includes the following:
 - Waimakariri Rural Residential Development Strategy³; and

³ Waimakariri Rural Residential Development Strategy, 2019. Waimakariri District Council

- Rural Subdivision and Housing Analysis⁴.

1.4 Key Issues in Contention

27. A number of submissions and further submissions were received on the provisions relating to Subdivision (Rural). The submissions received were diverse and sought a range of outcomes; including for example allowing subdivision where little or no primary production is occurring [73.1].

28. I consider the following to be the key issues in contention in the chapter:

- Whether the PDP should contain legacy provisions that address subdivision on lots that existed prior to the notification of the plan;
- General Rural and Rural Lifestyle Zone boundary;
- Enabling smaller rural lot subdivision; and
- Subdivision within the National Grid Corridor.

29. I address each of these key issues in this report, as well as any other issues raised by submissions.

1.4.1 General Rural and Rural Lifestyle Zones Boundary

30. The location of the General Rural and Rural Lifestyle Zones boundary was discussed in part in Section 3.22 of the s42A Rural Zones officer report, and in Section 4 of the s32 Rural Zones officer report (Figure 1).

31. The location of the zone boundary was established as a result of investigations undertaken by Boffa Miskell (2018⁵ and 2020⁶).

⁴ Quotable Values, 2018. Rural Subdivision and Housing Analysis: Waimakariri District. Unpublished report prepared for Waimakariri District Council.

⁵ Boffa Miskell, 2018. Waimakariri District – Rural Character Assessment. Prepared for Waimakariri District Council.

⁶ Boffa Miskell, 2020. Memorandum on Rural Boundary Outline for District Plan Review.



Figure 1: General Rural and Rural Lifestyle Boundary

1.5 Procedural Matters

32. At the time of writing this report there has not been any pre-hearing conferences, clause 8AA meetings or expert witness conferencing in relation to submissions on this topic.
33. There is a procedural issue that needs to be identified. Submission point [41.31] of Fulton Hogan was incorrectly summarised in the Summary of Submissions. This was not renotified with the errata summary because it has only come to light when assessing the detail of the submission.
34. The decision requested in the Summary of Submissions stated the following:
- Amend SUB-P1(2):
"...
2. Minimises avoids reverse sensitivity effects on infrastructure including through the use of setbacks;
..."
35. However, the original submission of Fulton Hogan stated the following:
- Amend SUB-P1(2):

2. ~~Minimises~~ avoids reverse sensitivity effects on infrastructure including through the use of setbacks

36. Kiwirail [FS99] made a further submission in support of Fulton Hogan [41.31] as they supported the strengthening of this policy to ensure reverse sensitivity effects on infrastructure are avoided.
37. I note that Kiwirail made an original submission [373.58] to retain SUB-P1 as notified.
38. This was brought this to the attention of both Fulton Hogan and KiwiRail via email. Fulton Hogan confirmed via reply email that the relief they seek is that of their original submission. KiwiRail confirmed via reply email that they support deleting 'minimises' and replacing this with 'avoids', but do not support the deletion of 'on infrastructure'. They may wish to confirm this at the hearing.
39. I have assessed Fulton Hogan [41.31] as per the original submission. I have assessed KiwiRail [FS99] as supporting deleting '*minimises*' and replacing this with '*avoids*', but not as supporting the deletion of '*on infrastructure*'. **Appendix B** to this report contains the relief sought of the original submission wording, and not the summary of submissions.
40. Given that KiwiRail made an original submission on SUB-P1(2), their scope to address this provision is not limited by their further submission on Fulton Hogan [41.31]. As they are original submitters, the issue is before the Panel and there is scope for the Panel to consider a range of wording options and make a recommended decision. Therefore, in my opinion, there are no natural justice issues in relation to the incorrect summation.

2 Statutory Considerations

2.1 Resource Management Act 1991

41. The Proposed Plan has been prepared in accordance with the RMA and in particular, the requirements of:

- section 74 Matters to be considered by territorial authority, and
- section 75 Contents of district plans,

42. There are a number of higher order planning documents and strategic plans that provide direction and guidance for the preparation and content of the Proposed Plan. These documents are discussed in detail within the Section 32 Evaluation Report: Subdivision.

2.2 Section 32AA

43. I have undertaken an evaluation of the recommended amendments to provisions since the initial section 32 evaluation was undertaken in accordance with s32AA . Section 32AA states:

32AA Requirements for undertaking and publishing further evaluations

(1) A further evaluation required under this Act—

(a) is required only for any changes that have been made to, or are proposed for, the proposal since the evaluation report for the proposal was completed (the changes); and

(b) must be undertaken in accordance with section 32(1) to (4); and

(c) must, despite paragraph (b) and section 32(1) (c), be undertaken at a level of detail that corresponds to the scale and significance of the changes; and

(d) must—

(i) be published in an evaluation report that is made available for public inspection at the same time as the approved proposal (in the case of a national policy statement or a New Zealand coastal policy statement or a national planning standard), or the decision on the proposal, is notified; or

(ii) be referred to in the decision-making record in sufficient detail to demonstrate that the further evaluation was undertaken in accordance with this section.

(2) To avoid doubt, an evaluation report does not have to be prepared if a further evaluation is undertaken in accordance with subsection (1)(d)(ii).

44. The required section 32AA evaluation for changes proposed as a result of consideration of submissions with respect to Subdivision Rural is contained within the assessment of the relief sought in submissions in section 3 of this report as required by s32AA(1)(d)(ii).

2.3 Trade Competition

45. No consideration of trade competition has been given with respect to Subdivision (Rural) Zones.

46. There are no known trade competition issues raised within the submissions.

3 Consideration of Submissions and Further Submissions

3.1 Overview

47. There are 191 submissions and 201 further submission on those provisions within the Proposed Plan that can be considered that relate to subdivision within the Rural Zones. The biggest change in approach from the operative plan with respect to subdivision within the Rural Zones is the proposed change in provisions making subdivision within the GRUZ below 20ha as non-complying activities (compared with controlled in the Operative Plan).
48. Council enabled subdivision down to 4ha across the entire Rural zone as part of the Operative Plan (2005)⁷. Prior to the Waimakariri District Operative Plan (2005), the district comprised six separate county and boroughs, each with their own plans, each of which restricted rural subdivision to between 20ha⁸ to 40ha⁹.
49. Council sought legal effect of its proposed subdivision rules in the RLZ when the Proposed Plan was notified and up until the plan becomes operative. The application was lodged in the Environment Court in July 2021 and the decision released on 17 September 2021¹⁰. The proposed subdivision standards (SUB-S1) makes any RLZ subdivision below 4ha and GRUZ subdivision below 20ha, a non-complying activity. Subdivision 4ha and above and 20ha and above respectively, is a controlled activity (subject to meeting any other relevant subdivision standards and outside any specific area, such as a flood hazard or SASM).

3.1.1 Report Structure

50. Submissions on the rural component of the Subdivision chapter raised a number of issues which have been grouped into sub-topics within this report. Some of the submissions are addressed under a number of topic headings based on the topics contained in the submission (such as MainPower submission on subdivision standards). I have considered substantive commentary on primary submissions contained in further submissions as part of my consideration of the primary submission(s) to which they relate.
51. In accordance with Clause 10(3) of the First Schedule of the RMA, I have undertaken the following evaluation generally on a provisions-based approach, as opposed to a submission-by-submission approach. I have organised the evaluation in accordance with the layout of chapters of the Proposed Plan as notified.
52. Due to the number of submission points, this evaluation is generic only and may not contain specific recommendations on each submission point, but instead discusses the issues generally.

⁷ The 4ha minimum lot size for a subdivision as a controlled activity and dwelling as a permitted activity was confirmed through the release of decisions on Variation 8: Rural Policies and Rules of the Proposed District Plan in December 2003. There is one general Rural Zone that applies to most of the District, with two smaller specific zones (Rural Pegasus and Mapleham Rural 4B) applying to two areas of rural residential land at the western side of Pegasus.

⁸ Change No 12 to Transitional District Plan Eyre County Plan enable subdivision to 20h where it can be proven that they are independent farming units. Part 4 Ordinances.

⁹ Ordinance 3 Rural Zone Transitional District Plan Oxford County Plan Section.

¹⁰ Para [862] of s42A Rural Zones officer report

This approach is consistent with Clause 10(2)(a) of Schedule 1 to the RMA. Specific recommendations on each submission / further submission point are contained in Appendix B.

53. The following evaluation should be read in conjunction with the summaries of submissions and the submissions themselves. Where I agree with the relief sought and the rationale for that relief, I have noted my agreement, and my recommendation is provided in the summary of submission table in Appendix B. Where I have undertaken further evaluation of the relief sought in a submission(s), the evaluation and recommendations are set out in the body of this report. I have provided a marked-up version of the Chapter with recommended amendments in response to submissions as **Appendix A**.
54. This report only addresses definitions that are specific to this topic. Definitions that relate to more than one topic have been addressed in Hearing Stream 1.

3.1.2 Format for Consideration of Submissions

55. For each identified topic, I have considered the submissions that are seeking changes to the Proposed Plan in the following format:
- Matters raised by submitters;
 - Assessment; and
 - Summary of recommendations
 - Section 32AA evaluation (refer to the relevant table Appendix C).
56. The recommended amendments to the relevant chapter/s are set out in in **Appendix A** of this report where all text changes are shown in a consolidated manner.
57. I have undertaken a s32AA evaluation in respect to the recommended amendments in my assessment for rules, standards and matters of control or discretion.
58. There are further submissions that either support or oppose submissions in their entirety, and recommendations in relation to these further submissions reflect the recommendations on the relevant primary submission as shown in **Appendix B**.

3.2 General Submissions Plan Wide

3.2.1 Matters raised by submitters

59. There are four general submissions that apply across the whole plan and are not specific to the Subdivision Rural Chapter.
60. Clampett Investments Ltd [284.1] states that the Proposed Plan makes inadequate use of the non-notification clauses, and seeks that all controlled and restricted discretionary rules provide for exclusion of notification.
61. RIDL [326.1] want to amend the Proposed District Plan to delete the use of absolutes such as 'avoid', 'maximise' and 'minimise'.
62. RIDL [326.2] wants all controlled and restricted discretionary activity rules to not be limited or publicly notified.

63. RIDL [326.3] want all controlled and restricted discretionary activity rules to provide direction regarding non-notification.

3.2.2 Assessment

Non-notification

64. The use of non-notification clauses on all controlled and restricted discretionary rules as requested by Clampett Investments Ltd [284.1] and RIDL [326.2] and [326.3] has been considered in light of the Subdivision (Rural) rules. The two main subdivision rules are for controlled activities and already contain non-notification clauses. There are also two other rules, both restricted discretionary that have non-notification clauses. Those rules without non-notification clauses generally relate to issues that form part of section 6 of the RMA (natural hazards, heritage and outstanding natural features and landscapes) that include protection from inappropriate subdivision, use, and development. Given that they are issues of national importance, the use of non-notification clauses would be inappropriate.
65. Within the Under Section 95A RMA Council must follow a process to determine whether or not a consent application is required to be publicly notified. Increasing the number of activities that cannot be publicly notified would fetter Councils decision making ability. I do not support the inclusion of more non-notification provisions for restricted discretionary or discretionary activities.

Use of avoid, maximise and minimise

66. The submission by RIDL [326.1] requested that absolute terms, such as “*avoid, maximise and minimise*”, be removed from the Proposed Plan. The purpose of a district plan is to assist territorial authorities to carry out their functions in order to achieve the purpose of the RMA¹¹. In addition, the Proposed Plan must give effect to higher order documents¹². These documents use similar language, such as, NZCPS Policy 10(1) “*avoid reclamation*”, RPS Policies 5.3.9(1) and 5.3.10(1) “*...avoid development which constrains...*” Where necessary to give objectives and policies the clear direction required, Council has used absolute terms such as avoid, minimise and maximise (noting that minimise and maximise are not absolute terms). The term “*avoid*” is used in SUB-P1(3) with avoiding subdivision in the national grid, which is consistent with Policy 5.3.9(1) of the RPS. Policy SUB-P4(2)(a) uses avoid or mitigate adverse effects, including reverse sensitivity on the boundaries between new and existing development, which is consistent with Policy 6.3.6(8) and 6.3.9(5)(g). I do not support the deletion in the use of absolute terms within the Rural zones.

3.2.3 Summary of recommendations

67. I recommend that the submissions from Clampett Investments Ltd [284.1], RIDL [326.1], [326.2] and [326.3], be **rejected**.
68. Therefore, I do not recommend any changes to the Subdivision Rural chapter in relation to these submissions.

¹¹ Section 72 RMA

¹² Section 75(3) RMA

69. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.3 Specific theme – network utility exemption

3.3.1 Matters raised by submitters

70. MainPower submission states that they 'seek appropriate exemptions for network utility sites as required'. This generic submission point relates to Subdivision Standards SUB-S2 to SUB-S18. No specific wording for the relief that is sought was provided within the submission.

71. There are nine MainPower submission points seeking this relief on subdivision standards that are assessed in this report as follows:

- MainPower [249.213] on SUB-S2 – Table B3, Appendix B
- MainPower [249.217] on SUB-S6 – Table B3, Appendix B
- MainPower [249.219] on SUB-S8 – Table B3, Appendix B
- MainPower [249.221] on SUB-S10 – Table B3, Appendix B
- MainPower [249.224] on SUB-S13 – Table B4, Appendix B
- MainPower [249.225] on SUB-S14 – Table B4, Appendix B
- MainPower [249.227] on SUB-S16 – Table B4, Appendix B
- MainPower [249.229] on SUB-S18 – Table B4, Appendix B

72. No further submissions were received on the above original submission points.

73. Submission points on SUB-S3, SUB-S4, SUB-S5, SUB-S7, SUB-S9, SUB-S11, SUB-S12, SUB-S15 and SUB-S17 are assessed in the Urban Subdivision s42A report.

3.3.2 Assessment

Network Utility exemption

74. Subdivision of an allotment for any unstaffed infrastructure, accessway or road is a controlled activity pursuant to SUB-R2(1)(a). SUB-R2 subclause (1) specifically provides an exemption to compliance with SUB-S1 to SUB-S18 where the allotment is for any unstaffed infrastructure, accessway or road, as well as for any subdivision under (1)(b), (c) and (d). Therefore, no further exemption is required within these standards, as the exemption is provided within the rule¹³.

75. The MainPower submissions seek exemption from all subdivision standards for network utility sites. However, some of the subdivision standards would be relevant where it was associated with the construction of infrastructure buildings or an electricity generation operation. Should MainPower want all of their operation exempt from the building standards, an assessment of the impacts for those parts of their operation would help inform an opinion around what is relevant

¹³ As referred to in section 3.2 of the s42A Residential Subdivision officers report.

and what is not. Without a complete understanding of all parts of their operation, it is difficult to complete an assessment as to what is relevant and what is not. As a result, I do not recommend any changes as a result of these submission points.

3.3.3 Recommendations

76. I recommend that the submissions of MainPower [249.213, 249.217, 249.219, 249.221, 249.224, 249.225, 249.227, and 249.229] be **rejected**.
77. I recommend that no changes be made to the Subdivision Rural Chapter in relation to these submissions.
78. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.4 General Submissions Subdivision

3.4.1 Matters raised by submitters

79. There are seven submissions that are general in nature that can be considered applicable to subdivision in the rural zones.
80. Barbara Giles [18.1] seeks to allow for farm houses that are surplus to requirements to be surveyed off from the main property and sold. This submission was opposed in part by a further submission (CIAL FS80).
81. Yvonne and Mark Webb [73.1] seek that subdivision is allowed where there is little or no primary production taking place on lots.
82. Paul Martin and Julie Anne Wyatt [196.1] seek that those subdivision applications received prior to the notification of the Proposed Plan be accepted and processed under the Operative Plan.
83. Survus Consultants [205.4] seek to delete the proposed rural subdivision provisions and insert a new rule to enable subdivision consent applications lodged prior to 18 September 2021 for lots of 4ha or more to be a controlled activity. This submission was supported by 15 further submissions.
84. McAlpines Ltd [226.3] seek that the subdivision standards recognise and protect the sawmill (McAlpines) from potential reverse sensitivity effects from the subdivision of rural land.
85. MainPower [249.203] seek the inclusion of hyperlinks from Energy and Infrastructure Chapter to the relevant subdivision rules in the Subdivision Chapter while opposing links in the Energy and Infrastructure Chapter to other chapters of the Proposed Plan.
86. Mandeville Residents' Association Committee [291.2] seek that the subdivision chapter is amended to provide for larger land titles in Mandeville area to be subdivided.

3.4.2 Assessment

Surplus Farm Houses

87. The Submission by Barbara Giles [18.1] to enable surplus farm houses to be subdivided off and sold will result in undersized lots within the rural zones and therefore in my opinion would not give effect to Objective GRUZ-P1 and Policy SUB-P2. The proposed amendment would result in farmers cottages and minor residential units being subdivided off, enabling for a new minor

residential unit to be constructed as a permitted activity, despite being non-complying under rules GRUZ-R3 and RLZ-R3¹⁴. While the intent of the submission is to enable empty farm cottages to be used where they are not required for workers accommodation or where land owners don't want to rent them, any amendment to the rules could result in further dwelling development associated with the existing farm subsequently building new minor residential dwellings. There does not appear to be any evidence to support the claim that there are lots of empty farm worker cottages, as most rural properties only contain one dwelling or have already had the cottage subdivided off as part of a 4ha subdivision. I recommend that the submission is rejected.

Primary Production

88. Yvonne and Mark Webb [73.1] submission seeks to allow subdivision, where little to no primary production is taking place¹⁵¹⁶. Any assessment of rural productivity is primarily based upon the land owner's ability to manage the land¹⁷, given certain constraints. There is proportionally a large percentage of land within the district which comprises LUC class 1 to 3 soils and is considered to be highly productive¹⁸, and could be productive down to 4ha¹⁹.
89. Any subdivision of a property less than 40ha in the GRUZ zone would be considered as non-complying under Subdivision Standard SUB-S1. Subdivision of undersized lots within the GRUZ and RLZ zones would need to be assessed against Objectives RURZ-O1(2) large rural sites, Objective GRUZ-O1 limiting fragmentation, policies RURZ-P1(3) character of each zone, RURZ-P2(3) not foreclosing production, and GRUZ-P2 limiting further land fragmentation. Consideration would also need to be given under Policy 7 of the NPS-HPL, which is reflected in the amendments made to RURZ-O1²⁰ and GRUZ-P2 on limiting fragmentation of land²¹. I recommend that the submission is rejected.

Subdivision Applications Prior to Proposed Plan Notification

90. Survus sought a new rule to enable those resource consent applications lodged, but not granted, prior to notification of the Proposed Plan to be a controlled activity. The issue of enabling the aforementioned subdivision applications to become a controlled activity was discussed in section 3.22 of the s42A Rural Zones report. The Environment Court granted immediate legal effect²² for the proposed rural land use rules restricting the subdivision of GRUZ to 20ha minimum. The Environment Court considered that if the notice of motion under section 68D RMA was not granted there would be a ramping up of resource consent applications for subdivision, in excess of those

¹⁴ The minor residential unit would become the primary residential unit and would not have a designated area of 20ha.

¹⁵ Property is 8ha and predominantly comprises LUC Class 2 soils and is located in GRUZ zone.

¹⁶ Council has received as part of a submission comment stating that a 46ha LUC Class 3 land property is not financially viable [305].

¹⁷ Section 4.3 of Macfarlane Rural Business, 2018. Waimakariri District Plan Review: Rural Production Advice – Rural Land Zoning. An unpublished report for Waimakariri District Council.

¹⁸ S42A Rural Zones report para 829 notes that there is approximately 45% of the district with HPL.

¹⁹ Mr Gordon's affidavit Appendix E s42A Rural Zones officers report.

²⁰ S42A Rural Zones officer report recommended that the importance of highly productive land was recognised.

²¹ S42A Rural Zones officer report recommended that land fragmentation does not result in the loss of productive capacity of any versatile soils and highly productive land.

²² Decision No. [2021] NZEnvC 142

received prior to notification, that would undermine the intent of the objectives and policies around rural production. On this basis of the discussion above, Section 3.22 of the s42A Rural Zones officers report and the Environment Court decision, I recommend rejecting the submission.

91. Paul Martin and Julie Anne Wyatt [196.1] sought that the subdivision applications received prior to the notification of the Proposed Plan be accepted and processed under the Operative Plan. The submission only relates to the processing of their resource consent application and does not seek to rezone the land. The property at 66 German Road, Summerhill, comprises 20.74ha of LUC class 3 soils of relatively flat land slightly sloping to the east (excluding the dwelling and surrounding fronting German Road. . I recommend the submission be rejected.
92. Council applied to Environment Court to seek immediate legal effect of the rules relating to residential units (GRUZ-R41), minor residential units (GRUZ-R42), definitions of residential unit and minor residential unit, and SUB-R10 Subdivision within General Rural Zone, prior to the notification of the Proposed Plan²³. This was to avoid a 'gold rush' of 4ha subdivision within the GRUZ zone and avoid further loss of rural productive land to lifestyle blocks. Table 12 in the s42A Rural Zones officer report showed that 158 rural subdivision applications were received in the year prior to notification, and of these 129 consent applications were granted, leaving 29 consent applications not granted due to insufficient information. As also detailed in paragraph [58] above, I recommend that the submission is rejected.

Reverse Sensitivity McAlpines Sawmill

93. McAlpines [226.3] want the Subdivision Standards amended to protect the sawmill (28 Todd and 51-89 Ellis Road, Southbrook, Rangiora) from reverse sensitivity effects. The submitter sought that the 'relevant' subdivision standards be amended. However, the submission has not stated which specific subdivision standards that they want amended or exactly the changes sought. In reading the submission it appears that their main concern relates to potential subdivision of land to the west and northwest of their property, with the consequent the establishment of a new sensitive activity on the rear part of the property at 42 Townsend Road and 45 Ellis Road²⁴ (Figure 2).
94. Number 42 Townsend Road property (22.05ha) could subdivide into five 4ha lifestyle properties as a RDIS activity if the notified provisions were retained. The property is subject to the 'Non-Urban Flood Assessment Overlay' and subdivision would be considered as a RDIS under rule SUB-R4 Subdivision within flood hazard areas and RDIS under rule NH-R2 Natural Hazards.
95. Reverse sensitivity issues associated with those RLZ properties near the McAlpines Sawmill has been raised across a number of submissions. The Rural Zones Right of Reply in response to McAlpines submission [226.4] noted that noise was the main reverse sensitivity effect likely to occur, given that McAlpines owns the RLZ land immediately adjoining their site and can easily address other reverse sensitivity effects²⁵. The issue of sensitive activities within the Timber Processing Noise Overlay was discussed in the Planning Joint Witness Statement for the Noise chapter and an amended rule was proposed to address the issue (NOISE-R21). However, the

²³ A copy of the decision was in Appendix D of the s42A Rural Zones officer report. The affidavits for Legal Effect on Rural Zone Subdivision Zones was Appendix E in the same report.

²⁴ 45 Ellis Road is owned by McAlpines.

²⁵ Para [14] of Joint Witness Statement of Acoustic Experts McAlpines Hearing Stream 5.

Updated Final Noise Right of Reply, para [59], did not recommend that the proposed amendments to the noise provisions and the noise contour be included on the basis of natural justice or fair process.

96. Subdivision in its own right is not a sensitive activity, but land use and the placement of sensitive activities may result in reverse sensitivity effects.

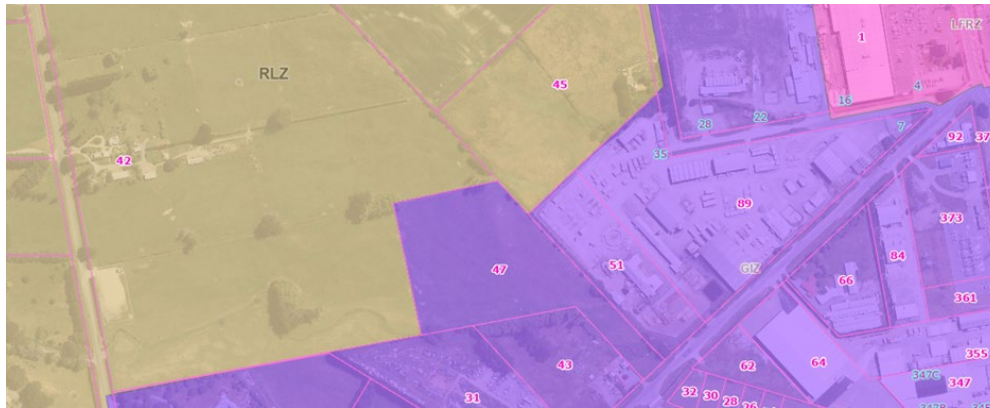


Figure 2: McAlpines site zoned as GIZ and the properties to the north and northwest as RLZ.

97. MainPower submission [249.203] requesting hyperlinks to the relevant provisions in the Energy and Infrastructure Chapter while opposing the corresponding hyperlinks in that chapter is inconsistent with the approach taken in the Proposed Plan. The s42A Energy and Infrastructure officer report and the Right of Reply supports the use of cross referencing. However, given that MainPower have not provided any specific details as to what they want cross referenced or why, it may be appropriate for this detail to be provided by the submitter during the hearing. Despite this, I don't agree that hyperlinks are necessary, but if the panel do provide recommendations as to their use that further consideration as to what is cross-referenced will be necessary.

Mandeville

98. The Operative Plan subdivision provisions requires rural residential properties to have an average lot size of 5,000m² while enabling some subdivision down to 2,500m² for Residential 4A (Rule 32.1.11) and an average of 1ha with a 5,000m² minimum in Residential 4B, as shown in Figure 3 below.
99. The minimum and average section sizing for Residential 4A was adopted across all of the LLRZ applying to the Mandeville area in the Proposed Plan (Table SUB-1). Due to the Residential 4B properties from the Operative Plan being rezoned to LLRZ, these properties will now be able to be subdivided down to 5,000m² from the existing 1ha, assuming that those properties are an average 1ha or above in size. As a result of the change in zoning, the submission is accepted in part on the basis that the 5,000m² average property size is maintained.
100. The Operative Plan Residential 4a and 4b zoning is proposed to be replaced with the Large Lot Residential Zone (LLRZ) in the Proposed Plan, as shown in Figure 4 below.

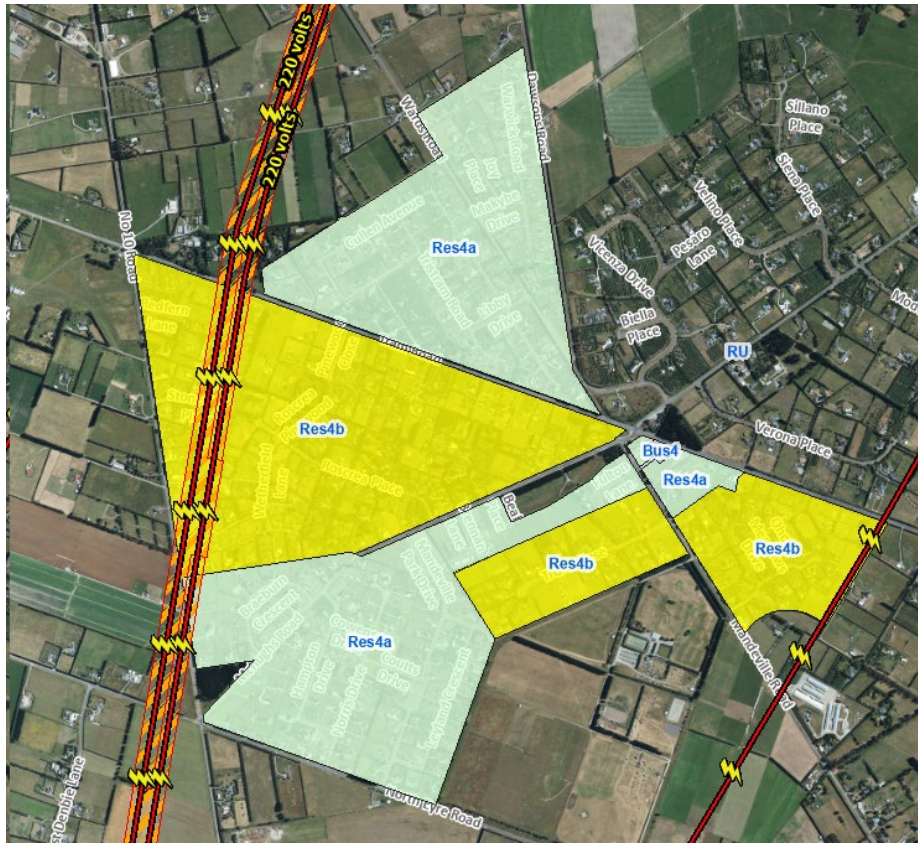


Figure 3: Residential 4A and 4B in Mandeville

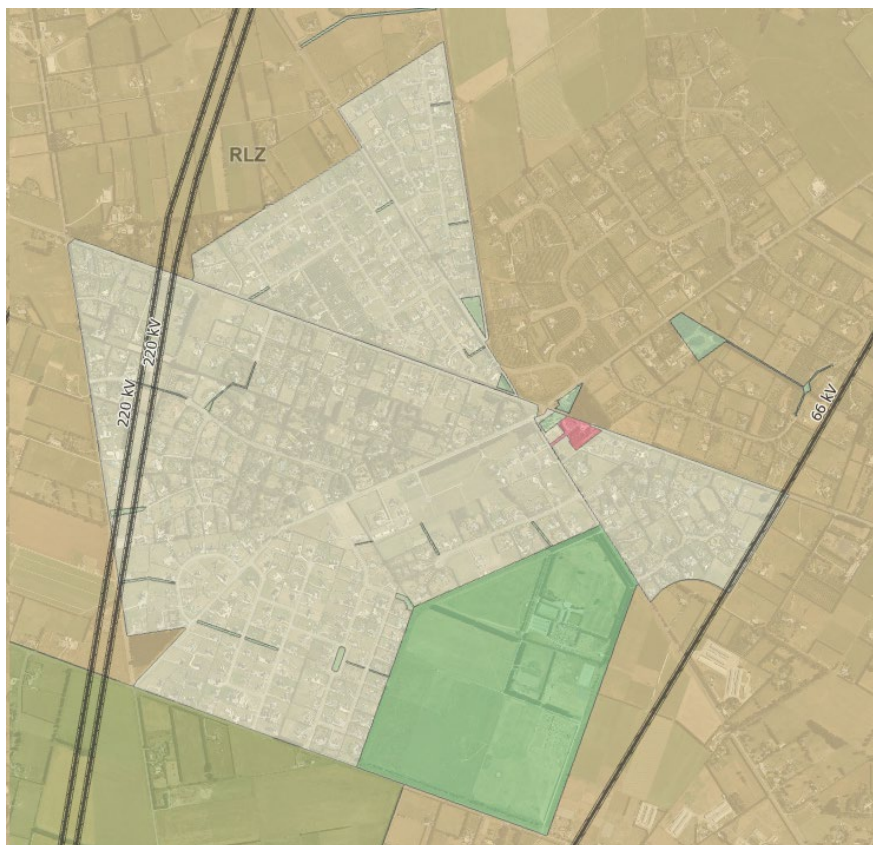


Figure 4: LLRZ in Mandeville

101. It should be noted that some of those larger parcels to the west in Mandeville have electricity transmission lines (220kV) crossing them, which result a 24m National Grid Yard Corridor across the parcels, where any new sensitive activity is non-complying. These properties are unlikely to be subdivided where the building platform is located inside the National Grid Yard Corridor (SUB-R6(1)).

3.4.3 Summary of recommendations

102. I recommend that the submissions of B Giles [18.1], Yvonne and Mark Webb [73.1], Paul Martin and Julie Ann Waytt [196.1], Survus Consultants [205.4], McAlpines [226.3], and MainPower [249.203], be **rejected**.

103. I recommend that the submissions Mandeville Residents Association Committee [291.2], be **accepted in part**, however I note that no changes to the plan are needed given that the operative zoning achieves the intent of this submission .

104. I recommend that no changes be made to the Subdivision Rural Chapter in relation to these submissions.

105. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.5 Objectives

3.6 SUB-O1 Subdivision design

3.6.1 Matters raised by submitters

106. There are 24 submissions on SUB-O1. Nine submissions supported SUB-O1 and sought it to be retained as notified, while 15 submissions sought amendments. 23 submissions are assessed within the Urban subdivision s42A report. The submission from Federated Farmers [414.206], Fulton Hogan [41.30] and NZPork [169.14] are assessed here. Three further submissions on Federated Farmers [414.206] were received from Richard & Geoff Spark [FS37] – Oppose; M Hales [FS46] – Oppose; and M & J Schluter [FS89] – Oppose.

107. Federated Farmers [414.206] seeks high class soils to be added to clause 3.

108. Fulton Hogan [41.30] and NZPork [169.14] each seek a new, but different, reverse sensitivity clause as follows:

5. Avoids reverse sensitivity effects. (Fulton Hogan [41.30])

5. Ensures that reverse sensitivity effects of subdivision on permitted and existing lawfully established activities are avoided where practicable, or mitigated where avoidance is not practicable. (NZPork [169.14])

3.6.2 Assessment

High Class Soils

109. Federated Farmers [414.206] seek 'high class soils' be included in clause 3. This is not a term defined by either the proposed plan or the CRPS. In my opinion, this matter is already encompassed within SUB-O1(1) which references the anticipated land use of the zone, which in

turn is elaborated on in policy SUB-P2(2) which references retaining the ability of rural land to be used for primary production purposes. I therefore recommend no change and that Federated Farmers [414.206] be rejected.

New clause – Reverse Sensitivity

110. The NZPork submission states that:

'SUB-O1 references to the need to maintain rural character but has no specific outcome that requires avoidance where practicable, or mitigation where avoidance is not practicable of reverse sensitivity effects of subdivision on existing lawfully established activities.'

111. The Fulton Hogan submission states that:

'The introduction to SUB - Wāwāhia whenua – Subdivision identifies reverse sensitivity as a potential effect associated with subdivision. However, Objective SUB-O1 makes no mention of this. Reverse sensitivity effects are especially an issue for intensive primary production and quarrying activities. On this basis Fulton Hogan seeks that reverse sensitivity effects are expressly addressed in the objective.'

112. Reverse Sensitivity is not explicitly stated within a SUB-O1, but in my opinion is encompassed within SUB-O1(1), with the detail of reverse sensitivity addressed within SUB-P1(2) and SUB-P1(3) in respect of infrastructure and National Grid respectively, SUB-P4(2) with respect subdivision on boundaries, and SUB-P6(2)(l) in respect of Outline Development Plan s.

113. The RPS does direct through a number of policies that development either avoids or mitigates reverse sensitivity effects (RPS Policies 5.3.2(1) Development Conditions, 5.3.9(3)(b) and (c) Regionally significant infrastructure, and 6.3.5(5) Integration of land use and infrastructure . I therefore consider that the 'avoid' wording as proposed by Fulton Hogan is too restrictive.

114. The intent of the amendment proposed by NZPork is unclear as to whether it relates to the physical effects of subdivision (such as noise and dust associated with earthworks) or the effects of the subsequent development (such as new residential development closer to rural activities). If it is the former, these matters are controlled by standards in the District-wide matters chapters and do not need to be included in objective SUB-O1. If it is the later, then this matter is addressed within policy SUB-P4(2)(a) and matters of control or discretion SUB-MCD9 Airport and aircraft noise and SUB-MCD10 Reverse sensitivity, and also within the zones (such as LLRZ-P3 Reverse sensitivity), and accordingly does not need to be repeated in objective SUB-O1 .

3.6.3 Summary of recommendations

115. I recommend the submission from Fulton Hogan [41.30], NZPork [169.14], and Federated Farmers [414.206] be **rejected**.

116. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

117. I recommend no changes to SUB-O1 of the District Plan.

3.7 Submissions on Policy

SUB-P1 Design and amenity

3.7.1 Matters raised by submitters

118. Overall, there are 18 submissions on SUB-P1. Of these submissions only the submissions by Fulton Hogan [41.31], NZPork [169.15] relates to subdivision in the rural environment.

119. Fulton Hogan [41.31]²⁶, Daiken New Zealand Limited [145.21] seek amendment to clause 2, to include reference to avoiding reverse sensitivity effects within SUB-P1(2). KiwiRail [FS99] further submitted in support of Fulton Hogan [41.31].

Fulton Hogan [41.31] and Daiken New Zealand Limited [145.21] seek amendment to clause 2.

2. ~~Minimises~~ avoids reverse sensitivity effects ~~on infrastructure~~ including through the use of setbacks; (Fulton Hogan [41.31])

2. minimises reverse sensitivity effects on infrastructure and existing heavy industrial activities including through the use of setbacks; (Daiken New Zealand Limited [145.21])

120. NZPork [169.15] seek to amend SUB-P1 though adding an additional clause that reverse sensitivity effects from subdivision is avoided on established primary production. There are no further submissions that relate to this submission.

"Enable subdivision that:...

Avoids where practicable, or otherwise mitigates, potential reverse sensitivity effects of sensitive activities (particularly residential and lifestyle development) establishing near primary production including intensive primary production activities."

3.7.2 Assessment

121. The Fulton Hogan submission [41.31], Daiken [145.21] and NZPork submission [169.15] assessment of their reverse sensitivity submissions are below. Given the similar nature to their submissions they have all be assessed together.

The policy as it is written states:

SUB-P1 Design and amenity

Enable subdivision that:

- 1. within Residential Zones, incorporates best practice urban design, access to open space, and CPTED principles;.*
- 2. minimises reverse sensitivity effects on infrastructure including through the use of setbacks;*
- 3. avoids subdivision that restricts the operation, maintenance, upgrading and development of the National Grid;*

²⁶ KiwiRail [FS99] – Support

4. *recognises and provides for the expression of cultural values of mana whenua and their connections in subdivision design; and*
5. *supports the character, amenity values, form and function for the relevant zone.*

122. Policy SUB-P1 is intended to provide guidance on design and amenity for subdivisions, and is not intended to control reverse sensitivity. Below discusses the relation between Policy SUB-P1 and the RPS and the rest of the Proposed Plan with respect to reverse sensitivity.

Regional Policy Statement

123. The RPS has a number of objectives associated with land use around infrastructure. Objective 5.2.1 requires development to avoid adverse effects on significant natural and physical resources and regionally significant infrastructure, but where this is impracticable, remedies or mitigates those effects on resources and infrastructure. Objective 6.2.1 enables development that does not adversely affect strategic infrastructure. In both cases the Objectives envisage development occurring in situations where they don't adversely impact upon the infrastructure, but does not require complete avoidance where they don't have an adverse effect on the infrastructure or other land use.

Proposed Plan

124. Both Strategic Directions and Urban Form and Development chapters contain objectives and policies that touch on reverse sensitivity within the Proposed Plan. Strategic Directions chapter Objective SD-O3(2) enables infrastructure while "*managing the adverse effects of other activities on infrastructure including **managing**²⁷ reverse sensitivity;*" and UFD-P10 which addresses reverse sensitivity effects from new development through 'managing' these by avoiding sensitive activities where they have the potential to limit critical, strategic and regionally significant infrastructure, and 'minimised' the effects on primary production (which includes quarries and mining).

125. It should be noted that the inclusion of reverse sensitivity into SD-O2(6) on submissions from Fulton Hogan [41.13] was addressed in the Strategic Directions Right of Reply. In the Right of Reply, consideration of reverse sensitivity could be achieved through UFD-P10 and RURZ-P8 and that no amendment to SD-O2 was recommended.

126. The Energy and Infrastructure chapter contains a number of objectives and policies that deal with reverse sensitivity adjacent infrastructure. Objective EI-O3 states that reverse sensitivity effects are not to constrain or compromise energy and infrastructure activities and development by incompatible²⁸ activities. Policy EI-P6 requires the 'management of adverse effects' on energy and infrastructure, including ensuring effects do not compromise or constrain (EI-P6(1)) the use of buffer distances (EI-P6(2)), and not obstructing access or pathways (EI-P6(3)). The wording in EI-O3 and EI-P6 is more directive towards ensuring development and reverse sensitivity effects are managed in a manner that does not constrain/restrict energy and infrastructure use and development.

²⁷ My emphasis

²⁸ S42A Energy and Infrastructure officer report response to submission by MainPower [249.54] and CIAL [254.28].

127. The Transport chapter has Objective TRAN-O4 that requires reverse sensitivity effects are avoided, remedied or mitigated, which can be considered as a managed approach of effects. The managed approach flows through to TRAN-P15 where the terms 'to the extent considered reasonably practicable' and 'manage' are used in assessing the effects on the transport system.
128. Residential Zones include an objective that manage adverse effects on surrounding environments (RESZ-O3(4)), while the Rural Zones have 'avoid' for new sensitive activities where located near intensive primary production and 'manage' near other primary production (RURZ-P8).
129. The subdivision as a minimum within the Proposed Plan is a controlled activity (SUB-R2) which includes the consideration of reverse sensitivity in the matters of control. While SUB-P1 includes a section on reverse sensitivity effects on infrastructure and the national grid yard, I do not agree that an additional clause is required in SUB-P1 given that clear direction is provided in SD-O4 and UFD-P10, which is reflected in the consideration of sensitive activities in the subsequent chapters (RURZ-P8 and LLRZ-P3). Subdivision of a parcel of land is not the same as land use, given that there are built form standards that ensure adequate separation of sensitive activities from certain activities (infrastructure or otherwise). I recommend that the submission is rejected.

3.7.3 Summary of recommendations

130. I recommend that the submissions from Fulton Hogan [41.31], Daiken [145.21] and NZPork [169.15] be **rejected**.
131. No changes to SUB-P1 are proposed as a result of this submission.
132. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

SUB-P2 Allotment layout, size and dimension

3.7.4 Matters raised by submitters

133. There are 16 submissions on SUB-P2, of these only one wanted an amendment to the policy that is rural related – the other submissions are addressed in the Urban Subdivision s42A report. There are 11 submissions in support, three seeking an amendment and one in opposition and one which has been withdrawn.
134. N Hoogeveen [202.1] wants an amendment to SUB-P2(2) with an additional clause (b) requiring that subdivision within the rural zone provides for rural residential development. The submitter wants it recognised that primary production is not the only use provided for in rural zones. The submitter considers that the Rural Lifestyle Zone is primarily used for residential purposes, with rural activities ancillary to the residential unit.
135. There are no further submissions that relate to the above submission.

3.7.5 Assessment

136. Councils Rural Zones Right of Reply memo discusses the difference between residential, large lot residential, rural lifestyle and general rural zones. The conclusion is that while the Rural Lifestyle Zone contains higher concentrations of residential development, there is still a varying degree of primary production that can occur and does occur on these sites. The rural production

reports by AGFIRST²⁹, KPMG³⁰, and Macfarlane³¹, state that the District has substantial potential to provide agricultural produce to Christchurch and for export given its proximity to the city, an international airport and the large areas of highly productive land.

137. The RPS definition for rural residential is sites that have between one to two dwellings per hectare. Within the Proposed Plan this corresponds to LLRZ at 5,000m² average lot sizes as against RLZ with 4ha lot sizes. Policy 5.3.1(1) Regional growth (Wider Region [ie outside Greater Christchurch]) of the RPS requires that rural residential development is limited and when it occurs, is concentrated or is attached to existing urban areas. That policy aligns with Policy 6.3.9 Rural residential development [within Greater Christchurch] whereby rural residential development can only be provided for by territorial authorities in accordance with an adopted rural residential development strategy and subject to a number of relevant criteria, including:

3. economic provision of reticulated sewer and water supply integrated with public system and stormwater treatment and disposal;

5.a. avoid noise sensitive activities within the Airport 50dBA Ldn air noise contour;

5.f. support community infrastructure and provide good access to emergency services;

5.g. avoiding significant reverse sensitivity effects with adjacent rural activities;

5.k. integrate into or be consolidated with existing urban or rural residential areas; and

6. an ODP is prepared.

138. The plan does provide for LLRO, but through its own zoning and not as part of the Rural Zone. Council has to give effect to the RPS through LLRZO, and cannot amend RLZ-P2 to provide for more rural residential development. I recommend that the submission is rejected.

3.7.6 Summary of recommendations

139. I recommend that the submissions from N Hoogeveen [202.1], be **rejected**.

140. I recommend that the submissions from CA and GJ McKeever [111.23], be **accepted**.

141. No changes to SUB-P2 are proposed as a result of this submission.

142. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

²⁹ AGFIRST, 2017. Analysis of Drivers and Barriers to Land Use Change. An unpublished report for Ministry for Primary Industries.

³⁰ KPMG, 2018. Waimakariri District Council Rural Futures analysis: Future agri-food scenario planning for a prosperous District. An unpublished report for Waimakariri District Council.

³¹ Macfarlane Rural Business, 2018. Waimakariri District Plan Review: Rural Production Advice - Rural Land Zoning. An unpublished report for Waimakariri District Council.

SUB-P3 Sustainable Design

3.7.7 Matters raised by submitters

143. There are 14 submissions on SUB-P3, of these three want an amendment to the policy, but only one of these is rural related with the other submissions addressed in the Urban Subdivision s42A report. There are 11 submissions in support.

144. Federated Farmers [414.209] wants an amendment to SUB-P3(3) to add an additional clause (e) to recognise the treatment and/or attenuation of human sewage where the site size and characteristics permit it. There is one further submissions that supports the submission (D Cowley FS41).

3.7.8 Assessment

145. The discharge of human sewage associated with residential dwellings within the rural zones is a Regional Council function. However, it has been noted that resource consents for on-site effluent disposal associated with development on properties less than 4ha has been declined by ECan³². Where the conditions are not met, a restricted discretionary resource consent is required.

146. The location of the wastewater disposal system is a District Council function. Policy SUB-P8(4) and Subdivision Standard SUB-S2 direct plan users to identify where the disposal system is to be located on site³³. I recommend that the submission is accepted in part, as wastewater is provided elsewhere in the Proposed Plan through SUB-S12, SUB-S13 and EI-MD8 (when unable to comply with EI-R45).

3.7.9 Summary of recommendations

147. I recommend that the submissions from Federated Farmers [414.209], be **accept in part**.

148. No changes to SUB-P3 are proposed as a result of this submission.

149. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

SUB-P6 Criteria for Outline Development Plans

3.7.10 Matters raised by submitters

150. There are 31 submissions on SUB-P6. Of these 14 seek an amendment, nine are in support, three that are neutral, three in opposition and two have been withdrawn. Of the 31 submissions that is three submissions that relate to rural subdivision, with the rest being addressed in the Urban Subdivision s42A report.

³² Rule 5.8 lists the conditions for permitted discharges from a new, modified or upgraded wastewater system, including the site having to be 4ha or more in area.

³³ The design of the wastewater system is controlled through AS/NZS 1547: 2012.

151. RIDL [160.5] seek an amendment to include wording in SUB-P6(2)(c) that incorporates a reference to an ODP for the Ohoka area. This submission has 29 further submissions in opposition and one further submission in support.
152. NZPork [169.17] seeks an amendment to include a new criteria requiring any methods or boundary treatments to avoid or mitigate reverse sensitivity effects between urban and rural boundaries.
153. N Hoogeveen [202.2] seeks to amend the policy to either include provision for new ODPs within the RLZ or alternatively define the term “residential development areas” within SUB-P6. This is intended to enable more intensive housing development within the zone.
154. The errata submission by B & A Stokes [214.2] is addressed in the s42A Subdivision Urban officer report.

3.7.11 Assessment

Ohoka area ODP

155. The RIDL submission considered that minimum of 15 households per hectare³⁴ was too high for Ohoka, and wanted the inclusion of an ODP for the Ohoka area³⁵. The intent of SUB-P6 is to list the criteria to be included in a ODP as part of a new residential, commercial and industrial development, it does not list any of the ODPs for existing or proposed development areas that are identified in the Proposed Plan³⁶. Based on the assessment above, I recommend that the submission is rejected.

Reverse Sensitivity

156. With respect to the NZPork submission, reverse sensitivity is covered in within strategic directions (SD-O4(2)), Urban form and development (UFD-P10(2)), Large lot residential (LLRZ-P3), Rural zones (RURZ-P8), Subdivision (SUB-P4) and specifically within SUB-P6(l) *demonstrate that the design will minimise any reverse sensitivity effects*. Reverse sensitivity is adequately provided for throughout the Proposed Plan and as it is specifically in SUB-P4(l) it does not need to be replicated in every policy or rule. Based on the assessment above, I recommend that the submission is rejected.

New ODP's in the RLZ

157. Mr Hoogeveen's submission essentially wants more LLRZ development within the RLZ through the development of ODPs. The policy sets out the criteria that ODPs need to include as part of any rezoning application. They are not intended to be a mechanism to provide more Large Lot Residential Zone housing, this is provided for in Policy UFD-P3. The term 'residential development areas' is defined in part in Policy UFD-P2. On the basis of the analysis above, I recommend that the submission is accepted in part as the aspects are already covered elsewhere in the plan.

³⁴ This is based on the minimum residential density for greenfield sites is 10 households/ha under Policy 6.3.7(3)(a) RPS, however Councils has a recommended minimum of 15 households/ha for new development areas in the district and under Policy REZ-P14 and Subdivision Standard SUB-S3.

³⁵ It should be noted that PC31 was declined, although the decision has been appealed.

³⁶ The proposed rezoning of the area will be addressed in Hearing Stream 12.

3.7.12 Summary of recommendations

158. I recommend that the submissions from RIDL [160.5], and NZPork [169.17], be **rejected**.
159. I recommend that the submission from N Hoogeveen [202.2], be **accepted in part**.
160. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.
161. No changes to SUB-P6 are proposed as a result of this submissions.

SUB-P8 Infrastructure**3.7.13 Matters raised by submitters**

162. 13 submissions in total, of which 11 are in support and two are requesting an amendment. Of the two requesting an amendment only the Federate Farmers submission [414.211] relates to subdivision within the rural zones. There are no further submissions that relate to this submission.
163. Federated Farmers submission [414.211] supports in part the policy, but notes that it is unfair to those people who do not subdivide and that an incentives package as requested for the protection of significant indigenous biodiversity.

3.7.14 Assessment

164. The Federated Famers submission [414.108]³⁷ in relation to ECO-P3 *Bonus allotments and bonus residential units* requested that support for the protection of SNAs included rates relief, direct grants and the maintenance of existing management or grazing regimes. All of these incentives are being provided by Council and sit outside of the Proposed Plan. The s42A Ecosystems and Indigenous Biodiversity report address the issue raised in [414.108] and as a consequence has also addressed submission [414.211]. I note that objective SUB-O1(3) addresses support for the protection of conservation values and that this is complemented by policies ECO-P2(3) and (4) and ECO-P3. On the basis of the analysis above, I recommend that the submission is accepted in part as the aspects are already covered elsewhere in the plan.

3.7.15 Summary of recommendations

165. I recommend that the submission from Federated Farmers [414.211], be **accepted in part**.
166. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.
167. No changes to SUB-P8 are proposed as a result of this submissions.

SUB-P9 Access to, protection and enhancement of the margins of water bodies

³⁷ I am unsure about the relationship between infrastructure and the bonus lots under SUB-R8

3.7.16 Matters raised by submitters

168. There are seven submissions, four that are neutral and three that are in support. Of these there are four further submission in opposition to the support, one each oppose in part and support in part.
169. Those submissions that were neutral on SUB-P9 stated that they have little relevance to the proposed rezoning of San Dona. The wider submissions on the proposed rezoning of San Dona will be address in the s42A LLRZ Rezoning report in Hearing Stream 12.
170. Three of the further submissions in opposition are generic in nature and oppose all of the original submissions of Kainga Ora and RIDL. The further submission from Mr Cowley on Kainga Ora opposes all of the subdivision submission points that are inconsistent with the relief sought by Mr Cowley.
171. Mr M McKitterick placed a further submission [FS2] against the original of Chloe Chai and Mark McKitterick [256.30] on the basis that they had sold the property on which their original submission was based.
172. The further submission by the Ohoka Residents Association against RIDL was general in nature and referred to their submission on the Private Plan Change RCP031. Their further submission is against the proposed development of Ohoka and is not specific to an individual provisions.

New Policies: Reverse sensitivity on rural land, Natural hazards, and Land use and building consents**3.7.17 Matters raised by submitters**

173. There are three submissions seeking three new policies. There are 15 further submissions on the original submission.
174. Hort NZ [295.99] seek a new policy requiring that subdivision within the urban environment, where it interfaces with the rural zones, does not compromise the use of highly productive land and versatile land for rural production. This submission has four further submissions in opposition and three further submissions in support.
- "Within the Rural Zones and in urban areas with an interface with a rural zone ensure that subdivision does not compromise the use of highly productive land and versatile land for rural production."*
175. ECan [316.123] want a new policy that requires the design, location and layout of subdivisions to avoid or mitigate the adverse effects of natural hazards. This submission has one further submission in support and one in opposition.
176. Kainga Ora [325.156] seek a new policy that provides for subdivision within residential zones with approved land use consent or building consent. This submission has two further submissions that oppose it in full, two that oppose in part and one in support in part and one in support in full.

Subdivision in the Residential Zones in Accordance with an Approved Land Use Consent or Building Consent

Provide for subdivision around existing or approved residential development where it enables creation of sites for uses that are in accordance with an approved land use resource consent or building consent."

3.7.18 Assessment

Reverse sensitivity on rural land

177. The Hort NZ submission seeks a policy that addresses highly productive land (HPL) or versatile soils when considering new subdivisions. The submission notes that there is no policy within the Subdivision chapter that recognises the need to consider HPL or versatile soils. While SUB-P2(2) contains a clause that seeks to retain the ability for rural land to be used for primary production activities, it does not specifically refer to HPL/versatile soils or subdivision in adjoining urban zones affecting the ability to use rural land.
178. While the land classification meets the mapping criteria under clause 3.4(1)(b) of the NPS-HPL, it should be noted that the RLZ is neither a general rural zone or a rural production zone (i.e. does not meet clause 3.4(1)(a) of the NPS-HPL), but the RLZ generally "forms a large and geographically cohesive area" (i.e. would meet clause 3.4(1)(c) of the NPS-HPL). Accordingly, not all of the rural zoned land can be considered as HPL or as having versatile soils. Clause 3.5(7) of the NPS-HPL excludes Rural Lifestyle Zoned land from having the NPS-HPL apply.
179. 158. Where the NPS-HPL or the versatile soils and potential reverse sensitivity from urban subdivision could arise is restricted to Oxford. The urban zones of GRZ and LLRZ have been applied to existing areas where those respective activities are carried out (Figure 5). The only expansion provided for Oxford is to the north and the south-east through the notation of the LLRZ Overlay. As set out in policy SUB-P6, an outline development plan is required for new Large Lot Residential Zones and one of the matters to be addressed is reverse sensitivity effects under matter (I), which would include any restriction on the use that would compromise activities on the adjoining rural land.

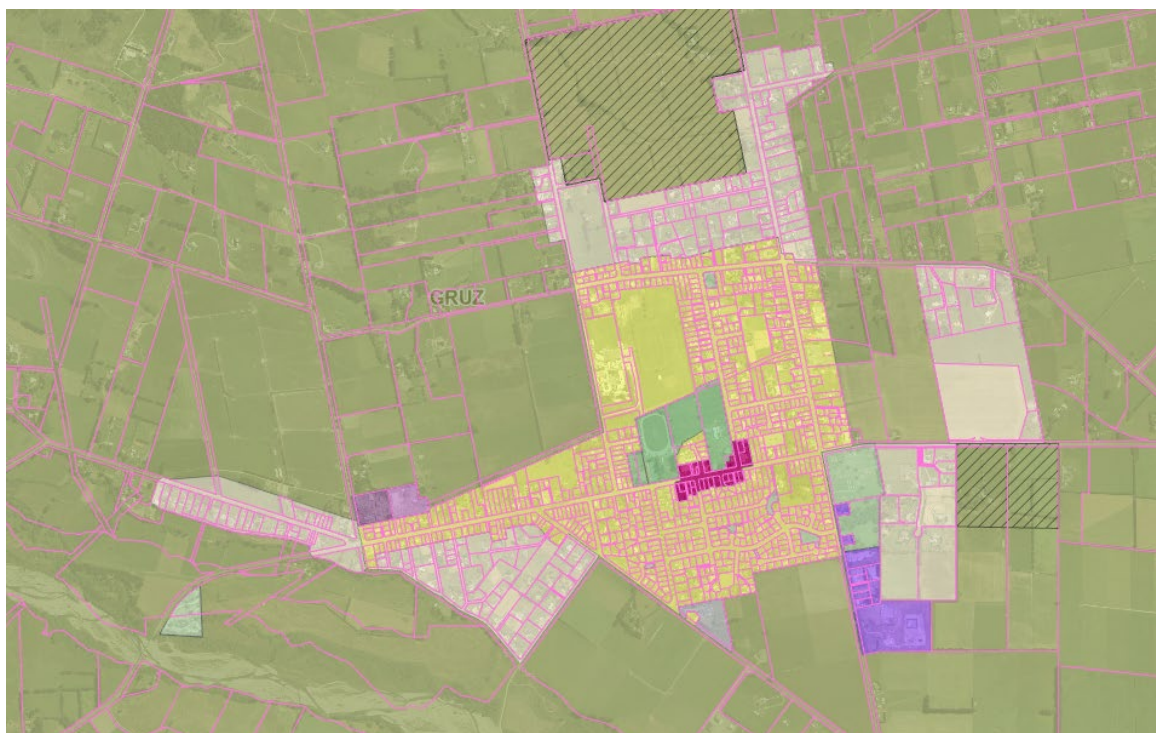


Figure 5: Oxford Zoning

180. The s42A Rural Zones officers report considered the application of the NPS-HPL within the Rural Zone chapters, recommending a number of amendments to objectives and policies for the GRUZ zoning³⁸. Despite this it is clear that a better link needs to be made between subdivision, being the primary reason for the loss of land, and the policy direction within the GRUZ zone and the NPS-HPL. On this basis a new policy is proposed that better links GRUZ and Subdivision chapters together. The submission is accepted in part, as the proposed amendments to GRUZ-P2 specific for the HPL and RLZ-P1 specific for versatile soils address the issues raised in the submission.

GRUZ-P2 Limiting fragmentation of land

Maintain opportunities for land to be used for primary production activities within the zone by limiting further fragmentation of land in a manner that avoids sites being created, or residential units being erected, on sites that are less than 20ha, unless:

- 1. associated with the development of infrastructure which reduces the size of the balance lot or sites to below 20ha;*
- 2. associated with the establishment of a bonus residential unit or creation of a bonus allotment;*
- 3. the erection of a residential unit is protected by a legacy provision in this District Plan; ~~and~~*
- 4. it is for the establishment of a minor residential unit, where the site containing a residential unit is 20ha or greater, or is protected by a legacy provision in this District Plan;*
- 5. it is for the establishment of a minor residential unit, where the site containing a residential unit is 20ha or greater, or is protected by a legacy provision in this District Plan; and*
- 6. it does not result in the loss of productive capacity of any versatile soils and highly productive land.*

Natural Hazards

181. ECan submission [316,123] requested a new policy linking natural hazards and subdivision. Natural hazard policies that relate to subdivision are set out in the Natural Hazards chapter and include:

NH-P2 manages subdivision within high hazards in urban areas;

NH-P3 seeks to avoid subdivision outside urban areas where there is a high hazard risk;

NH-P4 provides for subdivision outside high hazards in urban areas;

NH-P5 manages subdivision within fault awareness and avoidance overlays;

NH-P6 manages subdivision with liquefaction hazard, and

NH-P8 allows for subdivision for non-sensitive natural hazard activities.

³⁸ Right of reply GRUZ-P2(5) *it does not result in the loss of productive capacity of any highly productive land*

182. In response to natural hazards the Subdivision chapter includes at Objective SUB-O1(4) *'supports community resilience to climate change and risk from natural hazards'*. There are no 'natural hazards' policies within the Subdivision chapter, as these matters are covered in the Natural Hazards chapter as required by the national planning standards. Rules SUB-R4 as relate to the activity of subdivision within a flood hazard area and SUB-R9 subdivision within a fault awareness and fault avoidance overlay, control subdivision within the hazard areas. Given the clear reference to subdivision within the Natural Hazards policies, and the requirement to read the plan as a whole, I do not agree that a new policy is required within the subdivision chapter to address natural hazards.

Approved Resource and Building Consents

183. Kainga Ora are seeking a new policy that allows for subdivision in residential zones with an approved resource consent or building consent. The issuing of a land use consent or building consent does not guarantee that a parcel of land meets the requirements for a subdivision. The proposed policy would undermine most of the other policies within the Subdivision chapter. In my opinion, policies SUB-P2(1) and SUB-P5, provide the flexibility for a variety of site sizes for consideration with any resource consent to subdivide around a land use or building consent, where minimum standards cannot be met. Accordingly, I do not consider the proposed policy is necessary.

3.7.19 Summary of recommendations

184. I recommend that the submissions from ECan [316.123] and Kainga Ora [325.156], be **rejected**.

185. I recommend that the submissions from Hort NZ [295.99], be **accepted in part**.

186. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

187. No changes to SUB-PX are proposed as a result of these submissions.

3.8 Submissions on Rules

3.8.1 Matters raised by submitters for new SUB rules

188. There are two submissions that seek new rules in the chapter.

189. Daiken NZ Ltd [145.22] seek a new rule to make subdivision close to Heavy Industry in the rural zones as restricted discretionary.

190. MainPower [249.210] seek a new rule that controls subdivision within 24m from the centre line of the major electricity distribution network. The intent of the proposed rule is to protect the national grid corridor.

3.8.2 Assessment

Daiken Heavy Industry Zone

191. Daiken [145.22] seek a new rule making any building platform associated with a subdivision plan located within the noise contour for timber processing or within 200m of the HIZ zone be a restricted discretionary activity. Daiken had also submitted on the Rural Lifestyle Zone provisions

to constrain residential development adjacent their site [145.30], [145.31] and [145.32], paragraph 581 of the s42A Rural Zones officers report discusses the submissions and the lack of evidence behind the setbacks. Evidence presented at Hearing 6 by Ms Styles noted that noise was not the only reverse sensitivity effect, but that visual amenity and differing land use should be considered³⁹. Given that the site is mostly screened from the adjoining roads and that irrigation is a common rural activity, and that the site has been in operation for 50 years, I am not convinced that outside of noise there are any additional reverse sensitivity effects.

192. Despite the lack of evidence to support the occurrence of any reverse sensitivity effects other than noise⁴⁰, the recommended amendments to RURZ-P8(1) and (3)⁴¹ support the management of reverse sensitivity effects associated with land use adjacent to heavy industry. This has been achieved through the proposed amendment to RLZ-BFS5 as detailed in the Rural Zones right of reply. I recommend that this submission is rejected.

Electricity Distribution Lines

193. The MainPower submission [249.210] requests that subdivision is a restricted discretionary activity when within 24m of the centreline of the major electricity distribution lines. The submission does not detail what effects they are trying to control associated with the new subdivision rule, as activities are controlled through EI-R54 (earthworks), EI-R55 (network utilities), and EI-R56 (activities and development adjacent the major electricity distribution lines). In addition to this, MainPower has requested an additional rule be included in all of the zone chapters⁴².

194. The submission does not establish how the carrying out of a subdivision has a direct effect on the major electricity distribution lines that is different to buildings and structure and earthworks that are already covered by the other rules. I agree with the statement in para [50] of the s42A Energy and Infrastructure author in the Right of Reply that the relevant rules will be identified through the property search tool in the ePlan, reducing the need for repetition of rules throughout the Proposed Plan. I recommend the submission be rejected.

3.8.3 Summary of recommendations

195. I recommend that the submissions from Daiken [145.22] and MainPower [249.210], be **rejected**.
196. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.
197. No changes to SUB-RX are proposed as a result of these submissions.

Boundary adjustment and R2 Subdivision

³⁹ The wider site was zoned Business 3 in the Operative Plan. The site has been used for industrial purposes since 1973.

⁴⁰ The issue of reverse sensitivity effects from noise sensitive activities was addressed in the Noise Right of Reply paras [71] to [75].

⁴¹ S42A Rural Zones officers report Appendix A

⁴² This was addressed in part in the Energy and Infrastructure Right of Reply para [48] to [53].

3.8.4 Matters raised by submitters SUB-R1

198. There are 11 submissions on SUB-R1, two submissions are in opposition and nine are in support. Of the submissions in opposition, there is only one that is considered specific to the rural zones.
199. There are 14 submissions on SUB-R2, of these there is one in opposition, and two seeking amendments. All other submissions are in support of the rule. The submission in opposition relates to the rural zones, the others are more generic and have been covered in the Residential Subdivision report.
200. Daniel Cosgrove [292.5] opposes the SUB-R1 and seeks an amendment to allow subdivisions and boundary adjustments to at least 4ha blocks which surround 852 Oxford Road. The rezoning part of the submission will be addressed in Hearing Stream 12.
201. Daniel Cosgrove [292.2] opposes SUB-R2 and seeks an amendment to allow subdivisions and boundary adjustments to at least 4ha blocks which surround 852 Oxford Road.

3.8.5 Assessment

202. In relation to 852 Oxford Road, the property is 13ha in size and is zoned General Rural Zone in the Proposed Plan. The properties to the immediate south of Oxford Road and east of the property are zoned Rural Lifestyle Zone and generally comprise 4ha blocks (Figure 6). The submitters property comprises LUC class 3 soils, and is therefore subject to the provisions of the NPS-HPL.



Figure 6: 852 Oxford Road Subdivision submission

203. SUB-R1 provides for boundary adjustments where they meet the minimum allotment size for the relevant zone (amongst other matters). In my opinion the boundary adjustment rule is an appropriate mechanism to enable land exchange where properties comply with the minimum allotment size, and flexibility is provided in the matters of control and discretion where that cannot be met. I recommend that the submission be rejected.
204. SUB-R2 is the standard subdivision rule that provides for subdivisions as a controlled activity where it meets the subdivision standards. The submission opposes the rule and seeks to enable subdivision of properties, including the submitters property at 852 Oxford Road, down to 4ha in

size. An analysis of the lifestyle blocks (4ha or less) within the RLZ zone⁴³ found that approximately 40% of the allotments did not contain any dwellings, and can be assumed to be undeveloped. For an assessment of other submissions relating to allotment size less than 20ha within the GRUZ zone see section 3.22 of the s42A Rural Zones officer report. In summary, the analysis showed that there is significant existing smaller lots suitable for a range of rural activities and there is no reason to enable further subdivision of rural land. I recommend that the submissions be rejected.

205. The substantive part of the submission that deals with the rezoning of the land will be addressed in the rezoning hearings (hearing stream 12).

3.8.6 Summary of recommendations

206. I recommend that the submissions from Daniel Cosgrove [292.2] and [292.5], be **rejected**.

207. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

208. No changes to SUB-R1 and R2 are proposed as a result of these submissions.

Subdivision within the Liquefaction Overlay

3.8.7 Matters raised by submitters SUB-R3

209. There are nine submissions on SUB-R3, eight in support and one seeking an amendment. There are six further submissions, mostly in opposition to the submissions in support from Chloe Chai and Mark McKitterick, Kainga Ora and RIDL. There was one further submission in support of the Kainga Ora original submission.

210. Bellgrove Rangiora Ltd [408.11] opposed SUB-R3, relating to subdivision inside the liquefaction overlay, on the basis that when clause 1, identification of a building platform on a subdivision plan, is not provided that the subdivision would be non-complying. There are no further submissions on this submission.

3.8.8 Assessment

211. Section 106 RMA applies, which is why liquefaction is included. While it is acknowledged that the Building Code and Building Act does have a role to play in dealing with geotechnical issues prior to construction, geotechnical issues such as liquefaction during subdivision stage are an RMA matter (Section 6(h) *the management of significant risks from natural hazards*).

212. RPS Policy 11.3.3 requires new subdivision, use and development of land in areas susceptible to liquefaction shall be managed in order to avoid or mitigate adverse effects. The Proposed Plan Policy NH-P6 requires that new subdivision is managed within the Liquefaction Hazard Overlay to ensure that the risk to life and property is low. Proposed rule SUB-R3 responds to this policy, by managing where buildings can be positioned onsite and where good ground conditions (SNZ HB 3604:2011) have been determined. Where this does not occur, then geotechnical mitigation

⁴³ It should be noted that there were 1,457 vacant rural lifestyle properties in the district out of a 3,573 4ha lifestyle blocks within the RLZ (~40%) as of August 2023 in the district.

would be required in line with earthquake geotechnical engineering practice⁴⁴. Accordingly, I recommend the submission be rejected.

3.8.9 Summary of recommendations

213. I recommend that the submissions from Bellgrove Rangiora Ltd [408.11], be **rejected**.
214. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.
215. No changes to SUB-R3 are proposed as a result of these submissions.

Subdivision within the National Grid Yard

3.8.10 Matters raised by submitters SUB-R6

216. There are nine submissions on SUB-R6, of these two seek amendments and seven are in support of the rule. There are six further submissions that mostly oppose original submissions that seek to retain the provision, while one is a support in part of a retain submission.
217. Transpower [195.96] seek that the wording for 'National Grid Yard' and 'National Grid Overlay' be replaced with 'National Grid Subdivision Corridor' as it gives better effect to the NPSET.
218. Federated Farmers [414.210] seek that the rule is amended so that large scale rural and farm subdivision have the same activity status as a normal rural subdivision if it can meet the standard of a building site away from the National Grid Yard. The submission also questions whether clause 1 should refer to inside the National Grid Yard.

3.8.11 Assessment

219. With respect to the submission by Transpower, it is uncertain as to why the amended wording gives better effect to policies 10 and 11 of the NPSET. The NPSET policies do not use the wording of 'subdivision corridor', although Policy 11 does refer to working with Councils for the identification of 'buffer corridor'.

NPSET POLICY 11

*Local authorities must consult with the operator of the **national grid**, to identify an appropriate **buffer corridor**⁴⁵ within which it can be expected that sensitive activities will generally not be provided for in plans and/or given resource consent. To assist local authorities to identify these corridors, they may request the operator of the national grid to provide local authorities with its medium to long-term plans for the alteration or upgrading of each affected section of the national grid (so as to facilitate the long-term strategic planning of the grid).*

220. I am aware that the Energy and Infrastructure Right of Reply [para 144] has rejected the definition called 'National Grid Subdivision Corridor' associated with the Transpower submission

⁴⁴ New Zealand Geotechnical Society (NZGS) and Ministry of Business Innovation & Employment (MBIE) Earthquake Geotechnical Engineering Practice in New Zealand – Module 3, 2016.

⁴⁵ Bolding is my emphasis

[195.96]. However, the National Grid Yard⁴⁶ and National Grid Subdivision Corridor⁴⁷ have different setbacks (Table 3), and cover slightly different land use aspects.

221. I am aware that SUB-R6 was amended as part of Variation 1 to include the reference to National Grid Subdivision Corridor (although only as a qualifying matter). I am of the opinion that the term National Grid Subdivision Corridor should be accepted to be consistent with neighbouring Councils and nomenclature used by Transpower in its public facing documents.

Item	National Grid Yard	National Grid Subdivision Corridor
Setback from 66kV lines	10m outer edge	32m centreline
Setback from 66kV towers	10m	32m centreline
Setback 220kV transmission line	12m	37m centreline
Setback 350kV transmission line	12m	39m centreline
Setback 220kV and 350kV towers	12m	37-39m centreline

Table 3: National Grid Yard / National Grid Subdivision Corridor

222. The Federated Farmers submission [414.210] basically seeks that the subdivision status changes from restricted discretionary to controlled for subdivision within the National Grid Yard. Within the NPSET, Policy 10 avoiding reverse sensitivity effects on electricity transmission network and Policy 11 about buffer corridors where sensitive activities will generally not be provided for in plans and/or given resource consents, require councils to control subdivision near National Grid Yard, this is better achieved through a RDIS consent than a Controlled resource consent. I do not support the submission.

223. The second part of the submission questioned whether clause 1 should be inside the National Grid Yard as against to outside it. The reference to outside is correct, in that it is only the building platform associated with a subdivision that needs to be outside the National Grid Yard, while the subdivision itself is inside the National Grid Yard.

3.8.12 Summary of recommendations

224. I recommend that the submissions from Transpower [195.96], CA and GJ McKeever [111.153], John Stevenson [162.36], Chloe and Mark McKitterick [256.153], CIL [284.217], Kainga Ora [325.169], RIDL [326.354], Keith Godwin [418.37], be **accepted**.

225. I recommend that the submission from Federated Farmers [414.210], be **rejected**.

226. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

⁴⁶ Is the area where buildings or structures may be affected by noise (electrical hum) and visual effects near the lines and structures. Also, is the area required by utility operators require for maintenance and operational safety reasons. New sensitive activities are non-complying under Rule EI-51

⁴⁷ Is the area where land use may affect the operation of the utility, this is mainly restricted to building platforms identified on subdivision plan and is a restricted discretionary consent under SUB-R6 (Variation 1 amendment).

227. The proposed change to SUB-R6 as a result of this submission is as follows:

SUB-R6	Subdivision within the National Grid Yard Subdivision Corridor	
National Grid Yard Overlay Subdivision Corridor	Activity status: RDIS Where: 1. a building platform is identified on the subdivision plan that is outside of the National Grid Yard, to be secured by way of a consent notice; and 2. SUB-S1 to SUB-S18 are met. Matters of discretion are restricted to: Matters of control/discretion listed in SUB-R2 SUB-MCD1 10 - Effects on or from the National Grid Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to Transpower New Zealand Limited, where the consent authority considers this is required, absent its written approval.	Activity status when compliance with SUB-R6 (1) not achieved: NC Activity status when compliance with SUB-R6 (2) not achieved: as set out in the relevant subdivision standards

Section 32AA evaluation

228. In my opinion, the amendments to SUB-R6 is more appropriate in achieving the objectives of the Proposed Plan than the notified provisions. In particular, I consider that:

- It will reduce any confusion and ensure that the terms used elsewhere in the Proposed Plan is consistent to avoid any confusion, and is more efficient and effective than the notified provisions in achieving the objectives of the Proposed Plan. Particularly SD-O3(2)(ii) the management of adverse effects of other activities on infrastructure, EI-O3 ensuring safe, efficient and effective operation of infrastructure, and SUB-O2 Efficient and sustainable provision, use and maintenance of infrastructure.
- The recommended amendments will not have any greater environmental, economic, social, and cultural effects than the notified provisions. There will be some costs associated with the inability to subdivide beneath the National Grid Subdivision Corridor, although this is consistent with EI-P6 and Rules EI-R51 and EI-R56. However, there will be benefits from improved plan interpretation and more efficient plan administration.

Subdivision to create a bonus allotment

3.8.13 Matters raised by submitters SUB-R8

229. There are six submissions on SUB-R8, all of these support the retention of the rule.

Subdivision (within ONL, ONF SNA Fault awareness and Ashley Fault Avoidance Overlay**3.8.14 Matters raised by submitters SUB-R9**

230. There are six submissions on SUB-R9, all of these support the retention of the rule.

SUB-R10 Subdivision in the GRUZ less than 20ha**3.8.15 Matters raised by submitters**

231. There are 14 submissions on SUB-R10, nine in support and five in opposition. There are also eight further submissions, five in opposition and four in support of proposed amendments.

232. James Weir [161.1] opposes the rule and wants an amendment to rezone 12 to 74 Bush Road, Oxford (even numbers) from rural to residential zoning.

233. Daniel Cosgrove [292.4] opposes the rule and seeks to allow subdivisions and boundary adjustments down to 4ha for 852 Oxford Road and surrounding blocks.

234. Eyrewell Dairy Ltd [300.13] oppose the rule and seeks that SUB-S1 for RLZ or LLRZ apply instead to their property.

235. WDC [367.4] seeks that SUB-R10 be deleted as this rule was drafted for the purpose of immediate legal effect and is redundant once the remainder of that chapter is deemed to be operative. This will avoid confusion for users as the minimum allotment area for the General Rural Zone is stipulated in Table SUB-1.

236. Ngai Tahu Property [411.32] seek that the activity status for SUB-R10 changes from non-complying to discretionary.

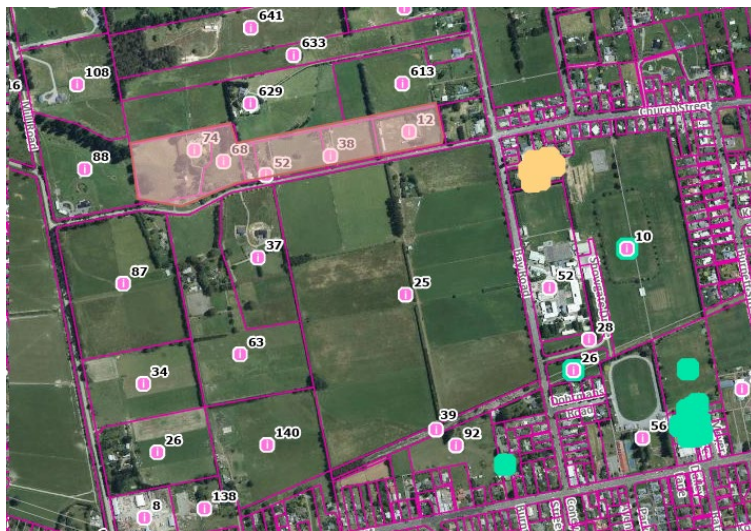
3.8.16 Assessment**Bush Road, Oxford**

Figure 7: 12 to 74 Bush Road subdivision submission⁴⁸

237. The submission from Mr James Weir seeks that all even numbered properties on 12 to 74 Bush Road rezoned to residential (figure 7). The submission will be dealt with in the rezoning hearings (Hearing Stream 12). I defer any decision on the submission to Hearing Stream 12 Rezoning.

852 Oxford Road

238. Daniel Cosgrove [292.4] opposes the rule and seeks to allow subdivisions and boundary adjustments down to 4ha for 852 Oxford Road and surrounding blocks. Given the submission is the same as the previous submissions by Mr Cosgrove in this chapter, a discussion of his submissions is presented in Section 3.4.2 of this report. I recommend the submission is rejected.

Eyrewell Dairy Limited

239. Eyrewell Dairy Ltd [300.13] oppose the rule and seeks that SUB-S1 for RLZ or LLRZ apply instead of the GRUZ standard. A discussion of the implications of changing the Eyrewell Dairy Ltd land from GRUZ to RLZ or LLRZ is discussed in section 3.22 of the s42A Rural Zones officer report. Paragraph [895] of the report states that despite being LUC class 4 land, the constraint associated with very high drainage capacity is mitigated by irrigation of the land, making it highly productive. The substantive part of the submission that deals with the rezoning of the land will be addressed in the rezoning hearings (hearing stream 12). I defer any decision on the submission to Hearing Stream 12 Rezoning.

Rule Duplication

240. WDC [367.4] has requested that SUB-R10 is deleted once the plan becomes operative. The reasoning is that once the plan is approved the rule is redundant as the subdivision size control will sit in the standards in Table SUB-1. Should either the subdivision Table SUB-1, GRUZ-R3 and GRUZ-R4 be appealed, then the rule will be required to remain in order to avoid continuing fragmentation of the rural environment. On the basis that the rule in rural subdivision may be appealed, the submission should be noted and that the subdivision size limits in Table SUB-1 remain unchanged.

Non-complying Activity Status

241. The Ngai Tahu Property submission stated that they consider the non-complying status was difficult as there may be situations where subdivision is appropriate. I do not consider that enabling subdivision below 4 ha would efficiently or effectively achieve the objectives of the plan. The continued loss of rural production and highly productive land as a result from rural subdivision was discussed in section 3.22 of the s42A Rural Zones officer report.

242. The non-complying status for the rule is consistent with Objective SD-O4 ensuring that rural land remains available for productive rural activities by limiting other activities including new incompatible sensitive activities, UFD-P10 minimising reverse sensitivity effects on primary production, RURZ-P2 the management of subdivision so that it does not foreclose the ability of rural land for primary production activities. Policy 4 prioritises primary production, and Policy 7 of the NPSHPL also controls subdivision, through an avoid approach, within the GRUZ zone where

⁴⁸ Properties are shown in a light red colour

it is on LUC Class 1 to 3 land. The objectives and policies within the NPSHPL and Proposed Plan directs Council to ensure that primary production is not limited by subdivision, on this basis non-complying can be considered the most appropriate activity status. I therefore recommend the submission is rejected.

3.8.17 Summary of recommendations

243. I recommend that the submissions from James Weir [161.1], Daniel Hamish Patrick Cosgrove [292.4], Eyrewell Dairy Ltd [300.13], and Ngai Tahu Property [411.32], be **rejected**.
244. I recommend that the submissions from Dean and Victoria Caseley [159.7], CA and GJ McKeever [111.157], John Stevenson [162.40], Chloe and Mark McKitterick [256.157], CIAL [254.50], CIAL [284.221], ECan [316.131], RIDL [326.358], WDC [367.4], and Keith Godwin [418.41], be **accepted**.
245. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.
246. No changes to SUB-R10 are proposed as a result of these submissions.

SUB-R11 Subdivision resulting in an allotment that is less than 4ha within the 50dBA Ldn noise contour for Christchurch International Airport

3.8.18 Matters raised by submitters

247. There are eight submissions on SUB-R11, two submissions want amendments and six want the rule retained as notified. There are three further submissions, all opposing the original submission. There is a further submission from Mark McKitterick [FS2] opposing the original submission from Chloe Chai and Mark McKitterick [256.158], and a further submission from the Ohoka Residents Association [FS137] opposing the RIDL submission [326.359] in support of retaining the rule as notified. Of these only two submissions that want amendments are assessed.
248. WDC [367.8] seeks that SUB-R11 is renumbered on the basis that SUB-R10 is deleted. No assessment is required as the submission relates to renumbering.
249. The CIAL submission [254.51] has been addressed in the s42A Airport officers report in Hearing Stream 10. There is a further submission from Kainga Ora [FS88] opposing the CIAL submission.

3.8.19 Summary of recommendations

250. Neither of the submissions require any decisions within this report.
251. No changes to SUB-R11 are proposed as a result of these submissions.

3.9 Submissions on Subdivision Standards

SUB-S1 and Table-S1

3.9.1 Matters raised by submitters

252. There are 31 submissions on SUB-S1, of which 13 seek amendments, seven are in opposition and 11 in support. Of these there are 12 submissions that are specific to the rural environment, with all of them wanting amendments.
253. There are also 15 submissions in total on Table SUB-1, ten wanting amendments, four in support and one in opposition. Of these four are relevant to the rural zones, with two seeking an amendment and two in support.
254. There are three further submissions that relate to submissions addressed in this report. There are further submissions from Survus Consultants [FS103] in opposition in part to Federated Farmers and in support of Maurice Newell. There is also a further submission from CIAL in opposition in part to the Forest and Bird submission.

General Rural Zone

255. Wayne and Emma Taylor [339.1] want the 20ha GRUZ minimum lot size amended to enable owners to subdivide off 1 to 2ha lots.
256. Duncan John Lundy [361.1] overturn the proposed shift from 4ha to 20ha.
257. WDC [367.7] retain GRUZ-R3 and GRUZ-R4 together with 20ha minimum in Table SUB-1 in GRUZ.

Rural Lifestyle Zone

258. Heather Woods [4.1] wants to change the lot sizes for RLZ near Silverstream from 4ha to 10,000m², because there are already some lots of that size in the area, and that rural amenity would not be lost, as the properties are close to Silverstream.
259. Forest and Bird [192.82] amend Table Sub-1 minimum allotment sizes by raising the minimum lot size in RLZ or create smaller zones for smaller subdivisions, and increase size of GRUZ.
260. Rainer and Ursula Hack [201.11] want the RLZ minimum lot size reduced to 2ha for areas adjoining towns, particularly Woodend.
261. Nicholas Hoogeveen [202.4] wants to amend the minimum rural RLZ lot size from 4ha to 2ha. As an alternative relief is that developments with ODPs should be enabled to develop down to 2ha.
262. Robert Kimber [306.3] wants to reduce the RLZ lot size to 1ha.

Large Lot Residential Zone

263. David Kettle [19.1] wants to amend the average size for LLRZ to 4,000m² and that ECan amend the RPS to enable 1 to 2 dwellings per 8,000m² lots, on the basis that subdivision of former 4B residential land has not affected the environment.

Rezoning

264. Nicola Anne Watherston [78.1] wants to rezone 2 Riverside Road as RLZ.
265. Daniel Hamish Patrick Cosgrove [292.3] allow subdivision and boundary adjustments to at least 4ha, as per the blocks which surround 852 Oxford Road.

266. Roger James Willett Ensor [322.1] support subdivision of lots to create smaller lots of between 400m² to 10,000m² such as Truro Close, Ohoka Meadows, Ohoka Mountain Views, Clear View Lane and a number of others, with no roading costs.

LUC Class 1 to 3 Land

267. Federated Farmers [414.212] want the rural zone minimum lot sizes amended so that LUC class 1 to 3 land has a 20ha lot minimum and LUC class 4 to 7 has a 4ha lot minimum.

Process

268. Maurice Newell [281.1] wants to allow subdivision consent applications lodged prior to notification, map and protect good soils and allow subdivision on poorer soils.

269. Malcolm Hanrahan [307.2] further consider how subdivision rules work in specific cases, and delete references to net site area in the rural allotments.

3.9.2 Assessment

270. The s32 Rural Zones report and the s42A Rural Zones officers report provides an assessment of the proposed creation of the 20ha subdivision limit⁴⁹.

General Rural Zone

271. Wayne and Emma Taylor [339.1] want the 20ha GRUZ minimum lot size amended to enable owners to subdivide off surplus dwellings comprising 1 to 2ha lots. This would create a number of amenity, character and reverse sensitivity effects within the GRUZ zone and result in lifestyle subdivision by stealth. This is inconsistent with Objective SD-O4 ensuring that rural land remains available for productive rural activities by limiting other activities including new incompatible sensitive activities, UFD-P10 minimising reverse sensitivity effects on primary production, RURZ-P2 the management of subdivision so that it does not foreclose the ability of rural land for primary production activities.. I recommend the submission is rejected.

272. Duncan John Lundy [361.1] seeks to overturn the proposed shift from 4ha to 20ha. For a discussion on the reasoning behind the 20ha GRUZ zoning please see section 3.22 and Appendices D and E of the s42A Rural Zones officers report. I do not agree with the submission.

273. WDC [367.7] retain GRUZ-R3 and GRUZ-R4 together with 20ha minimum in Table SUB-1 in GRUZ. I agree with this submission. This meets the RPS Policy 5.3.12(1) avoiding development and/or fragmentation which forecloses the ability of land to be used for primary production, and Proposed Plan policies SD-O4 ensure rural land is available for productive rural activities, and RURZ-P2 ensuring subdivision does not foreclose the use of rural land.

Rural Lifestyle Zone

274. Heather Woods submission [4.1] wanting changes to the RLZ lot sizes to 10,000m² near Silverstream is not supported with any evidence. Ms Woods suggests that 5,000m² lots are too small for large houses and that larger lots of 10,000m² would maintain rural lifestyle amenity and enable people to utilise the land. There are no 5,000m² lot subdivisions near Silverstream, there are however three existing sections around that size, one of which is associated with utility service.

⁴⁹ 20ha was the minimum rural subdivision size prior to Variation 8 enabling 4ha lot sizes in the Operative Plan.

Enabling 1ha developments is inconsistent with policies 5.3.2 avoiding land use that would likely result in increases in the frequency and/or severity of hazards, 6.3.1 ensuring new urban development in areas as shown on Map A, 6.3.9 developed in accordance with an adopted rural residential development plan, and avoid noise sensitive activities occurring within the 50 dBA Ldn airport noise contour. I recommend the submission is rejected.

275. Forest and Bird [192.82] seek to amend Table Sub-1 minimum allotment sizes by raising the minimum lot size in RLZ or create smaller zones for smaller subdivisions, and increase size of GRUZ. The submitter has not provided any assessment as to what the impacts would be of raising the minimum lot size for RLZ or GRUZ. The Macfarlane report noted that a number of primary production activities (specialist small seed crops, horticulture, vegetables) could occur on lots less than 20ha. The report noted that "*Smaller lot sizes may be sustainable for fresh produce, glasshouses etc*" which is evident in the number of intensive primary production activities that occur in the district.
276. QV undertook an assessment⁵⁰ of rural properties in the district, they found that there was a high demand for lifestyle properties close to Christchurch following on from the Christchurch Earthquakes. The 4ha minimum lot size was based on the original minimum in the Proposed Waimakariri District Plan as notified on 20 June 1998, this was amended to 20ha through decisions, and was subsequently reinstated through Variation 8. The hearing panel noted that Variation 8 better met the requirements of Section 5 of the RMA. I recommend the submission is rejected.
277. Rainer and Ursula Hack [201.11] want the RLZ minimum lot size reduced to 2ha for areas adjoining towns, particularly Woodend. The reduction in RLZ size would greatly reduce any potential for primary production or associated ancillary activities on the site. Where primary production, in particular intensive primary production (piggeries, chicken farms, mushroom farming) would be subject to greater reverse sensitivity effects. An assessment of a reduction in RLZ lot sizes was undertaken in section 3.22 of the s42A Rural Zones officers report. I recommend the submission is rejected.
278. Nicholas Hoogeveen [202.4] wants to amend the minimum rural RLZ lot size from 4ha to 2ha. As an alternative relief is that developments with ODPs should be enabled to develop down to 2ha. For a discussion on changing the RLZ minimum lot size to 2ha is given above. Enabling 2ha development with an ODP does not necessarily mean that the effects on surrounding land use would be mitigated. The requirement for an ODP apply to LLRZ, residential zones, commercial and mixed use, and new industrial zones. They do not apply to development within the RLZ where the zoning was to remain. I recommend the submission is rejected.
279. Robert Kimber [306.3] wants to reduce the RLZ lot size to 1ha. As discussed in the previous submissions above, a reduction in the allotment size of RLZ below 4ha would result in multiple adverse effects on the environment, amenity values, character and existing primary production land use. I recommend the submission is rejected.

⁵⁰ QV, 2018. Rural Subdivision and Housing Analysis. An unpublished report for Waimakariri District Council.

280. It should be noted that 4ha rural subdivision sizing was initially chosen on the basis that higher development rates would lead to greater nutrient and pathogens associated with wastewater discharges entering the groundwater system, drinking water supplies, and amenity values.

Large Lot Residential Zone

281. David Kettle [19.1] submission wanting to amend the average size for LLRZ to 4,000m² and to amend the RPS is inconsistent with the definition of rural residential activities of 1 and 2 houses per hectare in the RPS. The District Council cannot amend the RPS directly, as it is a regional council function. While Mr Kettle's submission did identify an advantage to Council of increased collected rates, however, it did not take into account any capacity constraints on infrastructure and the costs associated with upgrading it. While potentially adding more housing capacity, the costs associated with infrastructure upgrades, surveying and flooding mitigation would make this process uneconomic of the existing areas suggested by Mr Kettle. I recommend the submission is rejected.

Rezoning

282. Nicola Anne Watherston [78.1] wants to rezone 2 Riverside Road as RLZ from GRUZ. Despite the soils being LUC class 4, the property, the property in question is 115ha, adjoins the Okuku River, with 43% of the site subject to extensive flooding. The submission states that the farm is surrounded by lifestyle blocks and therefore should be allowed to be subdivided on the basis that keeping it in farm would be an anomaly, the submission also states that rural ambiance associated with lifestyle block subdivision would be maintained. The Rural Character Assessment report⁵¹ differentiates rural lifestyle zone from general rural zone on the basis that rural lifestyle has a relatively higher density of buildings, fences, shelterbelts and small enclosed paddocks, compared to low density of buildings, large paddocks, lower density of shelterbelts and presence of plantation forestry. The character of the existing site clearly shows large open areas of farmland typical of general rural landscape. The rezoning aspect of the submission will be dealt with in Hearing Stream 12. I do not agree with the part of the submission that relates to character of the subject site.

283. Daniel Hamish Patrick Cosgrove [292.3] allow subdivision and boundary adjustments to at least 4ha, as per the blocks which surround 852 Oxford Road. See section 3.4.2 of this report regarding boundary adjustment or subdivision of 852 Oxford Road below 20ha in the GRUZ zone. The property is proposed to be zoned GRUZ and comprises LUC class 3 land. I recommend the submission is rejected.

284. Roger James Willett Ensor [322.1] support subdivision of lots to create smaller lots of between 400m² to 10,000m² such as Truro Close, Ohoka Meadows, Ohoka Mountain Views, Clear View Lane and a number of others, with no roading costs. Subdivision of RLZ allotments down to between 400m² to 10,000m² would create significant impacts on Council infrastructure for the smaller properties and water quality effects for the larger properties. Allowing development down to that size would be inconsistent with the NPS-HPL, RPS policies 6.3.1 ensuring new urban development in areas as shown on Map A, 6.3.9 developed in accordance with an adopted rural

⁵¹ Boffa Miskell, 2018. Waimakariri District - Rural Character Assessment: Rural Zone – Character Assessment Report. Report prepared by Boffa Miskell for Waimakariri District Council.

residential development plan, and avoid noise sensitive activities occurring within the 50 dBA Ldn airport noise contour. I recommend the submission is rejected.

LUC Class 1 to 3 Land

285. Federated Farmers want the rural zone minimum lot sizes amended so that LUC class 1 to 3 land has a 20ha lot minimum and LUC class 4 to 7 has a 4ha lot minimum. While this submission has merit, the District Council chose to determine the difference between RLZ and GRUZ based on section size and character. While the suggested amendment would better meet the intent of the NPS-HPL, the area zoned RLZ mostly contains 4ha sized allotments and the amendment would not provide any added benefit. I recommend the submission is rejected.

Process

286. Maurice Newell [281.1] wants to allow subdivision consent applications lodged prior to notification, map and protect good soils and allow subdivision on poorer soils. The discussion around allowing subdivision consent applications to be processed and enabling subdivision on poor soils has been assessed in paragraph 249 of s42A Rural Zones officers report. I recommend the submission is rejected.

287. Malcolm Hanrahan [307.2] seeks further consideration as to how subdivision rules work in specific cases, and seeks to delete references to net site area in the rural allotments. WDC submissions on GRUZ-R3 [367.58] and RLZ-R3 [367.59] requested that net site was deleted from the rules on the basis that most of the 4ha subdivisions are for the minimum site area, and would result in a large number of lots not being able to be occupied if the 'net' calculation was used (for example not including rural right of ways). The s42A Rural Zones officer report recommended that these changes be made to the rules. I agree with the submission.

3.9.3 Summary of recommendations

288. I recommend that the submissions from Dean and Victoria Caseley [159.6], WDC [367.7], and Malcolm Hanrahan [307.2], be **accepted**.

289. I recommend that the submissions from Heather Wood [4.1], David Kettle [19.1], Nicola Watherston [78.1], Rainer and Ursula Hack [201.1], Nicholas Hoogeveen [202.4], Robert Kimber [306.3], Wayne and Emma Taylor [339.1], Federated Farmers [414.212], Maurice Newell [281.1], Duncan John Lundy [361.1], Danie Hamish Patrick Cosgrove [292.3], Roger James Willet Ensor [322.1], and Forest and Bird [192.82], be **rejected**.

290. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

291. No changes to SUB-S1 and Table SUB-1 are proposed as a result of these submissions.

SUB-S2 Identified building platforms and disposal areas in Rural Zones

3.9.4 Matters raised by submitters

292. There are eight submissions on this standard, with two in support, two seeking an amendment and four that are neutral. There are two further submissions, both in opposition, with the Ohoka Residents Association opposing all of the submissions by RIDL, and Mark Mckitterick opposing the submission of Chloe Chai and Mark Mckitterick.

293. NZ Pork [169.18] want to delete the entire standard and rewrite it to require that new allotments should identify a 30 by 30m building platform site for a dwelling, vehicle manoeuvring area and accessory buildings including dwelling setbacks for each zone, and that building platforms should be setback 300m from the boundary of any paddock housing stock and wastewater treatment systems used for intensive primary production:

1. For each new allotment capable of containing a residential dwelling, at least one stable building platform of 30 metres by 30 metres must be identified which is capable of (but is not limited to) containing a dwelling, a vehicle manoeuvring area and any accessory buildings, in compliance with the performance standards and performance criteria for the zone where it is located (including dwelling setbacks applicable to that zone)

2. The building platform shall be setback 300m from the closest outer edge of any paddocks, hard-stand areas, structures, or buildings used to hold or house stock, and wastewater treatment systems used for intensive primary production.

The establishment of a building platform on the same site as the intensive primary production are exempt from this rule requirement."

3.9.5 Assessment

294. SUB-S2 applies to Rural Zones only and is not applicable to other zones in the district. The proposed amendments suggested by the submitter relates to separation distances from sensitive activities and intensive primary production. The proposed wording from the submitter lists a range of criteria upon which the setback should be calculated, this is likely to result in confusion as some of the setbacks could be significantly more than 300m from an intensive primary production activities. This issue is already addressed in GRUZ-BFS5 and RLZ-S5, and does not need to be repeated in the subdivision chapter. I recommend the submission is rejected.

3.9.6 Summary of recommendations

295. I recommend that the submissions from CA and GJ McKeever [111.38], John Stevenson [162.43], Chloe Chai and Mark McKitterick [256.38], Keith Godwin [418.44], CIL [284.224], and RIDL [326.361] be **accepted**.

296. I recommend that the submission from NZPork [169.18], be **rejected**.

297. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

298. No changes to SUB-S2 are proposed as a result of these submissions.

SUB-S3 Residential Yield

3.9.7 Matters raised by submitters

299. There are 19 submissions on SUB-S3, with nine seeking an amendment, four that are neutral, four in support, one in opposition and one submission that has been withdrawn. Of these only one submission seeking an amendment relates to the rural environment, the others have been dealt with in the Residential Subdivision report.

300. RIDL submission [160.6] seeks an amendment to SUB-S3 to refer to the ODP for the Ohoka area associated with their proposed development. This submission is opposed by 29 further submissions.
301. MainPower submission [249.213] seek to insert appropriate exemptions to SUB-S6 as required. This is addressed in section 3.3.2 of this report.

3.9.8 Assessment

302. The RIDL submission requesting that the ODP for a proposed development in Ohoka be included in the reference to SUB-S3. SUB-S3 refers to minimum housing density for residential subdivisions, with a lower density for where there is a constraint. The rezoning request for Ohoka will be dealt with in Hearing Stream 12, where the appropriateness of an ODP will be addressed. I recommend that the submission is rejected, and that the issue of rezoning is dealt with in Hearing Stream 12.

3.9.9 Summary of recommendations

303. I recommend that the submissions from RIDL [160.6], be **rejected**.
304. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.
305. No changes to SUB-S3 are proposed as a result of these submissions.

3.9.10 Matters raised by submitters SUB-S6 Access to strategic road or arterial road

306. There are eight submissions on SUB-S6. Of these two seek amendments, two are in support and four are neutral. There are two further submissions, both in opposition, with the Ohoka Residents Association opposing all of the submissions by RIDL, and Mark Mckitterick opposing the submission of Chloe Chai and Mark Mckitterick.
307. MainPower submission [249.217] seek to insert appropriate exemptions to SUB-S6 as required. This is addressed in section 3.3.2 of this report.
308. Waka Kotahi submission [275.34] seeks an amendment require existing accessways to be upgraded to comply with TRAN-S5 where then are off a state highway.

3.9.11 Assessment

309. The Waka Kotahi submission wanting existing allotments with access on a state highway to upgrade their accessways is beyond the scope of the subdivision standard, because the existing access may not be designed to appropriate standard or be in a poor location, resulting in safety risks to road users. SUB-S6 will not apply to existing properties on the state highway, as these will have existing use rights and existing accessways would have met the standards at the time. New subdivisions will be required to meet TRAN-S5. SUB-S6 only requires that one accessway is provided for two or more allotments onto a strategic and arterial road, and does not list all of the accessway criteria listed in the transport standards. I recommend the submission is rejected.

3.9.12 Summary of recommendations

310. I recommend that the submissions from Waka Kotahi [275.34], be **rejected**.

311. I recommend that the submissions from CA & GJ McKeever [111.42], John Stevenson [162.47], Chloe Chai and Mark Mckitterick [256.46], CIL [284.228], RIDL [326.365], and Keith Godwin [418.48], be **accepted**.
312. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.
313. No changes to SUB-S6 are proposed as a result of these submissions.

SUB-S8 Corner sites on road intersections in Rural Zones

3.9.13 Matters raised by submitters

314. There are seven submission, with one seeking an amendment, four that are neutral and two in support. There are two further submissions, both in opposition, with the Ohoka Residents Association opposing all of the submissions by RIDL, and Mark Mckitterick opposing the submission of Chloe Chai and Mark Mckitterick.
315. The amendment is for MainPower submission [249.219], which seeks to insert appropriate exemptions to SUB-S8 as required. This is addressed in section 3.3.2 of this report.

SUB-S10 Potable water in Rural Zones

3.9.14 Matters raised by submitters

316. There are seven submissions, one seeking and amendment, two in support and four that are neutral. There are two further submissions, both in opposition, with the Ohoka Residents Association opposing all of the submissions by RIDL, and Mark Mckitterick opposing the submission of Chloe Chai and Mark Mckitterick.
317. MainPower submission [249.221] seek to insert appropriate exemptions to SUB-S10 as required. This is addressed in section 3.3.2 of this report.

SUB-S13 Offsite wastewater disposal field

3.9.15 Matters raised by submitters

318. There are seven submissions, one seeking and amendment, two in support and four that are neutral. There are two further submissions, both in opposition, with the Ohoka Residents Association opposing all of the submissions by RIDL, and Mark Mckitterick opposing the submission of Chloe Chai and Mark Mckitterick.
319. MainPower submission [249.224] seek to insert appropriate exemptions to SUB-S13 as required. This is addressed in section 3.3.2 of this report.

SUB-S14 Electricity supply and community connectivity

3.9.16 Matters raised by submitters

320. There are nine submissions, one seeking and amendment, four in support and four that are neutral. There are three further submissions, with the Ohoka Residents Association opposing all of the submissions by RIDL, three in opposition and one in support of the Kainga Ora submission, and Mark Mckitterick opposing the submission of Chloe Chai and Mark McKitterick.
321. MainPower submission [249.225] seek to insert appropriate exemptions to SUB-S14 as required. This is addressed in section 3.3.2 of this report.

SUB-S16 Rural drainage**3.9.17 Matters raised by submitters**

322. There are eight submissions, two seeking and amendment, two in support and four that are neutral. There are two further submissions, both in opposition, with the Ohoka Residents Association opposing all of the submissions by RIDL, and Mark Mckitterick opposing the submission of Chloe Chai and Mark McKitterick.
323. WakaKotahi submission [275.35] wants a definition for public drain in relation to SUB-S16 on rural drainage.
324. MainPower submission [249.227] seek to insert appropriate exemptions to SUB-S16 as required. This is addressed in section 3.3.2 of this report.

3.9.18 Assessment

325. The Waka Kotahi submission regarding connection of new rural allotments into a public drain where it is in a rural drainage area wants a definition for public drain and that it excludes any state highway drainage network. They were also unsure of where the rural drainage area is located and how it is defined.
326. Council has plans⁵² on its website that identify what drains are part of the rural drainage network and where the drainage areas are. Council also has a stormwater drainage and water course protection bylaw controlling stormwater discharges in order to protect the land, structures and infrastructure of Council and private stormwater and land drainage systems⁵³. The bylaw has a definition for land drainage system, but does not use the term 'public drain'.
327. While the Proposed Plan has a definition for drain it does not have a definition for public drain. The term is only used in this standard in the proposed plan. My understanding of the submission is that Waka Kotahi are concerned with unauthorised stormwater connections from rural properties into their drainage network. Given that the use of a defined term inside a definition may create problems when it comes to using electronic links within the Proposed Plan, it may be best to include an advice note that notes that "public drains" exclude roadside stormwater infrastructure managed by Waka Kotahi / NZ Transport Agency.

⁵² <https://www.arcgis.com/apps/dashboards/f1de10a8fd7f4ff5a6a6e18411397ce5>

⁵³ https://www.waimakariri.govt.nz/_data/assets/pdf_file/0013/127102/Stormwater-Drainage-and-Watercourse-Protection-Bylaw-2018-Final.pdf

3.9.19 Summary of recommendations

328. I recommend that the submissions from CA & GJ McKeever [111.52], John Stevenson [162.56], Chloe Chai and Mark McKitterick [256.52], CIL [284.238], RIDL [326.375], Waka Kotahi [275.35], be **accepted in part**.
329. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.
330. I therefore recommend the following changes to SUB-S16:

Advice Note

- Public drain refers to District Council owned stormwater system, including the rural drainage network. It does not include any private drains or roadside drains not administered by the District Council.

Section 32AA evaluation

331. In my opinion, the amendments to SUB-S16 is more appropriate in achieving the objectives of the Proposed Plan than the notified provisions. In particular, I consider that:
- It will reduce any confusion and ensure that private drains including roadside stormwater infrastructure owned by Waka Kotahi is not compromised by illegal connections. Consequently, the suggested advice note will help with the understanding of what the standard covers and is more efficient and effective than the notified provisions in achieving the objectives of the Proposed Plan. Particularly SD-O3(2)(ii) the management of adverse effects of other activities on infrastructure, EI-O3 ensuring safe, efficient and effective operation of infrastructure, and TRAN-O4 effects on district transport system are avoided, remedied or mitigated.
 - The recommended amendments will not have any greater environmental, economic, social, and cultural effects than the notified provisions. However, there will be benefits from improved plan interpretation and more efficient plan administration.

SUB-S18 Subdivision to create a bonus allotment

3.9.20 Matters raised by submitters

332. There are five submissions, with one wanting an amendment, and four that are neutral. There is one further submission by Mark McKitterick opposing the submission of Chloe Chai and Mark McKitterick.
333. MainPower submission [249.229] seek to insert appropriate exemptions to SUB-S18 as required. This is addressed in section 3.3.2 of this report.

3.10 Submissions on Matters of Control and Discretion

New matter of control and discretion

3.10.1 Matters raised by submitters

334. MainPower [249.233] want a new matter of control and discretion on effect of electricity distribution lines, that relates to their submission [249.210] for a rule on subdivision under major electricity distribution lines.

3.10.2 Assessment

335. The Main Power submission for a new rule on subdivision under major electricity distribution lines [249.210] was assessed in section 3.4.2. The proposed matter of control and discretion relates directly to the rule. Given the assessment of the proposed rule recommended to reject the submission, the matter of control and discretion requested in this submission is not required. I do not agree with the submission.

3.10.3 Summary of recommendations

336. I recommend that the submissions from MainPower [249.233], be **rejected**.
337. No changes to SUB-MCDX are proposed as a result of these submissions.

SUB-MCD5 Natural Hazards

3.10.4 Matters raised by submitters

338. There are four submissions on SUB-MCD5, three in support and one seeking an amendment. There are also seven further submissions across three of the submissions, one in support and in opposition to the ECan submission, three opposed and one in support of the Kainga Ora submission and one in opposition to the RIDL submission.
339. ECan [316.133] seek that the matter of control and discretion be amended to ensure that the effects cannot be used to justify not putting in appropriate mitigation.

3.10.5 Assessment

340. ECan in their submission were concerned that floor levels were the predominant mechanism to manage flood risk and that this would result in adverse effects on neighbouring properties. Any assessment of hazard mitigation as part of a subdivision resource consent, where a natural hazards risk is present, would require an assessment to be undertaken with the provisions of the Natural Hazards chapter. Objective NH-O1 around management of natural hazard risks associated with subdivision and NH-O3 requires that adverse effects on people and property from natural hazard management methods are avoided in the first instance.
341. Rule NH-R1 requires that any new natural hazard sensitive activity has a flood assessment certificate in order to be built. Where buildings are located in an overland flow path a resource consent is required that has as part of the matter of discretion the consideration of displacement of flood water onto other sites.
342. SUB-MCD5 does contain two references to consideration of effects on adjoining properties. SUB-MCD5(1)(e) requires the location of any earthworks or fill to consider the impacts on hazards

on any allotment or other adjoining land, and SUB-MCD(3) any effects of fill or differences in ground level on adjoining properties. Where SUB-MCD5 is relevant, any assessment should also be considered against NH-P2 and NH-P3 which states, 'the risk to surrounding properties is not significantly increased and the net flood storage capacity is not reduced' and EW-P2 for earthworks in a flood assessment overlay. I consider that there is sufficient consideration given to effects on neighbouring properties and I do not agree with the submission.

3.10.6 Summary of recommendations

343. I recommend that the submissions from ECan [316.133], be **rejected**.
344. I recommend that the submissions from CIL [284.244], Kainga Ora [325.182], and RIDL [326.381], be **accepted**.
345. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.
346. No changes to SUB-MCD5 are proposed as a result of these submissions.

SUB-MCD6 Infrastructure

3.10.7 Matters raised by submitters

347. There are six submissions on SUB-MCD6, with two submissions seeking an amendment and four in support. There are also seven further submissions on three submissions, with one in support and opposed the ECan submission, three in opposition and one in support of the Kainga Ora submission, and one in opposition to the RIDL submission.
348. MainPower [249.232] seeks an additional clause around the need for future subdivisions to identify on survey plans all existing electricity distribution lines and cables.
349. ECan [316.134] seek the insertion of an advice note that highlights that any onsite wastewater treatment system must be permitted under the regional plan or resource consent is required from Canterbury Regional Council.

3.10.8 Assessment

350. With regard to the MainPower submission wanting subdivision plans to show the location of existing services this as part of the District Council's Engineering Code of Practice⁵⁴. This is an existing resource consent practice and should not require a provision in a district plan to be implemented. I recommend that the submission is rejected.
351. ECan's submission requesting an advice note is considered appropriate, given that there is often confusion in the general public around who is responsible for onsite wastewater treatment systems. It is not standard practice that matters of control or discretion include advice notes. Given that the discharge from an onsite wastewater treatment is a Regional Council function, and is not only relevant to subdivision, but would also apply to new residential dwellings and minor residential dwellings within the Rural Zones, LLRZ, and some settlement areas, it would be more

⁵⁴ Waimakariri District Council: Engineering Code of Practice (2009).

appropriate to place the advice note in Part 1 of the Proposed Plan in 'How to read the plan section on advice notes'. I agree in part with the submission.

3.10.9 Summary of recommendations

352. I recommend that the submission from MainPower [249.232], be **rejected**.
353. I recommend that the submission from ECan [316.134], be **accepted in part**.
354. I recommend that the submissions from CIL [284.245], FENZ [303.44], Kainga Ora [325.183], and RIDL [326.382], be **accepted**.
355. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.
356. No changes to SUB-MCD5 are proposed as a result of these submissions.
357. Make the following changes to Advice notes are proposed as a result of these submissions:

GA-AN5 Any onsite wastewater treatment systems must be permitted under the regional plan, or a resource consent is required by the Canterbury Regional Council for the discharge. A building consent from the District Council is also required for any onsite wastewater treatment system.

Section 32AA evaluation

358. In my opinion, the amendments to the advice note in support of SUB-MCD5 is more appropriate in achieving the objectives of the Proposed Plan than the notified provisions. In particular, I consider that:
- The proposed amendment clarifies the difference in roles associated with the administration of on-site wastewater treatment between the Regional Council and the District Council.

SUB-MCD9 Airport and aircraft noise

3.10.10 Matters raised by submitters

359. There are four submissions on SUB-MCD9, three submissions in support and one in opposition. One of the submissions in support was assessed in the s42A Airport officers report (Hearing Stream 10A). There are also six further submissions, one opposed to CIAL [FS88], one opposed to RIDL [FS137] and three in opposition ([FS37], [FS41], and [FS46]) and one in part support [FS91] of Kainga Ora submission.
360. Kainga Ora [325.186] seek that SUB-MCD9 be deleted in conjunction with relief sought in the noise chapter. This follows on from their other submissions on the noise contour map [325.148] and general noise provisions [325.149]. These submissions are not just for the airport noise contour, but includes the rail corridor and State Highway.

3.10.11 Assessment

361. The two other submissions that relate to the noise contour maps were addressed in the s42A Noise officers report (paras [292] to [294]) which recommended that the submission [325.149]⁵⁵ be rejected. The wider of issue of the application of the airport noise contour in the Proposed Plan was addressed in the s42A Airport officers report.
362. Despite Kainga Ora submissions requesting the removal of the airport noise contour having been rejected, the matter of control or discretion has been removed as part of Variation 1.
363. Those submissions that requested that the matter of control or discretion be retained were received prior to Variation 1 and may not have been aware that it was not actually referred to in any of the rules or standards.

3.10.12 Summary of recommendations

364. I recommend that the submissions from CIL [284.248], and RIDL [326.385], be **accepted in part**.
365. I recommend that the submissions from Kainga Ora [325.186], be **accepted**.
366. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.
367. No changes to SUB-MCD9 are proposed as a result of these submissions.

SUB-MCD10 Reverse sensitivity**3.10.13 Matters raised by submitters**

368. There are eight submissions, three wanting amendments and five in support. There are 11 further submissions, with a mix of support and opposition.
369. Waka Kotahi [275.38] seeks an amendment with a new clause to noise and/or vibration effects from existing infrastructure, such as transport infrastructure. This submission has one further submission in opposition (Kainga Ora [FS88]) and one in support (KiwiRail [FS99]).
370. Hort NZ [295.100] seeks an amendment with a new clause considering highly productive land and reverse sensitivity effects where there is incompatible activities. Residential zone subdivision adjacent to the rural boundary should also consider management of the rural and urban interface. There is one further submission in support from CIAL [FS80].
371. Kainga Ora [325.187] seeks an amendment so that the matter of control and discretion will apply to the rural zone only. There are four further submissions in opposition (Richard and Geoff Spark [FS37], David Cowley [FS41], and Waka Kotahi [FS110]) and one in support (R J Paterson Family Trust [FS91]) of the submission.

⁵⁵ Submission [325.148] referred to the outcome of the [325.149] submission from a decision perspective.

3.10.14 Assessment

372. Waka Kotahi's submission requesting a clause for the consideration of noise and the minimisation of reverse sensitivity effects is consistent with SUB-P4(2)(a) avoid or mitigate significant adverse effects, and SD-O3(2)(b)(ii) the management of reverse sensitivity. I agree with the submission and recommends that SUB-MCD10 is amended to consider the effects of noise and vibration.
373. Hort NZ submission requires consideration of HPL and reverse sensitivity effects from surrounding rural production. The existing wording in UFD-P10 and SUB-MCD10 already addresses Hort NZ wording around reverse sensitivity effects from "lawfully established rural activities, including but not limited to intensive farming" The matter of control or discretion does not however address the effects on HPL and versatile soils. Residential development on HPL and versatile soils are not reverse sensitivity effects but are direct effects of the activity. A discussion on the application of HPL and versatile soils is in section 3.20 of the s42A Rural Zones officer report. I agree in part with the submission.
374. Kainga Ora's amendment sought that reverse sensitivity only applies to the rural environment is inconsistent with UFD-P10 which manages reverse sensitivity effects from new development and residential zones and SUB-P4 where subdivision on the boundaries are managed to avoid or mitigate significant adverse effects including reverse sensitivity. I do not agree with the submission.

3.10.15 Summary of recommendations

375. I recommend that the submissions from Kainga Ora [325.187], be **rejected**.
376. I recommend that the submissions from Waka Kotahi [275.38], be **accepted**.
377. I recommend that the submissions from Hort NZ [295.100], be **accepted in part**.
378. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.
379. I therefore recommend the following changes to SUB-MCD10:

SUB-MCD10 Reverse sensitivity

1. Any need to provide a separation distance for any residential unit or minor residential unit from existing activities, and any need to ensure that subsequent owners are aware of potential reverse sensitivity issues from locating near lawfully established rural activities, including but not limited to intensive farming.
2. Any measures required to minimise potential reverse sensitivity effects, such as noise and vibration, through subdivision design, provision of screening, structures or other mitigation methods.

Section 32AA evaluation

380. In my opinion, the amendments to SUB-MCD10 is more appropriate in achieving the objectives of the Proposed Plan than the notified provisions. In particular, I consider that:
- It will ensure that greater consideration is given to mitigation measures where subdivisions occur near major roads and railway lines. Noise from vehicular movement

major roads⁵⁶⁵⁷ and railway lines can have a detrimental effect on people's health. Giving greater consideration to mitigation measures to address reverse sensitivity effects from noise will give effect to NOISE-O1, NOISE-O2, NOISE-P3 and SUB-P4.

- Vibration has been included as it should form part of any consideration of potential mitigation measures for subdivisions⁵⁸⁵⁹.
- The recommended amendments will not have any greater environmental, economic, social, and cultural effects than the notified provisions. However, there will be benefits from improved plan interpretation and more efficient plan administration.

SUB-MCD11 Effects on or from National Grid

3.10.16 Matters raised by submitters

381. There are four submissions on SUB-MCD11, of these one seeks an amendment, and three submissions want it retained. There are six further submission on original submissions five in support and opposed to the Kainga Ora submission and one opposed to the RIDL submission.

382. Kainga Ora [325.188] seek an amendment so the matter of control and discretion gives effect to the provisions of the NPSET.

3.10.17 Assessment

383. While the amendments proposed by Kainga Ora reflect the NPSET, they are not relevant to the use of SUB-MCD11 which relate to subdivision within the National Grid Yard and not subdivision of the National Grid Yard as implied by the suggested amendments. The suggested amendment no 8 of *"The extent to which adverse effects from the National Grid on outstanding and significant natural landscapes, outstanding natural features, areas of high natural character and areas of high recreation value and amenity and existing sensitive activities is avoided"* is not relevant to the subdivision of land not owned by utilities provider.

384. Proposed amendment no 9 says: *"The extent to which adverse effects from the National Grid on urban amenity and centres are minimised"* which is also not a matter that can be addressed by the land owner who is looking to subdivide their property within a National Grid Yard. This is a matter for the utilities provider to consider when establishing new National Grid Yards.

385. The Proposed amendment no 10 says: *"The extent to which reasonably possible, manage activities to avoid reserve sensitivity effects on the National Grid including the operation, maintenance, upgrading, and development of the National Grid is not compromised"* While this is something that can be considered for a subdivision, the proposed wording is a repeat of Policy 10 of the NPSET. Council is required to give effect to national policy statements, but is not required

⁵⁶ Welch D, *et al*, 2023. Health effects of transport noise. *Transport Reviews*, Vol. 43, No. 6, pp. 1190-1210.

⁵⁷ Khomenko S *et al*, 2022. Impacts of road traffic noise on annoyance and preventable mortality in European cities: A health impact assessment. *Environmental International*. <https://doi.org/10.1016/j.envint.2022.107160>

⁵⁸ Huang J. Liu Y., and Li Y., 2019. Trees as large-scale natural phononic crystals: Simulation and experimental verification. *International Soil and Water Conservation Research*, No. 7 pp. 196-202.

⁵⁹ Mhanna, M. Sadek M. and Shahrour I., 2011. Prediction and mitigation of traffic induced ground vibration in an urban zone. *WIT Transactions on The Built Environment* Vol 116, pp. 701-711.

to include specific objectives and policies unless directed to. As in the wording of Policy 10 in the NPSET, Council is not directed to include the policy in its Proposed Plan. Policy 10 is given effect through SD-O3, UFD-P10, and EI-P6. I do not agree with the submission.

3.10.18 Summary of recommendations

386. I recommend that the submissions from Kainga Ora [325.188], be **rejected**.
387. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.
388. No changes to SUB-MCD11 are proposed as a result of these submissions.

SUB-MCD12 Liquefaction Hazard Overlay

3.10.19 Matters raised by submitters

389. There are three submissions that support SUB-MCD12 Liquefaction Hazard Overlay. No assessment of the submissions has been undertaken.

3.11 Minor Errors

390. I recommend that amendments be made to Subdivision Chapter to fix the wording in two rules. These amendment/s could have been made after Proposed Plan was notified through the RMA process to correct minor errors⁶⁰, but I recommend the amendment is made as part of the Hearing Panel's recommendations for completeness and clarity. The amendment is set out below.
391. For Subdivision rule SUB-R4 The wording at the beginning of clauses SUB-R4 (2) and (3) is unclear and does not make sense.

Amend clauses SUB-R4 (2) and (3) to begin (new text underlined): "if located within..."

392. For Subdivision rule SUB-R11 the 'zone filter' in the left hand column should refer to that part of the Rural Lifestyle Zone within the 50dBA noise contour for Christchurch Airport.

Amend the 'zone filter' in the left hand column of rule SUB-R11 to read (new text underlined): "Rural Lifestyle Zone within the 50 dBA Ldn Noise Contour for Christchurch International Airport".

3.12 Strategic Direction Primacy Assessment

393. The Hearing Panel have requested that s42A report authors consider any potential implications that may arise on the Subdivision (Rural) objectives should the objectives in the Strategic Direction chapter (SD and UFD) be given primacy or not.
394. As detailed in the Strategic Directions Primacy Memos dated 8 September, 29 September and 8 December 2023, I consider that the present Rural Zones chapters, their objectives and policies,

⁶⁰ Clause 16 of RMA Schedule 1

including amendments, align with the approach of Differing Approaches to Primacy for Strategic Direction 9(b)(i) and (ii) of the 29 September 2023 memo.

(b) SD objectives have "primacy" in one of the following different senses (dependent on how the district plan is crafted):

(i) SD objectives inform objectives and policies contained in other chapters;

(ii) Objectives and policies in other chapters must be expressed and achieved as being consistent with the SD objectives;

(iii) SD objectives are used to resolve conflict with objectives and policies in other chapters; and

(iv) SD objectives override all other objectives and policies in the plan.

395. In consideration of Strategic Direction primacy as detailed above, the Proposed Plan was drafted with both approaches of 9(b)(i) and (ii) in mind.

396. Should the Hearing Panel consider that the primacy approach as detailed in 9(b)(iii) (SD objectives are used to resolve conflict with objectives and policies in other chapters) be appropriate, it will not result in any conflicts between SD-O1, SD-O2 and SD-O4 associated with urban development. Both objectives SD-O2(1) and SD-O4 would constrain urban development to those areas already identified as growth areas in the plan.

397. If the same approach was taken for the UFD policies, there would likely be conflict between SD-O2(9) and UFD-P3 where new large lot residential development is located outside of the existing RRDS areas. Despite this the approach would be consistent with the direction of policies relating to rural residential in the RPS.

398. For the primacy approach in 9(b)(iv) (SD objectives override all other objectives and policies in the plan), the approach would be inconsistent with the NPS-HPL and the interface with rural subdivision.

4 Conclusions

399. Submissions have been received both in support of, and in opposition to provisions of the Subdivision Chapter of the Proposed Plan that are considered within the Subdivision Rural report.

400. While most of these submissions relate to the subdivision as notified, some submissions seek amendments that relate to activities under the airport noise contour, and these have been addressed in the s42A CIAL officer report.

401. Having considered all the submissions and reviewed all relevant statutory and non-statutory documents, I recommend that Proposed Plan should be amended as set out in **Appendix A** of this report.

402. For the reasons set out in the Section 32AA evaluation within Section 3 of this report, I consider that the proposed objectives and provisions, with the recommended amendments, will be the most appropriate means to:


- achieve the purpose of the Resource Management Act 1991 (RMA) where it is necessary to revert to Part 2 and otherwise give effect to higher order planning documents, in respect to the proposed objectives, and
- achieve the relevant objectives of the Proposed Plan, in respect to the proposed provisions.

Recommendations:

I recommend that:

1. The Hearing Commissioners accept, accept in part, or reject submissions (and associated further submissions) as outlined in Appendix B of this report; and
2. The Proposed Plan is amended in accordance with the changes recommended in Appendix A of this report.

Signed:

Name and Title		Signature
Mark Buckley	Principal Policy Planner	

Appendix A. Recommended Amendments to Subdivision Chapter

Where I recommend changes in response to submissions, these are shown as follows:

- Text recommended to be added to the Proposed Plan is underlined.
- Text recommended to be deleted from the Proposed Plan is ~~struck through~~.

Note that the proposed amendments to the Subdivision Chapter in Appendix A reflect those submissions that have been considered only in the context of those provisions that related to subdivision activities within the Rural Zones or Large Lot Residential Zone.

SUB - Wāwāhia whenua - Subdivision

Introduction

Subdivision provides a framework for land ownership so that development and activities can take place. Subdivision can take place at a variety of scales, from a boundary adjustment or two-lot subdivision through to larger scale land development incorporating provision of cost effective and sustainable infrastructure and land for other uses such as open space.

Subdivision plays an important role in determining the location and density of development and its effect on the character and sustainability of rural and urban environments. It also implements national direction for urban development and enables land use anticipated by the various zone provisions.

The subdivision process can also include the provision of services for development and activities, including open space, infrastructure and community facilities. The adverse effects of activities are addressed by district wide or zone provisions, however some activities and their effects are managed at the time of subdivision, such as earthworks and the forming of roads.

Subdivision also provides an opportunity to consider matters such as natural hazards, protection and enhancement of riparian margins, rural character, reverse sensitivity, urban design, and the recognition and protection of cultural values.

The provisions in this chapter are consistent with the matters in Part 2 - District Wide Matters - Strategic Directions and give effect to matters in Part 2 - District Wide Matters - Urban Form and Development.

Other potentially relevant District Plan provisions

As well as the provisions in this chapter, other District Plan chapters that contain provisions that may also be relevant to Subdivision include:

- Energy and Infrastructure.
- Transport.
- Special Purpose Zone (Kāinga Nohoanga): how the Subdivision provisions apply in the Special Purpose Zone (Kāinga Nohoanga) is set out in SPZ(KN)-APP1 to SPZ(KN)-APP5 of that chapter.
- Any other District wide matter that may affect or relate to the site or sites.
- Zones: the zone chapters contain provisions about what activities are anticipated to occur in the zones.

Objectives

SUB-O1 Subdivision design

Subdivision design achieves an integrated pattern of land use, development, and urban form, that:

1. provides for anticipated land use and density that achieve the identified future character, form or function of zones;

2. consolidates urban development and maintains rural character except where required for, and identified by, the District Council for urban development;
3. supports protection of cultural and heritage values, conservation values; and
4. supports community resilience to climate change and risk from natural hazards.

SUB-02 Infrastructure and transport

Efficient and sustainable provision, use and maintenance of infrastructure; and a legible, accessible, well connected transport system for all transport modes.

SUB-03 Esplanade reserves and esplanade strips

Esplanade reserves and esplanade strips created through subdivision adjacent to the sea, lakes and rivers contribute to:

1. the protection of conservation values;
2. public access to or along rivers and lakes or the coast; or
3. enable public recreational use where it is compatible with conservation values.

Policies**SUB-P1 Design and amenity**

Enable subdivision that:

6. within Residential Zones, incorporates best practice urban design, access to open space, and CPTED principles;
7. minimises reverse sensitivity effects on infrastructure including through the use of setbacks;
8. avoids subdivision that restricts the operation, maintenance, upgrading and development of the National Grid;
9. recognises and provides for the expression of cultural values of mana whenua and their connections in subdivision design; and
10. supports the character, amenity values, form and function for the relevant zone.

SUB-P2 Allotment layout, size and dimension

Ensure that allotment layout, size and dimensions:

1. in Residential Zones:
 - a. enables a variety of allotment sizes to cater for different housing types and densities to meet housing needs;

- b. supports the achievement of high quality urban design principles for multi-unit residential development;
2. in Rural Zones:
 - a. retains the ability for rural land to be used for primary production activities; and
3. in Open Space and Recreation Zones:
 - a. provides a variety of types and sizes of open space and recreation areas to meet current and future recreation needs.

SUB-P3 Sustainable design

Ensure that subdivision design:

1. maximises solar gain, including through:
 - a. road and block layout; and
 - b. allotment size, dimension, layout and orientation;
2. in Residential Zones, Commercial and Mixed Use Zones, and Open Space and Recreation Zones, supports walking, cycling and public transport; and
3. promotes:
 - a. water conservation,
 - b. on-site collection of rainwater for non-potable use,
 - c. water sensitive design, and
 - d. the treatment and/or attenuation of stormwater prior to discharge, and
4. recognises the need to maintain the design capacity of infrastructure within the public network and avoid causing flooding of downstream properties.

UB-P4 Integration and connectivity

Achieve integration and connectivity by ensuring:

1. in urban environments that there is effective integration of subdivision patterns and multi-modal transport connections within new development and to existing development;
2. subdivision on the boundaries between new and existing development is managed to:
 - a. avoid or mitigate significant adverse effects, including reverse sensitivity effects, through the use of setbacks, landscaping to achieve screening, and other methods; and
 - b. continuation of transport and pedestrian or cycle linkages.

SUB-P5 Density in Residential Zones

Provide for a variety of site sizes within Residential Zones, while achieving minimum residential site sizes that are no smaller than specified for the zone.

SUB-P6 Criteria for Outline Development Plans

Ensure that new Residential Development Areas, new Large Lot Residential Zones, new Commercial and Mixed Use Zones and new Industrial Zones shall not be subdivided until an ODP for that area has been included in the District Plan and each ODP shall:

1. be prepared as a single plan; and
2. be prepared in accordance with the following:
 - a. identify principal roads, connections and integration with the surrounding road networks, relevant infrastructure and areas for possible future development;
 - b. any land to be set aside:
 - i. for community facilities or schools;
 - ii. parks and land required for recreation or reserves;
 - iii. for business activities;
 - iv. the distribution of different residential densities;
 - v. for the integrated management of water systems, including stormwater treatment, secondary flow paths, retention and drainage paths;
 - vi. from development for environmental or landscape protection or enhancement; and
 - vii. from development for any other reason, and the reasons for its protection.
 - c. for new Residential Development Areas demonstrate how each ODP area will achieve a minimum net density of at least 15 lots or households per ha, unless there are demonstrated constraints then no less than 12 households per ha;
 - d. identify any cultural, natural, and historic heritage features and values and show how they are to be enhanced or maintained;
 - e. indicate how required infrastructure will be provided and how it will be funded;
 - f. set out the phasing and co-ordination of subdivision and development;
 - g. demonstrate how effective provision is made for a range of transport options, including public transport systems, pedestrian walkways and cycleways, both within and adjoining the ODP area;
 - h. for new Residential Development Areas, demonstrate how open space, playgrounds or parks for recreation will be provided within a 500m radius of new residential allotments including:

- i. transport connectivity for active, public and other transport modes;
 - ii. connection to any other open space or community facility and other zones; and
 - iii. potential use of open space for stormwater management;
- i. show how other potential adverse effects on and/or from nearby existing or designated strategic infrastructure (including requirements for designations, or planned infrastructure) will be avoided, remedied or appropriately mitigated;
 - j. show how other potential adverse effects on the environment, the protection and enhancement of surface and groundwater quality, are to be avoided, remedied or mitigated;
 - k. include any other information which is relevant to an understanding of the development and its proposed zoning; and
 - l. demonstrate that the design will minimise any reverse sensitivity effects.

SUB-P7 Requirements of Outline Development Plans

Ensure that subdivision is in accordance with the fixed or flexible elements of any relevant ODP.

SUB-P8 Infrastructure

Achieve integrated and comprehensive infrastructure with subdivision by ensuring:

1. upgrade of existing infrastructure where the benefit is solely for the subdivision and subsequent development, or otherwise provide for cost-sharing or other arrangements for any upgrade, such as financial contributions, that are proportional to the benefit received;
2. adequate infrastructure provision and capacity to service the scale and nature of anticipated land uses, including:
 - a. wastewater disposal that will maintain public health and minimise adverse effects on the environment, while discouraging small-scale standalone community facilities;
 - b. water supply;
 - c. stormwater management;
 - d. phone, internet and broadband connectivity can be achieved, with new lines being underground in urban environments, except within the Special Purpose Zone (Kāinga Nohoanga);
 - e. electricity supply, with new lines being underground in new urban environments except within the Special Purpose Zone (Kāinga Nohoanga);
3. where reticulated wastewater disposal is available, that any new site is to be provided with a means of connection to the system; and
4. where a reticulated wastewater system is not available, ensure that onsite treatment systems will be installed.

SUB-P9 Access to, protection and enhancement of the margins of water bodies

During subdivision development:

1. ensure the protection and enhancement of the margins of water bodies; and
2. maintain the diversity, quality and quantity of any resources valued for mahinga kai through protection or restoration.

SUB-P10 Esplanade reserves and esplanade strips

Provide for the creation of esplanade reserves or esplanade strips in areas where there is an actual or potential benefit for access, recreation, conservation or natural hazard mitigation by:

1. identifying water bodies where such reserves or strips will be provided, regardless of subdivision site size;
2. recognising that provision of other areas that provide public benefit will be desirable; and
3. providing for minimum site sizes to be calculated as if any esplanade reserve resulting from the subdivision was part of the overall subdivision area.

Activity Rules

SUB-R1	Boundary adjustment	
All Zones	<p>Activity status: CON</p> <p>Where:</p> <ol style="list-style-type: none"> 1. SUB-S2 to SUB-S18 are met. <p>Matters of control are restricted to: SUB-MCD1 - Allotment area and dimensions SUB-MCD2 - Subdivision design SUB-MCD3 - Property access SUB-MCD5 - Natural hazards</p> <p>Notification An application for a controlled activity under this rule is precluded from being publicly or limited notified.</p>	<p>Activity status when compliance not achieved: as set out in the relevant subdivision standards</p>

SUB-R2	Subdivision	
All Zones	<p>Activity status: CON</p> <p>Where:</p> <ol style="list-style-type: none"> 1. SUB-S2 to SUB-S18 are met where <ol style="list-style-type: none"> a. the allotment is for any unstaffed infrastructure, accessway or road; 	<p>Activity status when compliance not achieved: as set out in the relevant subdivision standards</p>

	<p>b. the subdivision is of a fee simple allotment from an approved cross lease site, where the exclusive use areas shown on the existing cross lease plan are not altered, and where only SUB-S5 will apply;</p> <p>c. the subdivision site is a reserve created under the Reserves Act 1977, or any esplanade reserve allotment; or</p> <p>d. otherwise specified in this chapter.</p> <p>Matters of control are restricted to: SUB-MCD1 - Allotment area and dimensions SUB-MCD2 - Subdivision design SUB-MCD3 - Property access SUB-MCD4 - Esplanade provision SUB-MCD6 - Infrastructure SUB-MCD7 - Mana whenua SUB-MCD8 - Archaeological sites SUB-MCD10 - Reverse sensitivity SUB-MCD13 - Historic heritage, culture and notable trees</p> <p>Notification An application for a controlled activity under this rule is precluded from being publicly or limited notified.</p>	
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SUB-R3	Subdivision within the Liquefaction Overlay	
Liquefaction Overlay	<p>Activity status: CON</p> <p>Where:</p> <ol style="list-style-type: none"> a building platform is identified on the subdivision plan; and SUB-S1 to SUB-S18 are met. <p>Matters of control are restricted to: Matters of control listed in SUB-R2 SUB-MCD12 - Liquefaction hazard overlay</p>	<p>Activity status when compliance with SUB-R3 (1) not achieved: NC</p> <p>Activity status when compliance with SUB-R3 (2) not achieved: as set out in the relevant subdivision standards</p>

SUB-R4	Subdivision within flood hazard areas	
Urban Flood Assessment Overlay	<p>Activity status: RDIS</p> <p>Where:</p> <ol style="list-style-type: none"> a building platform is identified on the subdivision plan; and if located within the non-urban flood assessment overlay, the building platform 	<p>Activity status when compliance with SUB-R4 (1) not achieved: NC</p> <p>Activity status when compliance with SUB-R4 (2) or SUB-R4 (3) not achieved: NC</p>

Coastal Flood Assessment Overlay	<p>is not located within a high flood hazard area; and</p> <p>3. if located within the coastal flood assessment overlay, the building platform is not located within a high coastal flood hazard area; and</p> <p>4. SUB-S1 to SUB-S18 are met.</p> <p>Matters of discretion are restricted to: Matters of control/discretion listed in SUB-R2 SUB-MCD5 - Natural Hazards</p>	Activity status when compliance with SUB-R4 (4) not achieved: as set out in the relevant subdivision standards
	<p>Advisory note:</p> <ul style="list-style-type: none"> A Flood Assessment Certificate issued in accordance with NH-S1 will confirm if the site is located within a high hazard area. 	

SUB-R5	Subdivision containing a site or area of significance to Māori	
Wāhi Tapu Overlay	Activity status: RDIS	Activity status when compliance not achieved: as set out in the relevant subdivision standards
Wāhi Taonga Overlay	<p>Where:</p> <p>1. SUB-S1 to SUB-S18 are met.</p> <p>Matters of discretion are restricted to: Matters of control/discretion listed in SUB-R2 SUB-MCD7 - Mana whenua</p>	
Ngā Tūrangā Tūpuna Overlay		
Ngā Wai Overlay	<p>Notification</p> <p>An application for a restricted discretionary activity under this rule is precluded from being notified, but may be limited notified only to Te Ngāi Tūāhuriri Rūnanga where the consent authority considers this is required, absent its written approval.</p>	

SUB-R6⁶¹	Subdivision within the National Grid Yard <u>Subdivision Corridor</u>	
National Grid Yard <u>Overlay</u> <u>Subdivision</u> <u>Corridor</u>	<p>Activity status: RDIS</p> <p>Where:</p> <p>1. a building platform is identified on the subdivision plan that is outside of the National Grid Yard, to be secured by way of a consent notice; and</p> <p>2. SUB-S1 to SUB-S18 are met.</p>	<p>Activity status when compliance with SUB-R6 (1) not achieved: NC</p> <p>Activity status when compliance with SUB-R6 (2) not achieved: as set out in the relevant subdivision standards</p>

⁶¹ Transpower [195.96]

	<p>Matters of discretion are restricted to: Matters of control/discretion listed in SUB-R2 SUB-MCD110 - Effects on or from the National Grid</p> <p>Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to Transpower New Zealand Limited, where the consent authority considers this is required, absent its written approval.</p>	
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SUB-R7	Subdivision of a site containing a historic heritage item or heritage setting, or notable tree	
Heritage Building or Item Overlay	Activity status: RDIS	Activity status when compliance not achieved: as set out in the relevant subdivision standards
Heritage Area Overlay	Where: 1. SUB-S1 to SUB-S18 are met.	
Notable Trees Overlay	Matters of discretion are restricted to: Matters of control/discretion listed in SUB-R2 SUB-MCD13 - Historic heritage and notable trees	

SUB-R8	Subdivision to create a bonus allotment	
Rural Zones	Activity status: RDIS	Activity status when compliance not achieved: as set out in the relevant subdivision standards
	Where: SUB-S1 to SUB-S18 are met.	
	Matters of discretion are restricted to: Matters of control/discretion listed in SUB-R2 ECO-MD3 - Bonus allotment or bonus residential unit	

SUB-R9	Subdivision	
Outstanding Natural Feature and Landscape Overlay	Activity status: DIS	Activity status when compliance not achieved: as set out in the relevant subdivision standards
Significant Natural Areas (SNA) Overlay	Where: SUB-S1 to SUB-S18 are met.	
Fault Awareness Overlay		

Ashley Fault Avoidance Overlay	Activity status: NC	Activity status when compliance not achieved: N/A
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SUB-R10	Subdivision	
General Rural Zone	Activity status: NC Where: subdivision creates an allotment with a minimum allotment area less than 20ha, except where a subdivision takes place to accommodate infrastructure.	Activity status when compliance not achieved: N/A

SUB-R11	Subdivision resulting in an allotment that is less than 4ha within the 50dBA Ldn noise contour for Christchurch International Airport	
Rural Lifestyle Zone within the 50 dBA Ldn Noise Contour for Christchurch International Airport	Activity status: NC	Activity status when compliance not achieved: N/A

Subdivision Standards

SUB-S1 Allotment size and dimensions	
1. All allotments created shall comply with Table SUB-1.	Activity status when compliance not achieved: 1. In the Medium Density Residential Zone, any Industrial Zone and Special Purpose Zone (Kaiapoi Regeneration): DIS 2. In any other zone: NC

Table SUB-1: Minimum allotment sizes and dimensions

The following shall apply:

- For unit title or cross-lease allotments, the allotment area shall be calculated per allotment over the area of the parent site.
- Minimum areas and dimensions of allotments in Table SUB-1 for Commercial and Mixed Use Zones, Industrial Zones and Residential Zones shall be the net site area.
- Allotments for unstaffed infrastructure, excluding for any balance area, are exempt from the minimum site sizes in Table SUB-1.

Zone	Minimum allotment area	Internal square	Frontage (excluding rear lots)
<i>Residential Zones</i>			
Large Lot Residential Zone	2,500m ² with a minimum average of	n/a	n/a

	5,000m ² for allotments within the subdivision		
General Residential Zone	500m ²	15m x 15m	15m
Medium Density Residential Zone	200m ² No minimum for multi-unit residential development where the design statement and land use consent have been submitted and approved	n/a	n/a
Settlement Zone	600m ²	15m x 15m	15m
<i>Rural Zones</i>			
General Rural Zone	20ha	n/a	n/a
Rural Lifestyle Zone	4ha	n/a	n/a
Bonus allotment	1ha	n/a	n/a
<i>Commercial and Mixed Use Zones</i>			
Town Centre Zone	No minimum	n/a	n/a
Neighbourhood Centre Zone	No minimum	n/a	n/a
Local Centre Zone	No minimum	n/a	n/a
Mixed Use Zone	No minimum	n/a	n/a
Large Format Retail Zone	1,000m ²	n/a	n/a
<i>Industrial Zones</i>			
Light Industrial Zone	500m ²	n/a	n/a
General Industrial Zone	1,000m ²	n/a	n/a
Heavy Industrial Zone	5,000m ²	n/a	n/a
<i>Open Space Zones</i>			
Natural Open Zone	No minimum	n/a	n/a
Open Space Zone	No minimum	n/a	n/a
Sport and Active Recreation Zone	No minimum	n/a	n/a
<i>Special Purpose Zones</i>			
Special Purpose Zone (Hospital)	500m ²	15m x 15m	15m
Special Purpose Zone (Museum and Conference Centre)	700m ²	n/a	n/a
<i>Special Purpose Zone (Kāinga Nohoanga)</i>			
Māori land including within the Tuahiwi Precinct and the Large Lot Residential Precinct;	No minimum	n/a	n/a
Other land outside the Tuahiwi Precinct and	4ha	n/a	n/a

the Large Lot Residential Precinct			
Other land within the Tuahiwi Precinct	600m ²	15m x 15m	15m
Other land within the Large Lot Residential Precinct	2,500m ² with a minimum average of 5,000m ² for allotments within the subdivision	n/a	n/a
Special Purpose Zone (Kaiapoi Regeneration)	500m ²	n/a	n/a
Special Purpose Zone (Pine Beach and Kairaki Regeneration)	600m ²	15m x 15m	15m
<i>Special Purpose Zone (Pegasus Resort)</i>			
Areas 1, 2 and 4	No minimum	n/a	n/a
All other areas	4ha	n/a	n/a

SUB-S2 Identified building platforms and disposal areas in Rural Zones

1. Any new allotment in the Rural Zones shall include one or more identified building platform, and a sewage disposal area, unless it is required to be serviced by a reticulated wastewater system.	Activity status when compliance not achieved: NC
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SUB-S3 Residential yield

1. Residential subdivision of any area subject to an ODP, except in the Large Lot Residential Zone, shall provide for a minimum net density of 15 households per ha, unless there are demonstrated constraints then no less than 12 households per ha.	Activity status when compliance not achieved: NC
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SUB-S6 Access to a strategic road or arterial road

1. Any subdivision of a site in any Rural Zone that creates two or more new allotments that access onto a strategic road or arterial road, shall be jointly served by a single accessway.	Activity status when compliance not achieved: DIS
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SUB-S8 Corner sites on road intersections in Rural Zones

1. The corner of any allotment at any road intersection in any subdivision in any Rural Zones, shall be splayed with a diagonal line reducing each boundary by: <ol style="list-style-type: none"> a. a minimum of 6m on local road or collector road; and b. a minimum of 15m on any strategic road or arterial road. 	Activity status when compliance not achieved: NC
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SUB-S10 Potable water in Rural Zones

1. Any new allotment in Rural Zones shall be served with community reticulated potable water supply, where available, private reticulated potable water supply or potable groundwater.	Activity status when compliance not achieved: DIS
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SUB-S13 Offsite wastewater disposal field

1. Any allotments developed for a community wastewater scheme that includes a separate wastewater disposal field on another site shall be held together in a manner that they cannot be disposed of separately without the express permission of the District Council.	Activity status when compliance not achieved: NC
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SUB-S14 Electricity supply and communications connectivity

1. Any new allotment shall be served by electricity supply and shall demonstrate at the time of application for subdivision that connection to communication infrastructure including phone, internet and broadband can be achieved.	Activity status when compliance not achieved: DIS
2. Where two or more allotments share an accessway, the electricity supply and any communication lines necessary to achieve (1) shall be available where the accessway joins the main body of each allotment.	

SUB-S16 Rural drainage

1. Any new allotment in Rural Zones shall connect to a public drain if the allotment is within a rural drainage area.	Activity status when compliance not achieved: DIS
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Advice Note⁶²

- Public drain refers to District Council owned stormwater system, including the rural drainage network. It does not include any private drains or roadside drains not administered by the District Council.

SUB-S18 Subdivision to create a bonus allotment

1. Any subdivision for the protection and restoration of a mapped SNA listed in ECO-SCHED1 shall meet the requirements of Appendix APP2.	Activity status when compliance not achieved: NC
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Matters of Control and Discretion

SUB-MCD5	Natural hazards
	1. The extent to which risk from natural hazards has been addressed, including any effects on the use of the site for its intended purpose, including: <ol style="list-style-type: none"> provision of works for the subdivision including access and infrastructure;

⁶² Waka Kotahi [275.35]

	<ul style="list-style-type: none"> b. the location and type of infrastructure; c. location of structures and any identified building platform or platforms for natural hazard sensitive activities; d. any restriction on, or requirement for floor levels, floor levels and freeboard, and land levels as a result of flood hazard risk; and e. location and quantity of filling and earthworks that can be affected by the following hazards or which could affect the impact of those hazards on any allotment or other land in the vicinity: <ul style="list-style-type: none"> i. erosion; ii. flooding and inundation; iii. landslip; iv. rockfall; v. alluvion; vi. avulsion; vii. unconsolidated fill; viii. defensible space for fire safety; ix. soil contamination; x. subsidence; and xi. liquefaction. <ol style="list-style-type: none"> 2. The extent to which necessary overland flow paths are maintained, including consideration of any culvert development or road access that may impede overland flow. 3. Any effects from fill or difference in finished ground levels on stormwater management on the site and adjoining properties and the appropriateness of the fill material.
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SUB-MCD6	<p>Infrastructure</p> <ol style="list-style-type: none"> 1. The quantity, security and potability of the water and means, location and design of supply, including; <ul style="list-style-type: none"> a. for fire-fighting purposes; and b. the location, scale, construction and environmental, including public health, effects of water supply infrastructure and the adequacy of existing supply systems outside the subdivision. 2. The means, design, scale, construction and standard of stormwater infrastructure (including soakage areas and the means and location of any outfall). 3. The effectiveness and effects of any measures proposed for mitigating the effects of stormwater runoff, including the control of water-borne contaminants, litter and sediments. 4. The location, scale, construction and environmental effects of stormwater infrastructure, and whether or not the proposal requires on-site or area wide stormwater detention (either individually or collectively) to achieve stormwater neutrality or to meet any condition of regional network discharge consents. 5. Capacity of the stormwater drainage network. 6. The effect of the subdivision on water quality. 7. The extent to which the design of the stormwater infrastructure necessitates specific landscape treatment to mitigate any adverse effects on amenity values.
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	<ol style="list-style-type: none"> 8. The means, design and standard of sewage treatment and disposal where a public reticulated wastewater system is not available. 9. The location, scale, construction, maintenance and environmental effects of the proposed wastewater system. 10. The adequacy and standard of electricity supply and connectivity to communication infrastructure including phone, internet and broadband.
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SUB-MCD9	Airport and aircraft noise <ol style="list-style-type: none"> 1. Any reverse sensitivity effect on the operation of the Christchurch International Airport from subdivision; and 2. Any effects from aircraft noise on the use of the site for its intended purpose.
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SUB-MCD10	Reverse sensitivity <ol style="list-style-type: none"> 1. Any need to provide a separation distance for any residential unit or minor residential unit from existing activities, and any need to ensure that subsequent owners are aware of potential reverse sensitivity issues from locating near lawfully established rural activities, including but not limited to intensive farming. 2. <u>Any measures required to minimise potential reverse sensitivity effects, such as noise and vibration, through subdivision design, provision of screening, structures or other mitigation methods.</u>⁶³
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SUB-MCD11	Effects on or from the National Grid <ol style="list-style-type: none"> 1. The extent to which the subdivision allows for earthworks, buildings and structures to comply with the safe distance requirements of the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances. 2. The provision for the ongoing efficient operation, maintenance, development and upgrade of the National Grid, including the ability for continued reasonable access to existing transmission lines for maintenance, inspections and upgrading. 3. The extent to which potential adverse effects (including visual and reverse sensitivity effects) are mitigated through the location of an identified building platform or platforms. 4. The extent to which the design and construction of the subdivision allows for activities to be set back from the National Grid, including the ability to ensure adverse effects on, and from, the National Grid and on public safety and property are appropriately avoided, remedied or mitigated, for example, through the location of roads and reserves under the transmission lines. 5. The nature and location of any proposed vegetation to be planted in the vicinity of the National Grid. 6. The outcome of any consultation with Transpower New Zealand Limited. 7. The extent to which the subdivision plan clearly identifies the National Grid and identified building platform or platforms.
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SUB-MCD12	Liquefaction Hazard Overlay
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⁶³ Waka Kotahi [275.38]

	<ol style="list-style-type: none">1. The extent of liquefaction remediation measures to mitigate the effect on future development and associated inground infrastructure through ground strengthening, foundation design and geotechnical or engineering solutions, especially in the case where infrastructure including roads, water supply, and wastewater system are required to be extended to service the subdivision.2. The location and layout of the subdivision, identified building platform or platforms and service locations in relation to the liquefaction hazard.
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GA-AN5⁶⁴ Any onsite wastewater treatment systems must be permitted under the regional plan, or a resource consent is required by the Canterbury Regional Council for the discharge. A building consent from the District Council is also required for any onsite wastewater treatment system.

⁶⁴ ECan [316.134]

Appendix B. Recommended Responses to Submissions and Further Submissions

The recommended responses to the submissions made on this topic are presented in Table B 1 below.

Table B 1: Recommended responses to submissions and further submissions: General, SUB-P6, P9 and PX

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
18.1	Barbara Giles	General	Allow farm houses, surplus to requirements, to be surveyed off the main property onto minimum sized titles.	3.4.2	Reject	See relevant section of the report	No
FS80	Christchurch International Airport Ltd		Oppose in part				
205.4	Survus Consultants	General	Delete rural subdivision and residential development provisions in the General Rural Zone (GRUZ). Amend to insert a new controlled activity Subdivision Chapter rule that provides for the submitter's applications by allowing 4ha and 20ha subdivision as a controlled activity in the GRUZ: " <u>Where a subdivision consent application was lodged prior to 18 September 2021 and is extant at 18 September 2021, that seeks to create one or more allotments with a minimum allotment area of 4ha or more but less than 20ha.</u> " Amend the Proposed District Plan and objectives and policies to reflect, support, implement and give relief to the issues raised in this submission.	3.4.2	Reject	See relevant section of the report	No
FS27	Gerard Bassett		Support				
FS34	Alan & Sharron Davie-Martin		Support				
FS40	John & Annette Waller		Support				
FS54	Scott & Marcia Larsen		Support				
FS55	Terry & Louise Davis		Support				
FS68	Mark & Yvonne Webb		Support				
FS96	John A Bassett		Support				
FS97	Darryl Brown		Support				
FS106	Herman Wezenberg		Support				
FS107	John & Annette Waller		Support				
FS111	Susan Mary Sullivan		Support				
FS114	Sis Johnston		Support				
FS122	Mallory Olorenshaw		Support				
FS124	Roel Wobben		Support				
FS127	Robert & Linda Falconer		Support				
305.1	Marie Bax	General	Rezone 128 Baynons Road, Clarkville (Lot 3DP 36137) to Rural Lifestyle Zone for consistency with the surrounding properties.			This submission will be assessed in Hearing Stream 12	
FS80	Christchurch International Airport Ltd		Oppose				

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
226.3	McAlpines Ltd	General	Amend relevant Rural Lifestyle Zone subdivision standards to recognise and protect the sawmill from potential reverse sensitivity effects from subdivision of rural land.	3.4.2	Reject	See relevant section of the report	No
291.2	Mandeville Residents' Association Committee	General	Amend to provide for subdivision of larger land titles in Mandeville area.	3.4.2	Accept in part	See relevant section of the report	No
249.203	MainPower New Zealand	General	Insert hyperlinks from the Energy and Infrastructure Chapter to relevant subdivision rules in the Subdivision Chapter.	3.4.2	Reject	See relevant section of the report	No
196.1	Paul Martin and Julie Anne Wyatt	General	Seeks that subdivision be assessed under the Operative District Plan as at the time of application, 3 September 2021, was advised it would be accepted and processed.	3.4.2	Reject	See relevant section of the report	No
FS103	Survus Consultants		Support				
73.1	Yvonne and Mark Webb	General Planning Maps	Allow subdivision where little or no primary production is taking place on a lot.	3.4.2	Reject	See relevant section of the report	No
SUB-O1 Subdivision design							
41.30	Fulton Hogan	SUB-O1	Amend SUB-O1: "Subdivision design achieves an integrated pattern of land use, development, and urban form, that: ... 3. supports protection of cultural and heritage values, conservation values; and 4. supports community resilience to climate change and risk from natural hazards; <u>and</u> 5. <u>avoids reverse sensitivity effects.</u> "	3.6.2	Reject	See relevant section of the report	No
169.14	NZPork	SUB-O1	Amend SUB-O1: "Subdivision design achieves an integrated pattern of land use, development, and urban form, that: ... <u>Ensures that reverse sensitivity effects of subdivision on permitted and existing lawfully established activities are avoided where practicable, or mitigated where avoidance is not practicable.</u> "	3.6.2	Reject	See relevant section of the report	Yes
414.206	Federated Farmers of New Zealand Inc.	SUB-O1	Amend SUB-O1(3): "3. supports protection of cultural and heritage values, <u>high class soils</u> and conservation values, and ..."	3.6.2	Reject	This addition would introduce a new term that is not used in the proposed plan or the CRPS.	No
FS37	Richard & Geoff Spark		Oppose				
FS46	Miranda Hales		Oppose				
FS89	M & J Schluter		Oppose				
SUB-P1 Design and amenity							
41.31	Fulton Hogan	SUB-P1	2. Minimises <u>avoids</u> reverse sensitivity effects on infrastructure including through the use of setbacks;	3.7.2	Reject	See relevant section of the report	No
145.21	Daiken	SUB-P1	2. minimises reverse sensitivity effects on infrastructure <u>and existing heavy industrial activities</u> including through the use of setbacks;	3.7.2	Reject	See relevant section of the report	No
169.15	NZPork	SUB-P1	Amend SUB-P1:	3.7.2	Reject	See relevant section of the report	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			Enable subdivision that: ... <u>Avoids where practicable, or otherwise mitigates, potential reverse sensitivity effects of sensitive activities (particularly residential and lifestyle development) establishing near primary production including intensive primary production activities.</u>				
SUB-P2 Allotment layout, size and dimension							
111.23	CA and GJ McKeever	SUB-P2	Retain SUB-P2 as notified.	3.7.5	Accept	See relevant section of the report	No
202.1	Nicholas Hoogeveen	SUB-P2	Amend SUB-P2: Ensure that allotment layout, size and dimensions: ... 2. in Rural Zones: a. retains the ability for rural land to be used for primary production activities; b. <u>provides for rural residential development;</u> and ...	3.7.5	Reject	See relevant section of the report	No
SUB-P3 Sustainable design							
414.209	Federated Farmers of New Zealand	SUB-P3	Amend SUB-P3(3) to add (e): <u>"e. the treatment and/or attenuation of human sewage where the site size and characteristics permit it."</u>	3.7.8	Accepted in part	See relevant section of the report	No
FS41	David Cowley		Support				
SUB-P6 Criteria for Outline Development Plans							
160.5	Rolleston Industrial Developments Limited	SUB-P6	Amend SUB-P6(2)(c): ... 2. be prepared in accordance with the following: c. for new Residential Development Areas demonstrate how each ODP area will achieve a minimum net density of at least 15 lots or households per ha, unless there are demonstrated constraints <u>or the ODP is for the Ohoka area</u> , then no less than 12 households per ha; ...	3.7.11	Rejected	See relevant section of the report	No
FS36	J W & CE Docherty		Oppose				
FS38	I.W and L.M. Bisman		Oppose				
FS41	David Cowley		Support				
FS48	Waimakariri District Council		Oppose				
FS51	Philip & Michelle Driver		Oppose				
FS56	Elizabeth Liddell		Oppose				
FS59	Mervyn Emms		Oppose				
FS60	Martin Hewitt		Oppose				
FS61	Catherine Mullins		Oppose				
FS62	Oxford Ohoka Community Board		Oppose				

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
FS65	James Armstrong		Oppose				
FS69	Sarah Maria Brantley		Oppose				
FS70	Beverley Gail Brantley		Oppose				
FS71	Albert George Brantley		Oppose				
FS72	Steven Holland		Oppose				
FS73	Michelle Holland		Oppose				
FS74	Val & Ray Robb		Oppose				
FS75	Edward & Justine Hamilton		Oppose				
FS84	Ohoka Residents Association		Oppose				
FS98	Mary Koh		Oppose				
FS108	J W & CE Docherty		Oppose				
FS110	Waka Kotahi NZ Transport Agency		Oppose				
FS112	Gordon C Alexander		Oppose				
FS119	Andrea Marsden		Oppose				
FS120	Christopher Marsden		Oppose				
FS128	Rob Hall		Oppose				
FS130	David & Elaine Brady		Oppose				
FS132	Jan Hadfield		Oppose				
FS136	Emma Wood		Oppose				
FS137	Ohoka Residents Association		Oppose				
169.17	NZPork	SUB-P6	Amend SUB-P6 to add new criteria: <u>Any methods or boundary treatments required to avoid or mitigate reverse sensitivity effects and promote compatible land use activities and encourage the use of generous setbacks, public roads and reserves as buffers between urban and rural land uses.</u>	3.7.11	Rejected	See relevant section of the report	No
202.2	Nicholas Hoogeveen	SUB-P6	Amend SUB-P6 to include provision of new Outline Development Plans in the Rural Lifestyle Zone. Alternative relief: Residential Development Area, as referred to in SUB-P6, should be defined. This may then apply to any zone that provides for residential purposes.	3.7.11	Accepted in part	See relevant section of the report	No
SUB-P8 Infrastructure							
414.211	Federated Farmers of New Zealand Inc.	SUB-P8	Support SUB-P8 contingent on the relief sought for SNA management incentives where land is not subdivided.	3.7.14	Accepted in part	See relevant section of the report	No
SUB-P9 Access to, protection and enhancement of the margins of water bodies							
111.30	CA and GJ McKeever	SUB-P9	Neutral on SUB-P9.	3.7.16	Neutral	See relevant section of the report	No
162.29	John Stevenson	SUB-P9	Neutral on SUB-P9.	3.7.16	Neutral	See relevant section of the report	No
256.30	Chloe Chai and Mark McKitterick	SUB-P9	Neutral on SUB-P9.	3.7.16	Neutral	See relevant section of the report	No
FS2	Mark McKitterick		Oppose				

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
284.210	Clampett Investments Ltd	SUB-P9	Retain SUB-P9 as notified.	3.7.16	Accept	See relevant section of the report	No
325.163	Kāinga Ora – Homes and Communities	SUB-P9	Retain SUB-P9 as notified.	3.7.16	Accept	See relevant section of the report	No
FS37	Richard & Geoff Spark		Oppose in Part				
FS41	David Cowley		Oppose				
FS46	Miranda Hales		Oppose				
FS91	R J Paterson Family Trust		Support in Part				
326.347	Rolleston Industrial Developments Limited	SUB-P9	Retain SUB-P9 as notified.	3.7.16	Accept	See relevant section of the report	No
FS137	Ohoka Residents Association		Oppose				
418.30	Keith Godwin	SUB-P9	Neutral on SUB-P9.	3.7.16	Neutral	See relevant section of the report	No
Proposed new policies							
295.99	Horticulture New Zealand	New policy	Insert new policy SUB-PX: <u>Within the Rural Zones and in urban areas with an interface with a rural zone ensure that subdivision does not compromise the use of highly productive land and versatile land for rural production.</u>	3.7.18	Accept in part	See relevant section of the report	No
FS37	Richard & Geoff Spark		Oppose				
FS41	David Cowley		Oppose				
FS46	Miranda Hales		Oppose				
FS80	Christchurch International Airport Limited		Support				
FS83	Federated Farmers		Support				
FS89	Michael & Jean Schluter		Oppose				
FS105	Canterbury Regional Council		Support				
316.123	Environment Canterbury Regional Council	New policy	Insert a new policy which requires the design, location and layout of subdivision to avoid or mitigate the adverse effects of natural hazards.	3.7.18	Reject	See relevant section of the report	No
FS41	David Cowley		Oppose				
FS80	Christchurch International Airport Limited		Support				
325.156	Kāinga Ora – Homes and Communities	New policy	Insert new policy: <u>Subdivision in the Residential Zones in Accordance with an Approved Land Use Consent or Building Consent</u> <u>Provide for subdivision around existing or approved residential development where it enables creation of sites for uses that are in accordance with an approved land use resource consent or building consent.</u>	3.7.18	Reject	See relevant section of the report	No
FS37	Richard & Geoff Spark		Oppose in Part				

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
FS41	David Cowley		Oppose				
FS46	Miranda Hales		Oppose				
FS80	Christchurch International Airport Ltd		Oppose in Part				
FS91	R J Paterson Family Trust		Support in Part				
FS110	Waka Kotahi NZ Transport Agency		Support				

Table B 2: Recommended responses to submissions and further submissions: SUB-R1 and 2 (in part), 3, 6, 8, 9, 10 and 11

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
Activity Rules General							
249.210	Mainpower New Zealand	Activity rules – General	<p>Insert a new rule:</p> <p>"SUB-RX Subdivision and Major Electricity Distribution Lines All zones Activity status: RDIS Where: 1. the subdivision is within 24m of the centreline of the major electricity distribution lines as shown on the planning maps and: a. A building square for the principal building(s) and any building(s) for sensitive activities, is positioned at least 6m from the: i. Centreline of the major electricity distribution lines as shown on the planning maps; and ii. Foundation of any support structure of any major electricity distribution line as shown on the planning maps. Matters of discretion are restricted to: Matters of control listed in SUB-MCDX – Effects on Major Electricity Distribution Lines Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to MainPower New Zealand Limited, where the consent authority considers this is required, absent its written approval. Activity status when compliance with SUB-RX not achieved: NC"</p>	3.8.2	Rejected	See relevant section of the report	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
145.22	Daiken New Zealand Ltd	Rules – General	<p>Insert additional rule:</p> <p><u>SUB-R9 Subdivision close to Heavy Industry Rural Zones</u> <u>Activity status: RDIS</u> <u>Where:</u> <u>1. a building platform is identified on a proposed subdivision plan, that is located within the Noise Contour for Timber Processing/HIZ Processing Noise Contour, or within 200m of the HIZ located between Upper and Lower Sefton Roads, and</u> <u>2. SUB-S1 to SUB-S18 are met.</u> <u>Matters of discretion are restricted to:</u> <u>Matters of control/discretion listed in SUB-R2</u> <u>SUB-MCD14 – Effects on or from Heavy Industry</u> <u>Activity status when compliance not achieved: as set out in the relevant subdivision standards</u> <u>Notification</u> <u>An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified to the owner/occupier of the HIZ located between Upper and Lower Sefton Roads, absent its written approval.</u> <u>Insert additional matter of control/discretion:</u> <u>SUB-MCD14 Effects on or from Heavy Industry</u> <u>1. The extent to which the subdivision allows for development of sensitive activities in close proximity to existing industrial activity and the potential for this to lead to reverse sensitivity effects.</u> <u>2. The extent to which potential adverse effects (including noise, visual and reverse sensitivity effects) are avoided or mitigated through the proposal.</u></p>	3.8.2	Rejected	See relevant section of the report	No
SUB-R1 Boundary adjustment							
292.5	Daniel Hamish Patrick Cosgrove	SUB-R1	Allow subdivisions and boundary adjustments to at least 4ha, as per the blocks which surround 852 Oxford Road, Rangiora.	3.8.5	Rejected	See relevant section of the report	No
292.2	Daniel Hamish Patrick Cosgrove	SUB-R2	Allow subdivisions and boundary adjustments to at least 4ha, as per the blocks which surround 852 Oxford Road, Rangiora.	3.8.5	Rejected	See relevant section of the report	No
SUB-R3 Subdivision within the Liquefaction Overlay							
111.34	CA and GJ McKeever	SUB-R3	Retain SUB-R3 as notified.	3.8.8	Accepted	See relevant section of the report	No
162.33	John Stevenson	SUB-R3	Retain SUB-R3 as notified.	3.8.8	Accepted	See relevant section of the report	No
256.34	Chloe Chai and Mark McKitterick	SUB-R3	Retain SUB-R3 as notified.	3.8.8	Accepted	See relevant section of the report	No
FS2	Mark McKitterick		Oppose				
284.214	Clampett Investments Limited	SUB-R3	Retain SUB-R3 as notified.	3.8.8	Accepted	See relevant section of the report	No
325.167	Kāinga Ora – Homes and Communities	SUB-R3	Retain SUB-R3 as notified.	3.8.8	Accepted	See relevant section of the report	No
FS37	Richard & Geoff Spark		Oppose in Part				
FS41	David Cowley		Oppose				

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
FS46	Miranda Hales		Oppose				
FS91	R J Paterson Family Trust		Support in Part				
326.351	Rolleston Industrial Developments Limited	SUB-R3	Retain SUB-R3 as notified.	3.8.8	Accepted	See relevant section of the report	No
FS137	Ohoka Residents Association		Oppose				
408.11	Bellgrove Rangiora Ltd	SUB-R3	Amend SUB-R3 such that a non-compliance (no specific building platform identification) is a controlled or restricted discretionary activity (not non-complying) with control / discretion restricted to matters relating to the location, siting and layout, design of buildings, services or foundations as they relate to the liquefaction hazard; earthworks as they relate to the liquefaction hazard; and any liquefaction hazard remediation methods.	3.8.8	Rejected	See relevant section of the report	No
FS37	Richard & Geoff Spark	SUB-R3	Accept in Part				
418.34	Keith Godwin	SUB-R3	Retain SUB-R3 as notified.	3.8.8	Accept	See relevant section of the report	No
SUB-R6 Subdivision within the National Grid Yard							
111.153	CA and GJ McKeever	SUB-R6	Retain SUB-R6 as notified.	3.8.11	Accept	See relevant section of the report	No
162.36	John Stevenson	SUB-R6	Retain SUB-R6 as notified.	3.8.11	Accept	See relevant section of the report	No
195.96	Transpower New Zealand Limited	SUB-R6	Amend SUB-R6 by replacing the words 'National Grid Yard' and 'National Grid Yard Overlay' with the words 'National Grid Subdivision Corridor'.	3.8.11	Accept	See relevant section of the report	Yes
256.153	Chloe Chai and Mark McKitterick	SUB-R6	Retain SUB-R6 as notified.	3.8.11	Accept	See relevant section of the report	No
FS2	Mark McKitterick		Oppose				
284.217	Clampett Investments Limited	SUB-R6	Retain SUB-R6 as notified.	3.8.11	Accept	See relevant section of the report	No
325.169	Kāinga Ora – Homes and Communities	SUB-R6	Retain SUB-R6 as notified.	3.8.11	Accept	See relevant section of the report	No
FS37	Richard & Geoff Spark		Oppose in Part				
FS41	David Cowley		Oppose				
FS46	Miranda Hales		Oppose				
FS91	R J Paterson Family Trust		Support in Part				
326.354	Rolleston Industrial Developments Limited	SUB-R6	Retain SUB-R6 as notified.	3.8.11	Accept	See relevant section of the report	No
FS137	Ohoka Residents Association		Oppose				
414.210	Federated Farmers of New Zealand Inc.	SUB-R6	Amend SUB-R6 so that large scale rural and farm subdivision have the same activity status as a normal rural subdivision if it can meet the standard of a building site away from the National Grid Yard. Amend SUB-R6(1) to 'inside' if in error.	3.8.11	Reject	See relevant section of the report	No
418.37	Keith Godwin	SUB-R6	Retain SUB-R6 as notified.	3.8.11	Accept	See relevant section of the report	No
SUB-R8 Subdivision to create a bonus allotment							
111.155	CA and GJ McKeever	SUB-R8	Retain SUB-R8 as notified.	3.8.13	Accept	See relevant section of the report	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
162.38	John Stevenson	SUB-R8	Retain SUB-R8 as notified.	3.8.13	Accept	See relevant section of the report	No
256.155	Chloe Chai and Mark McKittrick	SUB-R8	Retain SUB-R8 as notified.	3.8.13	Accept	See relevant section of the report	No
FS2	Mark McKittrick		Oppose				
284.219	Clampett Investments Limited	SUB-R8	Retain SUB-R8 as notified.	3.8.13	Accept	See relevant section of the report	No
326.356	Rolleston Industrial Developments Limited	SUB-R8	Retain SUB-R8 as notified.	3.8.13	Accept	See relevant section of the report	No
FS137	Ohoka Residents Association		Oppose				
418.39	Keith Godwin	SUB-R8	Retain SUB-R8 as notified.	3.8.13	Accept	See relevant section of the report	No
SUB-R9 Subdivision							
111.156	CA and GJ McKeever	SUB-R9	Retain SUB-R9 as notified.	3.8.14	Accept	See relevant section of the report	No
162.39	John Stevenson	SUB-R9	Retain SUB-R9 as notified.	3.8.14	Accept	See relevant section of the report	No
256.156	Chloe Chai & Mark McKittrick	SUB-R9	Retain SUB-R9 as notified.	3.8.14	Accept	See relevant section of the report	No
FS2	Mark McKittrick		Oppose				
284.220	Clampett Investments Limited	SUB-R9	Retain SUB-R9 as notified.	3.8.14	Accept	See relevant section of the report	No
326.357	Rolleston Industrial Developments Limited	SUB-R9	Retain SUB-R9 as notified.	3.8.14	Accept	See relevant section of the report	No
FS137	Ohoka Residents Association		Oppose				
418.40	Keith Godwin	SUB-R9	Retain SUB-R9 as notified.	3.8.14	Accept	See relevant section of the report	No
SUB-R10 Subdivision							
159.7	Dean and Victoria Caseley	SUB-R10	Retain as notified the minimum allotment size for the General Rural Zone of 20ha in Table SUB-1 and SUB-R10 which makes subdivision below 20ha a non-complying activity, and SUB-O1 and SUB-P1 and SUB-P2.	3.8.16	Accept	See relevant section of the report	No
111.157	CA and GJ McKeever	SUB-R10	Retain SUB-R10 as notified.	3.8.16	Accept	See relevant section of the report	No
161.1	James Brett Weir	SUB-R10	Amend zoning from rural to residential between 12 Bush Road and Mill Road (on the even-numbered side of the road).	3.8.16	Reject	See relevant section of the report	No
FS82	Rolleston Industrial Developments Ltd; Carter Group Property; and CSI Property Ltd		Support				
162.40	John Stevenson	SUB-R10	Retain SUB-R10 as notified.	3.8.16	Accept	See relevant section of the report	No
254.50	Christchurch International Airport Limited	SUB-R10	Retain SUB-R10 as notified.	3.8.16	Accept	See relevant section of the report	No
FS88	Kāinga Ora – Homes and Communities		Oppose				
256.157	Chloe Chai and Mark McKittrick	SUB-R10	Retain SUB-R10 as notified.	3.8.16	Accept	See relevant section of the report	No
FS2	Mark McKittrick		Oppose				

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
284.221	Clampett Investments Limited	SUB-R10	Retain SUB-R10 as notified.	3.8.16	Accept	See relevant section of the report	No
292.4	Daniel Hamish Patrick Cosgrove	SUB-R10	Allow subdivisions and boundary adjustments to at least 4ha, as per the blocks which surround 852 Oxford Road, Rangiora.	3.8.16	Reject	See relevant section of the report	No
300.13	Eyrewell Dairy Ltd	SUB-R10	Seeks that SUB-S1 for Rural Lifestyle Zone or Large Lot Residential Zone apply instead.	3.8.16	Reject	See relevant section of the report	No
316.131	Environment Canterbury Regional Council	SUB-R10	Retain SUB-R10 as notified or retain the original intent.	3.8.16	Accept	See relevant section of the report	No
FS41	David Cowley		Oppose				
FS80	Christchurch International Airport Limited		Support				
FS103	Survus Consultants		Oppose				
326.358	Rolleston Industrial Developments Limited	SUB-R10	Retain SUB-R10 as notified.	3.8.16	Accept	See relevant section of the report	No
FS137	Ohoka Residents Association		Oppose				
367.4	Waimakariri District Council	SUB-R10	Delete SUB-R10.	3.8.16	Accept in part	Reliance on General Rural subdivision lot size in SUB-S1 being retained at 20ha	NA
411.32	Ngai Tahu Property	SUB-R10	Amend SUB-R10 activity status from Non-Complying to Discretionary.	3.8.16	Reject	See relevant section of the report	No
FS103	Survus Consultants		Support				
418.41	Keith Godwin	SUB-R10	Retain SUB-R10 as notified.	3.8.16	Accept	See relevant section of the report	No
SUB-R11 Subdivision resulting in an allotment that is less than 4ha within the 50dBA Ldn noise contour for Christchurch International Airport							
367.8	Waimakariri District Council	SUB-R11	Delete SUB-R10 and renumber SUB-R11 to SUB-R10.	3.8.18	Accept in part	Reliance on General Rural subdivision lot size in SUB-S1 being retained at 20ha	NA
111.158	CA and GJ McKeever	SUB-R11	Retain SUB-R11 as notified.	3.8.18	Accept	See relevant section of the report	No
162.41	John Stevenson	SUB-R11	Retain SUB-R11 as notified.	3.8.18	Accept	See relevant section of the report	No
254.51	Christchurch International Airport Limited	SUB-R11	Amend SUB-R11: Subdivision resulting in an allotment that is less than 4ha <u>the minimum allotment size for the zone</u> within the 50 dBA Ldn noise contour for Christchurch International Airport Rural lifestyle-All zones Activity status: NC ... <u>Any application arising from this rule will be limited notified to Christchurch International Airport Limited.</u>			This was assessed in the s42A CIAL officer report. This submission point was assessed and rejected in section 3.3.2.	NA
FS88	Kāinga Ora – Homes and Communities		Oppose				
256.158	Chloe Chai & Mark McKitterick	SUB-R11	Retain SUB-R11 as notified.	3.8.18	Accept	See relevant section of the report	No
FS2	Mark McKitterick		Oppose				
284.222	Clampett Investments Limited	SUB-R11	Retain SUB-R11 as notified.	3.8.18	Accept	See relevant section of the report	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
326.359	Rolleston Industrial Developments Limited	SUB-R11	Retain SUB-R11 as notified.	3.8.18	Accept	See relevant section of the report	No
FS137	Ohoka Residents Association		Oppose				
418.42	Keith Godwin	SUB-R11	Retain SUB-R11 as notified.	3.8.18	Accept	See relevant section of the report	No

Table B 3: Recommended responses to submissions and further submissions SUB-S1 (in part), 2, 6, 8, and 10

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
SUB-S1 Allotment size and dimensions							
4.1	Heather Woods	SUB-S1	Change the lot size in Rural Lifestyle Zone nearest to Silverstream to be 10,000m ² , because there are already some active lots of this size in the area, the rural amenity would not be lost, and being so close to the Silverstream Development it makes sense to have this size lot close to this settlement.	3.9.2	Reject	See relevant section of the report	No
19.1	David Kettle	SUB-S1	Amend SUB-S1 average section size for Large Lot Residential Zone to 4000m ² and that Canterbury Regional Council change the Canterbury Regional Policy Statement to allow 1-2 houses per 8000m ² , as smaller subdivision of former Residential 4B land has not affected the environment.	3.9.2	Reject	See relevant section of the report	No
78.1	Nicola Anne Watherston	SUB-S1	Zone 2 Riverside Road as Rural Lifestyle Zone - 4ha.	3.9.2	Reject	See relevant section of the report	No
201.11	Rainer and Ursula Hack	SUB-S1	Amend SUB-S1 to reduce minimum lot size to 2ha for Rural Lifestyle Zone adjoining main towns, particularly Woodend.	3.9.2	Reject	See relevant section of the report	No
202.4	Nicholas Hoogeveen	SUB-S1	Amend the minimum allotment size in the Rural Lifestyle Zone (RLZ) from 4ha to 2ha. Alternative relief: Provide for the provision of Outline Development Plan's in the RLZ to reduce the allotment size from 4ha to 2ha.	3.9.2	Reject	See relevant section of the report	No
306.3	Robert Kimber	SUB-S1	Reduce the minimum lot size within the Rural Lifestyle Zone to 1ha.	3.9.2	Reject	See relevant section of the report	No
339.1	Wayne and Emma Taylor	SUB-S1	Amend the 20ha minimum subdivision standards to enable submitter to subdivide off 1 or 2ha from existing acreage.	3.9.2	Reject	See relevant section of the report	No
414.212	Federated Farmers of New Zealand Inc.	SUB-S1	Amend Table SUB-1: General rural zone where Land Use Capability class is 4-7 – 4ha General rural zone where Land Use Capability class is 1-3 – 20ha	3.9.2	Reject	See relevant section of the report	No
FS103	Survus Consultants		Support in Part Oppose in Part				
281.1	Maurice Newell	SUB-S1	Allow applications that were lodged before notification. Map and protect good soils and allow subdivision of poorer soils. Provide large residential areas near similar zones. Price of land	3.9.2	Reject	See relevant section of the report	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			may mean people will buy larger blocks who know nothing about farming.				
FS103	Survus Consultants		Support				
361.1	Duncan John Lundy	SUB-S1	To overturn the proposed shift from 4ha to 20ha minimum.	3.9.2	Reject	See relevant section of the report	No
292.3	Daniel Hamish Patrick Cosgrove	SUB-S1	Allow subdivisions and boundary adjustments to at least 4ha, as per the blocks which surround 852 Oxford Road, Rangiora.	3.9.2	Reject	See relevant section of the report	No
322.1	Roger James Willett Ensor	SUB-S1	Not specified [Support subdivision of lots to create smaller lots of between 400m ² - 10,000m ² such as Truro Close, Ohoka Meadows, Ohoka Mountain Views, Clear View Lane and a number of others, with no roading cost.]	3.9.2	Reject	See relevant section of the report	No
159.6	Dean and Victoria Caseley	Table SUB-S1	Retain Table SUB-1 minimum allotment sizes for General Rural Zone and supporting SUB-R10, SUB-O1, SUB-P1 and SUB-P2 as notified.	3.9.2	Accept	See relevant section of the report	No
192.82	Forest and Bird	Table SUB-S1	Amend Table Sub 1 - Minimum Allotment Sizes: Raise the minimum lot size in Rural Lifestyle Zone or create smaller zones for smaller subdivisions such as the Rural Rangiora Zone or Rural Kaiapoi Zone etc., and increase size of General Rural Zone.	3.9.2	Reject	See relevant section of the report	No
FS80	Christchurch International Airport Limited		Oppose in part				
367.7	Waimakariri District Council	Table SUB-1: Minimum	Retain GRUZ-R3 and GRUZ-R4, together with 20ha minimum allotment area in Table SUB-1 for the General Rural Zone.	3.9.2	Accept	See relevant section of the report	No
307.2	Malcolm Hanrahan	Table SUB-1: Minimum	Further consider how the subdivision rules work in specific situations. Delete all references to net site areas in the rural allotments.	3.9.2	Accept	See relevant section of the report	No
SUB-S2 Identified building platforms and disposal areas in Rural Zones							
111.38	CA & GJ McKeever	SUB-S2	Neutral on SUB-S2.	3.9.5	Neutral	See relevant section of the report	No
162.43	John Stevenson	SUB-S2	Neutral on SUB-S2.	3.9.5	Neutral	See relevant section of the report	No
249.213	MainPower New Zealand Limited	SUB-S2	Insert exemptions to SUB-S2-S18 as required.	3.3.2	Reject	See relevant section of the report	No
256.38	Chloe Chai & Mark McKitterick	SUB-S2	Neutral on SUB-S2.	3.9.5	Neutral	See relevant section of the report	No
FS2	Mark McKitterick		Oppose				
418.44	Keith Godwin	SUB-S2	Neutral on SUB-S2.	3.9.5	Neutral	See relevant section of the report	No
169.18	NZPork	SUB-S2	Amend SUB-S2: <u>Any new allotment in the Rural Zones shall include one or more identified building platform, and a sewage disposal area, unless it is required to be serviced by a reticulated wastewater system.</u> <u>1. For each new allotment capable of containing a residential dwelling, at least one stable building platform of 30 metres by 30 metres must be identified which is capable of (but is not limited</u>	3.9.5	Reject	See relevant section of the report	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			to) containing a dwelling, a vehicle manoeuvring area and any accessory buildings, in compliance with the performance standards and performance criteria for the zone where it is located (including dwelling setbacks applicable to that zone) 2. The building platform shall be setback 300m from the closest outer edge of any paddocks, hard-stand areas, structures, or buildings used to hold or house stock, and wastewater treatment systems used for intensive primary production. The establishment of a building platform on the same site as the intensive primary production are exempt from this rule requirement.				
284.224	Clampett Investments Limited	SUB-S2	Retain SUB-S2 as notified.	3.9.5	Accept	See relevant section of the report	No
326.361	Rolleston Industrial Developments Limited	SUB-S2	Retain SUB-S2 as notified.	3.9.5	Accept	See relevant section of the report	No
FS137	Ohoka Residents Association		Oppose				
SUB-S3 Residential yield							
160.6	Rolleston Industrial Developments Limited	SUB-S3	Amend SUB-S3: "1. Residential subdivision of any area subject to an ODP, except in the Large Lot Residential Zone, shall provide for a minimum net density of 15 households per ha, unless there are demonstrated constraints or the ODP is for the Ohoka area, then no less than 12 households per ha."	3.9.7	Reject	See relevant section of the report	No
FS36	J W & CE Docherty		Oppose				
FS38	I.W and L.M. Bisman		Oppose				
FS41	David Cowley		Oppose				
FS48	Waimakariri District Council		Oppose				
FS51	Philip & Michelle Driver		Oppose				
FS56	Elizabeth Liddell		Oppose				
FS59	Mervyn Emms		Oppose				
FS60	Martin Hewitt		Oppose				
FS61	Catherine Mullins		Oppose				
FS62	Oxford Ohoka Community Board		Oppose				
FS65	James Armstrong		Oppose				
FS69	Sarah Maria Brantley		Oppose				
FS70	Beverley Gail Brantley		Oppose				
FS71	Albert George Brantley		Oppose				
FS72	Steven Holland		Oppose				
FS73	Michelle Holland		Oppose				
FS74	Val & Ray Robb		Oppose				
FS75	Edward & Justine Hamilton		Oppose				

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
FS84	Ohoka Residents Association		Oppose				
FS98	Mary Koh		Oppose				
FS108	J W & CE Docherty		Oppose				
FS112	Gordon C Alexander		Oppose				
FS119	Andrea Marsden		Oppose				
FS120	Christopher Marsden		Oppose				
FS128	Rob Hall		Oppose				
FS130	David & Elaine Brady		Oppose				
FS132	Jan Hadfield		Oppose				
FS136	Emma Wood		Oppose				
FS137	Ohoka Residents Association		Oppose				
SUB-S6 Access to a strategic road or arterial road							
111.42	CA & GJ McKeever	SUB-S6	Neutral on SUB-S6.	3.9.11	Neutral	See relevant section of the report	No
162.47	John Stevenson	SUB-S6	Neutral on SUB-S6.	3.9.11	Neutral	See relevant section of the report	No
249.217	MainPower New Zealand Limited	SUB-S6	Insert appropriate exemptions to SUB-S6 as required.	3.3.2	Reject	See relevant section of the report	No
256.42	Chloe Chai and Mark McKitterick	SUB-S6	Neutral on SUB-S6.	3.9.11	Neutral	See relevant section of the report	No
FS2	Mark McKitterick		Oppose				
284.228	Clampett Investments Limited	SUB-S6	Retain SUB-S6 as notified.	3.9.11	Accept	See relevant section of the report	No
326.365	Rolleston Industrial Developments Limited	SUB-S6	Retain SUB-S6 as notified.	3.9.11	Accept	See relevant section of the report	No
FS137	Ohoka Residents Association		Oppose				
418.48	Keith Godwin	SUB-S6	Neutral on SUB-S6.	3.9.11	Neutral	See relevant section of the report	No
275.34	Waka Kotahi NZ Transport Agency	SUB-S6	Amend SUB-S6: 1. Any subdivision of a site in any Rural Zone that creates two or more new allotments that access onto a strategic road or arterial road, shall be jointly served by a single accessway. <u>Where the accessway is off a state highway, any existing vehicle crossing shall comply, or be upgraded to comply, with TRAN-S5.</u>	3.9.11	Reject	See relevant section of the report	No
SUB-S8 Corner sites on road intersections in Rural Zones							
111.44	CA & GJ McKeever	SUB-S8	Neutral on SUB-S8.	3.9.13	Neutral	See relevant section of the report	No
162.49	John Stevenson	SUB-S8	Neutral on SUB-S8.	3.9.13	Neutral	See relevant section of the report	No
249.219	MainPower New Zealand Limited	SUB-S8	Insert appropriate exemptions to SUB-S8 as required.	3.3.2	Reject	See relevant section of the report	No
256.44	Chloe Chai & Mark McKitterick	SUB-S8	Neutral on SUB-S8.	3.9.13	Neutral	See relevant section of the report	No
FS2	Mark McKitterick		Oppose				
418.50	Keith Godwin	SUB-S8	Neutral on SUB-S8.	3.9.13	Neutral	See relevant section of the report	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
284.230	Clampett Investments Limited	SUB-S8	Retain SUB-S8 as notified.	3.9.13	Accept	See relevant section of the report	No
326.367	Rolleston Industrial Developments Limited	SUB-S8	Retain SUB-S8 as notified.	3.9.13	Accept	See relevant section of the report	No
FS137	Ohoka Residents Association		Oppose				
SUB-S10 Potable water in Rural Zones							
284.232	Clampett Investments Limited	SUB-S10	Retain SUB-S10 as notified.	3.9.14	Accept	See relevant section of the report	No
326.369	Rolleston Industrial Developments Limited	SUB-S10	Retain SUB-S10 as notified.	3.9.14	Accept	See relevant section of the report	No
FS137	Ohoka Residents Association		Oppose				
111.46	CA and GJ McKeever	SUB-S10	Neutral on SUB-S10.	3.9.14	Neutral	See relevant section of the report	No
162.51	John Stevenson	SUB-S10	Neutral on SUB-S10.	3.9.14	Neutral	See relevant section of the report	No
249.221	MainPower New Zealand Limited	SUB-S10	Insert appropriate exemptions to SUB-S10 as required.	3.3.2	Reject	See relevant section of the report	No
256.46	Chloe Chai and Mark McKitterick	SUB-S10	Neutral on SUB-S10.	3.9.14	Neutral	See relevant section of the report	No
FS2	Mark McKitterick		Oppose				
418.52	Keith Godwin	SUB-S10	Neutral on SUB-S10.	3.9.14	Neutral	See relevant section of the report	No

Table B 4: Recommended responses to submissions and further submissions SUB-S13, 14, 16, 18

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
SUB-S13 Offsite wastewater disposal fields							
111.49	CA & GJ McKeever	SUB-S13	Neutral on SUB-S13.	3.9.15	Neutral	See relevant section of the report	No
162.54	John Stevenson	SUB-S13	Neutral on SUB-S13.	3.9.15	Neutral	See relevant section of the report	No
249.224	MainPower New Zealand Limited	SUB-S13	Insert appropriate exemptions to SUB-S13 as required.	3.3.2	Reject	See relevant section of the report	No
256.49	Chloe Chai & Mark McKitterick	SUB-S13	Neutral on SUB-S13.	3.9.15	Neutral	See relevant section of the report	No
FS2	Mark McKitterick		Oppose				
284.235	Clampett Investments Limited	SUB-S13	Retain SUB-S13 as notified.	3.9.15	Accept	See relevant section of the report	No
326.372	Rolleston Industrial Developments Limited	SUB-S13	Retain SUB-S13 as notified.	3.9.15	Accept	See relevant section of the report	No
FS137	Ohoka Residents Association		Oppose				

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
418.55	Keith Godwin	SUB-S13	Neutral on SUB-S13.	3.9.15	Neutral	See relevant section of the report	No
SUB-S14 Electricity supply and communications connectivity							
111.50	CA & GJ McKeever	SUB-S14	Neutral on SUB-S14.	3.9.16	Neutral	See relevant section of the report	No
162.55	John Stevenson	SUB-S14	Neutral on SUB-S14.	3.9.16	Neutral	See relevant section of the report	No
249.212	MainPower New Zealand Limited	SUB-S14	Retain SUB-S14 as notified.	3.9.16	Accept	See relevant section of the report	No
249.225	MainPower New Zealand Limited	SUB-S14	Insert appropriate exemptions to SUB-S14 as required.	3.3.2	Reject	See relevant section of the report	No
256.50	Chloe Chai & Mark McKitterick	SUB-S14	Neutral on SUB-S14.	3.9.16	Neutral	See relevant section of the report	No
FS2	Mark McKitterick		Oppose				
284.236	Clampett Investments Limited	SUB-S14	Retain SUB-S14 as notified.	3.9.16	Accept	See relevant section of the report	No
325.177	Kāinga Ora – Homes and Communities	SUB-S14	Retain SUB-S14 as notified.	3.9.16	Accept	See relevant section of the report	No
FS37	Richard & Geoff Spark		Oppose in Part				
FS41	David Cowley		Oppose				
FS46	Miranda Hales		Oppose				
FS91	R J Paterson Family Trust		Support in Part				
326.373	Rolleston Industrial Developments Limited	SUB-S14	Retain SUB-S14 as notified.	3.9.16	Accept	See relevant section of the report	No
FS137	Ohoka Residents Association		Oppose				
418.56	Keith Godwin	SUB-S14	Neutral on SUB-S14.	3.9.16	Neutral	See relevant section of the report	No
SUB-S16 Rural drainage							
275.35	Waka Kotahi NZ Transport Agency	SUB-S16	Define what is considered a 'public drain', identify where the rural drainage area is located, and request that the definition for a 'public drain' exclude the state highway stormwater infrastructure.	3.9.18	Accept	See relevant section of the report. Amendment as an advice note	Yes
284.238	Clampett Investments Limited	SUB-S16	Retain SUB-S16 as notified.	3.9.18	Accept	See relevant section of the report	No
326.375	Rolleston Industrial Developments Limited	SUB-S16	Retain SUB-S16 as notified.	3.9.18	Accept	See relevant section of the report	No
FS137	Ohoka Residents Association		Oppose				
111.52	CA & GJ McKeever	SUB-S16	Neutral on SUB-S16.	3.9.18	Neutral	See relevant section of the report	No
162.156	John Stevenson	SUB-S16	Neutral on SUB-S16.	3.9.18	Neutral	See relevant section of the report	No
249.227	MainPower New Zealand Limited	SUB-S16	Insert appropriate exemptions to SUB-S16 as required.	3.3.2	Reject	See relevant section of the report	No
256.52	Chloe Chai & Mark McKitterick	SUB-S16	Neutral on SUB-S16.	3.9.18	Neutral	See relevant section of the report	No
FS2	Mark McKitterick		Oppose				
418.58	Keith Godwin	SUB-S16	Neutral on SUB-S16.	3.9.18	Neutral	See relevant section of the report	No
SUB-S18 Subdivision to create a bonus allotment							

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
111.54	CA & GJ McKeever	SUB-S18	Neutral on SUB-S18.	3.9.18	Neutral	See relevant section of the report	No
162.58	John Stevenson	SUB-S18	Neutral on SUB-S18.	3.9.18	Neutral	See relevant section of the report	No
249.229	MainPower New Zealand Limited	SUB-S18	Insert appropriate exemptions to SUB-S18 as required.	3.3.2	Reject	See relevant section of the report	No
256.54	Chloe Chai & Mark McKitterick	SUB-S18	Neutral on SUB-S18.	3.9.18	Neutral	See relevant section of the report	No
FS2	Mark McKitterick		Oppose				
418.60	Keith Godwin	SUB-S18	Neutral on SUB-S18.	3.9.18	Neutral	See relevant section of the report	No

Table B 5: Recommended responses to submissions and further submissions SUB-MCD5, 6, 9, 10, 11 and 12

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
Matters of Control and Discretion – General							
249.233	Mainpower New Zealand	Matters of Control and Discretion – General	Insert new matters of control and discretion: "SUB-MCDX <u>Effects on major electricity distribution lines</u> <u>1. The nature of the consent notice or other mechanism proposed to ensure that sensitive activities are established at a distance or in a position that does not adversely affect the existing major electricity distribution lines.</u> <u>2. The extent to which the subdivision allows for earthworks, buildings and structures to comply with the safe distance requirements of the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.</u> <u>3. The degree to which the subdivision design, including the location of roads and reserves, recognises and provides for existing electricity distribution lines so that reasonable access to the lines is maintained."</u>	3.10.2	Reject	See relevant section of the report	No
SUB-MCD5 Natural hazards							
284.244	Clampett Investments Limited	SUB-MCD5	Retain SUB-MCD5 as notified.	3.10.5	Accept	See relevant section of the report	No
316.133	Environment Canterbury Regional Council	SUB-MCD5	Amend SUB-MCD5 (3) to ensure that these effects cannot be used to justify not putting appropriate mitigation in place.	3.10.5	Reject	See relevant section of the report	No
FS41	David Cowley		Oppose				
FS80	Christchurch International Airport Limited		Support				
325.182	Kāinga Ora – Homes and Communities	SUB-MCD5	Retain SUB-MCD5 as notified.	3.10.5	Accept	See relevant section of the report	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
FS37	Richard & Geoff Spark		Oppose in Part				
FS41	David Cowley		Oppose				
FS46	Miranda Hales		Oppose				
FS91	R J Paterson Family Trust		Support in Part				
326.381	Rolleston Industrial Developments Limited	SUB-MCD5	Retain SUB-MCD5 as notified.	3.10.5	Accept	See relevant section of the report	No
FS137	Ohoka Residents Association		Oppose				
SUB-MCD6 Infrastructure							
249.232	MainPower New Zealand Limited	SUB-MCD6	Amend SUB-MCD6 to add new clause: ... <u>11. The integration of existing electricity infrastructure (including electricity distribution lines and cables), including whether that existing infrastructure will be adequately identified on approved survey plans and protected by necessary easements as required.</u>	3.10.8	Reject	See relevant section of the report	No
284.245	Clampett Investments Limited	SUB-MCD6	Retain SUB-MCD6 as notified.	3.10.8	Accept	See relevant section of the report	No
303.44	Fire and Emergency New Zealand	SUB-MCD6	Retain SUB-MCD6 as notified.	3.10.8	Accept	See relevant section of the report	No
316.134	Environment Canterbury Regional Council	SUB-MCD6	Insert an advice note that highlights any onsite wastewater treatment system must be permitted under the regional plan or resource consent is required from Canterbury Regional Council.	3.10.8	Accepted	See relevant section of the report. Advice note inserted in Part 1	No
FS41	David Cowley		Oppose				
FS80	Christchurch International Airport Limited		Support				
325.183	Kāinga Ora – Homes and Communities	SUB-MCD6	Retain SUB-MCD6 as notified.	3.10.8	Accept	See relevant section of the report	No
FS37	Richard & Geoff Spark		Oppose in Part				
FS41	David Cowley		Oppose				
FS46	Miranda Hales		Oppose				
FS91	R J Paterson Family Trust		Support in Part				
326.382	Rolleston Industrial Developments Limited	SUB-MCD6	Retain SUB-MCD6 as notified.	3.10.8	Accept	See relevant section of the report	No
FS137	Ohoka Residents Association		Oppose				
SUB-MCD9 Airport and aircraft noise							
254.54	Christchurch International Airport Limited	SUB-MCD9	Retain SUB-MCD9, and ensure this matter of control and discretion is referenced in all rules which may apply to activities and land within the 50 dBA Ldn Air Noise Contour.		NA	This submission was addressed in section 3.3.2 of Hearing Stream 10A and was accepted in part	NA
FS88	Kāinga Ora – Homes and Communities		Oppose				
284.248	Clampett Investments Limited	SUB-MCD9	Retain SUB-MCD9 as notified.	3.10.11	Accept	See relevant section of the report	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
325.186	Kāinga Ora – Homes and Communities	SUB-MCD9	Delete SUB-MCD9.	3.10.11	Reject	See relevant section of the report	No
FS37	Richard & Geoff Spark		Oppose in Part				
FS41	David Cowley		Oppose				
FS46	Miranda Hales		Oppose				
FS91	R J Paterson Family Trust		Support in Part				
326.385	Rolleston Industrial Developments Limited	SUB-MCD9	Retain SUB-MCD9 as notified.	3.10.11	Accept	See relevant section of the report	No
FS137	Ohoka Residents Association		Oppose				
SUB-MCD10 Reverse sensitivity							
284.249	Clampett Investments Limited	SUB-MCD10	Retain SUB-MCD10 as notified.	3.10.14	Accept with amendment	See relevant section of the report	No
316.135	Environment Canterbury Regional Council	SUB-MCD10	Retain SUB-MCD10 as notified or retain the original intent.	3.10.14	Accept with amendment	See relevant section of the report	No
FS41	David Cowley		Oppose				
FS80	Christchurch International Airport Limited		Support				
326.386	Rolleston Industrial Developments Limited	SUB-MCD10	Retain SUB-MCD10 as notified.	3.10.14	Accept with amendment	See relevant section of the report	No
FS137	Ohoka Residents Association		Oppose				
373.68	KiwiRail Holdings Limited	SUB-MCD10	Retain SUB-MCD10 as notified.	3.10.14	Accept with amendment	See relevant section of the report	No
275.38	Waka Kotahi NZ Transport Agency	SUB-MCD10	Amend SUB-MCD10 to add a new clause: ... <u>2. Any measures required to minimise potential reverse sensitivity effects, such as noise, through subdivision design, provision of screening, structures or other mitigation methods.</u>	3.10.14	Accept	See relevant section of the report	Yes
FS88	Kāinga Ora – Homes and Communities		Oppose				
FS99	KiwiRail Holdings Limited		Support				
169.20	NZPork	SUB-MCD10	Retain SUB-MCD10 as notified.	3.10.14	Accept with amendment	See relevant section of the report	No
295.100	Horticulture New Zealand	SUB-MCD10	Amend SUB-MCD10: ... <u>2. Potential reverse sensitivity effects with rural production on surrounding land.</u> <u>3. Loss of highly productive land or versatile soils from rural production.</u> Or alternative relief to address the identified issue.	3.10.14	Accept in part	See relevant section of the report	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
FS80	Christchurch International Airport Limited		Support				
FS83	Federated Farmers		Support				
325.187	Kāinga Ora – Homes and Communities	SUB-MCD10	Amend SUB-MCD10: Reverse sensitivity <u>effects in the rural environment</u> 1. Any need to provide a separation distance for any residential unit or minor residential unit from existing activities, and any need to ensure that subsequent owners are aware of potential reverse sensitivity issues from locating near lawfully established rural activities, including but not limited to intensive farming.	3.10.14	Reject	See relevant section of the report	No
FS37	Richard & Geoff Spark		Oppose in Part				
FS41	David Cowley		Oppose				
FS46	Miranda Hales		Oppose				
FS91	R J Paterson Family Trust		Support in Part				
FS110	Waka Kotahi NZ Transport Agency		Oppose				
SUB-MCD11 Effects on or from the National Grid							
195.97	Transpower New Zealand Limited	SUB-MCD11	Retain SUB-MCD11 Effects on or from the National Grid as notified.	3.10.17	Accept	See relevant section of the report	No
284.250	Clampett Investments Limited	SUB-MCD11	Retain SUB-MCD11 as notified.	3.10.17	Accept	See relevant section of the report	No
325.188	Kāinga Ora – Homes and Communities	SUB-MCD11	Amend SUB-MCD11: ... 3. The extent to which potential adverse effects (including visual and reverse sensitivity effects, if any,) are mitigated through the location of an identified building platform or platforms. 4. The extent to which the design and construction of the subdivision allows for activities to be set back from the National Grid, including the ability to ensure adverse effects on, and from, the National Grid and on public safety effects to be and property are appropriately avoided, remedied or mitigated, for example, through the location of roads and reserves under the transmission lines. ... 7. The extent to which the subdivision plan clearly identifies the National Grid and identified building platform or platforms. <u>8. The extent to which adverse effects from the National Grid on outstanding and significant natural landscapes, outstanding natural features, areas of high natural character and areas of high recreation value and amenity and existing sensitive activities is avoided.</u> <u>9. The extent to which adverse effects from the National Grid on urban amenity and centres are minimised.</u>	3.10.17	Reject	See relevant section of the report	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<u>10. The extent to which reasonably possible, manage activities to avoid reserve sensitivity effects on the National Grid including the operation, maintenance, upgrading, and development of the National Grid is not compromised.</u>				
FS37	Richard & Geoff Spark		Oppose in Part				
FS41	David Cowley		Oppose				
FS46	Miranda Hales		Oppose				
FS91	R J Paterson Family Trust		Support in Part				
FS92	Transpower		Oppose				
326.387	Rolleston Industrial Developments Limited	SUB-MCD11	Retain SUB-MCD11 as notified.	3.10.17	Accept	See relevant section of the report	No
FS137	Ohoka Residents Association		Oppose				
SUB-MCD12 Liquefaction Hazard Overlay							
284.251	Clampett Investments Limited	SUB-MCD12	Retain SUB-MCD12 as notified.	3.10.19	Accept	See relevant section of the report	No
325.189	Kāinga Ora – Homes and Communities	SUB-MCD12	Retain SUB-MCD12 as notified.	3.10.19	Accept	See relevant section of the report	No
FS37	Richard & Geoff Spark		Oppose in Part				
FS41	David Cowley		Oppose				
FS46	Miranda Hales		Oppose				
FS91	R J Paterson Family Trust		Support in Part				
326.388	Rolleston Industrial Developments Limited	SUB-MCD12	Retain SUB-MCD12 as notified.	3.10.19	Accept	See relevant section of the report	No
FS137	Ohoka Residents Association		Oppose				

Table B 6: Recommended responses to submissions and further submissions Plan wide submissions

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
Plan wide submissions							
284.1	Clampett Investments Limited	General	Amend all controlled and restricted discretionary activity rules: <u>"Applications shall not be limited or publicly notified, on the basis of effects associated specifically with this rule and the associated matters of control or discretion."</u>	3.2.2	Reject	See relevant section of the report	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
326.1	Rolleston Industrial Developments Limited	General	Amend the Proposed District Plan to delete the use of absolutes such as 'avoid', 'maximise' and 'minimise'.	3.2.2	Reject	See relevant section of the report	No
FS78	Royal Forest and Bird Protection Society of New Zealand Inc		Oppose				
FS84	Ohoka Residents Association		Oppose				
FS119	Andrea Marsden		Oppose				
FS120	Christopher Marsden		Oppose				
FS137	Ohoka Residents Association		Oppose				
326.2	Rolleston Industrial Developments Limited	General	Amend so that all controlled and restricted discretionary activity rules include the following wording, or words to like effect: <u>"Applications shall not be limited or publicly notified, on the basis of effects associated specifically with this rule and the associated matters of control or discretion."</u>	3.2.2	Reject	See relevant section of the report	No
FS137	Ohoka Residents Association		Oppose				
FS78	Royal Forest and Bird Protection Society of New Zealand Inc		Oppose				
FS119	Andrea Marsden		Oppose				
FS120	Christopher Marsden		Oppose				
326.3	Rolleston Industrial Developments Limited	General	Amend controlled and restricted discretionary activity rules to provide direction regarding non-notification.	3.2.2	Reject	See relevant section of the report	No
FS137	Ohoka Residents Association		Oppose				
FS78	Royal Forest and Bird Protection Society of New Zealand Inc		Oppose				

Appendix C. S42A Reports Considered

The following s42A reports were considered in undertaking the evaluations within this s42A report:

- Overarching and Part 1 matters – Mr Peter Wilson
- Rautaki ahunga - Strategic Directions – Mr Mark Buckley
- Āhuatanga auaha ā tāone - Urban Form and Development – Mr Mark Buckley
- Ngā whenua tapu o ngā iwi - Sites and Areas of Significance to Māori – Mr Alan Matheson
- Matū mōrearea - Hazardous Substances and Whenua paitini - Contaminated Land – Mrs Jessica Manhire
- Matepā māhorahora - Natural Hazards Chapter – Mr Andrew Willis
- Tomonga mārea - Public Access – Ms Bryony Steven
- Ngā momo tākaro ki runga i te wai - Activities on the Surface of Water – Ms Bryony Steven
- Āhuatanga o te whenua - Natural Features and Landscapes – Mrs Shelley Milosavljevic
- Te taiao o te takutai moana - Coastal Environment – Mr Peter Wilson
- Āhuatanga o te awa - Natural character of freshwater bodies – Mr Peter Wilson
- Te orooro – Noise – Mrs Jessica Manhire
- Rākau hirahira – Notable Trees – Ms Bryony Steven
- Taonga o onamata/ Historic Heritage – Ms Bryony Steven
- Ngā tohu - Signs – Mrs Shelley Milosavljevic
- Tūramarama - Light – Mrs Jessica Manhire
- Pūngao me te hanganga hapori - Energy and Infrastructure – Mr Andrew MacLennan
- Ranga waka - Transport – Mr Andrew MacLennan
- Ketuketu whenua - Earthworks – Mr Peter Wilson
- Whaitua Tākaro - Open Space and Recreation Zones – Mr Neil Sheerin
- Whatitua Taiwhenua - Rural Zones – Mr Mark Buckley
- Whaitua Arumoni Whaitua Ahumahi – Commercial and Mixed Use – Mr Andrew Willis
- Whautua Motuhake - Special Purpose Zone – Kaiapoi Regeneration – Mrs Shelley Milosavljevic
- Whautua Motuhake - Special Purpose Zone – The Pines Beach and Kairaki – Ms Bryony Steven

- Whautua Motuhake - Special Purpose Zone – Pegasus Resort – Mrs Jessica Manhire
- Whautua Motuhake - Special Purpose Zone – Museum and Conference – Mr Peter Wilson
- Whautua Motuhake - Special Purpose Zone – Hospital – Ms Bryony Steven
- Wāhanga Waihanga - Development Areas – Mr Peter Wilson
- Tautapa - Designations (District Council) – Mr Garry Blay
- Tautapa - Designations (Requiring authorities other than the District Council) – Mr Neil Sheerin
- Wāwāhia whenua - Subdivision – Rural – Mr Mark Buckley

Appendix D. Report Author's Qualifications and Experience

I hold the following qualifications: Master of Science (Waikato University). I am an associate member of the New Zealand Planning Institute. I have over 30 years' experience in working as a Planner for local and central government and a consultancy, and as an Environmental Scientist.

My work experience includes, amongst other matters:

- Research Environmental Scientist,
- Preparation and processing of regional and district resource consents,
- Author and technical support on various regional and district plans:
 - o Bay of Plenty Regional Council Water and Land Plan,
 - o Bay of Plenty Regional Council On-site Effluent Treatment Regional Plan, and
 - o Waimakariri Proposed District Plan.
- Preparation of Local Government policy, and various sections within the Rotorua District Annual Plan and Long Term Plan,
- Expert witness in the Environment Court,
- Management Planner, Department of Conservation:
 - o Wellington Conservation Management Strategy,
 - o East Coast Hawkes Bay Conservation Management Strategy,
 - o Nga Whakahaere Conservation Management Strategy, and
 - o Te Hauturu-o-Toi Management Plan.

I have been employed by the Waimakariri District Council since November 2019 as a Principal Policy Planner within the Development Planning Unit Team. I was the Section 32 author for the Natural Character of Freshwater Bodies, Financial Contributions Variation 2, and Airport Noise Qualifying Matter Variation 1.