



Submission on Proposed Waimakariri District Plan

D [REDACTED] Cowley

25 November 2021

Waimakariri District Council

RESOURCE MANAGEMENT ACT 1991**WAIMAKARIRI DISTRICT COUNCIL****SUBMISSION ON THE PROPOSED WAIMAKARIRI DISTRICT PLAN****Submitter Details**

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Trade Competition:

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

Hearing Options:

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

Specific Proposals to Which this Submission Relates:

The District Plan in its entirety, including but not limited to the District Plan Planning Maps and all provisions relevant to the relief sought, as outlined below

Relief Sought:

1. Amend Proposed Waimakariri District Plan Planning Maps by rezoning the land outlined in red on Figure 1 below ('the Site') and legally described in Table 1 below (appx 51 ha) and any other neighbouring land as appropriate (including as outlined blue on Figure 1 below), and as is in the interest of the submitters, from Rural Lifestyle (RL) minimum lot size 4 ha to Large Lot Residential (LLR) minimum lot size 2,500 m² average lot size not less than

5000m².



Figure 1: The Site (outlined in red). Potential addition to rezoning outlined blue.

Address	Legal description	Size	Current Use
405 Bradleys Road	Lot 2 DP 46148	46.96 ha	Dairying
547 Mill Road	Lot 1 DP 495408	4.03 ha	Rural Lifestyle
351 Bradleys Road	Lot 2 DP 19391 Blk X Rangiora Survey District	0.15 ha	Residential
566 Mill Road	Lot 2 DP 495408	0.03 ha	Vacant
	Total	51.143 ha	

Alternative relief:

- Amend Proposed Waimakariri District Plan (PWDP) Planning Maps by rezoning the land outlined in red on Figure 1 above ('the Site') (appx 51 ha) and any other neighbouring land as appropriate (including the land outlined in blue on Figure 1), and as is in the interest of the submitter, from Rural Lifestyle to Large Lot Residential minimum lot size 1000m² average lot size not less than 2000m²; or a mix of the above zones, as appropriate.
- Amend the PWDP provisions as below.

RESZ-P14 Development density

Development densities for new Development Areas and Large Lot Residential Zone Overlays shall be as follows:

1. in new Development Areas, achieve a minimum net density of 15 households per ha averaged across the whole of the residential Development Area within the relevant ODP, unless there are demonstrated constraints then no less than 12 households per ha.
 2. in new Large Lot Residential Zone Overlays, achieve a net density of 1 to 25 households per ha.
4. Any consequential, further or alternative amendments to the PWDP to be consistent with and give effect to the intent of this submission and the interests of the Submitter.

Background and Reasons for Our Submission

SUMMARY

The reasons for our submission are outlined below. In summary:

- a) The proposed rezoning and changes to the PWDP policy framework are both appropriate and necessary to achieve sustainable growth and development of the District and meet the requirements of the NPS-UD 2020 with respect to rural residential land, including enabling a variety of homes which meet the needs, in terms of type, price and location, of different households (Policy 1).
- b) The Site is a logical and appropriate location for large lot residential development. In particular:-
 - The Site is opposite the existing and developing rural residential environment of Ohoka, providing a natural extension of the existing settlement;
 - The current dairy farming operation has to manage potential reverse sensitivity effects with residential properties opposite the Site, making the Site more difficult to farm;
 - Whilst land to the north and east is also an active dairy farm, and includes effluent spreading, the size of the Site is such that there is capacity to create suitable internal buffers at the Site boundaries, as necessary to manage any reverse sensitivity effects with neighbouring farmland;
 - The Site can be accessed via the existing road network, Bradleys Road, with a secondary access option from Mill Road;
 - There are no physical constraints to development of the Site for rural residential purposes that cannot be appropriately managed at subdivision stage;

- c) The rezoning will make provision for appx 50 ha of Large Lot Residential zoned land. The Site can deliver up to appx 80 lots within the LLRZ standards (2,500 m² minimum lot size and 5,000 m² average lot size). The rezone will add significant additional development capacity in relation west Waimakariri, the Ohoka locality and Greater Christchurch. It will contribute to a well-functioning urban environment (the urban environment being the Greater Christchurch area as whole), meeting the NPS-UD Objective 6 c) and Policy 8 criteria for 'unanticipated' (in an RMA document) plan changes.
- d) There is as strong unmet demand for large lot residential sites in Waimakariri, which are easier to manage, and requires less rural land than the alternative of 4 ha lots permitted under the PWDP Rural Lifestyle zoning for the Site.
- e) Any adverse effects on the environment arising from the rezoning will be minimal and able to be mitigated. With respects to potential reverse sensitivity effects, fencing, landscaping and rural interface matters can be managed at subdivision stage.
- f) There is no additional cost to the Council in re-zoning the Site as any new connections, additional capacity or upgrades in the public utilities and the existing road network will be met by the developer.
- g) The rezoning is consistent with the PWDP objectives and policies, except those relating to Urban Growth which are already out of step with higher order RMA statutory documents because they do not give effect to the NPS-UD 2020.
- h) The alternative of retaining Rural Lifestyle zoning is not an efficient use of the Site. 4 ha sites will add minimal housing options and are not economically viable for productive use, other than on a hobby or minimal supplementary income basis.
- i) LLR zoning with an average lot size is consistent with the purposes of the LLR zone as stated in the National Planning standards:-

Areas used predominantly for residential activities and buildings such as detached houses on lots larger than those of the Low density residential and General residential zones, and where there are particular landscape characteristics, physical limitations or other constraints to more intensive development.

In this case the principal 'constraint' to more intensive development is the peri-urban location which is more suited to lower density residential development as recognized in the LLR zone objectives and policy framework. Average 2000m² - 5000m² sites are large, open and spacious in character, compared to the General Residential Zone where the net density must be not less than 12 hh/ha, which equates to average lot sizes around 550m²-600m²; or the Small Settlement Zone (which applies to part of Ohoka) with a minimum lot size of 600m².

- j) The rezoning is consistent with and the most appropriate, efficient and effective means of achieving the purpose of the Resource Management Act 1991.

THE SITE AND ENVIRONS

3. The Site is approximately 50 ha and under the Proposed Waimakariri District Plan (PWDP) is zoned Rural Lifestyle. The Site consists of four land parcels as outlined in Table 1 above.
4. The 46 ha land parcel is used for dairying farming. Approximately 160 high production cows are milked on the Site. The Site contains the milking shed and other associated farm buildings. There are no other farming activities on the Site.
5. The submitter leases an additional 35 ha of land for an additional 70-80 cows. In total, the submitter has 230-240 high production cows. Should the submission be accepted and the land re-zoned to LLR the farming operation would cease i.e. the operation would not be relocated elsewhere.
6. With regards to effluent spreading, the farm includes an effluent tank and a holding pond (with 40 days reserve). A slurry tanker and irrigator spread the effluent onto the Site. The frequency of effluent spreading on the Site is determined by wind conditions and soil moisture, and in accordance with the conditions of CRC166975 (copy attached as **Appendix 1**).
7. The Site is relatively flat and gains access via Bradleys Road. The Site has road frontage with Bradleys Road and a small section of Mill Road. Ohoka Stream runs through Lot 1 DP 495408.
8. The Site is opposite existing and established residential and residential lifestyle blocks ranging from 1,400 m² to 9,000 m² on the southeast side of Bradleys Road.

9. The Site is located approximately 3 km northeast of Mandeville, 6km west of Kaiapoi and 6 km south of Rangiora.



Figure 2: The Site and Surrounds (Site outlined in red)

BACKGROUND – WAIMAKARIRI RURAL RESIDENTIAL DEVELOPMENT STRATEGY

10. The Waimakariri Rural Residential Development Strategy¹ (WRRDS) identified growth locations to meet the projected demand for approximately 385 rural residential households over the ten-year period between 2019 and 2029. This was substantially less than the previous Rural Residential Strategy (2010) - which only applied to the eastern part of the District, and excluded for example Oxford. All larger township edge locations in the previous strategy were removed on the basis that this may compromise future urban growth directions for these townships.
11. At the time of writing the Rural Residential Strategy, the District had capacity for 260 lots within the existing rural residential zones (zones Residential 4a and 4b), resulting in a shortfall of approximately 120 lots. A proportion of this 'theoretical' existing capacity is the

¹ Waimakariri District Council, June 2019, Waimakariri Rural Residential Development Strategy - https://www.waimakariri.govt.nz/__data/assets/pdf_file/0035/69686/Rural-Residential-Development-Strategy.pdf

PC17 land at Ohoka (identified on Figure 5 below) which was approved in 2013 but remains undeveloped. This is understood to be due, at least in part, to access issues and difficulties in reaching agreement between the multiple landowners involved.

12. Four areas were identified for additional rural residential development, being Swannanoa, Oxford, Ashley/Loburn and Gressons Road (north of Woodend). They all compromise multiple landowners, except Gressons Road which is farmed as part of a larger dairy farm operation. There are currently no reticulated services in the Gressons Road locality which was also identified as a preferred rural residential area in the 2010 RRS but remains undeveloped. All sites are subject to various constraints as outlined in the WRRDS. Some, if not all, do not meet the National Policy Statement – Urban Development 2020 (NPS-UD) criteria for available development capacity i.e. zoned, infrastructure ready and feasible and reasonably expected to be realized.²
13. The draft version of the sStrategy identified land southwest of the existing Ohoka village as a secondary growth area, as shown in Figure 3 below.

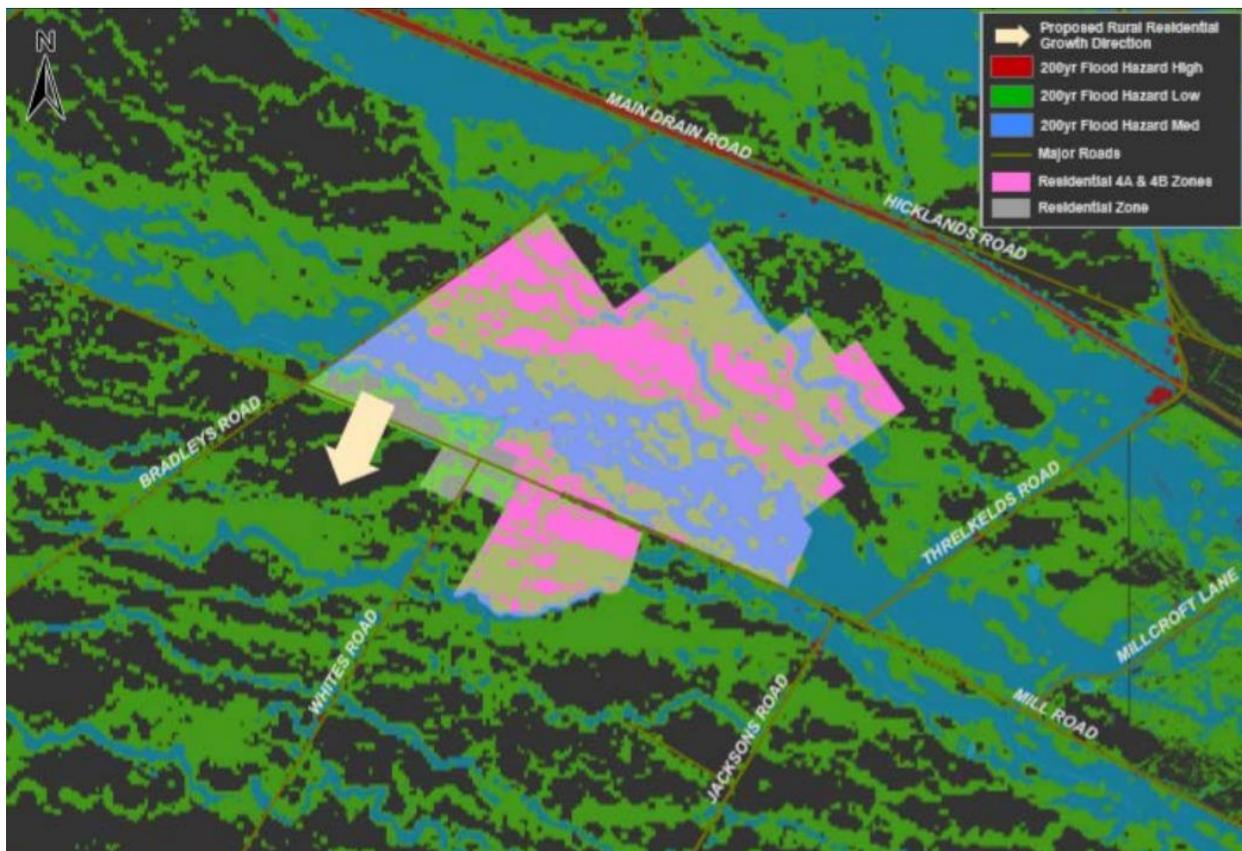


Figure 3: Ohoka proposed rural residential growth direction for the draft Rural Residential Strategy

14. Ohoka was a rural residential growth location in the 2010 Rural Residential Strategy.



Figure 4: Rural Residential Development Plan 2010 – Ohoka

15. The 2010 RRDP didn't state a preferred growth direction, and included the north west side of Bradleys Road within the potential growth area.
16. The submitter made a submission on the draft 2019 Rural Residential Strategy in support of Ohoka being a growth area, but sought an additional growth area northwest of Ohoka including the Site.
17. The Panel recommended that Ohoka be removed completely from the Rural Residential Strategy due to the following reasons:
- Strong local opposition to further growth at Ohoka;
 - Drainage and flooding issues;
 - Class 2 versatile soils; and
 - There was considered to be ample capacity of yet-to-be developed lots already zoned Residential 4A in Ohoka.
18. Local opposition needs to be balanced against wider considerations, including the need under the NPS-UD to provide for a variety of homes in different locations and at different price points (Policy 1) to meet housing needs. Plan Change 21 for 55 rural residential lots on the opposite side of Bradleys Road (operative in March 2014) was subject to nearly 200

submissions and further submissions, the vast majority in opposition. Existing residents concerns principally related to effects on the character and amenity of the existing Ohoka settlement and the effects of additional traffic on local roads. A copy of the decision on PC21 is attached as **Appendix 2**.

19. Plan Change 17 (approved in December 2013) was for a larger area of rural residential than the PC21 proposal, on land adjoining the PC21 site to the south. That rural residential rezoning proposal has not proceeded. It is understood that this is principally because of internal site access issues between the various 4 ha landholdings comprising the plan change area. The PC17 rural residential zone is 'not feasible development' and cannot be relied upon to meet District needs for rural residential development, or the NPS-UD 2020 requirement for land to be '*feasible and reasonably expected to be realised*'.³ In comparison, the Submitter's site can – it is one title, can be managed in a comprehensive and coordinated manner, and the Submitter is committed to implementing the rural residential development as soon as the rezoning is approved.

³ NPS-UD 2020 Clause 3.2 (2) (c)
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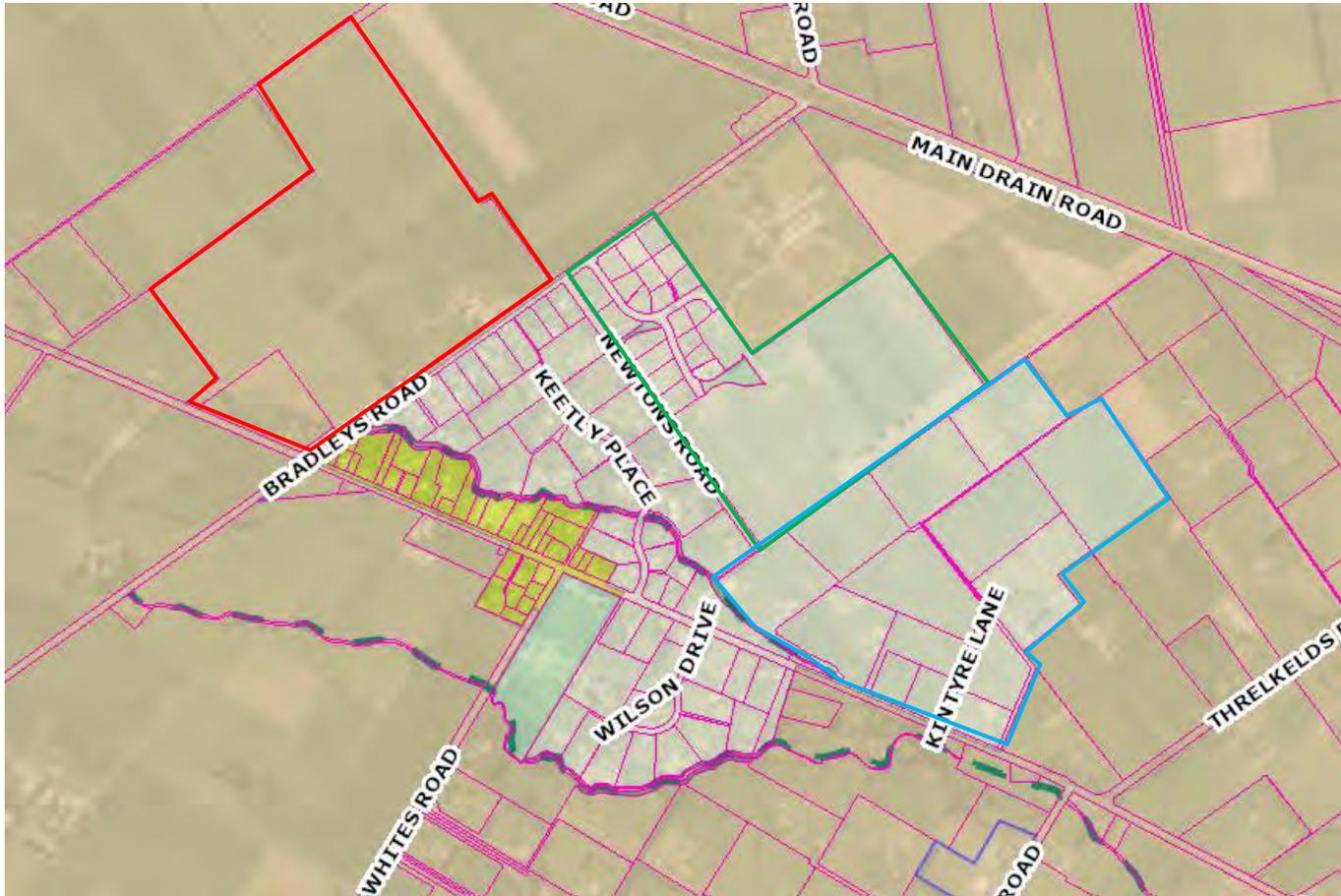


Figure 5: Location of PC21 (outlined in green) and PC17 (outlined in blue) Large Lot Residential zones.

20. The National Policy Statement on Urban Development 2020 (NPS-UD) seeks a competitive land and housing market, which cannot be achieved by relying on yet-to-be developed land to meet housing needs, without any competition. Having land already zoned for rural residential purposes but not yet developed is not a sound RMA reason to reject rezoning proposals.
21. Flooding and drainage matters can be addressed by subdivision and house design and, with input from appropriate technical experts. At rural residential densities, it is feasible to required raised building platforms for dwelling sites, to identify and protect overland flow paths, and to otherwise not require land to be raised.

PLANNING STATUS OF THE SITE

Chapter 6 of the Canterbury Regional Policy Statement & Our Space

22. The Site is not located within a Greenfield Priority Area as indicated on Map A Greenfield Priority Areas in Chapter 6 of the Canterbury Regional Policy Statement. **(Figure 6)** and is not identified as a preferred rural residential area in an adopted rural residential strategy (as required by Policy 6.3.9 of the Canterbury Regional Policy Statement).
23. The Our Space Greater Christchurch Settlement Update (2019) reviewed the Greater Christchurch settlement pattern in response to the requirements of the National Policy Statement – Urban Development Capacity 2016 (NPS-UDC 2016). The only recommended Future Development Areas (FDAs) were at Rangiora and Kaiapoi, and were for residential purposes (shown as orange on Figure 4 above).
24. The Future Development Areas are 'indicative only'.

A new National Policy Statement – Urban Development 2020 is now in place. Change 1 to the CRPS includes a policy framework enabling rezoning land within the Our Space FDAs for projected medium term housing capacity needs. There are no FDAs at Ohoka.

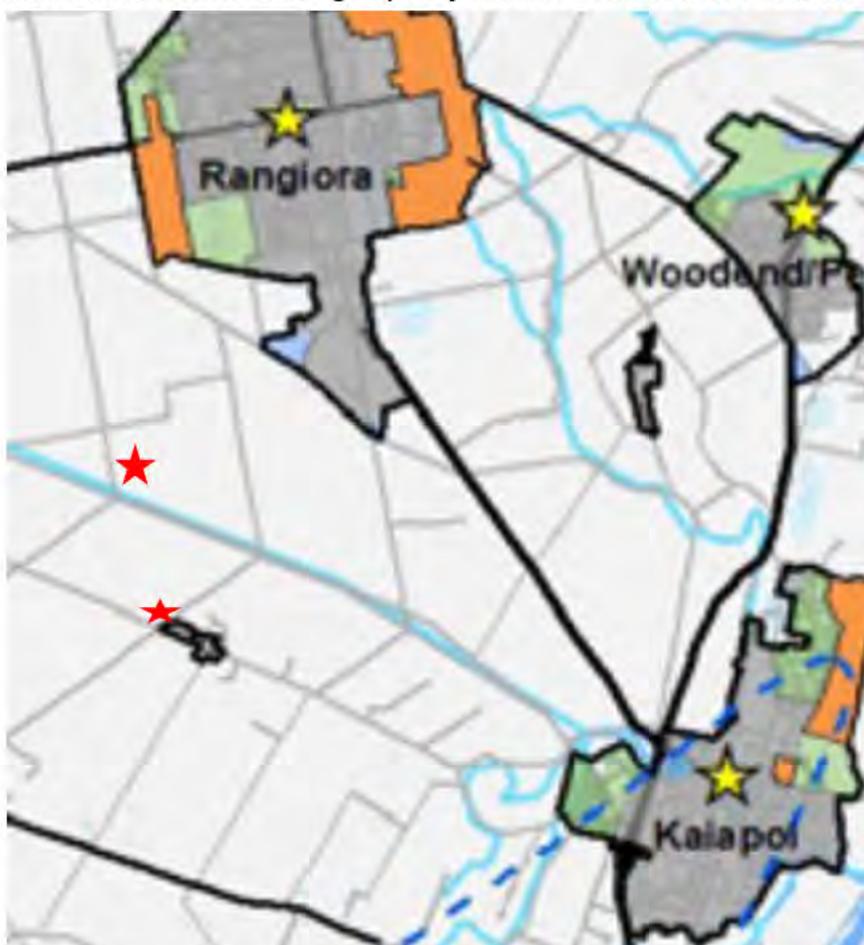


Figure 6: Map A Chapter 6 Regional Policy Statement Greenfield Priority areas –Site location marked (appx) with red star

Operative Waimakariri District Plan

25. The Site is zoned Rural in the Operative District Plan. The minimum lot size for subdivision and a dwelling is 4 ha.

Proposed Waimakariri District Plan

26. The Site is zoned Rural Lifestyle (RL) in the PWDP. The minimum lot size for subdivision and a dwelling is 4 ha.
27. The Site includes portions of land within the Non-Urban Flood Assessment Area. Figure 5, below, taken from the planning maps shows land subject to a 1 in 200 year return flood event.



Figure 4: Zoning of the Site in the PWDP with the Flood Assessment Area shown in blue and the Site outlined in red.

28. The Site is also subject to the following overlays/zoning:
- National Grid Transmission Lines (shown with black line)
 - National Grid Yard
 - Major Electricity Distribution Setback Corridor

- d. Liquefaction damage is unlikely
- e. Non-urban flood assessment
- f. Geographical areas (Ecological): Plains
- g. Ecological District: Low Plains

DEVELOPMENT PROPOSAL AND PROPOSED ZONING

- 29. The proposal is to develop the Site for rural residential purposes (appx 50 ha) based on of Large Lot Residential zone densities with a minimum lot size of 2,500 m² and the average lot size not less than 5000m²; or minimum lot size 1000m² average lot size not less than 2000m²; or a mix of the above densities, as appropriate.
- 30. Development will be managed in a comprehensive through an Outline Development Plan, to be supplied.

EFFECTS ON THE ENVIRONMENT

Reverse Sensitivity

- 31. Ohoka is a small rural settlement surrounded by rural land and activities and therefore, it is common for residential properties to adjoin rural land and in some cases intensive farming (eg. chicken broiler farm at 474 Bradleys Road with residential properties on the southwest boundary).
- 32. The location of the Site and specifically the location of the milking shed and farm buildings has the potential to cause reverse sensitivity effects. Reverse sensitivity is when occupants of an activity complain about the effects of an existing lawfully established activity. This can have the effect of imposing economic burdens or operational limitations on the existing activity thereby reducing their viability⁴. The submitter has advised that Environment Canterbury (ECan) has visited on a number of occasions as a result of a complaint from the residents on the opposite side of Bradleys Road. For completeness it is noted that the submitter has also advised that ECan have not found any issues on the farm as a result of the complaints. Therefore, it is considered that the current situation and activities on the Site results in reverse sensitivity effects.
- 33. Surrounding lots consists of pasture and appear to be used for grazing. Farmland adjoining to the east is not used for effluent spreading. It is opposite the Hallfield rural residential

⁴ Quality Planning website
Aston Consultants Resource Management & Planning

subdivision. A milking shed and associated farm buildings are located on land northwest of the Site, on the corner of Ashworths Road and Main Drain Road. The milking shed and effluent holding pond are a minimum of 360 m from the north western boundary of the Site.

34. Lots along the north western and eastern boundary have the potential to be larger to manage the rural residential interface.
35. Overall, given the small scale of the north western boundary (290 m) and the distance between the Site and the milking shed (360 m), reverse sensitivity effects are unlikely to arise if the Site is rezoned and can be managed by subdivision design and an Outline Development Plan. In addition, the existing dairy farm and its close proximity to residential development causes reverse sensitivity effects (unfounded but still an inconvenience and time consuming for the submitter to deal with). A change in land use from dairy farming to rural residential is likely to result in less reverse sensitive effects and have a positive effect.

Landscape Character and Visual

36. The character of the Site will change from rural to rural-residential as a result of the rezoning. Southeast of the Site is rural-residential in nature and forms the existing Ohoka settlement. Development of the Site will continue the rural-residential nature of the existing settlement.
37. The rural outlook will change for properties on the southeast side of Bradleys Road where the current outlook is the existing dairy farming operation. As stated above, the submitter has received complaints from residents regarding the farm. Therefore, while the re-zone will change the character of the Site, the overall outcome could result in less resident complaints and a more appropriate use of the Site given the proximity to the existing residential area.
38. The LLR zoning provides for a range of lot sizes, enabling smaller lots to be close to the existing settlement and larger lots on the periphery, creating an interface between the development and the existing rural properties surrounding the Site.
39. Overall, the landscape and visual characters of the Site would change should the re-zone submission be accepted; however, these changes can be appropriately managed through the subdivision stage and through provisions on the PWDP (such as smaller sites in the centre of the development close to existing development and larger sites on the periphery). Any 'edge' effects can be managed by appropriate subdivision design and landscaping and fencing and a development plan can be supplied, which will ensure a comprehensive and integrated approach to development including access and servicing.

Traffic

40. Impacts on the efficiency and safety of Bradleys Road, Mill Road and any internal roads can be managed by subdivision layout. Internal roads will be in accordance with the requirements of the District Plan. Access is available from Bradleys Road and Mill Road.
41. Pedestrian and cycle connections can be made throughout the development and can be confirmed in detail at the subdivision stage.

Loss of Versatile Soils

42. The Site contains Class 2 soils, in accordance with the Land Use Capability classification, as shown in Figure 6, below.
43. The Site is zoned Rural Lifestyle in the PWDP which allows one dwelling per 4 ha. Therefore, if the re-zone submission is rejected, development of the Site to 4 ha lots could still result in a loss of versatile soils appropriate for the current productive dairy farm operation.
44. The Site is approximately 50 ha and it is sought to rezone the site from Rural Lifestyle (4 ha minimum) to Large Lot Residential (minimum lot area of 2,500 m² and average of 5,000 m²).

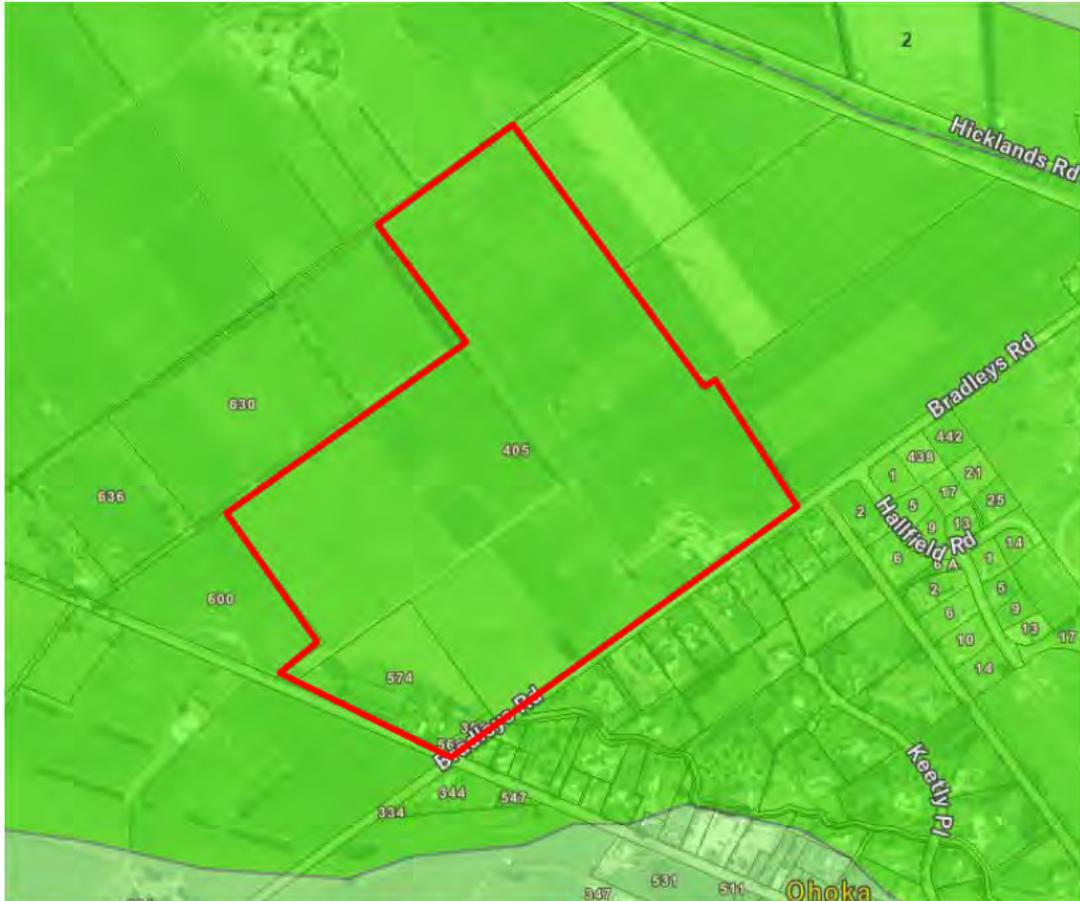


Figure 5: Land Use Capability Classification Class 2 Soils on the Site (site outlined in red)

45. Productive use of these soils is becoming less feasible given the rise of some reserve sensitivity complaints (unfounded) from residents opposite the Site on Bradleys Road and the close proximity to residential development.

Flooding and Drainage

46. The PWDP planning maps show the Site as being within a Non-Urban Flood Assessment Area.
47. The District Plan maps do not identify high flood hazard areas or high coastal flood hazard areas, rather these are identified through the flood assessment certificate process. This enables the most up-to-date technical information to be used. However, as a guide, areas that are potentially high hazard can be identified through the Waimakariri District Natural Hazards Interactive Viewer (NH - Introduction). A portion of the Site is identified as being medium and low flood hazard in a 200 year flood.

48. Rules that refer to a Flood Assessment Certificate require a certificate to be obtained from the District Council to determine compliance with the relevant rule. The alternative is to apply for resource consent as set out in the rule.

49. Rule NH-R2 states

if located within the Non-Urban Flood Assessment Overlay, the building:

- a. is not located on a site within a high flood hazard area as stated in a Flood Assessment Certificate issued in accordance with [NH-S1](#); and
- b. has a finished floor level equal to or higher than the minimum finished floor level as stated in a Flood Assessment Certificate issued in accordance with [NH-S1](#); and
- c. is not located within an overland flow path as stated in a Flood Assessment Certificate issued in accordance with [NH-S1](#);

50. Rule NH-R1 (for urban areas) states

2. If located within the Urban Flood Assessment Overlay, the building:

- ii. if not located within the Kaiapoi Fixed Minimum Finished Floor Level Overlay, the building has a finished floor level equal to or higher than the minimum finished floor level as stated in a Flood Assessment Certificate issued in accordance with [NH-S1](#); and
- a. is not located within an overland flow path as stated in a Flood Assessment Certificate issued in accordance with [NH-S1](#).

51. Assessment of flood risk and consequence can be undertaken at subdivision stage and floor levels can be raised in accordance with the flood risk assessment. The development can be managed through the subdivision stage so that no development is within flow paths and roading can be designed as secondary flow paths.

Geotechnical assessment

52. The PWDP planning maps show the Site as being “Liquefaction damage is unlikely. Standard investigation procedure outlined in NZS3604 is appropriate”.

Contaminated land

53. A Preliminary Site Investigation will be carried out for the Site at subdivision stage.

54. The Site has been investigated on ECan’s Listed Land Use Register (LLUR) and the Site is

not listed as being potentially contaminated. The LLUR property statements are attached in **Appendix 3**

Positive effects

55. The Site adjoins existing residential development on the north western edge of Ohoka, an existing and established small rural-residential settlement with a residential 'core'.
56. The submitter has received complaints from residents via ECan regarding the existing dairy farm operation, as a result of the proximity of the milking shed to residential development. Developing the Site for residential purposes will reduce the risk of reverse sensitivity issues arising from the existing farm and residential properties.
57. Development of the Site will increase housing options and competition in Ohoka and the wider Waimakariri district, in accordance with the objectives of the NPS-UD.
58. From a community well-being perspective, the provision of additional land for residential growth will continue to support the Council's investment in community infrastructure by maintaining and facilitating growth rates, increasing the rating base and attracting development contributions.

SERVICING THE PROPOSAL

59. Ohoka is on a Council semi-restricted potable water supply scheme and provides 93 connections⁵. Potable water supply can be investigated in the future.
60. PC 21 is serviced with a pumped rising main system and this is likely to be the preferred method of wastewater treatment and disposal for the Site. The wastewater would be piped to a community pumping station. A low pressure on-site pumped wastewater system from individual lots to the public pumping station is required, as due to groundwater location to the ground surface, construction of a gravity network may be uneconomical and susceptible to storm water ingress.
61. A number of open public drains run through Ohoka and the Site for stormwater disposal. It is noted that the open drains through Ohoka do not treat stormwater. Due to the high winter ground water level as is the case for the PC21 site, discharge to ground is not considered an option for storm water management. To maintain peak runoff flows to pre-development levels, and not exacerbate off-site flooding, it is proposed that storm water detention storage

⁵ Water Supply Schemes: <https://www.waimakariri.govt.nz/services/water-services/water-supply/water-supply-schemes>

will be provided on-site and with discharge to surface water.

62. Further investigations into servicing can be dealt with at the hearing or subdivision stage.
63. Servicing is unlikely to be a constraint on LLR re-zoning of the Site.
64. Importantly, no impediments are known to exist on the Site that would prevent the servicing of the Site, and any related upgrades or new services connections that may be required in the future.

NATIONAL POLICY STATEMENT – URBAN DEVELOPMENT

65. This NPS does apply to this proposal as it is directed at Tier 1 urban environments, and Tier 1 local authorities which includes Waimakariri District as part of the Christchurch urban environment that is defined in Table 1 of the NPS, and additionally defined as *any area of land (regardless of size, and irrespective of local authority or statistical boundaries) that: is, or is intended to be, predominantly urban in character; and is, or is intended to be, part of a housing and labour market of at least 10,000 people.*
66. The NPS-UD 2020 recognises the national significance of:
 - a) Having well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future
 - b) Providing sufficient development capacity to meet the different needs of people and communities.
67. These outcomes are to be achieved through the following objectives relevant to this submission:
 - a) Objective 1: well-functioning urban environments as defined by Policy 1;
 - b) Objective 4: recognise that urban environments, including their amenity values, develop and change over time;
 - c) Objective 6: local authority decisions on urban development are integrated with infrastructure planning and funding decisions and strategic over the medium term and long term and responsive, particularly in relation to proposal that would supply significant development capacity.
68. The Objectives are given effect to by these policies:
 - a) Policy 1: planning decisions must contribute to well-functioning urban environments. A well-functioning urban environment is defined as an urban environment that, among other matters less relevant to this application, provides

- for good accessibility for all people between housing, jobs, community services, natural spaces, and open space;
 - have or enable a variety of sites that are suitable for different business sectors in terms of location and site size;
 - support the competitive operation of land and development markets.
- b) Policy 2: local authorities, at all times, provide at least sufficient development capacity to meet expected demand for housing and for business land over the short term, medium term and long term.
- c) Policy 6: when making planning decisions that affect urban environments, decision-makers have particular regard to matters including:
- the planned built form anticipated in RMA documents
 - that the planned urban built form in those RMA planning documents may involve significant changes in an area, including detracting from amenity values appreciated by some people but improve amenity values appreciated by other people, communities and future generations;
- d) Policy 8: Local authority decisions affecting urban environments are responsive to plan changes that would add significantly to development capacity even if the development capacity is unanticipated by RMA planning documents or is out-of-sequence with planned land release.
69. The key method to achieve these objectives is by development of a Future Development Strategy (FDS). This will set out how the Councils will provide for sufficient development capacity over the next 30 years to meet expected demand. There is no FDS for the Greater Christchurch Urban Area that meets the requirements of the NPS-UD 2020.
70. However, there has been work on development capacity completed for the NPS -UDC 2016 by the Greater Christchurch Partnership. This took the form of an Update of the existing Urban Development Strategy (UDS) – Our Space. This work confirmed what feasible development capacity was available to support future housing and business growth for the medium (next 10 years) and long term (10 to 30 years) periods but it is now out of date as it does not address the requirements of the NPS-UD 2020. Change 1 to the Regional Policy Statement proposes Future Development Areas at West and East Rangiora and North East Kaiapoi.
71. An assessment of the key elements of NPS-UD 2020 for this proposal has been undertaken here:

Policy	Assessment
<p>Policy 1 Well functioning urban environments</p> <p>(a) Have or enable a variety of homes that meet the needs, in terms of type, price, and location of different households</p>	<p>The proposal is to rezone appx 50 ha of RL land for LLR. There is only one LLR development in Ohoka (on the opposite side of Bradleys Road) which is being released in stages, which effectively limits supply and maintains higher section prices. The approved PC17 land to the south remains undeveloped and is not feasible or reasonably expected to be realized given complications arising from multiple landownership and access.</p> <p>Zoning further LLR land at Ohoka will help meet the strong demand for rural residential living in this location, which is readily accessible to Rangiora and Christchurch City.</p>
<p>(b) N/A business</p>	
<p>(c) have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and</p>	<p>The Site is an existing small settlement with a range of location services including a school, community hall , domain, petrol station and farmers market. It has excellent accessibility to the nearby townships of Rangiora and Rangiora, and Christchurch City. Whilst there are currently no public transport services which service Ohoka, it is a suitable location for rural residential development given proximity to larger townships and excellent transport links. The Draft WRRDS 2019 recognised this, noting the strengths of Ohoka as a rural residential growth area included:</p> <ul style="list-style-type: none"> • <i>Well connected via various transport routes</i> • <i>Close to Rangiora and Kaiapoi which have abundant community facilities and social infrastructure in place</i> • <i>Close proximity to retail, services and industrial activities available in Rangiora and Kaiapoi</i>
<p>(d) support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and</p>	<p>There is a strong demand for LLR land in this location, currently being met by just one developer.</p> <p>This proposal will go some way to meeting that unmet demand and will extend the development market increasing competition for such land.</p>

(e) support reductions in greenhouse gas emissions; and	The Site has the advantage of being easily accessible to the neighbouring townships. The Council has made a decision to not provide for rural residential development at the larger township edge locations, so locations in proximity but not adjoining are an appropriate and will support reductions in greenhouse emissions compared with other more distant locations.
(f) are resilient to the likely current and future effects of climate change	The Site is an inland site. . It is not at risk from climate change induced extreme natural hazard events related to sea level rise. It is subject to some flooding risk but this can be managed to subdivision design.

<p>Policy 2 - Sufficient development capacity</p> <p>Tier 1, 2, and 3 local authorities, at all times, provide at least sufficient development capacity to meet expected demand for housing and for business land over the short term, medium term, and long term.</p>	<p>The proposed rezoning will add a significant land area to a sector of the housing market which is currently completely undersupplied.</p> <p>The locational and amenity advantages of east Waimakariri also favour strong ongoing demand.</p>
<p>Policy 8 – Responsiveness to plan changes</p> <p>Local authority decisions affecting urban environments are responsive to plan changes that would add significantly to development capacity and contribute to well-functioning urban environments, even if the development capacity is:</p> <p>(a) unanticipated by RMA planning documents; or</p> <p>(b) out-of-sequence with planned land release</p>	<p>The submission qualifies as “unanticipated” by RMA documents and “out of sequence” as the CRPS does not currently provide for future urban growth, including rural residential growth, consistent with NPS-UD 2020.</p> <p>The proposal will add significantly to LLR development capacity in the District and there are other sound planning reasons to re-zone the Site.</p> <p>The separate ownership of the land supports competition in the land market.</p>

72. This assessment confirms the re-zone proposal at Bradleys Road Ohoka achieves those NPS-UD 2020 policy outcomes. The absence of operative criteria in the CRPS for determining what constitutes “adding significantly to development capacity” is not a bar to considering this submission on its merits. The proposal is significant adding potentially 22% to the rural residential land supply provided for under the WRRDS 2019 and included in the PWDP as LLR overlay areas. It is in reality likely to a much larger share, as it unlikely that some if not most of the WRRDS preferred rural residential areas meets the NPS-UD criteria for inclusion as available development capacity. The Council can and

must apply Policy 8 as from the date the NPS-UD 2020 came into effect on the basis that the purpose of Policy 8 is to facilitate rezoning to meet known rural residential needs.

73. Accepting the submission to re-zone the land, and enable the proposed development, will satisfy the objectives of the NPS-UD 2020.

Canterbury Regional Policy Statement (RPS)

74. Chapter 6 of the RPS “*provides a resource management framework for the recovery of Greater Christchurch, to enable and support recovery and rebuilding, including restoration and enhancement, for the area through to 2028. Recovery in Greater Christchurch is also supported by the provisions in Chapter 5 notated as ‘Entire Region’. The provisions in the remainder of the RPS also apply.*”⁶ “
75. Chapter 6 was amended in 2019 with the addition of Map A which identified the greenfield priority areas for residential, including at Rangiora and Kaiapoi. Rural residential development (defined as lots in the 1-2 ha size range) was limited to locations consistent with a Council adopted rural residential strategy (Policy 6.3.9). The Site is not a preferred rural residential site in the Waimakariri Rural Residential Development Strategy 2019. However, the Council could amend the Strategy if it is thought that development of the Site has merit. It is also noted that Ohoka was identified as an option for rural-residential development in the Draft Rural Residential Development Strategy.
76. The WRRDS 2019 predates the NPS-UD 2020 and does not meet the requirements of the NPS-UD. It cannot be relied upon to meet the District’s rural residential housing supply needs.
77. The NPS-UD 2020 is the higher order document and its requirements override those of lower order documents where there is a conflict, including regional and district RMA plans.
78. A full assessment of the proposed rezone against the objectives and policies of the CRPS is attached in **Appendix 4**.

Proposed Waimakariri District Plan

79. An assessment of the re-zone proposal against the objectives and policies of the PWDP is attached in **Appendix 5**

⁶ RPS Introduction

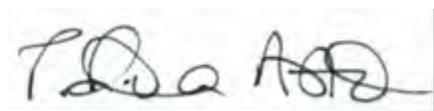
80. The proposed rezoning is consistent with the PWDP objective and policies for LLR zone, An ODP can be supplied ahead of the hearing. The rezoning will achieve the LLR zone outcomes i.e open space and a low density of residential units.

SECTION 32 ASSESSMENT

81. A section 32 Assessment is attached in **Appendix 6**.
82. It concludes that Rural Lifestyle is not an efficient use of this block of land. Large Lot Residential with 2,500m² minimum lot sizes and 5,000 m² average lot size is a more efficient use of the Site.
83. The economic, social and environmental benefits of the proposal outweigh any potential costs.
84. The proposal is considered to be the most appropriate, efficient and effective means of achieving the purpose of the Resource Management Act 1991.

CONCLUSION

85. For all the above reasons, the Site should be rezoned LLR with a minimum lot size of 2,500 m² and average of 5,000m²; in the alternative minimum lot size 1000m², average 2000m²; or mix of these densities.



.....
(Signature of applicant or person authorized to sign on behalf of the applicant)

Date: November 25, 2021

Appendices:

Appendix 1: CRC166975 Decision (405 Bradleys Road)

Appendix 2: Plan Change 21 Decision

Appendix 3: LLUR records

Appendix 4: Assessment Against Canterbury Regional Policy Statement Objectives & Policies

Appendix 5: Assessment Against PWDP Objectives & Policies

Appendix 6: Section 32 Assessment

20 April 2016

Cowley Dairy Solutions Limited
Attn To: David Cowley
224 Ashworths Road
RD 5
Rangiora 7475



Customer Services
P. 03 353 9007 or 0800 324 636

PO Box 345
Christchurch 8140

P. 03 365 3828
F. 03 365 3194
E. ecinfo@ecan.govt.nz

www.ecan.govt.nz

Dear Sir/Madam

NOTICE OF RESOURCE CONSENT DECISION(S)

RECORD NO: CRC166975

NAME: Cowley Dairy Solutions Limited

The decision of Environment Canterbury is to grant your application(s) on the terms and conditions specified in the attached resource consent document(s). Your resource consent(s) commences from the date of this letter advising you of the decision. The reasons for the decision are:

1. The activity is consistent with the purpose of the RMA
2. Any adverse effects on the environment as a result of the proposed activity will be minor

For some activities a report is prepared, with officer recommendations, to provide information to the decision makers. If you require a copy of the report please contact our Customer Services section.

If you do not agree with the consent authority decision, you may object to the whole or any part. Notice of any objection must be in writing and lodged with Environment Canterbury within 15 working days of receipt of this decision.

Alternatively you may appeal to the Environment Court, PO Box 2069, Christchurch. The notice of appeal must be lodged with the Court within 15 working days of receipt of this decision, with a copy forwarded to Environment Canterbury within the same timeframe. If you appeal this decision, the commencement date will then be the date on which the decision on the appeal is determined. If you are in any doubt about the correct procedures, you should seek legal advice.

You can find online information about your consent document at www.ecan.govt.nz/yourconsent.pdf and also information regarding the monitoring of your consent at www.ecan.govt.nz/monitoringconsent.pdf. These booklets contain important information about your consent and answers some commonly asked questions about what will happen next in the life of your resource consent. There is an Annual Compliance Monitoring Charge associated with every consent. For details of this, please refer to page 10 of the "Monitoring Your Consent" booklet.

Our Ref: CRC166975
Your Customer No: EC127127,EC368834
Contact: Customer Services

Charges, set in accordance with section 36 of the Resource Management Act 1991, shall be paid to the Regional Council for the carrying out of its functions in relation to the administration, monitoring and supervision of resource consents and for the carrying out of its functions under section 35 of the Act.

Thank you for helping us make Canterbury a great place to live.

For all queries please contact our Customer Services Section by telephoning (03) 353 9007, 0800 ECINFO (0800 324 636), or email ecinfo@ecan.govt.nz quoting your CRC number above.

Yours sincerely

A handwritten signature in black ink, appearing to be 'John Talbot', written in a cursive style.

CONSENTS PLANNING SECTION

CC Address:

Bowden Environmental
Attn To: John Talbot
PO Box 404
Kaiapoi 7644

RESOURCE CONSENT CRC166975

Pursuant to Section 104 of the Resource Management Act 1991

The Canterbury Regional Council (known as Environment Canterbury)

GRANTS TO:	Cowley Dairy Solutions Limited
A DISCHARGE PERMIT:	To discharge contaminants onto land and into air.
COMMENCEMENT DATE:	20 Apr 2016
EXPIRY DATE:	20 Apr 2031
LOCATION:	401 Bradleys Road, Ohoka

SUBJECT TO THE FOLLOWING CONDITIONS:

- 1 The discharges shall be only:
 - a. diluted dairy effluent originating from a dairy shed, located as shown on Plan CRC166975, which forms part of this consent, and stockholding areas (including milking platforms and farm raceways used for holding stock during milking); and
 - b. odour arising from diluted dairy effluent and solid dairy cow waste stored as shown on Plan CRC166975.
- 2 The maximum number of cows that may be milked in the dairy shed shall be either 320 once per day or 250 twice per day.
- 3 The discharge of diluted dairy effluent shall occur only within the area labelled "Effluent Discharge Area" on Plan CRC166975.
- 4 Prior to this consent being exercised, the consent holder shall establish an effluent storage facility on the property which provides a minimum working capacity of 800 cubic metres and which shall be maintained for the duration of this consent. For the purpose of this consent, 'minimum working capacity' is defined as the capacity available to store diluted dairy effluent, but excludes stonetrap, settling ponds, a minimum 300 millimetre vertical free-board and unpumpable sludge at the base of the storage facility.
- 5 The discharge and any irrigation water applied within 24 hours before or after discharge shall not:
 - a. exceed an application depth of 10 millimetres;
 - b. result in runoff of effluent from the effluent discharge area; or
 - c. result in effluent ponding on the land surface.

- 6 The discharge shall not:
- a. enter, or be onto land within 20 metres of a lake, river, artificial water course (including drains), wetlands, or a bore used for water abstraction or soakhole;
 - b. be onto frozen or snow covered soil; or
 - c. occur when there is less than 500 millimetres vertical separation between the ground surface and the water table (substrate is 100% saturated).
- 7 To enable the depth to the water table to be measured in accordance with Condition 6 c, the consent holder shall measure and record the water levels in bore M35/4722 at least once every two consecutive weeks. Where the water table has been measured within 700 millimetres of the ground surface, measurements shall be taken and recorded weekly until the water table is deeper than 700 millimetres below ground level. Where water levels come within 500 millimetres of the ground surface the discharge shall cease. This condition shall only apply during the months that the discharge of diluted dairy effluent occurs.
- 8 The water levels recorded in accordance with Condition 7 shall be kept in the dairy shed at all times. A copy of these records shall be sent annually to Canterbury Regional Council, Attention: RMA Monitoring and Compliance Manager, within one month of each dairy milking season ending.
- 9 The discharge of contaminants to air from the storage facility shall not result in offensive or objectionable odour beyond the property boundary.
- 10 There shall be no leakages or spills of effluent to land or water from the effluent application system.
- 11 At the time of discharging, if the irrigator used to discharge effluent is also connected to the mainline used to abstract ground-water or surface water for irrigation, the consent holder shall ensure that:
- a. an effective backflow prevention device is installed and operated within the pump outlet plumbing or within the mainline to prevent the backflow of contaminants into the water source;
 - b. the backflow prevention device is tested at the time of installation and annually thereafter by a suitably qualified or certified person in accordance with the Canterbury Regional Council approved test methods for the device used; and
 - c. a test report shall be provided to the Canterbury Regional Council, Attention: Regional Manager, RMA Monitoring and Compliance, within two weeks of each test.
- 12 Prior to 01 July 2016, the consent holder shall prepare a Farm Environment Plan (FEP) in accordance with Appendix CRC166975, which forms part of this consent. On farm practice shall be in accordance with the FEP at all times and the FEP shall be updated as necessary to reflect any changes in the farming operation over time. A copy of the FEP shall be provided to the Canterbury Regional Council, Attention: Regional Manager, RMA Monitoring and Compliance on request.

- 13 The Farm Environment Plan (FEP):
- a. shall be audited in accordance with Part C of Appendix CRC166975. A copy of the audit shall be provided to the Canterbury Regional Council, Attention: Regional Manager, RMA Monitoring and Compliance within two months of the audit being completed; and
 - b. shall be audited within twelve months of the first exercise of this consent. Subsequent audits shall be undertaken within the timeframes specified in Part C of Appendix CRC166975.
- 14 The farm shall be managed to achieve and maintain a Farm Environment Plan audit grade of B grade at the minimum, as assigned in accordance with Part C of Appendix CRC166975. The farm shall be managed such that it is not assigned any C or D grades.
- 15 The consent holder shall surrender consent CRC143271 before first exercise of this consent.
- 16 The Canterbury Regional Council may, once per year, on any of the last five working days of May or November, serve notice of its intention to review the conditions of this consent for the purposes of dealing with any adverse effect on the environment which may arise from the exercise of the consent.
- 17 If this consent is not exercised before 30 June 2021, it shall lapse in accordance with Section 125 of the Resource Management Act 1991.

Issued at Christchurch on 20 April 2016

Canterbury Regional Council



APPENDIX CRC166975 – Farm Environment Plan

The Farm Environment Plan shall apply to the property or farming enterprise.

Definitions: the following definitions apply:

Management Area – means the list of topics as set out below:

- a. Nutrient management
- b. Irrigation management
- c. Soil management
- d. Collected animal effluent management
- e. Waterbody management – riparian areas, drains, rivers, lakes, wetlands
- f. Point sources – offal pits, farm rubbish pits, silage pits etc.
- g. Water use management (excluding water associated with irrigation) – stock water and washdown water

Management Objective – means the overarching outcome sought in relation to each Management Area

Target – means a measureable, auditable statement that contributes to achievement of the Management Objective

Part A – Farm Environment Plans

The Farm Environment Plan can be based on the material set out in Part B or Farm Environment Plan template and guidance material that has been approved in writing by the Chief Executive of the Canterbury Regional Council. Any Farm Environment Plan based on an approved template shall also include the following components set out in Part B:

1. Nutrient Management target 1; and
2. Section 6.

Part B – Farm Environment Plan Default Content

The plan requirements will apply to:

- a. a plan prepared for an individual property or farm enterprise; or
- b. a plan prepared for an individual property which is part of a collective of properties, including an irrigation scheme, principal water supplier, or an Industry Certification Scheme.

The plan shall contain as a minimum:

1. Property or farm enterprise details
 - a. Physical address

- b. Description of the ownership and name of a contact person
 - c. Legal description of the land and farm identifier
2. A map(s) or aerial photograph at a scale that clearly shows:
- a. The boundaries of the property or land areas comprising the farm enterprise.
 - b. The boundaries of the main land management units on the property or within the farm enterprise.
 - c. The location of permanent or intermittent rivers, streams, lakes, drains, ponds or wetlands.
 - d. The location of riparian vegetation and fences adjacent to water bodies.
 - e. The location on all waterways where stock access or crossing occurs.
 - f. The location of any areas within or adjoining the property that are identified in a District Plan as “significant indigenous biodiversity”.
 - g. The location of any critical source areas for phosphorus or sediment loss for any part of the property within the Phosphorus Risk Zone.
 - h. The location of flood protection or erosion control assets, including flood protection vegetation.
 - i. Public access routes or access routes used to maintain the rivers, streams, or drains.
3. A list of all Canterbury Regional Council resource consents held for the property or farm enterprise.
4. (A)
- An assessment of the adverse environmental effects and risks associated with the farming activities and how the identified effects and risks will be managed, including irrigation, application of nutrients, effluent application, stock exclusion from waterways, offal pits and farm rubbish pits.
- (B)
- a. a nutrient budget which shows the Nitrogen Baseline and nitrogen loss calculation for the property or farming enterprise; and
 - b. a report from the Farm Portal which shows the Baseline GMP Loss Rate and Good Management Practice Loss Rates for any property or farming enterprise, at the dates specified below:
 - i. From 1 July 2016 for any property within the Lake Zone;
 - ii. From 1 January 2017 for any property or farming enterprise within the Orange Nutrient Allocation Zone;
 - iii. From 1 July 2017 for any property or farming enterprise within the Red Nutrient Allocation Zone;
 - iv. From 1 January 2018 for any property or farming enterprise within the Green or Light Blue Nutrient Allocation Zone.
5. A description of how each of the following objectives and targets for each Management Area will, where relevant, be met and the specific actions that will be undertaken to implement the Good Management Practices. A description of how each of the following objectives and targets for each Management Area will, where relevant, be met and the specific actions that will be undertaken to implement the Good Management Practices.

Management Area: Nutrient Management

Objective: To maximise nutrient use efficiency while minimising nutrient losses to water.

Targets:

- 1. Nitrogen losses from farming activities:
 - a. Prior to 1 January 2020 are at or below the Nitrogen Baseline loss rate;

- b. From 1 January 2020, are also at or below the Baseline Good Management Practice Loss rate.

Note:

The Nitrogen Baseline means the discharge of nitrogen below the root zone as modelled with the current version of OVERSEER® (or an equivalent model approved by the Chief Executive of Environment Canterbury) as represented by the Nitrogen Baseline OVERSEER® input files provided with the application, which was 18 kg N/ha/yr, when calculated using Overseer version 6.2.1.

The Baseline GMP Loss Rate means the average nitrogen loss rate below the root zone, as estimated by the Environment Canterbury Online Farm Portal, for the farming activity represented by the Nitrogen Baseline OVERSEER® input files provided with the application if operated at Good Management Practice. If the Baseline GMP Loss Rate cannot be generated by the Environment Canterbury Online Farm Portal it means the Nitrogen Baseline.

The Nitrogen Baseline OVERSEER® input files reflect clause A of the Nitrogen Baseline definition, as defined below, and were inputted into the model in accordance with the OVERSEER® Best Practice Data Input Standards. They can be updated to reflect the current Overseer Best Practice Data Input Standards, but must still describe the same activity.

Clause A: “the discharge of nitrogen below the root zone, as modelled with OVERSEER®, (where the required data is inputted into the model in accordance with OVERSEER® Best Practice Data Input Standards), or an equivalent model approved by the Chief Executive of Environment Canterbury, averaged over a 48 month consecutive period in the years of the period of 2009 – 2013 inclusive, and expressed in kg per hectare per annum, except in relation to Rules 5.46 and 5.62 where it is expressed as a total kg per annum from the identified area of land”

2. Phosphorus and sediment losses from farming activities, are minimised
3. The amount and rate of fertiliser applied does not exceed the agronomic requirements of the crop.

Management Area: Irrigation Management

Objective: To operate irrigation systems efficiently ensuring that the actual use of water is monitored and is efficient.

Targets

1. New irrigation infrastructure is designed, installed and operated in accordance with industry best practice standards.
2. Existing irrigation systems are calibrated, maintained and operated to apply irrigation water at the optimal efficiency.
3. All applications of irrigation water are justified on the basis of soil moisture data and climatic information.
4. The timing and rate of application of water is managed so as to not exceed crop requirements or the available water holding capacity of the soil.
5. Staff are trained in the operation, maintenance and use of irrigation systems.

Management Area: Soils management:

Objective: To maintain or improve the physical and biological condition of soils in order to minimise the movement of sediment, phosphorus and other contaminants to waterways.

Targets:

1. Farming activities are managed so as to not exacerbate erosion.
2. Farming practices are implemented that optimise infiltration of water into the soil profile and minimise run-off of water, sediment loss and erosion.

Management Area: Collected Animal effluent management:

Objective: To manage the risks associated with the operation of effluent systems to ensure effluent systems are compliant 365 days of the year.

Targets:

1. Effluent storage facilities and effluent discharges comply with regional council rules or any granted resource consent.
2. The timing and rate of application of effluent and solid animal waste to land is managed so as to minimise the risk of contamination of groundwater or surface water bodies.
3. Sufficient and suitable storage is available to store effluent and any wastewater when soil conditions are unsuitable for application.
4. Staff are trained in the operation, maintenance and use of effluent storage and application systems.

Management Area: Waterbody Management (wetlands, riparian areas, drains, rivers, lakes)

Objective: To manage wetlands, riparian areas and surface waterbodies to avoid damage to the bed and margins of a water body, and to avoid the direct input of nutrients, sediment, and microbial pathogens.

Targets:

1. Stock are excluded from waterbodies in accordance with regional council rules or any granted resource consent.
2. Vegetated riparian margins are maintained to minimise nutrient, sediment and microbial pathogen losses to waterbodies are minimised.
3. Farm tracks, gateways, water troughs, self-feeding areas, stock camps wallows and other sources of sediment, nutrient and microbial loss are located so as to minimise the risks to surface water quality.

Management Area: Point Sources (offal pits, farm rubbish pits, silage pits)

Objective: To manage the number and location of pits to minimise risks to health and water quality.

Targets:

1. All on-farm silage, offal pit and rubbish dump discharges are managed to avoid direct discharges of contaminants to groundwater or surface water.

Management Area: Water-use management (excluding irrigation water)

Objective: To use water efficiently ensuring that actual use of water is monitored and efficient.

Target:

1. Actual water use is efficient for the end use.

The plan shall include for each objective and target in section 5 above:

- a. detail commensurate with the scale of the environmental effects and risks;
 - b. a description of the actions (and a timeframe within which those actions will be completed) that will be implemented to achieve compliance with the objectives, targets and Good Management Practices and Good Management Practice Loss Rates.
 - c. the records required to be kept for measuring performance and achievement of the targets and objectives.
6. Nutrient budgets shall be:
 - a. prepared by a suitably qualified person using the current version of the OverseerTM nutrient budget model, or equivalent model approved by the Chief Executive of Environment Canterbury,
 - b. prepared for each of the identified land management units and the overall area of land specified in Consent Condition 1; and
 - c. prepared for the upcoming 12 months. At the end of each 12 month period the modelling shall be revised, if necessary, to accommodate any differences between the projected modelling and actual farm practise, to calculate the average annual amount of nitrogen loss to water from the subject land.

Part C – Farm Environment Plan Audit Requirements

The Farm Environment Plan must be audited by a Farm Environment Plan Auditor who is independent of the farm being audited (i.e. is not a professional adviser for the property) and has not been involved in the preparation of the Farm Environment Plan.

A Farm Environment Plan Auditor is a person who can provide evidence of at least 5 years' professional experience in the management of pastoral, horticulture or arable farm systems and holds either:

1. a Certificate of Completion in Sustainable Nutrient Management in New Zealand Agriculture from Massey University;
2. a Certificate of Completion in Advanced Sustainable Nutrient Management in New Zealand Agriculture from Massey University; or
3. such other qualification that has been approved by the Chief Executive of the Canterbury Regional Council as containing adequate instruction and assessment on agricultural sciences and nutrient management.

The Farm Environment Plan audit shall assess the performance of the farming activity occurring on the property against the objectives and the associated targets (including timeframes) and good management practices specified in the Farm Environment Plan. The auditor shall determine the level of confidence they have that each objective has been achieved. This level of confidence shall be categorised into the following:

1. High = The objective has probably been achieved;
2. Medium = The objective has possibly been achieved; or
3. Low = It is unlikely that the objective has been achieved.

The audit shall record the justification for each level of confidence assessment, including noting the evidence, or lack of, used to make the determination. Where an objective has received a Medium or Low level of confidence, the audit shall include the required actions for the farm to meet the objective. Where an objective has received a Medium level of confidence (and the farm has received no Lows), the audit shall also determine whether or not the farm is on-track to achieve the objectives.

The audit shall record the overall audit grade based on the results of the level of confidence assessment as follows:

1. A grade = All Highs;
2. B grade = One or more Mediums and no Lows, but on-track to achieve the objectives;
3. C grade = One or more Mediums and no Lows, but not on-track to achieve the objectives; or
4. D grade = Any Lows.

The grade of the previous audit sets the timeframe until the next audit is required as follows:

1. A grade = 3 years;
2. B grade = 2 years;
3. C grade = 12 months; or
4. D grade = 6 months.

An exception applies to farms where an audit grade of A or B has been achieved. Where the manager of the farm changes or the farm system changes, then an audit shall be undertaken within 12 months of the change. A change in the farm system means whole farm operation conversions, including but not limited to, converting between dairy support, dairy platform, sheep & beef and cropping; and also any introduction of a new stock type to the farm, e.g. deer or wintering dairy cows. Changes such as, varying the type of crop grown or varying the relative proportions of stock types do not constitute a farm system change.

A further exception applies to farms that are subject to Farm Environment Plan audit requirements under a nutrient discharge consent held by an irrigation scheme. The audit frequency specified in the irrigation scheme's consent shall prevail over the timeframes set out above.

Consent No: CRC166975

Exercising of resource consent

It is important that you notify Environment Canterbury when you first start using your consent.

GRANTED TO: Cowley Dairy Solutions Limited
A DISCHARGE PERMIT: To discharge contaminants onto land and into air.
LOCATION: 401 Bradleys Road, Ohoka

Even if the consent is replacing a previous consent for the same activity, you need to complete and return this page.

Providing this information will:

- Validate your consent through to its expiry date
- Minimise compliance monitoring charges
- Help provide an accurate picture of the state of the environment.

If consent CRC166975 is not used before 30 Jun 2021 this consent will lapse and no longer be valid.

Declaration:

I have started using this resource consent.

Action taken: (e.g. pasture irrigated, discharge from septic tank/boiler/spray booth etc).

Approximate start date (Note: this may be different to the date the consent was granted): _____

Signed: _____ **Date:** _____

Full name of person signing (please print): _____

Please return to:

Environmental Protection - Administration
Environment Canterbury
PO Box 345
Christchurch 8140

PRIVATE PLAN CHANGE REQUEST P021 BY PETER & ANNE BAGRIE

**RE-ZONING OF 53.78 HECTARES AT BRADLEYS ROAD, OHOKA FROM RURAL TO
RESIDENTIAL 4A**

**DECISION OF HEARING COMMISSIONERS
ON BEHALF OF WAIMAKARIRI DISTRICT COUNCIL**

Introduction

1. We have been asked by the Waimakariri District Council and given delegated authority to hear submissions on Private Plan Change PO21 and to make a decision as to whether the submissions on the Plan Change should be accepted or rejected and what the provisions of the Plan Change and the matters raised in submissions should be.
2. The proposal, as originally notified, sought to re-zone 53.78 ha, presently part of 2 lots comprising a total of 78.26ha, at 474 and 494 Bradleys Road, Ohoka from Rural to Residential 4A. Such a re-zoning would provide for up to 66 rural-residential style lots with an average lot size of approximately 5,700 m² but spread among five areas of different densities. The Plan Change included a proposed outline development plan ("ODP") to guide future development by way of structure plans for major infrastructure, including access, storm-water and open space.
3. As well as amending the zoning maps, the proposed Plan Change would also amend Rule 32.1.1.21 to reflect the new ODP, replace Policy 18.1.1.9 relating to growth at Ohoka and amend Table 31.1 in the District Plan, together with the inclusion of new rules specifically relating to the ODP dealing with site coverage, structure setbacks, screening and landscaping, odour control setback, maximum lot numbers and density areas, treatment of road corridors and connection to reticulated sewer.
4. At the hearing, in response to submissions and acting on further advice received from its consultants, the applicant presented an amended proposal. The changes were fully set out in the planning evidence of Fiona Aston.¹ The principal amendments were
 - a. A reduction in the size of the proposal to 32.5 ha and 55 allotments, by removing the northern most part of the site furthest from Ohoka and most susceptible to flooding;
 - b. Realignment of roads to reflect a more rural character;
 - c. Provision of a better surface water and open space layout more aligned to the land form and existing development;
 - d. Some changes to lot density areas.
 - e. Improved connectivity and recreational opportunities;
 - f. One road access to Bradleys Rd;
 - g. Inclusion of the unformed legal road which lies between the existing Ohoka settlement and the application site in the Outline Development Plan; and
 - h. Staging development.

¹ Aston evidence para 3.13.

5. During the hearing and in reply, counsel for the applicant presented more revisions to the ODP and rules package. The external boundaries and rezoning proposed remained the same, but additional development controls are proposed in response to issues which arose during the hearing. In particular provision was proposed for odour control constraints for those parts of the site nearest to an existing poultry farm, and in relation to the effects of effluent spreading at a dairy farm across Bradleys Rd from the site.
6. Our report and decision is based on this revised version, except where specifically identified otherwise.
7. The scope for us to consider these amendments was addressed in the submissions in reply by counsel for the applicant. He relied on the principle that amendments are permissible where these are lesser in scale or intensity or degree of adverse effect than the proposal as originally notified and the changes respond to issues arising from submissions, officers' reports and the course of the hearing. We accept that these amendments meet that test. In particular, we find that the changes would not affect any existing parties in any different or greater way than the original proposal or lead to any party lodging submissions who had not already done so. On that basis we proceed to assess the plan change on the basis of the amended version presented in reply.

Description of Site and Neighbourhood

8. The site is immediately north of Ohoka on Bradleys Road. It is about 7 kilometres south of Rangiora and a little over 5 kilometres west of Kaiapoi. The area known as Mandeville is about 4.5 kilometres to the southwest.
9. The topography is flat, with a slight fall from the west to the east. As discussed below, the land is potentially affected by flooding in major events.
10. Most of the site is in pasture, with some shelter and boundary planting.
11. The site is part of a farming operation which includes a poultry raising operation, grazing, and a horse training track. The presence of these facilities provides some constraints for the site in terms of noise, dust and odour emissions.
12. Opposite the site in Bradley's Rd is a dairy farm. Spraying of dairy shed effluent on this property raised some potential issues in regard to health effects and odour, which we discuss further below.
13. To the south of the site is an unformed legal road, with mature shelter belts on either side. This unformed road separates the site from the existing Residential 4B zoning at Ohoka. It provides informal access to various properties and at the time of our site visit was being used for grazing cattle. The application does not propose to form it, or rely on it for vehicular access to any part of the application site.
14. The surrounding area presents a mix of rural and rural-residential activities. Ohoka to the south is more intensively developed with a number of residential properties. There have been two relatively recent residential subdivisions: Keetly Place which created 12 lots on 19 hectares on the northern side of Mill Road and along the Ohoka Stream; and Wilson Drive which created 12 lots on 11 hectares on the southern side of Mill Road. Mill Rd is the main road through Ohoka.
15. There is a petrol station and general shop on the corner of Whites Road and Mill Road about 1.5 kilometres west of the Mill/Threlkelds Roads' intersection. Across Whites Road is the Ohoka Domain, with sports and playground facilities. Across Mill Road from the Domain is the Ohoka Hall.
16. Ohoka School is about 200 metres down Jacksons Road, which intersects with Mill Road about 90 metres west of the Threlkelds Road intersection. The school is a primary school with a roll

- of about 260 students. It has 12 classrooms and there is a recently built gymnasium/hall. Its own site is 2 hectares and it leases a further 1.2 hectares.
17. The site is zoned rural. Ohoka is zoned Residential 3 in its older established parts and Residential 4B in the Keetly Place and Wilson Drive subdivisions. Beyond those zones the surrounding area is zoned Rural.
 18. We received and read:
 - (i) The application for a private plan change dated 18 June 2012 by Peter and Anne Bagrie, including 11 annexures with expert reports on matters relevant to the proposal;
 - (ii) A hearing report prepared by Mr Garry Blay, a resource management planner employed by the Council, together with 12 appendices to that report including specialist evidence on pertinent issues, all prepared pursuant to section 42A of the RMA; and
 - (iii) The 64 submissions and 59 further submissions, as outlined below.
 19. This report and decision incorporates by cross-reference the contents of the Section 42A report and the applicant's assessment of environmental effects pursuant to section 113(3) of the RMA.

History of Rural Residential development at Ohoka

20. There is a history of rural residential development on the fringes of the historic Ohoka Village which is worth briefly recounting. The Residential 4B developments at Keetly Place and Wilson's Drive were established relatively recently. Then there was a proposal in about 1995 for a large rural residential development to the east of the current proposal which went before the Environment Court and was declined for a number of reasons², including that it might "overwhelm" the existing Ohoka Village. That decision was made in a very different planning context. There was a different district plan, Proposed Change 1 to the Canterbury Regional Policy Statement which provides for rural residential development did not exist and nor did the District Council's Rural Residential Development Strategy which specifically provides for rural residential development at Ohoka. The physical context has also changed in the vicinity, with a number of 4 ha lifestyle blocks being created around Ohoka since then, as well as a number of clusters of smaller lifestyle blocks, especially nearby at Mandeville. Finally, there is now public water supply and sewerage reticulation available which was not then the case. In spite of these differences, many residents recall that case with satisfaction and sought to persuade us that it remains the relevant standard for the future development of Ohoka. Finally, just before this application there was the very similar Plan Change PO 17 proposal immediately to the east of the current proposal.

Submissions and Hearing

21. The proposed plan change was publicly notified on 23 June 2012, with the submission period closing on 20 July 2012. An index of submitters and a summary of the submissions was provided with the Section 42A report. The officers' recommendations on the submissions are in Appendix 11 to the section 42A report.
22. We conducted a hearing of the application for Private Plan Change and of submissions on it, on 19 – 23 November 2012, in the Council chamber of the Waimakariri District Council, 217 High Street, Rangiora. As well as the applicant and its expert witnesses, we also heard from 14 submitters in person.

² *Armstrong v Waimakariri District Council* Env Ct C33/95

23. For the applicant, we heard from:
 - (i) Mr Chris Fowler, counsel;
 - (ii) Mr Peter Bagrie – applicant landowner;
 - (iii) Mrs Anne Bagrie – applicant landowner;
 - (iv) Ms Nicole Lauenstein – urban designer;
 - (v) Mr Ben Espie – landscape architect;
 - (vi) Ms Lisa Marie Williams – transport planner;
 - (vii) Mr Andy Carr – traffic engineer;
 - (viii) Mr Richard Chilton – air quality specialist;
 - (ix) Mr Andrew Brough – stormwater engineer;
 - (x) Mr Bevan Pratt – development engineer; and
 - (xi) Ms Fiona Aston – resource management planner.
24. As well, with his submissions in reply counsel for the applicant presented a statement from Dr Jeremy Trevathan on noise issues and supplementary statements from Mr Peter Bagrie and Mr Richard Chilton.
25. We heard from the following submitters:
 - a) Canterbury Regional Council (Mr Michael Rachlin (statutory planner), and Mr Nick Griffiths (hazard analyst);
 - b) Mr Graeme Armstrong and his legal counsel, Ms Crawford who also appeared on behalf of Mr and Mrs Malcolm and Raewyn Jenkins;
 - c) Malcolm Jenkins;
 - d) Ms Aniko Chahine.
 - e) Mr Forde and Mrs Pamela Clarke;
 - f) Mr Richard Cottrell;
 - g) Ms Jill Denham;
 - h) Mrs Christine Docherty;
 - i) Mr John Docherty;
 - j) Mr Laurie Richards.
 - k) Mr Christopher Marshall.
 - l) Ms Niki Mealings;
 - m) Mr Alan McDowell and Mr Alan Hawkins;
 - n) Mr AT Simmonds; and
 - o) Mr Michael Sharpe.
26. We also received a letter from the agents for the NZ Fire Service in terms of their submission seeking to be satisfied about the provision of water supply to meet their operational needs.

Principal Resource Management Issues

27. The principal issues raised in the application, the Section 42A report and by submitters were:
- a. The appropriateness of the proposed extension of Ohoka to the north along Bradleys Road, both locally and in terms of regional policy on the location of developments and their relationship to infrastructure and the transport network;
 - b. The effects of residential development of the site on the existing character and amenity values of the existing Ohoka settlement;
 - c. The effects of residential development of the site on the existing character and amenity values of the rural area;
 - d. The effects of additional residential development in this location on the safety and efficiency of existing roads;
 - e. The extent of the flood hazard in the area and the ability to avoid, remedy or mitigate both the effects of that hazard on the proposed residential area and the potential effects of development on exacerbating that hazard and in terms of regional policy on natural hazards;
 - f. Management of high groundwater and stormwater;
 - g. Adverse effects (including reverse sensitivity effects) of the existing chicken farm and horse training operations on the neighbouring land owned by the Bagries and of dairy shed effluent disposal on a neighbouring dairy farm across Bradleys Road;
 - h. Servicing Issues; and
 - i. Reserves and Open Space.

Relevant Statutory Considerations

28. The relevant statutory considerations are conveniently summarised in the Section 42A report in Section 7.0-8.0 – Statutory Framework (pages 4-11). Briefly, the relevant provisions of the RMA identified there require the Council to assess the proposed plan change:
- a. In terms of the Council's resource management functions in section 31, and in particular in this case the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district and the control of any actual or potential effects of the use, development, or protection of land, including for the purpose of the avoidance or mitigation of natural hazards; and
 - b. According to the duty in section 32 to evaluate the extent to which each proposed objective is the most appropriate way to achieve the purpose of this Act (noting that in this case no changes to the Plan's objectives were proposed) and whether, having regard to their efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives of the District Plan, while taking into account the benefits and costs of proposed policies, rules, or other methods and the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods; and
 - c. Having regard to any proposed Regional Policy Statement and any relevant management plans and strategies prepared under other Acts, pursuant to section 74(2);
 - d. So as to give effect to the operative Regional Policy Statement, pursuant to section 75(3); and

- e. Subject to the overarching provisions of Part 2 of the RMA.
29. Under that statutory framework, other relevant statutory planning documents in this case are:
- a. The operative Canterbury Regional Policy Statement 2013, especially in relation to water quality maintenance, settlement and the built environment, transport and natural hazards.
 - b. Proposed Change 1 to the Regional Policy Statement, which deals with urban growth in the Greater Christchurch Area including this part of the Waimakariri District.
 - c. The Canterbury Regional Land Transport Strategy 2012-42;
 - d. The Waimakariri Long Term Council Community Plan 2006-16;
 - e. The Waimakariri Rural Residential Development Plan; and
 - f. The Waimakariri Walking and Cycling Strategy.
30. At the time we heard the submissions on the Plan Change, Chapter 12A of the Regional Policy Statement had been declared invalid by the High Court and as a result proposed Change 1 to the Regional Policy Statement had been re-instated, but subject to on-going litigation. We agree with the submission of counsel for the applicant that we cannot have regard to Chapter 12A as matters presently stand. This means that we should have regard to PC1, but it is subject to appeals and so the weight to be given to it is uncertain. However, the balance of the Proposed Regional Policy Statement has been made operative in January 2013, so for matters other than metropolitan urban growth, including infrastructure, the transport network and dealing with natural hazards, this operative RPS is to be given effect to pursuant to s74 of the Act.
31. The complexity of this situation is reduced in terms of assessing this Plan Change, as we were advised, and agree, that at least in relation to rural residential policy in the Canterbury Region there are no substantial differences between proposed Change 1 to the RPS and Chapter 12A. We are also assisted by the clear statement by the representative of the Canterbury Regional Council (CRC) as to its position on growth, being that in its view the plan change does not raise any growth issues and so CRC does not oppose it.
32. The Waimakariri Rural Residential Development Plan ("RRDP") was published in June 2010 as a strategic planning document to meet WDC's responsibility to give effect to method 6.1 in Chapter 12A, but has not been through a Schedule 1 process. It is a relevant matter in terms of s32 and assessing appropriateness, but it does not supersede or outweigh statutory documents – here, the operative District Plan. The RRDP identifies Ohoka as a potential growth area and indicates limited growth, but we were advised that the figure of 150 additional households was based more on a suitable base for provision of reticulated sewer to Mandeville rather than any intrinsic issue as to the desirable size of Ohoka.
33. We note the approach taken by the Environment Court in its decision in *Canterbury Fields Management Ltd v Waimakariri DC* [2011] NZEnvC 199 declining a plan change at Mandeville, where the RRDP was regarded as out of date because the environment had changed considerably and given little weight accordingly (paragraph [74]).

Addressing the Main Issues in Contention

The appropriateness of the proposed extension of Ohoka to the north along Bradleys Road, both locally and in terms of regional policy on the location of developments and their relationship to infrastructure and the transport network

34. This needs to be considered in two ways. Firstly there are the wider policy implications under the District Plan and Regional Policy Statement. These are assessed below. In brief, we note that under Change 1 to the Regional Policy Statement, which is not operative but which is not subject to appeal in this regard, that there is an allowance for rural residential development such as PO 21 proposes. Amongst other criteria, this is required to be located so that it can be connected to water and sewerage reticulation, which in most cases will result in close proximity to existing settlements such as Ohoka. Nothing we read in PC1 discourages this location, and the witness for the Regional Council, Mr Rachlin confirmed this. As discussed below, we also did not find that the objectives and policies of the District Plan were contrary to this location except for Policy 18.1.1.9 which limits Ohoka to the existing residential boundaries. As this policy is itself subject to the change request it cannot be regarded as binding, although the proposed changes to the policy do themselves require to be justified, as we discuss below.
35. The character of Ohoka itself was the subject of debate, especially in light of Policy 18.1.1.9 and the explanation attached to it in the District Plan. Many submissions incorporated the statement that this plan change would overwhelm Ohoka and accordingly sought the same outcome for this plan change as had occurred in 1995.
36. The debate extended to argument about whether Ohoka was a village or a settlement, and what its true extent is. This is obviously fertile ground for argument, but we have come to the conclusion that there is little if anything in that question, and certainly not from a resource management perspective. The words are not defined in the District Plan or any other relevant statutory planning document. Rather than being an issue to be resolved in terms of a definition, the task before us is to assess whether this particular plan change is appropriate for this particular location.
37. The identification of the issue in the District Plan by Policy 18.1.1.9 is also not determinative, given the passage of time and changes in circumstances since the origin of that Policy in the *Armstrong* case in 1995. While the Policy does set a limit, it simply prescribes that limit according to existing zonings rather than identifying a resource management reason why that particular limit should always be adhered to.
38. This plan change puts the policy in issue, as an applicant for a private plan change (or the Council itself in promoting its own plan change or reviewing its plan) is entitled to do. The legal position is clear that in considering a plan change there is no assumption that the status quo has any better claim to being the most appropriate provision than any other provision that is part of the plan change: the words used in sections 31, 32, 74 and 75 show no preference for an operative provision over a proposed one. Thus, Policy 18.1.1.9 is in issue because it is the subject of the plan change, and therefore it is not determinative of our analysis: rather, we must assess whether the existing policy or the proposed new policy (or something in between, given the scope of the amended version presented to us) would be appropriate. The assessment framework for that includes the objectives and other related policies in the District Plan and the RPS.
39. Similarly, while we must have regard to the indications of how growth may be managed as set out in the Rural Residential Development Plan, we are not required to follow those indications slavishly. The circle around Ohoka is, in our view, intended to do no more than indicate that at Ohoka there is no particular direction in which growth must occur, but instead that there is generally an allocation for growth at Ohoka. However we note the comments in the RRDP that development should be centred on the existing village of Ohoka, and that there should be a high level of development integration.
40. Secondly, there are localised effects of the proposed development in this location which we now address.

The effects of residential development of the site on the existing character and amenity values of the existing Ohoka settlement

41. The site is close to the existing Ohoka settlement but not particularly visible from it, due in particular to the dense shelter belts lining the unformed legal road between the site and the settlement. The main physical effects are likely therefore to be the impact of additional people residing in the area, passing through the village and making use of the facilities and services there, such as the shops, the Domain, the walkways and the school. The only evidence on traffic was from the applicant, which demonstrated that the local roading pattern would be easily able to handle any additional traffic from the development safely and efficiently. In our judgement, other effects of people from the development coming into the village will be minor, and in some cases positive, such as with the service station and shop.
42. The combined effect of this development and the similar PO 17 proposal to the east will certainly create additional demand on the Ohoka school and may lead to the necessity to enlarge its facilities. Many submitters considered there would be an adverse effect on the school, and especially on its character as a small rural school, and also that the site is too far from the school for convenient access. However there was no evidence from the school or the Ministry of Education about this, and the applicant's evidence was that there is an adequate school bus service at Bradley's Rd. As far as the rural character of the school is concerned, it is our opinion that the school has probably already grown past being a small rural school and this is likely to continue with the proliferation of lifestyle development in this vicinity, whether or not this development proceeds.
43. Many submitters suggested that the development would overwhelm Ohoka. Rather than looking at it in global terms like this, we prefer to break the effects down to particular aspects that might be adverse, and on this basis we did not find anything either individually or cumulatively that would have such a dramatic effect.
44. We note there are likely to be some positive benefits for the existing village from the proposed open space, walkways and riding paths that are proposed within the development.
45. Plan Change PO 17, which has been approved but is subject to appeal as at the time of this decision, rezones an area of land to the east of this site for very similar purposes. We have regarded the PO 17 site as part of the existing environment for the purposes of this decision. Therefore there is an issue of integration with the development on that site. Broadly speaking, the style of development proposed for the two sites is similar. The current proposal provides for stormwater ponds all along the common boundary, likely to be in the form of enlargement and naturalisation of the existing Armstrong's Drain which runs along that boundary. Both plan changes also provide for a roading link between them which we consider to be an essential feature. On that basis we are satisfied that this current proposal is compatible with the PO 17 proposal and well integrated with it.

The effects of residential development of the site on the existing character and amenity values of the rural area

46. As discussed below, the District Plan has strong objectives and policies about preserving the character and amenity of the rural areas.
47. During the course of the hearing some concern was raised about the extent to which existing rural character had diminished or been compromised by development, including rural-residential development. On examination, it is plain that there has been subdivision in the vicinity to create minimum size rural lots of 4 hectares in size. This has changed the character of the area at least to the extent that rural-residential lifestyles result in more amenity planting and more buildings, with less open agricultural or pastoral land. These changes are allowed

under the District Plan and it must follow that we should regard such subdivision and development as rural and, effectively, the starting point for our assessment of the changes likely to occur if this plan change is approved.

48. We were advised about certain surveys that had been conducted by the Council to identify public opinion, or the range of it, in the District in relation to issues of character. In response to suggestions that these surveys should form part of the evidence in relation to this Plan Change, we sought advice from officers as to the way in which the Council itself considered this information.
49. We were advised that the surveys were a form of information gathering to inform policy development. Importantly, we were advised that this information had not been carried through into plan changes or other relevant policy in any specific way.
50. On that basis, while the information is doubtless useful for the purpose for which it was gathered, it does not assist us in terms of the particular matters to which we must have regard under the RMA, and we will maintain our focus on those statutory matters.
51. Therefore, our key conclusions about issues of landscape and rural character are:
 - a. We consider rural character and landscape are related as it is mainly a visual effect, although traffic issues also need to be considered (discussed later); and
 - b. The existing minimum lot size in the rural zone of 4 ha has resulted in a rural outlook that has significant trees, buildings and shelter belts/privacy planting and infrequently wide open views of pastoral fields.
52. There is rural land to the north, east and west of the development site. To the north and east it is partially screened by the remaining aspects of the Bagrie farm, with its house, poultry sheds and horse training track but there is some exposure to Bradleys Rd. To the north there is a limited area of rural land but this is cut off by the Cust Main Drain and its stopbanks and there are only a few houses in this area. The District Plan also requires that the surrounding rural amenity is able to be perceived and enjoyed from within the development looking out.
53. In this regard we note the landscape evidence of Mr Craig for the Council that rural residential development is invariably of a high amenity, attractive standard. We note also the effect of the setbacks required from the poultry sheds, the horse track and the dairy farm will help to maintain the open rural nature of the site. We also note the intention to retain as many of the existing shelter belts on the site. We also consider that the linear L-shape of the development assists in preserving views out of the site into the rural area.
54. We had some reservations about the combined effect of this development and the adjacent PO 17 site on perceptions of rural amenity from within the two sites, because of the extent of the two areas. However, the stormwater system and related open space along the boundary of the two sites, along the existing Armstrong's Drain provides an area of open space which mitigates this effect.
55. We have concluded that adverse effects on surrounding rural amenity would be minor.

The effects of additional residential development in this location on the safety and efficiency of existing roads

56. Concern was expressed by residents about the additional traffic arising from this development, some of which would pass along Mill Rd through the existing village. Other fears were expressed about the effects on intersections along Mill Rd, and about the narrow culvert on Bradleys Rd. There was also concern that traffic might be additional traffic using the stopbank road alongside the Cust Main Drain, which provides a shorter, although rougher route to Rangiora. We note that if PO 17 develops then there will be an additional outlet in the direction

of Kaiapoi, Rangiora, Christchurch and the Ohoka School, enabling such traffic to bypass the village. We heard expert evidence from Ms Williams for the applicant and Mr Brown for the Council which satisfied us that the proposal would not have adverse effects on the safe and efficient operation of the roads, although Mr Brown did wish to see improved right turning provision at the intersection of Bradley's Rd and Mill Rd. Such improvements can be addressed at the time of subdivision.

57. The existing roading environment is firmly laid out by Bradley, Mill and Whites Roads, which are typical of rural roads in the District. Expert evidence and our own observations confirmed that capacity is not a real problem now and would not become one by the addition of 55 households. We were given evidence of certain safety issues and we note that these arise already given the nature of the long straight roads, occasionally changes to standard design and some poor driver behaviour in coping with speed and changes in conditions. Again, the addition of 55 households will not alter that in any significant way.
58. We are not concerned about use of the stopbank route. It is likely to be slower, rougher and more difficult to use and will often cause cars to become either dusty or muddy, and it provides a difficult turn onto Threlkelds Rd. We think few drivers will choose to use it regularly. If it becomes a problem in future then the District Council may take steps to constrain its use. Similarly we do not think the development would put the District Council under any particular pressure to reinstate the bridge which formerly connected Bradley's Rd with Easterbrook Rd across the Cust Main Drain to provide a shorter route to Rangiora, as suggested by some submitters. The Council will be able to prioritise this and provide it or not as it chooses.
59. Although we accept that the site is probably too far from the Ohoka School to allow for walking to school, we were told that there is a school bus route available.

The extent of the flood hazard in the area and the ability to avoid, remedy or mitigate both the effects of that hazard on the proposed residential area and the potential effects of development on exacerbating that hazard and in terms of regional policy on natural hazards

60. We heard expert evidence from Andrew Brough for the applicant, Nick Griffiths for the Canterbury Regional Council and Kalley Simpson for the District Council about the potential for floodwaters to pass over the site. This may occur during extreme events due to the combination of rainfall on the site, overland flow from upstream areas, and a breakout from the Cust Main Drain. Modelling indicated that the area most at risk is the northern part of the Bagrie farm closest to the Main Drain, which was one of the main reasons for the applicant deleting this area from the original application. On the balance of the site, floodwaters in a 0.5% Annual Exceedance Probability Flood (otherwise known as a 1 in 200 year flood) would not be more than 200 mm deep except in localised low spots and channels. The 0.5% AEP event is the design standard required by the Regional Policy Statement, and it was the opinion of all the experts that site development works would be able to ensure building platforms were above these levels while allowing capacity for floodwaters to pass through without being diverted onto lands which would not already be affected. We accept that evidence and conclude that although flooding is a potential hazard on this land it is capable of being satisfactorily mitigated. The Outline Development Plan to be inserted into the District plan provides a satisfactory concept for this that can be further developed during the subdivision application stage. A suitable rule can be included into the plan change to achieve this. Although various ways of formulating a rule were discussed in evidence, we prefer a simple rule that adopts the 0.5% AEP event as the design standard plus a suitable allowance of 300 mm for freeboard, as was imposed for the adjacent PO 17 site, and note that this would be satisfactory to The Regional Council and the District Council.

Management of high groundwater and stormwater

61. The general Ohoka area including the site has very high water tables. There is little or no soakage to ground available in wet conditions and all surface water in rainfall events needs to be drained away. There is an extensive network of drains on the site and in the vicinity including the major Armstrong's drain which runs along the eastern boundary of the site and collects overland flows from the site and upgradient of it. This drain flows into the Cust Main Drain and separates the site from the PO 17 site which is at a lower elevation. All of the surface water drainage in the vicinity of Ohoka drains either to the Ohoka Stream or to the Cust Drain. It is important that the Ohoka Stream is not overwhelmed by additional flows beyond its capacity in rainfall events. The Cust Main Drain is not available in significant rainfall events because the water level there rises and remains high for a period after an event and all the drains leading into it are closed off by flap gates. The result of these conditions is that development of the site needs to provide for internal drainage to stormwater ponds with sufficient capacity to hold back peaks until water levels in the Cust Main Drain recede enough for the flap gates to open. It is also necessary for the system to provide treatment of the water to avoid contaminants being transferred downstream to the Kaiapoi and Waimakariri Rivers. It is also necessary that the site can provide for overland flows in larger events.
62. The Outline Development Plan provides for a "Blue network" to achieve all this, integrated with a "Green network" for open Space, including amenity plantings and recreational walkways and riding tracks. We heard expert evidence from Bevan Pratt for the applicant and Kalley Simpson from the Council about this, and we accept that the ODP is able to provide a satisfactory solution subject to more detailed work at the time of subdivision.

Adverse effects (including reverse sensitivity effects) of the existing chicken farm and horse training operations on the neighbouring land owned by the Bagries and of effluent disposal on a neighbouring dairy farm across Bradley's Road

63. The existing poultry raising operation on the Bagrie farm, which is to be continued, has the potential to create odours which would be experienced by residents in the proposed zone. Prevailing winds, especially low speed katabatic flows down the plains will tend to move such odours towards the house sites. There is also potential for noise due to night time operations when the birds are removed from the sheds, and for noise from the ventilation fans in the poultry sheds. There is also the potential for noise and dust emissions from the horse training track on the Bagrie farm.
64. Dr Trevathan's evidence satisfied us that there was sufficient distance from all the noise sources that any noise effects on new housing would be less than minor. The dust issue was resolved by Mr Bagrie committing to install an irrigation system to dampen the horse training track when necessary.
65. Concern was also raised by the owner of the dairy farm across Bradley's Rd, Mr Alan McDowell, about the potential for restrictions to be placed on their ability to spray dairy shed effluent onto their land in accordance with consents they hold for the purpose, due to complaints from new residents about odour. The Commissioners also queried whether there was the potential for adverse health effects from contaminated spray droplets reaching the new allotments.
66. Expert evidence on odour was provided by Mr Richard Chilton, along with supplementary evidence provided with the written legal submissions in reply. His initial position was that there would be sufficient buffer distances from these three activities. A rule was provided requiring these buffers to be adhered to and "odour constraint areas" are shown on the ODP. During the course of the hearing the ODP layout was modified to increase the separation from the dairy farm and a proposal for "no complaints covenants" was inserted. Mr Chilton's supplementary

evidence on odour and public health satisfied us that the 75 metre buffer distance which is available would be sufficient to ensure that minimal airborne droplets would reach the new allotments and that any odour effects would be negligible.

67. Ordinarily we would not accept "no complaints" covenants as a solution to such problems as they do not actually resolve issues, merely transfer responsibility for them from the perpetrator to the recipients. Nor do they apply to the Council, creating confusion for enforcement. The Council was strongly opposed to the inclusion of the no complaints covenants. However we are satisfied that the buffer distances were increased sufficiently that dust, odour and noise problems will be avoided almost all the time and that there will be no health effects from airborne diseases. In the circumstances we consider the no complaints covenants to be unnecessary.

Servicing Issues

68. Evidence was led by Mr Pratt for the applicant and Mr Kalley for the Council that the development can be connected to public water and sewerage reticulation which the Council is installing to service the growing rural residential population in Mandeville and Ohoka, and that this would have the capacity to service both this proposal and the adjacent PO 17 site. We need take this no further.

Reserves and Open Space

69. No public reserves are proposed to be provided within the development. Mr Read for the Council confirmed that the Council was satisfied with this, preferring to rely on the Ohoka Domain for public open space in Ohoka. However there are naturalised areas along the stormwater swales and ponds which incorporate walkway/cycleways and provision for a horse riding track. All these facilities are likely to be available to the public. There is provision for a walkway through to join the existing Ohoka Stream development, although this would be dependent on negotiations with other landowners. This would be a highly desirable feature to enable non-vehicle access into the village but we do not consider it so essential that its provision should be mandatory at this stage.
70. Mr Read was reluctant to accept any amount of street tree planting in a rural residential development, although the ODP continues to show this to an extent. We consider this to be a matter for subsequent subdivision applications. Overall we are satisfied with the proposed open space provision.

Other Legal Issues

71. We accept the submissions of counsel for the applicant in relation to concerns raised about precedent and cumulative effects.
72. There is no real issue of precedent here because there is no general application of the doctrine of precedent in resource management law. Every case requires an assessment of specific factual matters in the context of the relevant statutory planning documents applicable to those facts. Such assessment, almost always involving predictions of effects that are judgments of degree, are most unlikely to be repeated in a way that would allow the doctrine of precedent to apply. While it is a principle of public law that like cases should be treated alike, that general principle should not obscure the requirement to address each case as it arises.
73. We are aware that another application for a private plan change has been made in respect of land to the south-east of this site (PO 17): indeed, we have been appointed as commissioners

in relation to that application, have heard submissions in relation to it and have issued a final decision.

74. Cumulative effects are relevant considerations in an application for resource consent but they are not normally relevant on a plan change. It is of course possible that over-enthusiastic re-zoning of land can produce adverse effects, but we are satisfied that our decision does not do that.

Relevant Objectives and Policies

75. The District Plan contains objectives and policies relevant to the proposal in a number of chapters. Firstly Chapter 12 is a general chapter on health safety and amenity. Issue 12.1 identifies that *inappropriate subdivision, land use and development could have adverse effects on amenity values and the quality of the environment*. Objective 12.1.1 seeks to *maintain amenity values and environmental qualities appropriate for different parts of the district and to avoid or mitigate potential adverse effects*. We found this very relevant to this proposal because the Ohoka environs have an amenity and environmental quality which, although not outstanding, is of very high quality, due to the quality and maturity of its buildings and plantings and the general absence of any detracting or unsightly land uses. Although not necessarily unique, it is very distinctive in the Waimakariri District context. Any further development at Ohoka should, unless already provided for in the district plan, match or enhance those qualities.
76. A pair of policies develop this theme. Policy 12.1.1.1 seeks to *maintain and enhance positive contributions from buildings and structures to the character and amenity of urban areas and streetscape*, while policy 12.1.1.3 seeks to *avoid the domination of dwellinghouses in the rural zone*. Rural residential development under this plan is something of a hybrid between urban and rural, so both these policies are relevant. Residential 4A and B zones are described in the plan as "very low density, detached dwelling living environments in a rural setting"³ and "a living environment within the rural area"⁴. We discuss this more below. The layout of the proposal is such that it is substantially screened from the existing urban area of Ohoka, which we define as the existing Residential 3 and 4B zones, by the shelter belts along the unformed legal road which lies between the site and the village. Therefore the built character and form of Ohoka, would not be affected and the proposal is not inconsistent with Policy 12.1.1.1. With regard to Policy 12.1.1.3 we note that the Environment Court in the *Canterbury Fields* case⁵ found this impact on surrounding rural areas an important factor and there was some potential for this in this case also. The deletion by the applicant of the north-east portion of the site along the Cust Main Drain by the applicant reduced this exposure to the rural zone, and there is minimal exposure to the rural zone in any other-direction due to the relatively short frontage to Bradleys Rd and the setbacks which are to be incorporated there, the screening effect of the poultry farm and the vegetated paper road, and the new Residential 4A zone created by Plan Change 17 on the only other rural boundary to the south east.
77. Chapter 12 also deals with noise, air quality and health. Within the vicinity of the new Residential 4A zone there would be a horse training track and poultry sheds on the balance of the applicant's farm, and a dairy farm opposite the site on Bradley's Rd which disposes of dairy shed effluent by spray irrigation. Therefore submitters said there could be adverse effects from noise from the horse training track. There could be noise and odours from the poultry sheds. Finally, there could be odours, and the potential for infectious diseases from the spray irrigation

³ Explanation to Policy 13.1.1.1

⁴ Explanation to Policy 17.1.1.2.

⁵ *Canterbury Fields Management Ltd v Waimakariri District Council* [2011] NZEnvCt 99

of dairy shed effluent carried out on a farm opposite the site in Bradleys Rd. Some of the submitters said that all these could result in adverse effects for the occupants of the new dwellings to be constructed in the proposed Residential 4A zone. All of these potential problems were discussed by the applicant, either in the Assessment of Environmental Effects, in evidence in chief and in further evidence in reply.

78. Policy 12.1.1.8 is to *Avoid noise adversely affecting the amenity values and health and safety of people on neighbouring sites or zones*. Different effects of noise and people's response to it are discussed in the explanation. In this case noise could arise from night time operations at the poultry farm, especially loading out of poultry which often takes place at night. Noise could also result from race horses training at speed on the training track on the balance of the applicant's farm.
79. Objective 12.1.3 is to *Protect people, vegetation, animals, and other natural and physical resources, from the adverse effects resulting from the discharge of contaminants to air*.
80. Policy 12.1.3.2 is to *Avoid dwellinghouses and other sensitive land uses locating near to where contaminants are already being discharged to air, unless any adverse effects of the discharge are avoided or mitigated*. Dust could arise from the horse training track, and odours could arise from the poultry shed, and from the spray irrigation of dairy shed effluent.
81. Policy 12.1.2.2 is to *Protect lawfully established farm activities by controlling the establishment of dwellinghouses and other land uses sensitive to the adverse effects of farming activities*. This policy is to deal with reverse sensitivity, in order to protect the dairy farm operations being restricted by the establishment of new housing nearby.
82. Elsewhere in this report we describe how we are satisfied that all of these effects can be satisfactorily avoided or mitigated by measures offered by the applicant, including setbacks, and irrigation of the horse training track. It follows that if these effects are all satisfactorily avoided or mitigated, then the proposal is consistent with and achieves these objectives and policies.
83. Chapter 13 of the District Plan sets out a resource management framework and while much of this is quite generic, Policy 13.1.1.1 picks up themes expressed in Chapter 12, i.e. recognising *the need for different management in areas which have different characteristics, including amenity and environmental qualities, community resource management expectations and the actual and potential effects of subdivision, use and development*. The distinctive and very good amenity and environmental values of the Ohoka area have already been mentioned. A point in favour of the proposal here is the policy's recognition of proximity to the national transportation corridor. Given that most residents are likely to retain strong connections to Christchurch for employment and other purposes, the Ohoka area in the south-east of Waimakariri District is as well or better placed than most of the District in this regard. Counting against the proposal is the recognition of community expectations. Judging by the number of submissions and the evidence from local residents we heard, many people in the local community are opposed to the proposal.
84. Chapter 14 of the district plan is about rural environments. This is where the hybrid nature of the Residential 4 zones becomes especially relevant. Although these zones are residential in name, and described as urban in some parts of the plan, by definition they are located within or adjacent to rural zones, and are usually created out of them, as this proposal would be. Therefore they have the potential to impact upon the remaining rural zones. Objective 14.1.1 seeks to *maintain and enhance the rural character of the Rural Zones*, which is characterised by a number of elements including *the dominant effect of paddocks, trees, natural features, and agricultural, pastoral or horticultural activities, separation between dwellinghouses to maintain privacy and a sense of openness, general quietness but with some significant intermittent and/or seasonal noise from farming activities, and generally clean air*. Applying this objective, it

is the relationship of the proposal to the surrounding rural area, not the relationships within the proposed zone itself, which is relevant. Similarly to Policy 12.1.1.3, the minimal exposure to the surrounding rural zone and in particular to any houses there makes the proposal consistent with this objective.

85. Policy 14.1.1.4 seeks to *maintain rural character as the setting for Residential 4A and 4B Zones*. This policy is one of the most relevant to this proposal in the whole district plan as it applies specifically to the Residential 4 zones and to nothing else. The fact that the policy sits inside the Rural Chapter reinforces our thinking that these zones are in fact a hybrid between rural and urban zones, having some of the characteristics of each and needing to respect the character and amenities of both⁶. The *Canterbury Fields* case took this policy as requiring a judgement whether the proposed rural residential zone would adversely affect the rural character of the surrounding rural environment, and found that it would have that effect. Presumably if the proposal detracts from the rural character of the surrounding setting, then that setting is no longer appropriate. To achieve this policy a rural residential development would have to be very carefully designed and the layout carefully controlled. This proposal has had the benefit of careful input from an urban designer, Nicole Lauenstein to achieve this purpose. Overall we assess the proposal as being consistent to this policy, because as already described, it impacts very little on the surrounding rural zones.
86. Chapter 15 is titled Urban Environment. Objective 15.1 is for Quality Urban Environments which maintain and enhance the form and function, the rural setting, character and amenity value of urban areas. Similarly Policy 15.1.1.1 seeks to *Integrate new development, subdivision and activities into the urban environments in a way that maintains and enhances the form and function and amenity values of urban areas*. For reasons already discussed above we consider that the proposal would maintain and enhance the rural setting. It would maintain the form and function of the existing urban area, particularly if this is taken to include the addition of Plan Change 17 which will expand the Ohoka urban area. It is substantially screened from the old Ohoka village and with regard to the Change 17 area is simply more of the same style of development. Policy 15.1.1.3 is to *promote subdivision design and layout that maintains and enhances the different amenity values and qualities of the different urban environments* in a number of different ways, which we believe would be achieved. Point (e) of these policies is *integrating new developments with the rest of the urban area, where they adjoin existing urban areas*. This gave us some concern. On reflection, we consider the proposal would be sufficiently integrated into Ohoka by Bradleys Rd, the new connection to the Plan Change 17 area, and the walkway from the south-east corner to the Ohoka Stream if it eventuates. This integration would be adequate, although not extensive and is sufficient to satisfy the policy.
87. We observe that smaller developments in a linear form such as this one is, find it relatively easy to bring the countryside into the development compared to large developments with a great deal of interior space.
88. Chapter 17 is for the Residential zones. Policy 17.1.1.1 seeks to *maintain and enhance the characteristics of Residential zones that give them their particular character and quality of environment*. Policy 17.1.1.2 is to *recognise and provide for differences between Residential zones reflecting the community's expectations that a range of living environments will be maintained and enhanced*.
89. We are in no doubt that the proposal would produce a quality urban environment with a high standard of amenity but that is not all that these provisions require. For reasons already stated we also consider it would maintain the existing form of Ohoka, because it is largely screened from it and would not bring about substantial change.

⁶ as set out above under Policies 12.1.1 and 12.1.2

90. There was a good deal of discussion by the landscape architects, urban designers and planners we heard from in this hearing and the previous hearing on the adjacent Plan Change 17 about the desirable form if Ohoka is to expand. We note that the Waimakariri District Council is signalling further rural residential growth at Ohoka through its non-statutory Rural Residential Development Plan (the RRDP), of up to 150 households. That figure derives from the available capacity in a sewer that is being constructed by the Council to service Mandeville and Ohoka. The figure is unlikely to be exceeded in the foreseeable future as individual treatment systems on rural residential lots or small package plants for treatment and disposal of sewage are no longer acceptable to the District or the Regional Council. The RRDP shows an indicative circle based on the existing settlement, and while no one thought that should be adhered to literally, most of the experts thought that development ideally would be close to Ohoka to consolidate its existing form, possibly in several locations rather than one large site. Much of the proposal lies within this circle, with an extension outside it to the north-east, adjacent to a similar extension already created by Plan Change 17, so we are satisfied with the urban form which would be produced.

91. Chapter 18 is titled Constraints on Subdivision and development. Objective 18.1.1 seeks

Sustainable management of natural and physical resources that recognises and provides for:

a. changes in the environment of an area as a result of land use development and subdivision;

b. changes in the resource management expectations the community holds for the area; and

c. the actual and potential effects of subdivision, use and development.

92. This objective accepts and recognises change and development, but it must be constrained by the considerations listed, especially for this case b and c. In this case, looking at b, many people in the Ohoka community clearly do not welcome this sort of change, and under c adverse effects of change have to be dealt with or the proposal declined. Policy 18.1.1.1 requires an assessment of numerous matters to demonstrate how this objective and other objectives and policies in the plan are to be given effect to. As the policy is important, the relevant parts of it are set out here, with emphasis added. Where subclauses are omitted, that is because we accept they would be achieved by the proposal.

Growth and development proposals should provide an assessment of how:

the use, development, or protection of natural and physical resources affected by the proposal will be managed in a sustainable and integrated way; and states that

the adverse effects on those resources and the existing community will be avoided, remedied, or mitigated.

In particular, proposals should not be inconsistent with other objectives and policies in the District Plan, and show how and the extent to which they will:

a. protect areas of significant indigenous vegetation and habitats of indigenous fauna including vegetation and habitat sites listed in Appendix 25.1; ...

c. avoid or mitigate natural hazards including:

flooding as defined in the District Plan Maps,

e. maintain and enhance the environmental characteristics of adjoining zones, and the environment of the zone within which the proposal is located, as set out in Policies 14.1.1.2, 14.1.1.3, 15.1.1.1, 16.1.1.1, 16.1.1.2, 16.1.1.6, 17.1.1.2 and 17.1.1.3;

h. maintain and enhance the form and function of the District's towns;....

t. provide for efficiency in energy use;

v. affect the demand for transport;

w. provide choice in transport mode, particularly modes with low adverse effects.

93. We are satisfied that natural hazards in the form of flooding can be dealt with. All rural residential development is inherently poor in relation to transport and energy, but given that the RPS enables some rural residential development in the district, this location could be worse. The only better sites would be close to Rangiora, Kaiapoi and Woodend, or on the bus routes, to reduce car trips and enable public transport to be used at least in part for trips to Christchurch. Under Point e we are satisfied that there will not be adverse effects on the environmental characteristics of the settlement. Visually it is well-screened from almost all of the existing settlement and although there was concern about traffic generation the expert evidence was that overall traffic levels in the settlement would be well within the capacity of the roading network and the surrounding rural zone.
94. Finally, Policy 18.1.1.9 as it existed when the plan change was lodged required the Ohoka settlement to be limited to within its Residential 3 and 4B boundaries existing at 20 June 1998. However in the meantime the decision on PO 17 has amended this policy to one which provides guidance as to how Ohoka might develop under future applications. We were critical in that decision about the original policy which really provided no guidance at all on how Ohoka might grow and develop.
95. The policy as amended by PO 17 reads:
- Policy 18.1.1.9 Ensure that any growth and development of Ohoka settlement occurs in a manner that:*
- maintains a rural village character comprising a predominantly low density living environment with dwellings in generous settings;*
 - achieves, as far as practicable, a consolidated urban form generally centred around and close to the existing Ohoka settlement;*
 - encourages connectivity with the existing village and community facilities;*
 - achieves quality urban form and function;*
 - allows opportunities for a rural outlook;*
 - encourages the retention and establishment of large-scale tree plantings and the use of rural style roads and fencing;*
 - limits the potential for reverse sensitivity effects;*
 - avoids significant flood hazards;*
 - promotes the efficient and cost-effective provision and operation of infrastructure.*
96. It follows from what we have said about the issues, and the other objectives and policies that we consider that this current plan change would comply with the policy in its amended form.
97. We understand that there are appeals against particular aspects of the PO 17 decisions but that these do not necessarily relate to the wording of this policy and so, even if those appeals are successful the policy may remain in its present form. However, for the present it has the status of a proposed provision and the original version remains operative.

98. We consider that we should have regard to the proposed form of the policy. It has been through a full hearing process and in our opinion better meets the purposes of the RMA than the operative version.
99. As the proposal proposes to amend this policy, and Ms Aston's planning evidence contains another proposed version of the policy, we cannot apply the original policy rigidly to this case. Rather, we should consider whether the existing policy or its proposed replacement is preferable. As a general comment we note that policies like the original policy (and there are a number of others in this plan) are of little practical assistance in a case like this. Policies are supposed to provide guidance for the development of lower order provisions, including zoning, but this one simply reflects the zoning and adds nothing of value. We acknowledge that the applicant provided a suggested re-wording which attempted to provide more guidance as to how Ohoka should develop but it continues to reflect and rely on the (modified) planning maps. Obviously this plan change application cannot succeed without modifying this policy as a pre-requisite. We consider that the amendment to this policy which we included in Plan Change 17 would also appropriately guide this proposal and any future applications that there may be.

Overall conclusion on the objectives and policies

100. Our main conclusion on the objectives and policies is that the proposal generally satisfies them or at least is not inconsistent with them. The objectives and policies are sensitive to the distinctive qualities that can occur in locations such as Ohoka, and are also careful to ensure Residential 4 zones integrate well with both rural and residential zones. This proposal has had the benefit of some skilled design input to bring this about.

Canterbury Regional Policy Statement

101. Proposed Change 1 to the Canterbury Regional Policy Statement allows for rural residential development such as Plan Change 21. There is an overall quota of allotments for each district and guidelines for the location of rural settlements, all of which this proposal complies with. In particular we note the desirability of rural residential settlements being located in close proximity to existing settlements to ensure integration with urban reticulation.⁷ In its submission and evidence the Canterbury Regional Council acknowledged that Plan Change 21 would comply with these policies and was concerned only to ensure no flooding would result.
102. We have also considered the proposed plan change against the Operative Regional Policy Statement 2013. At the time of our hearing this application, this was a proposed regional policy statement which has since been made operative. Ms Aston for the applicant carried out an analysis of this document which we agree with and adopt, as did Mr Rachlin for the Regional Council⁸ The main chapter of interest is Chapter 11 which relates to natural hazards. Our findings in relation to flooding and stormwater are that this can be managed satisfactorily without adverse effects within the new zone or elsewhere. In particular the design standard of the 0.5% Annual Exceedance Probability Event (200 year flood) set out in the now operative RPS would be achieved. Ms Aston's analysis of the former Regional Policy Statement 1998 is now redundant.

⁷ See Policy 14 and Method 14.1

⁸ See paragraphs 5.1-5.7 of Fiona Aston's paragraphs and 4.3.4.10 of Michael Rachlin's evidence to the hearing.

Part 2

103. Our overall consideration of this Plan Change is subject to Part 2 of the RMA, which sets out the Act's purpose and the matters of national importance which must be recognised and provided for, the other matters to which particular regard must be had, and the principles of the Treaty of Waitangi which must be taken into account, to the extent that those matters are relevant in the circumstances of this proposal.
104. We have had particular regard to the efficient use and development of natural and physical resources, the maintenance and enhancement of amenity values and of the quality of the environment, the finite characteristics of natural and physical resources and the intrinsic values of ecosystems.
105. We did not have anything presented to us to suggest that our decision might be inconsistent with the principles of the Treaty of Waitangi.
106. Looking at the proposal for a plan change overall, in the context of the material presented to us, we are satisfied that our decision will promote the sustainable management of natural and physical resources, as that is defined in the Act.

Alterations to Proposal

107. We have made several amendments to the proposal as it was presented in its final form in the closing submissions, as follows.
108. We have reformatted the Outline Development Plan as requested by the Waimakariri District Council in the hearings report. The original six sheets have been reduced to two, to simplify the plan and reduce its bulk. All the relevant information has been transferred across.
109. There was a good deal of text on the face of the original ODP sheets. Some of this was introductory, some of it was explanatory and some of it was useful to inform and guide future subdivision consent applications. Some of it seemed mainly to justify the proposal, which is not needed on an on-going basis. We have simplified this material and placed all of it that has value for future guidance of subdivision proposals into an Appendix to the subdivision rules in the District Plan, with a corresponding cross-reference in the subdivision rules.
110. The applicant proposed a two stage regime for the development. We do not consider it necessary to require this as the second of the proposed stages, being further from the road frontage will inevitably have to wait until the first stage is substantially completed.
111. The applicant proposed rules requiring "no complaints" covenants in respect of areas close to the areas constrained from development by poultry odour and dairy shed effluent disposal. The Council opposes this. It has found from experience that if such covenants are required by the district plan then it is likely to be expected to enforce them. However such covenants are supposed to be private arrangements, entered into by landowners purchasing sites in a subdivision, when they promise not to complain about nuisances from existing operations, in this case the poultry and dairy farms. The council is not a party to them, and its own enforcement role under the Resource Management Act may be compromised. For our part we consider that the covenants are not necessary. If nuisance conditions were likely to be severe enough that complaints would need to be prevented, then we would not have approved the plan change. The setbacks we have required are sufficient to prevent all but occasional and very minor effects. Having said that, the developers would still be free to create no complaints covenants if they wish to do so, but there is no need for the Council to be drawn into that process. We have therefore deleted those provisions.
112. We have not included any amendments to Policy 18.1.1.9. This policy, as it was at the time of the proposal being submitted required to be changed if the proposal was to succeed. However

the policy was also amended by the recent Plan Change PO17 process which is now operative. That version is more than satisfactory for the purposes of this Plan Change PO21.

Decision

Plan Change PO 21 to the Waimakariri District Plan is **approved** subject to the amendments set out in the Schedule to this decision, together with any other consequential amendments necessary to give effect to these changes and including amendments to the Planning Maps as shown in Appendix 1: District Planning Maps and Appendix 2: Outline Development Plan.

The reasons for our decision are as set out above.

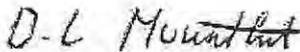
We accordingly decide in relation to the submissions and further submissions lodged on the plan change, for the same reasons;

1. That the submissions in support of the plan change, the further submissions in support of those submissions and the further submissions in opposition to submissions opposing the plan change are accepted in part to the extent of this decision; and
2. That the submissions in opposition to the plan change, the further submissions in support of those submissions and the further submissions in opposition to submissions supporting the plan change are rejected in part to the extent of this decision.

Dated 9 December 2013



David Kirkpatrick
Chairman



David Mountfort
Hearings Commissioner



Rob Potts
Hearings Commissioner

APPENDIX 1 & 2

Private Plan Change P021

District Planning Maps

Amend District Plan Maps No. 46, 57, 58, 89 and 89A as set out in Appendix 1.

Insert new District Plan Map 89B.

Outline Development Plan

Insert new District Plan Maps 169A and 169B "Outline Development Plan – Bradleys Road, Ohoka" as set out in Appendix 2.

Amendments to Methods and Rules

Additions are **bold and underlined**

Deletions are ~~struck through~~

Chapter 27 – Natural hazards

Insert Rule 27.1.1.25 as follows:

27.1.1.25 Within the Bradleys Road, Ohoka Outline Development Plan area shown on District Plan Map 169 any dwellinghouse shall have a minimum floor level of 300mm above the 0.5% Annual Exceedance Probability flood event.

Insert Rule 27.4.3 as follows:

27.4.3 Any dwellinghouse within the Bradleys Road, Ohoka Outline Development Plan area shown on District Plan Map 169, that does not comply with Rule 27.1.1.25, is a non-complying activity.

Chapter 30 - Utilities and traffic Management

Amend Rule 30.1.1.9 as follows:

30.1.1.9 Roads constructed after 20 June 1998 shall comply with Table 30.1 (except for roads constructed in the Residential 6, 6A and Business 1 Zones at Pegasus, or in the Pegasus Rural Zone, which shall comply with Rule 32.1.1.28d, or in the Residential 7 Zone, **or in the Residential 4A Zone at Bradleys Road, Ohoka**).

Insert Rule 30.1.1.11 as follows:

Treatment of road corridors

30.1.1.11 Within the Residential 4A Zone, Bradleys Road, Ohoka shown on District Plan Map 169 the treatment of road corridors shall be in general accordance with the Outline Development Plan and Appendix 32.2 and shall incorporate the following elements:

- a a minimum road corridor of 20m;**
- b a sealed carriageway no wider or no less than 6 metres;**
- c a soft/grassed edge to all seal with no kerb and channel;**
- d grassed drainage swales with no piped drainage system;**
- e no defined visitor parking on road verges;**
- f road marking to be kept to a minimum to comply with traffic safety standards;**
- g a sealed footpath formed on one side of the road only; and**
- h Planting which is informal and rural in character, with structural vegetation clusters (copses) avoiding regular alignment of street trees, and being particularly appropriate in locations where green corridors intersect roads.**

Amend Rule 30.3.3 as follows:

30.3.3 The construction of roads that do not comply with Rules 30.1.1.9 and, 30.1.1.10 **and 30.1.1.11** is a discretionary activity (restricted) except where exempted by Rule 30.1.2.

In considering any application for a resource consent under Rule 30.3.3, the Council shall, in deciding whether to grant or refuse consent, and in deciding whether to impose conditions, restrict the exercise of its discretion to the following matters:

- i. conditions for permitted activities;
- ii. effect on efficient and effective functioning of any road, and the safety of road users;
- iii. effect on streetscape;
- iv. effect on zone characteristics set out in Objective 14.1.1 and Policies 15.1.1.1, 16.1.1.1, 16.1.1.2, 16.1.1.3 16.1.1.6, 17.1.1.2 and 17.1.1.3;
- v. the role of the road in the road hierarchy;

- vi. financial contributions as set out in Chapter 20: Financial Contributions and Chapter 34: Financial Contributions – Rules and development contributions as set out in Waimakariri District Council's Development Contributions Policy;
- vii. alternative locations and timing of the activity;
- viii. effect on heritage resources;
- ix. effect on wahi taonga and mahinga kai;
- x. effect on areas of significant indigenous vegetation and significant habitats of indigenous fauna;
- xi. visual effects; and
- xii. effect on access to water bodies.

Chapter 31- Health Safety and Wellbeing

Amend Rule 31.1.1.10 point (c) and insert point (k) as follows:

Structure coverage

31.1.1.10 The structure coverage of the net area of any site shall not exceed:

- c. 20% in the Rural Zone, the Mapleham Rural 4B, Residential 4A and 4B Zones, **except for the Residential 4A Zone, Bradleys Road, Ohoka identified on District Plan Map 169;**
- k. **10% for lots over 3000m² in area and 15% for lots between 2500 - 2999m² in area, or 500m², whichever is the lesser in the Residential 4A Zone, Bradleys Road, Ohoka, identified on District Plan Map 169.**

Amend Table 31.1 as follows:

Location	A Setback is Required From	Setback Depth (Minimum)
All Residential Zones other than the Residential 4A Zone (Wards Road, Mandeville North and Mill Road, Ohoka), Residential 6A and 7 <u>and the Residential 4A Zone (Bradleys Road, Ohoka)</u> NOTE: See Rule 31.1.1.15	Any road boundary (other than a boundary to a strategic road or arterial road) or an accessway.	2m
<u>Residential 4A Zone (Bradleys Road, Ohoka) shown on District Plan Map 169</u>	<u>Any road boundary</u>	<u>15m</u>
	<u>Any internal site boundary</u>	<u>5m</u>

Insert Rules 31.1.1.40 and 31.1.1.41 as follows:

31.1.1.40 Within the Residential 4A Zone, Bradleys Road, Ohoka identified on District Plan Map 169 any fences/walls within any boundary setback shall be:

- a. Limited to a maximum height of 1.2m and a minimum height of 0.6m; and
- b. Limited to traditional post and wire or post and rail fences, and be at least 50% open; and
- c. Of a length equal to or greater than 80% of the length of the front boundary.

31.1.1.41 Within the Residential 4A Zone, Bradleys Road, Ohoka, identified on District Plan Map 169, within any road boundary setback on any site:

- a. The maximum total area of paving (including gravel surface) shall be 100m²;

- b. A minimum of one specimen tree shall be planted and maintained for each 10m of road frontage. These trees shall be located within 10m of the road frontage boundary and be planted not more than 10m apart. Specimen trees planted shall be a minimum height of 2 metres and a minimum trunk diameter of 3 centimetres at a height of 30 centimetres above ground level selected from the following species: Maples, Silk Tree, Alders, Oaks, Elms, Magnolias, Olives, Plane Trees, Birches, Cypresses and Kowhai.

Amend Rule 31.4.1 as follows:

31.4.1 Except as provided for by Rules 31.1.2, 31.2, 31.3.3, 31.4.3, 31.4.4 or 31.5 any land use which does not comply with one or more of Rules 31.1.1.7 and 31.1.1.10 to 31.1.1.47, is a discretionary activity.

In considering

— open space buffer areas and existing screening by way of sand dunes and vegetation.

Amend Rule 31.17.1.1 as follows:

31.17.1.1 The notional boundary of any dwellinghouse shall be set back from any established intensive farming activity, except for any intensive farming activity on the same site or in the same ownership, or within the Residential 4A Zone, Bradleys Road, Ohoka, identified on District Plan Map 169, in accordance with Table 31.4.

Amend Rule 31.17.1.9 as follows:

31.17.1.9 Minimum separation distances between any application of liquid farm effluent onto land and any dwellinghouse, the Mapleham Rural 4B Zone boundary, or any Residential Zone boundary, except the boundary with the Residential 4A Zone, Bradleys Road, Ohoka, identified on District Plan Map 169, shall be as set out in Table 31.5.

Insert non-complying activity section 31.20

Insert Rule 31.20.1 as follows:

31.20.1 Any dwellinghouse and any rooms within accessory buildings used for sleeping or living purposes located within the Poultry Odour

Control Setback Area or the Effluent Spreading Odour Control Setback Area in the Residential 4A Zone, Bradleys Road, Ohoka identified on District Plan Map 169 is a non-complying activity. This rule shall only apply for as long as a poultry farm continues to operate on Part Rural Section 2561 with respect to the Poultry odour Control Setback Area, and for as long as dairy effluent is spread on Lot 2 DP 55728 with respect to the Effluent Spreading Odour Control Setback Area.

Chapter 32 – Subdivision

Amend Rule 32.1.1.12 as follows:

32.1.1.12 The average allotment area for any Residential 4A Zone, except for Wards Road, Mandeville North shown on District Plan Map 162 **and the Residential 4A Zone, Bradleys Road, Ohoka identified on District Plan Map 169** shall be met for each subdivision application.

Insert Rule 32.1.1.18 as follows:

32.1.1.18 In the case of the Residential 4A Zone, Bradleys Road, Ohoka, shown on District Plan Map 169:

- a the maximum number of allotments shall be 55;**
- b. allotment sizes and location shall be within the following Density Areas:**
 - i. Density Area A shall achieve a minimum allotment size of no less than 1ha;**
 - ii. Density Area B shall achieve a minimum allotment size of no less than 5000m²;**
 - iii. Density Area C shall achieve a minimum allotment size of no less than 4000m²;**
 - iv. Density Area D shall achieve a minimum allotment size of no less than 3000m²;**
 - v. Density Area E shall achieve a minimum allotment size of no less than 2500m².**

Amend Rule 32.1.1.24 by adding point w as follows:

32.1.1.24 Subdivision within the following areas shall generally comply with the Outline Development Plan for that area.

- w The Residential 4A Zone, Bradleys Road, Ohoka, identified on District Plan Map 169 and more particularly described in Appendix 32.2.

Insert Rule 32.1.1.83 as follows:

32.1.1.83 Within the Residential 4A Zone, Bradleys Road, Ohoka identified on District Plan Map 169:

- a. Prior to issue of a s224 certificate for any subdivision within the Residential 4A Zone, Bradleys Road, Ohoka shown on District Plan Map 169, a sprinkler irrigation system shall be installed and maintained at all times for the purposes of watering the horse training track located at 474 Bradleys Road during dry conditions to minimise any potential dust emissions when horses are on the track. This rule shall only apply for as long as the horse track is retained on the property and shall be secured by way of a Consent Notice on Part Rural Section 2561.

- b. Prior to issue of a s224 certificate for any subdivision within the Residential 4A Zone, Bradleys Road, Ohoka, shown on District Plan Map 169, landscaping for the purposes of screening the poultry sheds from the Residential 4A Zone and Main Drain Road shall be installed around the poultry sheds located at 474 Bradleys Road Landscaping shall include evergreen species, capable of reaching a minimum of 5m height at maturity and retention of the existing shelterbelt. This rule shall only apply for as long as the poultry farm continues to operate on Part Rural Section 2561 and shall be secured by way of a Consent Notice on Part Rural Section 2561.

Amend Rule 32.1.3 Matters Over Which Control is Exercised by adding the following:

Add under iii. Subdivision Design:

- in the case of the Residential 4A Zone, Bradleys Road, Ohoka shown on District Plan Map 169, the extent to which the proposal achieves the key principles set out in Appendix 32.2.

Add under iv. Property Access:

- in the case of the Residential 4A Zone, Bradleys Road, Ohoka shown on District Plan Map 169, the provision for legal or other appropriate mechanisms such as a link strip, to prevent access from allotments to the paper road located along the south west boundary of the zone.

Add under xiii Special Features:

- Within the Residential 4A Zone, Bradleys Road, Ohoka shown on District Plan Map 169 - suitability and provision for retention of existing planting, including shelterbelts, and new planting, having regard to species, height, density, age and condition, and potential shading and road safety effects.

Amend Non-Complying activity Rule 32.4.1 as follows:

32.4.1 Except where exempted under Rule 32.1.2 any subdivision that does not comply with Rules 32.1.1.1 to 32.1.1.25, 32.1.1.50 to 32.1.1.52 or 32.1.1.66 to 32.1.1.70, 32.1.1.72, 32.1.1.74, 32.1.1.76, or 32.1.1.83 is a non-complying activity.

Insert Rule 32.4.6 as follows:

32.4.6 Any subdivision of land within the Residential 4A Zone, Bradleys Road, Ohoka Outline Development Plan area identified on District Plan Map 169 to densities less than what are provided for under the Rural Zone that does not comply with Rules 32.1.1.46 or 32.1.1.50 is a non-complying activity.

Insert Appendix 32.2 as follows:

Appendix 32.2

KEY PRINCIPLES FOR THE DEVELOPMENT OF THE RESIDENTIAL 4A ZONE, BRADLEYS RD, OHOKA

Road Network

The road network allows all sites to be accessed in an efficient and legible way. Provision of two east west roads within the site enables dispersion of traffic volumes across the two roads, reduces travel distances for all residents and avoids creation of a dedicated through route. The primary road connection is to Bradleys Road with provision for a connection to adjoining land to the south-east of the site, ultimately providing linkage to Mill Rd if an adjoining rural residential proposal proceeds.

The connection with Bradleys Rd should be located so as to efficiently service the future lots while enabling sufficient separation distance from the existing intersection of Main Drain Road with Bradleys Road to the north-west.

Roads will be designed to cater for anticipated traffic volumes and achieve appropriate speeds to enable safe use by all modes (cycling, walking, and riding as appropriate). Roads should provide safe and visible connections with off road transport infrastructure.

The roading layout responds to the site's topography and physical features, including alignment with vistas and responding to natural drainage patterns and other landscape features. The width of the formed carriageway may vary, generally narrowing at selected points, coinciding with the junction between road spaces of varying character (road sequencing), natural features up to the road, and crossings to reduce speed.

Water supply

The water supply will be obtained from the existing Rangiora supply. The proposed connection point is on Flaxton Road, adjacent to the transfer station. The pipe line will be down Flaxton Road and across the bridge at Threlkelds Road, then along Main Drain Road (or through the adjacent proposed rural residential area to the South East, if this proceeds, and depending on timing.)

Cycle, Equestrian and Pedestrian Network

The cycle, pedestrian and horse tracks network is to be designed to utilise and connect with the road network and green space corridors. Safe and convenient access for cyclists and pedestrians should be provided on all roads including a footpath on one side, and for horse riders where appropriate.

A high level of activity within and beyond the site is to be provided for, including off road green links and green corridor routes alongside stormwater management areas and linking to the paper road on the southwestern boundary of the Outline Development Plan and Main Drain walkway to the northeast. The aim is to create a generous and attractive range of cycle, pedestrian and track routes, including circular routes, which enhance productivity and the recreation experience for both existing and new Ohoka residents. Road speeds should be appropriate for the pedestrians, cyclists and horse riding volumes and create liveable public spaces for residents. Where appropriate this could include shared surfaces.

A dedicated off road loop horse track is to be developed within the site, and linking to Bradleys Road and Main Drain.

A key off road recreation link is to be developed northeast-southwest through the site and continuing to Main Drain Road and the Cust River. Provision should be made for connecting to existing pedestrian and cycling routes with the site, including the Ohoka Stream walkway, linking to Mill Road and the existing centre of Ohoka.

Provision for pedestrian and cycle length to the south east are provided for within the future road connection.

Stormwater and Sewer Network

Stormwater conveyancing and attenuation shall to follow the natural drainage patterns of the site, utilising and enhancing naturally occurring indentations and low points for conveyance and attenuation. Stormwater detention basins should be located and sized to support logical staging of the development and assist with sediment control during construction.

Armstrong Drain is to be naturalised to enhance its amenity, increase capacity and improve water quality by filtering runoff through swales and vegetation before entering the waterway.

Existing drains within the Outline Development Plan area should be retained wherever possible to assist with lowering of groundwater levels and as an amenity feature. The north-eastern drain should be naturalised and will create a natural boundary to the rural lands to the northeast.

All detention basins will be located within publicly accessible stormwater reserves with suitable vehicular access for maintenance.

The exact sizing and location of the stormwater management network features (basins etc) is indicative and will be confirmed at the engineering design stage.

Sewer network

Sewer connection will be to the existing Rangiora reticulated network via a proposed rising main connection to the general Mandeville/Ohoka settlements. This will be a septic tank effluent (step) system requiring rising mains throughout the site combined with on-site pumping stations. Wastewater pump stations will collect effluent from the low pressure sewer network and pump it into the Council's rising main. There are several likely suitable sites in Council ownership or within the Outline Development Plan.

Open Space Network Plan

The Outline Development Plan is based on a landscape based design approach with open space network responding to existing rural landscape features and the natural drainage pattern.

Public open space (including roading) is to provide for retention of overriding view shafts.

The design of roadside planting will be informal and rural in character, with vegetation clusters (copses) avoiding a regular line up of street trees.

Clusters of large trees informally placed along the roadside will assist in creating focal points, visually narrowing the road corridor, and legibility. They will be particularly appropriate in locations where green corridors intersect with roads.

Off-site buffer planting in addition to retention of existing planting shall be established around the poultry sheds on the adjoining land to the north and west of the Outline Development Plan area. This will screen the sheds from the proposed development and the proposed walkway link to the Main drain.

The existing established shelter belt along the southern boundary of the development area (adjoining the paper road) should be retained. This provides complete screening from the existing Keetly Place Residential 4B Zone. The Outline Development Plan layout has been designed to enable retention of existing rural landscape elements, including existing shelterbelts where this is suitable and practical, having regard to such matters as potential shading, age and condition and practicality of on-going maintenance.

Significant enhancement of existing rural landscape features should be provided, in particular naturalisation of the drainage features, including Armstrong Drain and the existing drain which forms the northern boundary of the Outline Development Plan area. Riparian planting shall enhance natural landscape and ecological values and create a high amenity outlook and setting for rural residential properties and for recreational users of these areas.

Density and Reverse Sensitivity

A variety of lot sizes in different density areas to be developed to avoid a character of uniformity, to provide for a mixed community, and in response to the character and amenity of adjoining areas. The average lot size shall be 5000m².

Larger lots should be provided further away from the existing Ohoka settlement in order to consolidate most density closer to the existing settlement centre and to create an appropriate rural/rural residential interface. Larger lots along the northwest boundary with the existing poultry farm will ensure the availability of suitable building platforms outside the Odour Control Area identified on the Outline Development Plan along the northwest boundary.

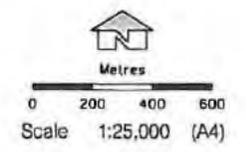
Lots in the 5000m² - 7000m² range are proposed adjacent to the Keetly Place development so as to promote consistency of character. Medium sized lots along the Bradleys Road frontage are appropriate given the rural setting on the opposite (west) side of Bradleys Road. Such lots shall be large enough to ensure the availability of suitable building platforms outside the Odour Control setback identified on the Outline Development Plan.

Clusters of smaller lots are provided for in internal locations and these lots front onto reserves, rural farmland or larger lots in order to maintain pleasant rural residential character for future occupants. Lots along the southeast boundary of the Outline Development Plan area will be buffered and separated from rural land to southeast (or rural residential land if proposed rural residential proceeds) by generous stormwater reserve areas incorporating a series of detention ponds.

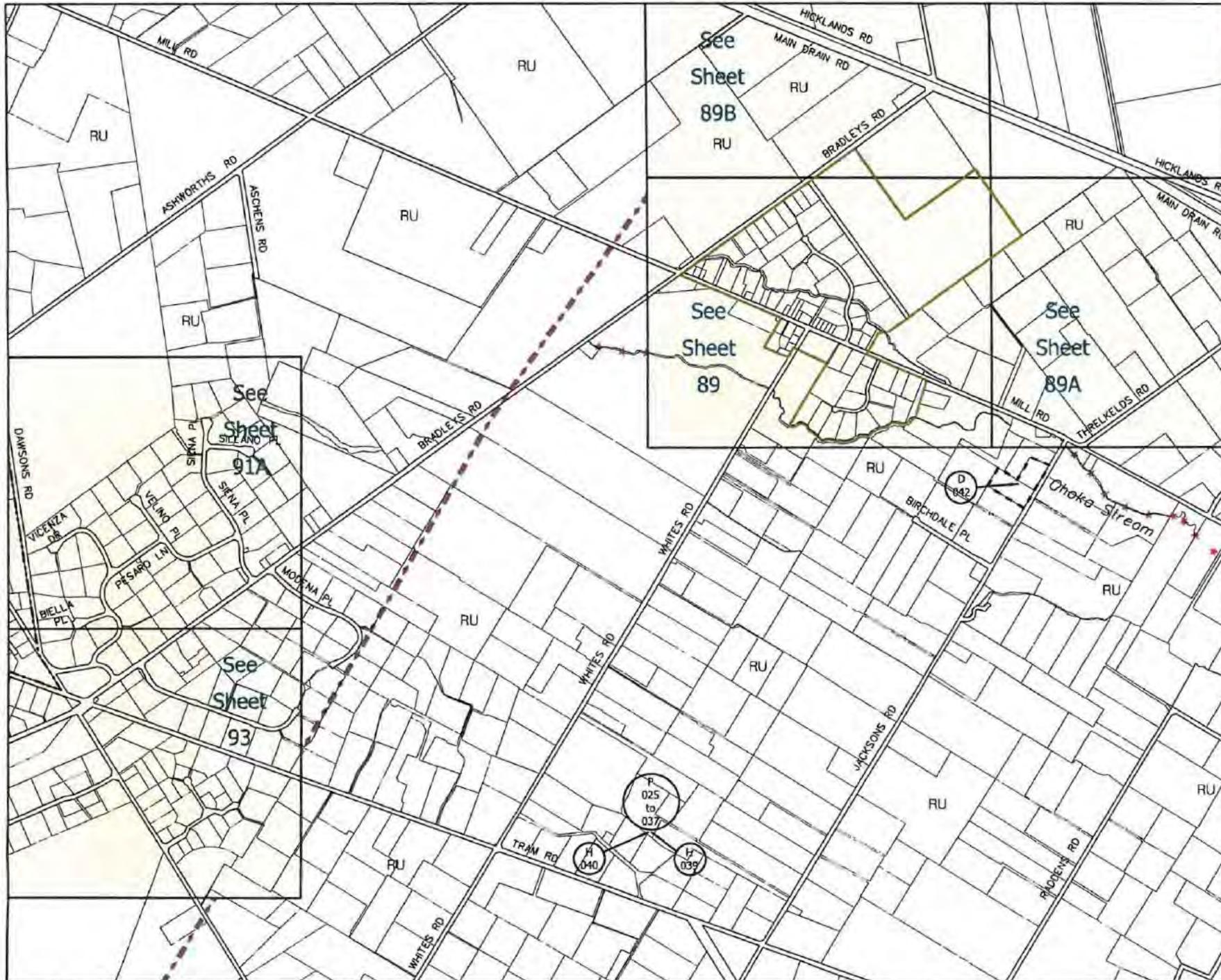
Any consequential amendments required to give effect to the above changes



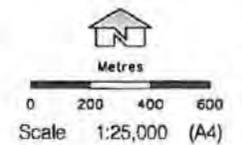
NOTE:
Disclaimer - refer to map legend sheet



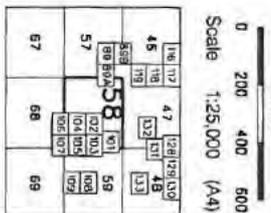
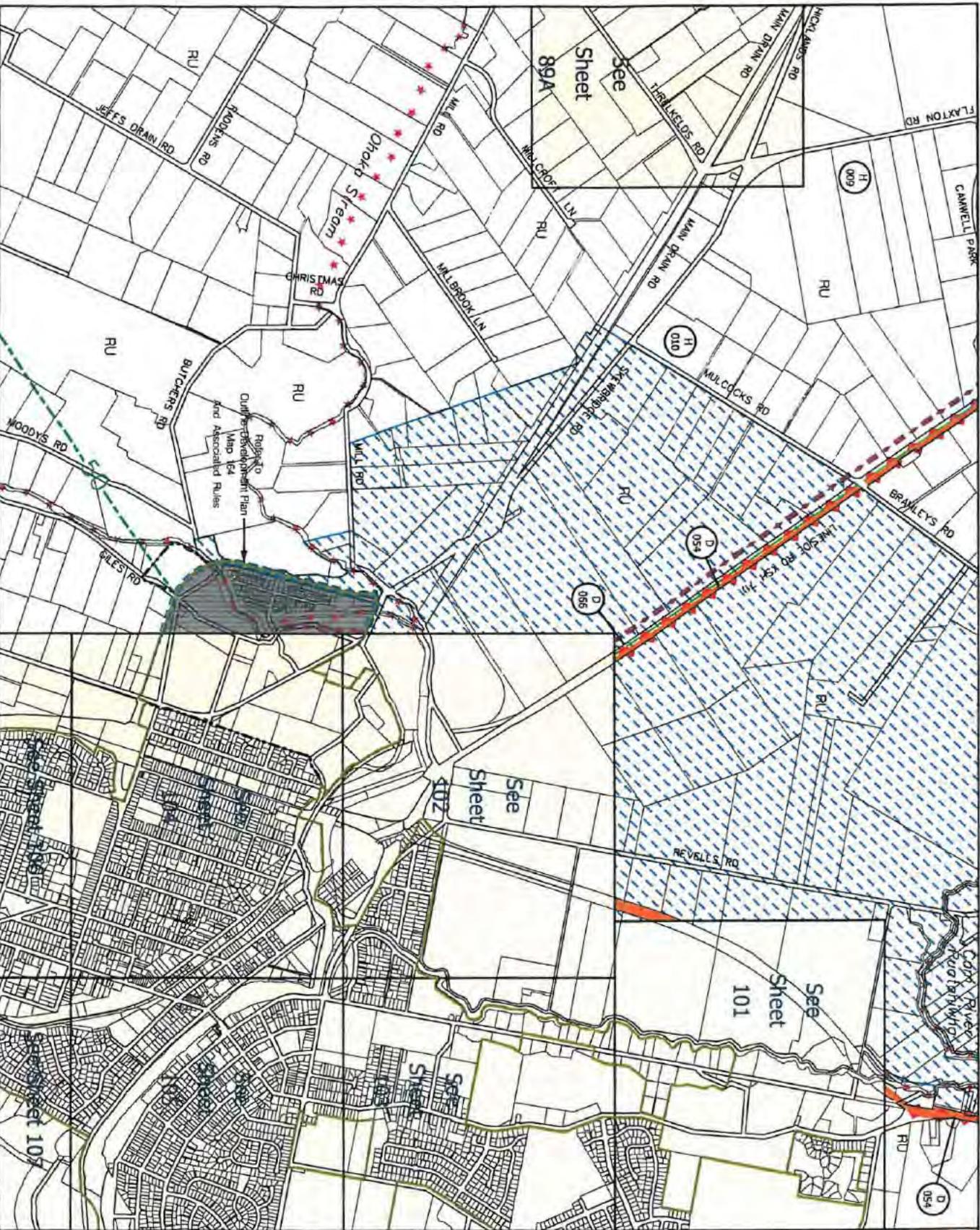
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102	112	113
104	113	114
115	115	117
118	118	119
119	119	132
45	46	47
84	85	86
89	89A	89B
56	57	58
90	91	92
92	93	94
102	104	



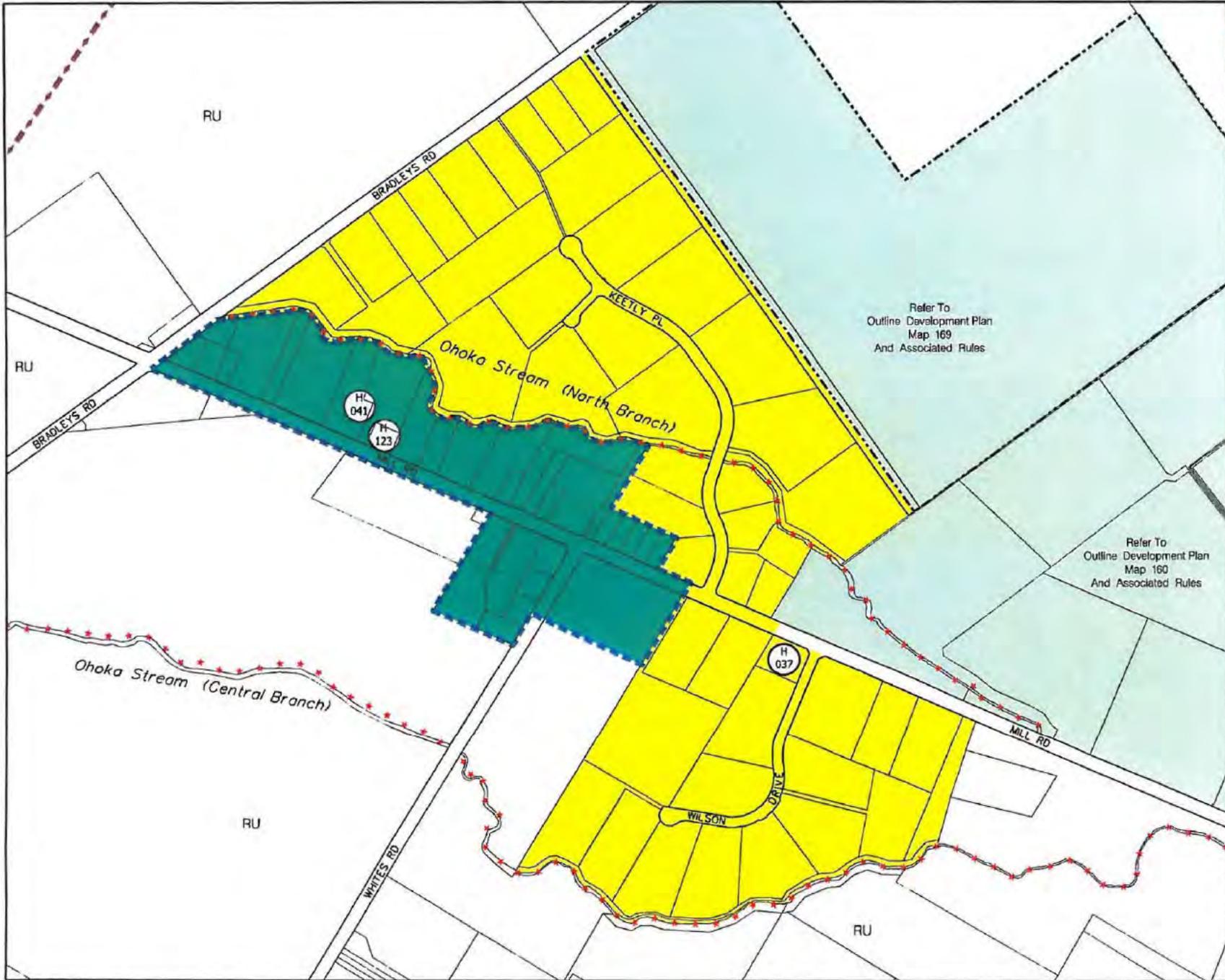
NOTE:
Disclaimer - refer to map legend sheet



54	93	116	117	47
45	46	118	119	132
56	90	91	91A	58
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66	67	68		104
				106



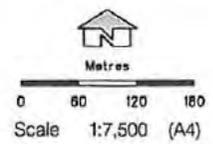
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45	118	119	120	121	48
58	58A	58B	58C	58D	58E
57	57A	57B	57C	57D	57E
67	68	69			



Refer To
Outline Development Plan
Map 169
And Associated Rules

Refer To
Outline Development Plan
Map 160
And Associated Rules

NOTE:
Disclaimer - refer to map legend sheet

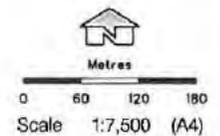


46	89A	46	47
		57	58
	89	89A	
	57		58

Ohoka
89



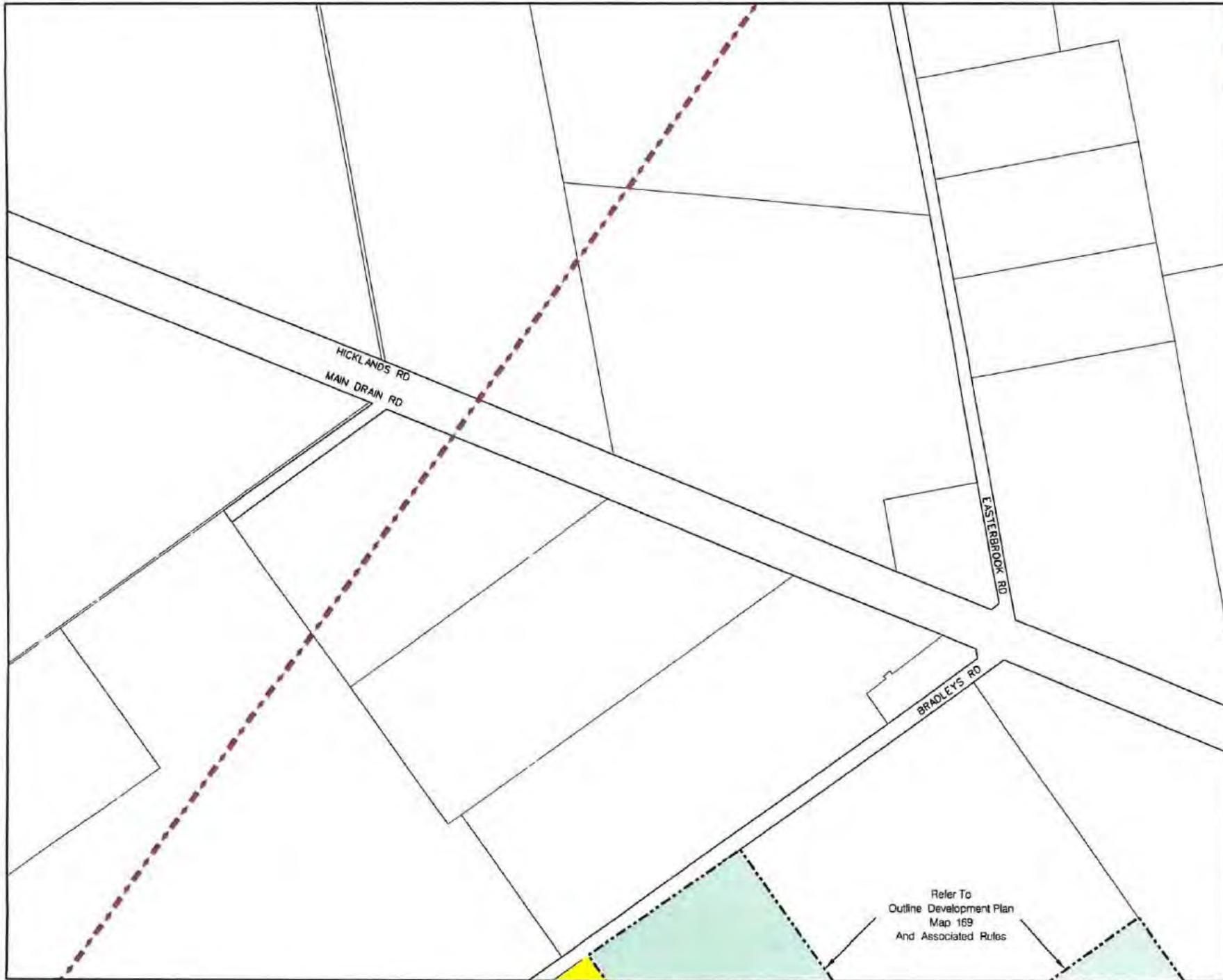
NOTE:
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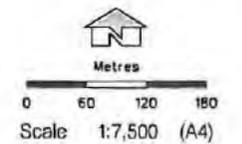
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	57	
89	89A	
57		58

Ohoka

89A



NOTE:
Disclaimer - refer to map legend sheet



		118
	46	119
	89B	46 47
		57 58
57	89	89A

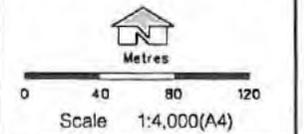
Refer To
Outline Development Plan
Map 169
And Associated Rules

Ohoka

89B

-  OUTLINE DEVELOPMENT PLAN AREA
-  LOCAL ROAD
-  PROPOSED ROAD DESIGN
-  PEDESTRIAN CYCLEWAY ACCESS
-  HORSE TRACK
-  POSSIBLE CONNECTION TO OHOKA STREAM & FUTURE 4Ha LOTS
-  LOCAL RESERVE
-  STORMWATER MANAGEMENT AREA
-  EFFLUENT SPREADING ODDOUR CONTROL SETBACK AREA
-  PDLTRY ODDOUR CONTROL SETBACK AREA
-  LAND WITHIN DENSITY AREA A (MIN 1.00HA)
-  LAND WITHIN DENSITY AREA B (MIN 0.50HA)
-  LAND WITHIN DENSITY AREA C (MIN 0.4HA)
-  LAND WITHIN DENSITY AREA D (MIN 0.3HA)
-  LAND WITHIN DENSITY AREA E (MIN 0.25HA)

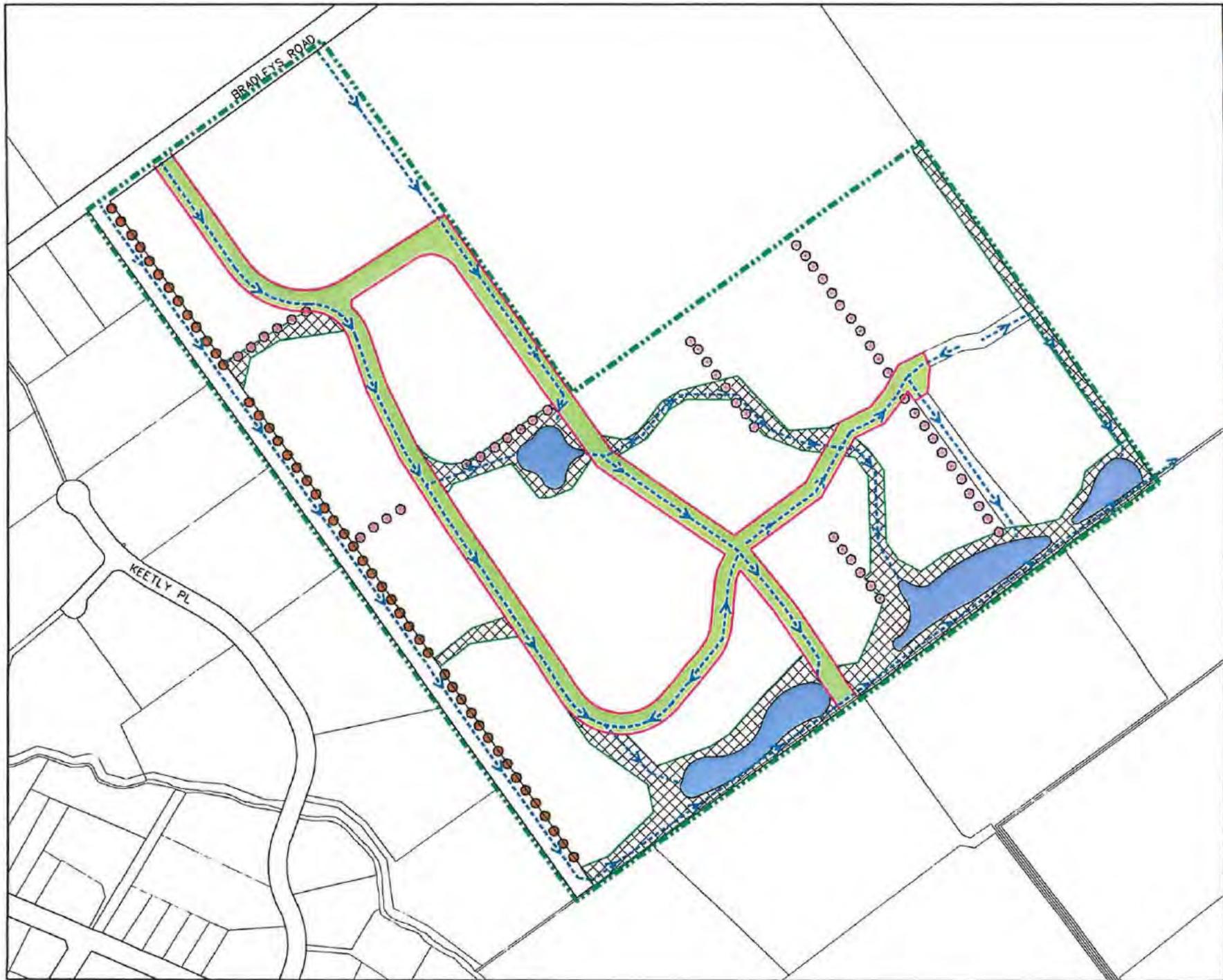
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Bradleys Road, Ohoka
Outline Development Plan

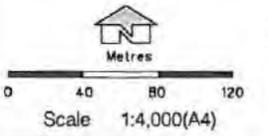
169A





-  OUTLINE DEVELOPMENT PLAN AREA
-  EXISTING ROAD
-  LOCAL ROAD
-  PROPOSED ROAD DESIGN
-  LOCAL RESERVE
-  STORMWATER MANAGEMENT AREA
-  EXISTING SHELTERBELT TO BE RETAINED (IF PRACTICAL)
-  EXISTING SHELTERBELT TO BE RETAINED
-  STORMWATER PROPOSED SECONDARY FLOW PATH VIA DEVELOPMENT ROAD NETWORK

NOTE:
Disclaimer - refer to map legend sheet



Bradleys Road, Ohoka
Outline Development Plan

Property Statement from the Listed Land Use Register

Visit ecan.govt.nz/HAIL for more information or
contact Customer Services at ecan.govt.nz/contact/ and quote ENQ300725

Date generated: 17 November 2021
Land parcels: Lot 2 DP 461483



The information presented in this map is specific to the property you have selected. Information on nearby properties may not be shown on this map, even if the property is visible.

Sites at a glance

 Sites within enquiry area

There are no sites associated with the area of enquiry.

More detail about the sites

There are no sites associated with the area of enquiry.

Disclaimer

The enclosed information is derived from Environment Canterbury's Listed Land Use Register and is made available to you under the Local Government Official Information and Meetings Act 1987.

The information contained in this report reflects the current records held by Environment Canterbury regarding the activities undertaken on the site, its possible contamination and based on that information, the categorisation of the site. Environment Canterbury has not verified the

accuracy or completeness of this information. It is released only as a copy of Environment Canterbury's records and is not intended to provide a full, complete or totally accurate assessment of the site. It is provided on the basis that Environment Canterbury makes no warranty or representation regarding the reliability, accuracy or completeness of the information provided or the level of contamination (if any) at the relevant site or that the site is suitable or otherwise for any particular purpose. Environment Canterbury accepts no responsibility for any loss, cost, damage or expense any person may incur as a result of the use, reference to or reliance on the information contained in this report.

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Property Statement from the Listed Land Use Register

Visit ecan.govt.nz/HAIL for more information or contact Customer Services at ecan.govt.nz/contact/ and quote ENQ300728

Date generated: 17 November 2021
Land parcels: Lot 2 DP 19391



The information presented in this map is specific to the property you have selected. Information on nearby properties may not be shown on this map, even if the property is visible.

Sites at a glance

 Sites within enquiry area

There are no sites associated with the area of enquiry.

More detail about the sites

There are no sites associated with the area of enquiry.

Disclaimer

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Property Statement from the Listed Land Use Register

Visit ecan.govt.nz/HAIL for more information or contact Customer Services at ecan.govt.nz/contact/ and quote ENQ300737

Date generated: 17 November 2021
Land parcels: Lot 2 DP 495408



The information presented in this map is specific to the property you have selected. Information on nearby properties may not be shown on this map, even if the property is visible.

Sites at a glance

 Sites within enquiry area

There are no sites associated with the area of enquiry.

More detail about the sites

There are no sites associated with the area of enquiry.

Disclaimer

The enclosed information is derived from Environment Canterbury's Listed Land Use Register and is made available to you under the Local Government Official Information and Meetings Act 1987.

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Property Statement from the Listed Land Use Register

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Date generated: 17 November 2021
Land parcels: Lot 1 DP 495408



The information presented in this map is specific to the property you have selected. Information on nearby properties may not be shown on this map, even if the property is visible.

Sites at a glance

 Sites within enquiry area

There are no sites associated with the area of enquiry.

More detail about the sites

There are no sites associated with the area of enquiry.

Disclaimer

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Appendix 4: Assessment of Regional Policy Statement Objectives and Policies

Bradleys Road Re-zone Submission

Note: Chapters not relevant

Chapter 7 - Fresh Water

Chapter 8 - The Coastal Environment

Chapter 10 - Beds of Rivers and Lakes and their Riparian Zones

Chapter 13 - Historic Heritage

Chapter 14 - Air Quality

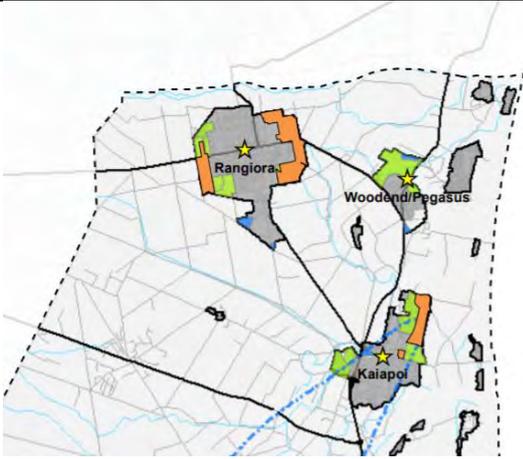
Chapter 16 - Energy

Chapter 18 - Hazardous Substances

Chapter 19 - Waste Minimisation and Management

Objective/Policy	Assessment
<p>CHAPTER 5- LAND-USE AND INFRASTRUCTURE 5.2 OBJECTIVES 5.2.1 Location, design and function of development (Entire Region) Development is located and designed so that it functions in a way that:</p> <ol style="list-style-type: none"> 1. achieves consolidated, well designed and sustainable growth in and around existing urban areas as the primary focus for accommodating the region’s growth; and 2. enables people and communities, including future generations, to provide for their social, economic and cultural well-being and health and safety; and which: <ol style="list-style-type: none"> a. maintains, and where appropriate, enhances the overall quality of the natural environment of the Canterbury region, including its coastal environment, outstanding natural features and landscapes, and natural values; b. provides sufficient housing choice to meet the region’s housing needs; c. encourages sustainable economic development by enabling business activities in appropriate locations; d. minimises energy use and/or improves energy efficiency; e. enables rural activities that support the rural environment including primary production; f. is compatible with, and will result in the continued safe, efficient and effective use of regionally significant infrastructure; g. avoids adverse effects on significant natural and physical resources including regionally 	<p>The Site is on the north western edge of Ohoka. Development will achieve consolidated, well designed and sustainable growth around the existing and under construction Ohoka rural-residential development</p> <p>It is a logical extension of a well-established and well-designed rural settlement, creating sustainable communities.</p> <p>The proposal will enable the Greater Christchurch community to provide for their social, economic and cultural wellbeing through provision of additional housing as part of an established settlement. The development will serve a current demand and need, i.e. a short to medium term need that, once established, will form part of the housing stock and supply for the benefit of future generations.</p> <p>With respect to clause 2:</p> <ol style="list-style-type: none"> 1. There are no areas within the land to be rezoned which have particular or significant natural values. National transmission lines run through the Site, mitigating effects can be achieved through subdivision. 2. The area being rezoned is currently used for dairy farming, however the submitter is experiencing reverse sensitivity effects from residents opposite the Site, resulting in the farm being less feasible. as its primary purpose the provision of housing choice for people and communities. 3. The rezoned land is conveniently located to the local facilities in Ohoka including the School and Domain. As Ohoka is a small settlement, local

<p>significant infrastructure, and where avoidance is impracticable, remedies or mitigates those effects on those resources and infrastructure;</p> <p>h. facilitates the establishment of papakāinga and marae; and</p> <p>i. avoids conflicts between incompatible activities</p>	<p>facilities are located in nearby townships such as Rangiora (6 km north).</p> <p>4. There is a minimal prospect of conflicts between incompatible uses as the Site adjoins rural land , of which most is used as pasture and one site is used for dairy farming. The interface between development and the adjoining farm can be managed through the subdivision stage.</p>
<p>4.3.7 Strategic land transport network and arterial roads (Entire Region)</p> <p>In relation to strategic land transport network and arterial roads, the avoidance of development which:</p> <ol style="list-style-type: none"> 1. adversely affects the safe efficient and effective functioning of this network and these roads, including the ability of this infrastructure to support freight and passenger transport services; and 2. in relation to the strategic land transport network and arterial roads, to avoid development which forecloses the opportunity for the development of this network and these roads to meet future strategic transport requirements 	<p>An Integrated Traffic Assessment that evaluates the effects of the proposed development on the existing roading network may accompany the subdivision consent if needed.</p> <p>The road environment for new development in Ohoka is changing from rural to urban with wider carriageways and urban formation including kerbs and footpaths. This approach can be incorporated into development of the Site. Speed limits will be urban speeds to maintain consistency for road users. The footpaths will provide for walking and cycling infrastructure will also serve these areas, providing safe routes to schools and other facilities.</p> <p>The traffic effect of the proposed development is considered to be less than minor and is not of a scale with regional significance.</p> <p>The rezoning will be consistent with Objective 5.3.7.</p>
<p>RECOVERY AND REBUILDING OF GREATER CHRISTCHURCH</p> <p>6.2 OBJECTIVES</p> <p>6.2.1 Recovery framework</p> <p><i>Recovery, rebuilding and development are enabled within Greater Christchurch through a land use and infrastructure framework that:</i></p> <ol style="list-style-type: none"> 1. <i>identifies priority areas for urban development within Greater Christchurch;</i> 2. <i>identifies Key Activity Centres which provide a focus for high quality, and, where appropriate, mixed-use development that incorporates the principles of good urban design;</i> 3. <i>avoids urban development outside of existing urban areas or greenfield priority areas for development, unless expressly provided for in the CRPS;</i> 4. <i>protects outstanding natural features and landscapes including those within the Port Hills from inappropriate subdivision, use and development;</i> 5. <i>protects and enhances indigenous biodiversity and public space;</i> 6. <i>maintains or improves the quantity and quality of water in groundwater aquifers and</i> 	<p>This Objective is largely given effect to by Map A (reproduced below) of Chapter 6 RPS and Policy 6.3.1. as amended by Change 1 to the CRPS.</p> <p>The Site is not within a new FDA and therefore is inconsistent with this policy in regard to Map A. However, due to the gazetting of the NPS-UD, the ‘hard and fast’ urban/rural boundary line and the inability to rezone land outside of this area is not consistent with the NPS-UD.</p> <p>The Council saw merit in providing for additional growth in Ohoka when initially preparing the Draft Rural Residential Development Strategy. However, Ohoka was removed through the submission and recommendation process. Should Council see merit in this re-zoning request, the Rural Residential Strategy could be amended to include Ohoka as a growth area.</p>

<p>surface waterbodies, and quality of ambient air;</p> <ol style="list-style-type: none"> 7. maintains the character and amenity of rural areas and settlements; 8. protects people from unacceptable risk from natural hazards and the effects of sea-level rise; 9. integrates strategic and other infrastructure and services with land use development; 10. achieves development that does not adversely affect the efficient operation, use, development, appropriate upgrade, and future planning of strategic infrastructure and freight hubs; 11. optimises use of existing infrastructure; and 12. N/A 	 <p>The environmental effects assessment included with the PWDP submission establish that the proposed development is consistent and will not give rise to any concerns with respect to all the matters listed in 4. to 11.</p>
<p>6.2.2 Urban form and settlement pattern <i>The urban form and settlement pattern in Greater Christchurch is managed to provide sufficient land for rebuilding and recovery needs and set a foundation for future growth, with an urban form that achieves consolidation and intensification of urban areas, and avoids unplanned expansion of urban areas, by:</i></p> <ol style="list-style-type: none"> 1. <i>aiming to achieve the following targets for intensification as a proportion of overall growth through the period of recovery:</i> <ol style="list-style-type: none"> a. 35% averaged over the period between 2013 and 2016 b. 45% averaged over the period between 2016 to 2021 c. 55% averaged over the period between 2022 and 2028; 2. <i>providing higher density living environments including mixed use developments and a greater range of housing types, particularly in and around the Central City, in and around Key Activity Centres, and larger neighbourhood centres, and in greenfield priority areas and brownfield sites;</i> 3. <i>reinforcing the role of the Christchurch central business district within the Greater Christchurch area as identified in the Christchurch Central Recovery Plan;</i> 4. <i>providing for the development of greenfield priority areas on the periphery of Christchurch’s urban area, and surrounding towns at a rate and in locations that meet anticipated demand and enables the efficient provision and use of network infrastructure;</i> 	<p>The Site forms a logical extension to Ohoka and will provide a compact and consolidated form for the settlement, linking to the existing development opposite the Site.</p> <p>Additional capacity to match the needs for housing over the 10 year life of the District Plan will provide a necessary foundation to enable future growth. The Bradleys Road proposal will better enable the intent of subclause 6 of the Policy in managing rural residential development outside of urban and priority areas. Development of the Site will be appropriately managed through subdivision and other necessary consents (i.e. ECan consents).</p>

<ol style="list-style-type: none"> 5. <i>encouraging sustainable and self-sufficient growth of the towns of Rangiora, Kaiapoi, Woodend, Lincoln, Rangiora and Prebbleton and consolidation of the existing settlement of West Melton;</i> 6. <i>Managing rural residential development outside of existing urban and priority areas;</i> 7. <i>N/A Maori Reserves</i> 	
<p>6.2.3 Sustainability <i>Recovery and rebuilding is undertaken in Greater Christchurch that:</i></p> <ol style="list-style-type: none"> 1. <i>provides for quality living environments incorporating good urban design;</i> 2. <i>retains identified areas of special amenity and historic heritage value;</i> 3. <i>retains values of importance to Tāngata Whenua;</i> 4. <i>provides a range of densities and uses; and</i> 5. <i>is healthy, environmentally sustainable, functionally efficient, and prosperous.</i> 	<p>The Assessment of Environmental Effects addresses the matters of good urban design, densities and uses and the adoption of sustainable infrastructure services consistent with this objective. The rural residential development will be compatible with the existing Ohoka settlement and will add to the range of housing options in Ohoka.</p>
<p>6.2.4 Integration of transport infrastructure and land use <i>Prioritise the planning of transport infrastructure so that it maximises integration with the priority areas and new settlement patterns and facilitates the movement of people and goods and provision of services in Greater Christchurch, while:</i></p> <ol style="list-style-type: none"> 1. <i>managing network congestion;</i> 2. <i>reducing dependency on private motor vehicles;</i> 3. <i>reducing emission of contaminants to air and energy use;</i> 4. <i>promoting the use of active and public transport modes;</i> 5. <i>optimising use of existing capacity within the network; and</i> 6. <i>enhancing transport safety.</i> 	<p>An Integrated Traffic Assessment can be provided at subdivision stage (or at a hearing) to demonstrate that the Site has been designed to satisfy the requirements of this Policy.</p>
<p>6.3 POLICIES 6.3.1 Development within the Greater Christchurch area <i>In relation to recovery and rebuilding for Greater Christchurch:</i></p>	<p>Map A was prepared to provide a focus for priority development as part of the earthquake recovery phase. That is now past.</p> <p>The Site is not identified within Map A as an identified greenfield priority area or an FDA. However, the</p>

<ol style="list-style-type: none"> 1. <i>give effect to the urban form identified in Map A, which identifies the location and extent of urban development that will support recovery, rebuilding and planning for future growth and infrastructure delivery;</i> 2. <i>give effect to the urban form identified in Map A (page 6-27) by identifying the location and extent of the indicated Key Activity Centres;</i> 3. <i>enable development of existing urban areas and greenfield priority areas, including intensification in appropriate locations, where it supports the recovery of Greater Christchurch;</i> 4. <i>ensure new urban activities only occur within existing urban areas or identified greenfield priority areas as shown on Map A, unless they are otherwise expressly provided for in the CRPS;</i> 5. <i>N/A educational facilities in rural areas</i> 6. <i>N/A metropolitan recreation facility and</i> 7. <i>avoid development that adversely affects the function and viability of, or public investment in, the Central City and Key Activity Centres.</i> 	<p>proposal will provide additional housing choice, and competition in accordance with the NPS-UD.</p> <p>The growth enabled by the proposal contributes to compact and consolidated form of the Ohoka settlement, and where appropriate connectivity to existing areas can be developed.</p> <p>The proposal is for rural residential development which is provided for under Policy 6.3.9. However, the Site is not an identified location in the Waimakariri RR Development Strategy.</p> <p>The proposal is inconsistent with this policy but is consistent with the NPS-UD, the higher order planning document.</p>
<p>6.3.2 Development form and urban design <i>Business development, residential development (including rural residential development) and the establishment of public space is to give effect to the principles of good urban design below, and those of the NZ Urban Design Protocol 2005, to the extent appropriate to the context:</i></p> <ol style="list-style-type: none"> 1. <i>Tūrangawaewae – the sense of place and belonging – recognition and incorporation of the identity of the place, the context and the core elements that comprise the Through context and site analysis, the following elements should be used to reflect the appropriateness of the development to its location: landmarks and features, historic heritage, the character and quality of the existing built and natural environment, historic and cultural markers and local stories.</i> 2. <i>Integration – recognition of the need for well-integrated places, infrastructure, movement routes and networks, spaces, land uses and the natural and built environment. These elements should be overlaid to provide an appropriate form and pattern of use and development.</i> 3. <i>Connectivity – the provision of efficient and safe high quality, barrier free, multimodal connections within a development, to</i> 	<p>Development of the Site is able to give effect to the principals of good design, appropriate for the rural residential context.</p> <p>The assessment of environmental effects concludes that the Site to be rezoned will achieve a high level of amenity and efficiency for residents and for the existing settlement.</p> <p>The submission is consistent with, and will give effect to, the outcomes sought by this Policy.</p>

<p><i>surrounding areas, and to local facilities and services, with emphasis at a local level placed on walking, cycling and public transport as more sustainable forms of</i></p> <ol style="list-style-type: none"> 4. <i>Safety – recognition and incorporation of Crime Prevention Through Environmental Design (CPTED) principles in the layout and design of developments, networks and spaces to ensure safe, comfortable and attractive places.</i> 5. <i>Choice and diversity – ensuring developments provide choice and diversity in their layout, built form, land use housing type and density, to adapt to the changing needs and circumstances of the population.</i> 6. <i>Environmentally sustainable design – ensuring that the process of design and development minimises water and resource use, restores ecosystems, safeguards mauri and maximises passive solar gain.</i> 7. <i>Creativity and innovation – supporting opportunities for exemplar approaches to infrastructure and urban form to lift the benchmark in the development of new urban areas in the Christchurch region.</i> 	
<p>6.3.3 Development in accordance with Outline Development Plans <i>Development in greenfield priority areas and rural residential development is to occur in accordance with the provisions set out in an outline development plan or other rules for the area. Subdivision must not proceed ahead of the incorporation of an outline development plan in a district plan. Outline development plans and associated rules will: (list of specific matters)</i></p>	<p>The development is not currently managed through a development plan, however one can be provided ahead of a hearing.</p>
<p>6.3.4 Transport effectiveness <i>Ensure that an efficient and effective transport network that supports business and residential recovery is restored, protected and enhanced so that it maintains and improves movement of people and goods around Greater Christchurch by:</i></p> <ol style="list-style-type: none"> 1. <i>avoiding development that will overload strategic freight routes;</i> 2. <i>providing patterns of development that optimise use of existing network capacity and ensuring that, where possible, new building projects support increased uptake of active and public transport, and provide opportunities for modal choice;</i> 3. <i>providing opportunities for travel demand management;</i> 	<p>Transport matters such as road layout and connectivity can be managed through subdivision (or ahead of a hearing). The proposal is not considered to cause any adverse traffic effects, given the rural-residential nature of development and the small settlement nature of Ohoka.</p> <p>The proposed rezoning is consistent with, and will give effect to, the outcomes sought by this Policy.</p>

<p>4. <i>requiring integrated transport assessment for substantial developments; and</i></p> <p>5. <i>improving road user safety.</i></p>	
<p>6.3.5 Integration of land use and infrastructure <i>Recovery of Greater Christchurch is to be assisted by the integration of land use development with infrastructure by:</i></p> <ol style="list-style-type: none"> 1. <i>Identifying priority areas for development to enable reliable forward planning for infrastructure development and delivery;</i> 2. <i>Ensuring that the nature, timing and sequencing of new development are co-ordinated with the development, funding, implementation and operation of transport and other infrastructure in order to:</i> <ol style="list-style-type: none"> a. <i>optimise the efficient and affordable provision of both the development and the infrastructure;</i> b. <i>maintain or enhance the operational effectiveness, viability and safety of existing and planned infrastructure;</i> c. <i>protect investment in existing and planned infrastructure; and</i> d. <i>ensure new development does not occur until provision for appropriate infrastructure is in place;</i> 3. <i>Providing that the efficient and effective functioning of infrastructure, including transport corridors, is maintained, and the ability to maintain and upgrade that infrastructure is retained;</i> 4. <i>Only providing for new development that does not affect the efficient operation, use, development, appropriate upgrading and safety of existing strategic infrastructure, including by avoiding noise sensitive activities within the 50dBA Ldn airport noise contour for Christchurch International Airport, unless the activity is within an existing residentially zoned urban area, residential greenfield area identified for Kaiapoi, or residential greenfield priority area identified in Map A (page 6-28); and</i> 5. <i>Managing the effects of land use activities on infrastructure, including avoiding activities that have the potential to limit the efficient and effective, provision, operation, maintenance or upgrade of strategic infrastructure and freight hubs.</i> 	<p>Development will optimise existing roading infrastructure in Ohoka. The development will be serviced with recticulated services.</p> <p>The proposal gives effect to this Policy.</p>
<p>6.3.7 Residential location, yield and intensification</p>	<p>See assessment for Policy 6.3.1.</p>

<ol style="list-style-type: none"> 1. <i>In relation to residential development opportunities in Greater Christchurch:</i> 2. <i>Subject to Policy 5.3.4, residential greenfield priority area development shall occur in accordance with Map A. These areas are sufficient for both growth and residential relocation through to 2028.</i> 3. <i>Intensification in urban areas of Greater Christchurch is to be focused around the Central City, Key Activity Centres and neighbourhood centres commensurate with their scale and function, core public transport routes, mixed-use areas, and on suitable brownfield land.</i> 4. <i>Intensification developments and development in greenfield priority areas shall achieve at least the following residential net densities averaged over the whole of an ODP area (except where subject to an existing operative ODP with specific density provisions):</i> 5. <i>10 household units per hectare in greenfield areas in Selwyn and Waimakariri District;</i> 6. <i>15 household units per hectare in greenfield areas in Christchurch City;</i> 7. <i>Intensification development within Christchurch City to achieve an average of:</i> 8. <i>50 household units per hectare for intensification development within the Central City;</i> 9. <i>30 household units per hectare for intensification development elsewhere.</i> 10. <i>Provision will be made in district plans for comprehensive development across multiple or amalgamated sites.</i> 11. <i>Housing affordability is to be addressed by providing sufficient intensification and greenfield priority area land to meet housing demand during the recovery period, enabling brownfield development and providing for a range of lot sizes, densities and appropriate development controls that support more intensive developments such as mixed use developments, apartments, townhouses and terraced housing.</i> 	<p>The FDAs identified on Map A were developed on the primary basis of anticipated demand created by the recovery and rebuilding process following the Canterbury earthquakes. While these were stated to apply through to 2028, recent analysis of population growth and take-up of land for new housing has shown that the growth requirements were underestimated and land availability overestimated.</p> <p>This was addressed in the update to the Urban Development Strategy which is contained in the report “Our Space 2018-2018 – Greater Christchurch Settlement Pattern Update” and reflected in Change 1 to the CRPS which amended Map A to provide FDAs in Rangiora and Kaiapoi.</p> <p>The objectives and policies of Chapter 6 RPS do not recognise that housing needs of Greater Christchurch have moved on from responding to the impacts of the earthquakes. In particular there is a demand for residential land for housing created primarily now by natural growth in the population, particularly for those people buying their first home or seeking to re-settle in Greater Christchurch generally.</p> <p>Planning for this demand can be by way of changes to, and review of, the CRPS and District Plans or by way of Private Plan changes and submissions on the Proposed District Plan. Private initiatives provide opportunities for planning responses to provide timely planning interventions to help meet the changed circumstances driving demand for urban and housing.</p>
<p>Policy 6.3.9 <i>In Greater Christchurch, rural residential development further to areas already zoned in district plans as at 1st January 2013 can only be provided for by territorial authorities in accordance with an adopted rural residential development strategy prepared in accordance</i></p>	<p>The Site was not included as a preferred LLRZ site in the Final Waimakariri RRS 2019, but Ohoka was identified as a secondary growth area in the Draft.</p> <p>The site is adjoins reticulated Ohoka Hallfield rural residential subdivision, and can be provided with reticulated services. On site stormwater management</p>

<p><i>with the Local Government Act 2002, subject to the following:</i></p> <ol style="list-style-type: none"> 1. <i>In the case of Christchurch City, no further rural residential development is to be provided for within the Christchurch City Plan area;</i> 2. <i>The location must be outside the greenfield priority areas for development and existing urban areas;</i> 3. <i>All subdivision and development must be located so that it can be economically provided with a reticulated sewer and water supply integrated with a publicly owned system, and appropriate stormwater treatment and disposal;</i> 4. <i>Legal and physical access is provided to a sealed road, but not directly to a road defined in the relevant district plan as a Strategic or Arterial Road, or as a State highway under the Government Roading Powers Act 1989;</i> 5. <i>The location and design of any proposed rural residential development shall:</i> <ol style="list-style-type: none"> a. <i>avoid noise sensitive activities occurring within the 50 dBA Ldn air noise contour surrounding Christchurch International Airport so as not to compromise the future efficient operation of Christchurch International Airport or the health, well-being and amenity of people;</i> b. <i>avoid the groundwater protection zone for Christchurch City's drinking water;</i> c. <i>avoid land between the primary and secondary stop banks south of the Waimakariri River;</i> d. <i>avoid land required to protect the landscape character of the Port Hills;</i> e. <i>not compromise the operational capacity of the Burnham Military Camp, West Melton Military Training Area or Rangiora Airfield;</i> f. <i>support existing or upgraded community infrastructure and provide for good access to emergency services;</i> g. <i>avoid significant reverse sensitivity effects with adjacent rural activities, including quarrying and agricultural research farms, or strategic infrastructure;</i> h. <i>avoid significant natural hazard areas including steep or unstable land;</i> 	<p>areas will be required and can be shown on an ODP to be supplied.</p> <p>Legal and physical access is provided from Bradleys Road and Mill Road.</p> <p>The Site is</p> <ul style="list-style-type: none"> • Outside the CIAL noise contours • Is outside the groundwater protection zone • Is not within the Waimakariri stop bank system • Has no views of or to the Port Hills • Is close to Rangiora and has good access for emergency services • Will not create reverse sensitivity issues with adjoining land uses; suitable setbacks can be provided as necessary from the adjoining dairy farm • Free of significant natural hazards and is a flat site. • Supports no significant natural values or ecological values. • Contains no SASMs. • Can be integrated into or consolidated with the existing Ohoka settlement. • Contains no surface water bodies so there will be no adverse impacts on these. • The development will be contingent on an ODP to provide integrated design for subdivision and land use, and provide for the long-term maintenance of a high quality high density rural residential character. • The proposal is not intended as a staged development towards full urban; rather it is intended to provide a high amenity rural residential environment that can contribute to the existing Ohoka settlement, Careful design will ensure it can be integrated in a manner that does not detract from the existing amenity and character, including the 'village character'. <p>Consistent with the Policy criteria 1-5 but not identified in a RRS strategic document; and likely to include some higher density large lots than 'rural residential' defined in the CRSP definition as averaging 1-2 households per ha</p>
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<p>i. <i>avoid significant adverse ecological effects, and support the protection and enhancement of ecological values;</i></p> <p>j. <i>support the protection and enhancement of ancestral land, water sites, wāhi tapu and wāhi taonga of Ngāi Tahu;</i></p> <p>k. <i>where adjacent to or in close proximity to an existing urban or rural residential area, be able to be integrated into or consolidated with the existing settlement; and</i></p> <p>l. <i>avoid adverse effects on existing surface water quality.</i></p> <p>6. <i>An outline development plan is prepared which sets out an integrated design for subdivision and land use, and provides for the long-term maintenance of rural residential character.</i></p> <p>7. <i>A rural residential development area shall not be regarded as in transition to full urban development.</i></p>	
<p>CHAPTER 9- ECOSYSTEMS AND INDIGENOUS BIODIVERSITY</p> <p>9.2 Objectives</p> <p>9.2.1 Halting the decline of Canterbury's ecosystems and indigenous biodiversity</p> <p><i>The decline in the quality and quantity of Canterbury's ecosystems and indigenous biodiversity is halted and their life supporting capacity and mauri safeguarded</i></p>	<p>The Site is contained within the Ecological District: Low District Overlay. However, there is no indigenous biodiversity of any particular value on the Site proposed to be rezoned.</p>
<p>CHAPTER 11- NATURAL HAZARDS</p> <p>1.2 Objectives</p> <p>11.2.1 Avoid new subdivision, use and development of land that increases risks associated with natural hazards</p> <p><i>New subdivision, use and development of land which increases the risk of natural hazards to people, property and infrastructure is avoided or, where avoidance is not possible, mitigation measures minimise such risks.</i></p>	<p>Parts of the Site are within the Non-urban Flood Management Area. All dwellings will have an appropriate floor level determined by a flood assessment certification process at subdivision stage.</p> <p>The Site is not identified in the PWDP as subject to any other hazard such as faults or liquefaction.</p>
<p>CHAPTER 12- LANDSCAPE</p> <p>2.2 OBJECTIVES</p> <p>12.2.1 Identification and protection of outstanding natural features and landscapes</p> <p><i>Outstanding natural features and landscapes within the Canterbury region are identified and their values are specifically recognised and protected from inappropriate subdivision, use, and development.</i></p> <p>12.2.2 Identification and management of other landscapes</p> <p><i>The identification and management of other important landscapes that are not outstanding</i></p>	<p>There are no outstanding natural landscapes or features.</p> <p>The Site is currently used for dairy farming, so the character of the Site will change from rural to rural-residential. Appropriate fencing, landscaping or interface provisions can be determined at the time of subdivision.</p>

<p><i>natural landscapes. Other important landscapes may include:</i></p> <ol style="list-style-type: none"> 1. <i>natural character</i> 2. <i>amenity</i> 3. <i>historic and cultural heritage</i> 	
<p>CHAPTER 15- SOILS 15.2 OBJECTIVES 15.2.1 Maintenance of soil quality <i>Maintenance and improvement of the quality of Canterbury's soil to safeguard their mauri, their life supporting capacity, their health and their productive capacity.</i></p> <p>15.3 POLICIES 15.3.1 Avoid remedy or mitigate soil degradation <i>In relation to soil:</i></p> <ol style="list-style-type: none"> 1. <i>to ensure that land-uses and land management practices avoid significant long-term adverse effects on soil quality, and to remedy or mitigate significant soil degradation where it has occurred, or is occurring; and</i> 2. <i>to promote land-use practices that maintain and improve soil quality.</i> <p>15.3.2 Avoid and remedy significant induced soil erosion <i>To avoid significant new induced soil erosion resulting from the use of land and as far as practicable remedy or mitigate significant induced soil erosion where it has occurred. Particular focus is to be given to the desirability of maintaining vegetative cover on non-arable land.</i></p>	<p>This objective and its policies relate to the quality of soil and potential impacts on this quality by land management practices associated with activities such as intensive farming.</p> <p>.</p> <p>The Site contains Class 2 soils.</p>
<p>CHAPTER 17- CONTAMINATED LAND 17.2 OBJECTIVES 17.2.1 Protection from adverse effects of contaminated land <i>Protection of people and the environment from both on-site and off-site adverse effects of contaminated land.</i></p> <p>7.3 POLICIES 17.3.1 Identify potentially contaminated land <i>To seek to identify all land in the region that was historically, or is presently, being used for an activity that has, or could have, resulted in the contamination of that land, and where appropriate, verify the existence and nature of contamination.</i></p> <p>17.3.2 Development of, or discharge from contaminated land <i>In relation to actually or potentially contaminated land, where new subdivision, use or development is proposed on that land, or where there is a discharge of the contaminant from that land:</i></p> <ol style="list-style-type: none"> 1. <i>a site investigation is to be undertaken to determine the nature and extent of any contamination; and</i> 	<p>A Preliminary Site Investigation will accompany any subdivision consent which will comply with PWDP Objective CL-O1 for contaminated land and its supporting policies P1 – P4.</p> <p>The proposal therefore satisfies this objective and policies.</p>

<p><i>2. if it is found that the land is contaminated, except as provided for in Policy 17.3.3, the actual or potential adverse effects of that contamination, or discharges from the contaminated land shall be avoided, remedied or mitigated in a manner that does not lead to further significant adverse effects.</i></p>	
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Appendix 5: Assessment of Proposed Waimakariri District Plan Objectives and Policies

Bradleys Road Re-zone Submission

Objective/Policy	Assessment
<p>SD-O2 Urban development Urban development and infrastructure that:</p> <ol style="list-style-type: none"> 1. is consolidated and integrated with the urban environment; 2. that recognises existing character, amenity values, and is attractive and functional to residents, businesses and visitors; 3. utilises the District Council’s reticulated wastewater system, and potable water supply and stormwater infrastructure where available; 4. provides a range of housing opportunities, focusing new residential activity within existing towns, and identified development areas in Rangiora and Kaiapoi, in order to achieve the housing bottom lines in UFD-O1; 5. supports a hierarchy of urban centres, with the District’s main centres in Rangiora, Kaiapoi, Oxford and Woodend being: <ol style="list-style-type: none"> a. the primary centres for community facilities; b. the primary focus for retail, office and other commercial activity; and c. the focus around which residential development and intensification can occur. 6. provides opportunities for business activities to establish and prosper within a network of business and industrial areas zoned appropriate to their type and scale of activity and which support district self-sufficiency; 	<p>The Site is on the north western edge of Ohoka, and provides a compact form to the town and responds to the on-going demand for houses and building lots in Ohoka and the Waimakariri District. It will be integrated to the existing settlement environment.</p> <p>The development will have reticulated services.</p> <p>The development will provide a range of new housing opportunities, albeit outside of the main towns of Rangiora and Kaiapoi.</p> <p>The proposal is consistent with the Objective.</p>

<ol style="list-style-type: none"> 7. provides people with access to a network of spaces within urban environments for open space and recreation; 8. supports the transition of the Special Purpose Zone (Kāinga Nohoanga) to a unique mixture of urban and rural activities reflecting the aspirations of Te Ngāi Tūāhuriri Rūnanga; 9. provides limited opportunities for Large Lot Residential development in identified areas, subject to adequate infrastructure; and 10. recognise and support Ngāi Tūāhuriri cultural values through the protection of sites and areas of significance to Māori identified in SASM-SCHED1. 	
<p>SD-O3 Energy and infrastructure Across the District:</p> <ol style="list-style-type: none"> 1. improved accessibility and multi-modal connectivity is provided through a safe and efficient transport network that is able to respond to technology changes and contributes to the well-being and liveability of people and communities; 2. infrastructure, including strategic infrastructure, critical infrastructure and regionally significant infrastructure: <ol style="list-style-type: none"> a. is able to operate efficiently and effectively; and b. is enabled, while: <ol style="list-style-type: none"> i. managing adverse effects on the surrounding environment, having regard to the social, cultural and economic benefit, functional need and operational need of the infrastructure; and 	<p>The Site can be developed with safe and efficient roads and walkways as utilising the existing infrastructure on Bradleys Road.</p> <p>Objectives 3 and 4 will be addressed at subdivision stage.</p> <p>The proposal helps achieve the Objective.</p>

<ul style="list-style-type: none"> ii. managing the adverse effects of other activities on infrastructure, including managing reverse sensitivity; 3. the nature, timing and sequencing of new development and new infrastructure is integrated and coordinated; and 4. encourage more environmentally sustainable outcomes as part of subdivision and development, including through the use of energy efficient buildings, green infrastructure and renewable electricity generation. 	
<p>SD-O4 Rural land Outside of identified residential development areas and the Special Purpose Zone (Kāinga Nohoanga), rural land is managed to ensure that it remains available for productive rural activities by:</p> <ul style="list-style-type: none"> 1. providing for rural production activities, activities that directly support rural production activities and activities reliant on the natural resources of Rural Zones and limit other activities; and 2. ensuring that within rural areas the establishment and operation of rural production activities are not limited by new incompatible sensitive activities. 	<p>Large Lot Residential Zoned land is classified as urban. The submitter has advised that the Site is becoming more difficult to farm given complaints from residents opposite the Site. While the proposal would result in the site not being a productive farm any longer, the rural residential development would be compatible with the existing development in Ohoka. If not approved for LLR development, the submitter will subdivide the Site into 4 ha RL lots i.e. its current dairy farming use will not continue. Consistent with the objective.</p>
<p>SD-O5 Ngāi Tahu mana whenua/Te Ngāi Tūāhuriri Rūnanga Te Ngāi Tūāhuriri Rūnanga's role in the management of natural and physical resources is recognised, so that:</p> <ul style="list-style-type: none"> 1. Ngāi Tūāhuriri's historic and contemporary connections, and cultural and spiritual values, associated with the land, water and other taonga are recognised and provided for; 2. the values of identified sites and areas of significance to Ngāi Tūāhuriri are protected; 	<p>There are no sites or areas of significance on the Site.</p>

<ol style="list-style-type: none"> 3. Ngāi Tūāhuriri can retain, and enhance access to sites of cultural significance; 4. Māori land is able to be occupied and used by Ngāi Tūāhuriri for its intended purposes and to maintain their relationship with their ancestral land; 5. recognised customary rights are protected; 6. Ngāi Tūāhuriri are able to carry out customary activities in accordance with tikanga; and 7. Te Ngāi Tūāhuriri Rūnanga are able to actively participate in decision-making and exercise kaitiakitanga. 			
<p>SD-O6 Natural hazards and resilience The District responds to natural hazard risk, including increased risk as a result of climate change, through:</p> <ol style="list-style-type: none"> 1. avoiding subdivision, use and development where the risk is unacceptable; and 2. mitigating other natural hazard risks. 	<p>The Site is mapped as part of a Non-urban Flood Assessment Area, and there are no areas of high flood risk hazard in the Site. Usual subdivision designs are to construct preferential flood flow paths through the Site based on the road network with detailed design at the subdivision stage.</p> <p>The risks of natural hazards to people, property and infrastructure are appropriately mitigated by compliance with PWDP rules about floor heights.</p> <p>Climate Change effects are unlikely at an inland site that is remote from the coast and major rivers.</p> <p>The proposal is consistent with the Policy.</p>		
<p>UFD-O1 Feasible development capacity for residential activities Sufficient feasible development capacity for residential activity to meet specified housing bottom lines and a changing demographic profile of the District as follows:</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">Term</td> <td style="width: 50%;">Short to Medium Term (2018-2028)</td> </tr> </table>	Term	Short to Medium Term (2018-2028)	<p>The proposal for about 86 lots contributes to ensuring there is sufficient feasible development capacity for residential activity to meet specified housing bottom lines in the short and medium term.</p> <p>Consistent with the Objective.</p>
Term	Short to Medium Term (2018-2028)		

Housing Bottom Lines (Development Capacity)	6,300 Residential Units	7,100 Residential Units	13,400 Residential Units
<p>UFD-P1 Density of residential development In relation to the density of residential development:</p> <ol style="list-style-type: none"> 1. provide for intensification in urban environments through provision for minor residential units, retirement villages, papakāinga or suitable up-zoning of Residential Zones where it is consistent with the anticipated built form and purpose of the zone; 2. locate any Medium Density Residential Zone so it: <ol style="list-style-type: none"> a. supports, and has ready access to, existing Commercial and Mixed Use Zones, schools, public transport and open space; b. supports well connected walkable communities; c. avoids or mitigates natural hazard risk in any high hazard area within existing urban areas; and d. located away from any Heavy Industrial Zone. 	<p>It is not proposed to include medium density housing in the Site.</p>		
<p>UFD-P2 Identification/location of new Residential Development Areas In relation to the identification/location of residential development areas:</p> <ol style="list-style-type: none"> 1. residential development in the new Residential Development Areas at Kaiapoi, North East Rangiora, South East Rangiora and West Rangiora is located to implement the urban form identified in the Future Development Strategy; 	<p>The Site is not an identified Site for the purposes of clause 1.</p> <p>The Site is opposite the existing residential area of Ohoka, ensuring a compact urban form and the development utilises existing infrastructure where possible.</p> <p>Ohoka School is located approximately 2km from the Site. Rangiora is approximately 6 km north of the Site.</p> <p>The open space and low density nature can be maintained through subdivision design.</p> <p>The Site is within the Non-Urban Flood Assessment Area and it is anticipated that any development will be undertaken in accordance with the rules of the Plan relating to floor levels.</p>		

<p>2. for new Residential Development Areas, other than those identified by (1) above, avoid residential development unless located so that they:</p> <ul style="list-style-type: none"> a. occur in a form that concentrates, or are attached to, an existing urban environment and promotes a coordinated pattern of development; b. occur in a manner that makes use of existing and planned transport and three waters infrastructure, or where such infrastructure is not available, upgrades, funds and builds infrastructure as required; c. have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; d. concentrate higher density residential housing in locations focusing on activity nodes such as key activity centres, schools, public transport routes and open space; e. take into account the need to provide for intensification of residential development while maintaining appropriate levels of amenity values on surrounding sites and streetscapes; f. are informed through the development of an ODP; g. supports reductions in greenhouse gas emissions; and 	<p>Consistent with the policy.</p>
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<p>h. are resilient to natural hazards and the likely current and future effects of climate change as identified in SD-O6.</p>	
<p>UFD-P3 Identification/location and extension of Large Lot Residential Zone areas In relation to the identification/location of Large Lot Residential Zone areas:</p> <ol style="list-style-type: none"> 1. new Large Lot Residential development is located in the Future Large Lot Residential Zone Overlay which adjoins an existing Large Lot Residential Zone as identified in the RRDS and is informed through the development of an ODP; 2. new Large Lot Residential development, other than addressed by (1) above, is located so that it: <ol style="list-style-type: none"> a. occurs in a form that is attached to an existing Large Lot Residential Zone or Small Settlement Zone and promotes a coordinated pattern of development; b. is not located within an identified Development Area of the District's main towns of Rangiora, Kaiapoi and Woodend identified in the Future Development Strategy; c. is not on the direct edges of the District's main towns of Rangiora, Kaiapoi and Woodend, nor on the direct edges of these towns' identified new development areas as identified in the Future Development Strategy; d. occurs in a manner that makes use of existing and planned transport infrastructure and the wastewater system, or where such infrastructure is not available, upgrades, funds and builds infrastructure as required, to an acceptable standard; and e. is informed through the development of an ODP. 	<p>The Site is not located in an area subject to the Future LLRZ overlay.</p> <p>The Site is located opposite an existing LLRZ in Ohoka and existing development, promoting a coordinated pattern of development. Development will make use of infrastructure where possible, however other servicing methods such as on-site treatment and disposal of wastewater are likely required. The development does not have an ODP but one will be supplied prior to the Council hearing.</p> <p>Consistent with this policy.</p>

<p>UFD-P10 Managing reverse sensitivity effects from new development Within Residential Zones and new development areas in Rangiora and Kaiapoi:</p> <ol style="list-style-type: none"> 1. avoid residential activity that has the potential to limit the efficient and effective operation and upgrade of critical infrastructure, strategic infrastructure, and regionally significant infrastructure, including avoiding noise sensitive activities within the Christchurch Airport Noise Contour, unless within an existing Residential Zone; 2. minimise reverse sensitivity effects on primary production from activities within new development areas through setbacks and screening, without compromising the efficient delivery of new development areas. 	<p>The Site is not within Rangiora or Kaiapoi.</p>
<p>EI-01 Provision of energy and infrastructure Across the District:</p> <ol style="list-style-type: none"> 1. efficient, effective, resilient, safe and sustainable energy and infrastructure, including critical infrastructure, strategic infrastructure and regionally significant infrastructure, is developed and maintained to benefit the social, economic, cultural and environmental well-being of the District, including in response to future needs such as increased sustainability, and changing techniques and technology; 2. there is increased renewable energy for national, regional and local use; and 3. there is greater renewable electricity generation, including small scale or community scale renewable electricity generation, with 	<p>For consideration at subdivision and engineering design stage.</p>

<p>generation surplus able to be supplied to the electricity distribution network.</p>	
<p>EI-P1 Recognising the benefits of, and providing for, energy and infrastructure Recognise the local, regional or national benefits of energy and infrastructure through:</p> <ul style="list-style-type: none"> 5. providing for the effective, reliable and future-proofed communication networks and services; 6. providing for the effective, resilient, efficient and safe water supply, wastewater system and stormwater infrastructure; and community scale irrigation/stockwater; 10. the provision of an adequate supply of water for firefighting in accordance with SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice. 	<p>The proposal is for a full LLR quality development with servicing provisions in accordance with the standard practice for Ohoka i.e. reticulated wastewater treatment and disposal, semi-restricted potable water supply and open public drains for stormwater, can be confirmed through subdivision, along with the applicable Council Engineering Standards including provision for firefighting.</p> <p>Complies with the Policy.</p>
<p>EI-P2 Availability, provision and adequacy of, and connection to, energy and infrastructure Across the District:</p> <ul style="list-style-type: none"> 1. to benefit the social, economic, cultural and environmental well-being of the District: <ul style="list-style-type: none"> a. ensure land use and development is coordinated with, and to the extent considered reasonably practicable, connected to and adequately serviced by energy and infrastructure, if available, including electricity, water supply, wastewater system and stormwater infrastructure; and 	<p>As above</p> <p>Complies with the Policy.</p>

<p>b. ensure that connectivity to communications infrastructure can be achieved; and</p> <p>2. where a public reticulated water supply or wastewater system is not available, adequate on site systems shall be installed consistent with maintaining public health and avoiding or mitigating adverse effects on the environment, while discouraging small scale stand alone systems.</p>	
<p>CL-O1 Contaminated land The subdivision, use and development of contaminated land does not adversely affect people, property, and the environment.</p>	<p>The Site is not identified as a HAIL site in ECAN LLUR register. A PSI can be supplied if required.</p> <p>Consistent with the Policy.</p>
<p>CL-P1 Identify contaminated sites Identify sites potentially containing contaminated land, including sites with contamination from current and historical land uses and activities, by using the Regional Council’s LLUR and coordinating with the Regional Council in the recording and management of contaminated land.</p>	<p>ECAN has no record of this Site on its LLUR.</p> <p>Complies with the Policy.</p>
<p>CL-P2 Best practice management of contaminated land Require applications for subdivision, use or development of contaminated land, or potentially contaminated land, to include an investigation of the risks and to remediate the contamination, or manage activities on contaminated land, to protect the health of people and the environment. The remediation or mitigation works for contaminated land shall be undertaken in such a way to not pose further risk to human health or the environment than if remediation had not occurred.</p>	<p>The likelihood of areas of contaminated land is considered to be low but will be investigated as a PSI exercise for evidence to any hearing, or at subdivision stage.</p> <p>ECAN has no record of this Site on its LLUR.</p> <p>Complies with the Policy.</p>
<p>NH-O1 Risk from natural hazards New subdivision, land use and development:</p>	<p>The Site is within the Non-Urban Flood Assessment Area.</p>

<ol style="list-style-type: none"> 1. manages natural hazard risk, including coastal hazards, in the existing urban environment to ensure that any increased risk to people and property is low; 2. is avoided in the Ashley Fault Avoidance Overlay and high hazard areas for flooding outside of the urban environment where the risk to life and property are unacceptable; and 3. outside of the urban environment, is undertaken to ensure natural hazard risk, including coastal hazard risk, to people and property is avoided or mitigated and the ability of communities to recover from natural hazard events is not reduced. 	<p>Part of the Site is a medium flood hazard area. The PWDP adopts a new approach based on a flood assessment certificate process. That process will determine the risk of flooding and recommend minimum floor heights for any new development.</p> <p>Specific consideration of the flood risk will be undertaken at subdivision stage and either a certificate issued confirming compliance with the relevant rule or a resource consent obtained.</p> <p>Complies with the Policy.</p>
<p>NH-P3 Activities in high hazard areas for flooding outside of urban areas Avoid subdivision, use and development for natural hazard sensitive activities outside urban environments in high flood hazard and high coastal flood hazard urban environments unless:</p> <ol style="list-style-type: none"> 1. the activity incorporates mitigation measures so that the risk to life, and building damage is low; 2. the risk from flooding to surrounding properties is not significantly increased; 3. the conveyance of flood waters is not impeded; and 4. the activity does not require new or upgraded community scale natural hazard mitigation works. 	<p>N/A the Site is not within a high flood hazard area.</p>
<p>NH-P4 Activities outside of high hazard areas for flooding</p>	<p>As above Natural hazard sensitive activity is defined in the PWDP as <i>means buildings which:</i></p>

<p>Provide for subdivision, use and development associated with natural hazard sensitive activities outside of high flood hazard and high coastal flood hazard urban environments where it can be demonstrated that:</p> <ol style="list-style-type: none"> 1. the nature of the activity means the risk to life and potential for building damage from flooding is low; or 2. minimum floor levels are incorporated into the design of development to ensure building floor levels are located above the flood level so that the risk to life and potential for building damage from flooding is avoided; and 3. the risk from flooding to surrounding properties is not significantly increased and the net flood storage capacity is not reduced; and 4. the ability for the conveyancing of flood waters is not impeded. 	<ol style="list-style-type: none"> a. contain one or more habitable rooms; and/or b. contain one or more employees (of at least one full time equivalent); and/or c. is a place of assembly;
<p>NH-P5 Activities within the Fault Awareness Overlay and Ashley Fault Avoidance Overlay For activities within fault overlays:</p> <ol style="list-style-type: none"> 1. only allow subdivision, use and development for natural hazard sensitive activities in the Ashley Fault Avoidance Overlay where the risk to life or property is low; and 2. manage subdivision in the Fault Awareness Overlay so that the risk to life and property is low. 	<p>N/A Not in a fault overlay.</p>
<p>NH-P6 Subdivision within the Liquefaction Hazard Overlay Manage subdivision within the Liquefaction Hazard Overlay to ensure that the risk to life and property is low.</p>	<p>N/A Not in a liquefaction overlay.</p>
<p>NH-P8 Subdivision, use and development other than for any natural hazard sensitive activities</p>	<p>N/A The proposal is for residential development only.</p>

<p>Allow for subdivision, use and development associated with activities that are not natural hazard sensitive activities within all natural hazard overlays as there is a low risk to life and property.</p>	
<p>NH-P18 Fire and ice risks Manage wildfire and vehicle crash risk on roads affected by ice hazard through restrictions on the planting of woodlots and shelterbelts.</p>	<p>N/A In an urban environment with restricted speed limits and domestic plantings.</p>
<p>NH-P19 Other natural hazards Encourage the consideration of other natural hazards as part of subdivision, use and development.</p>	<p>No other natural hazards identified within a future urban environment.</p>
<p>ECO-O1 Ecosystems and indigenous biodiversity Overall, there is an increase in indigenous biodiversity throughout the District, comprising:</p> <ol style="list-style-type: none"> 1. protected and restored SNAs; and 2. other areas of indigenous vegetation and habitat of indigenous fauna that are maintained or enhanced. 	<p>N/a No SNA identified.</p> <p>Consistent with the Policy.</p>
<p>ECO-P4 Maintenance and enhancement of other indigenous vegetation and habitats Maintain and enhance indigenous vegetation and habitats of indigenous fauna that do not meet the significance criteria in ECO-APP1 by:</p> <ol style="list-style-type: none"> 1. continuing to assess the current state of indigenous biodiversity across the District; 2. restricting indigenous vegetation clearance or modification of habitat of indigenous fauna, by recognising that indigenous vegetation within: <ol style="list-style-type: none"> a. the Lower Plains Ecological District and High Plains Ecological District has been widely destroyed, 	<p>For consideration at subdivision stage in identifying if any qualifying areas of indigenous vegetation and habitat of indigenous fauna are present on the Site and require protection.</p>

<p>fragmented and degraded by land use and pests and therefore clearance of any remaining indigenous vegetation needs to be restricted in order to protect what remains; and</p> <p>b. the Oxford Ecological District, Torlesse Ecological District and Ashley Ecological District, has a larger proportion of indigenous vegetation remaining and therefore some clearance of indigenous vegetation may be acceptable;</p> <p>3. recognising that the District contains species that are threatened, at risk, or reach their national or regional distribution limits in the District, and naturally uncommon ecosystems, and limiting their clearance;</p> <p>4. providing information, advice and advocacy to the landowner and occupier;</p> <p>5. supporting and promoting the use of covenants, reserves, management plans and community initiatives; and</p> <p>6. working with and supporting landowners the Regional Council, the Crown, the QEII National Trust, NZ Landcare Trust and advocacy groups.</p>	
<p>ECO-P6 Cultural heritage and customary rights Ngāi Tūāhuriri cultural heritage values associated with indigenous biodiversity will be maintained and enhanced through:</p> <p>1. providing for the customary harvesting of taonga species by Ngāi Tūāhuriri, while ensuring such harvesting will maintain the indigenous biodiversity of the site;</p> <p>2. providing for the planting of indigenous vegetation for the purpose of customary harvesting; and</p>	<p>As above.</p>

<p>3. encouraging the protection of the values of indigenous species that are taonga to Ngāi Tūāhuriri.</p>	
<p>ECO-P8 Waterbodies Recognising Te Mana o te Wai, maintain the ecological integrity of waterbodies by avoiding indigenous vegetation clearance near them.</p>	<p>For consideration at subdivision stage in identifying if any qualifying areas of indigenous vegetation and habitat of indigenous fauna are present on the Site and require protection.</p>
<p>NATC-O1 Preservation of natural character The preservation of the natural character of the surface freshwater environment, its wetlands, and lakes and rivers and their margins.</p>	<p>Part of the Ohoka Stream runs through the Site. This section is not currently protected by an esplanade reserve. Specific investigation and design may be required at subdivision stage to determine the extent to which the natural character of the surface freshwater environment can be maintained.</p>
<p>NATC-O2 Restoration of natural character Restoration of the natural character of surface freshwater bodies and their margins where degradation has occurred.</p>	<p>As above.</p>
<p>NATC-O3 Use of freshwater body margins The use of wetlands, and lakes and rivers and their margins are managed to preserve their natural character.</p>	<p>As above.</p>
<p>NATC-P4 Preservation of natural character values Preserve the natural character values of wetlands, and lakes and rivers and their margins, and protect those values by:</p> <ol style="list-style-type: none"> 1. ensuring that the location, intensity, scale and form of subdivision, use and development of land takes into account the natural character values of the surface freshwater bodies; 2. minimising indigenous vegetation clearance and modification, including where associated with ground disturbance and the location of structures, near wetlands, and lakes and rivers and their margins; 3. requiring setbacks of activities from wetlands, and lakes and rivers and their margins, including buildings, structures, 	<p>For consideration at subdivision stage.</p>

<p>impervious surfaces, plantation forestry, woodlots and shelterbelts; and</p> <p>4. promoting opportunities to restore and rehabilitate the natural character of surface freshwater bodies and their margins, such as the removal of plant and animal pests, and supporting initiatives for the regeneration of indigenous biodiversity values, and spiritual, cultural and heritage values.</p>	
<p>EW-O1 Earthworks</p> <p>Earthworks are undertaken in a way that minimises adverse effects on amenity values, cultural values, property, infrastructure and the health and safety of people and the environment.</p>	<p>Earthworks will comply with plan standards or be subject to any necessary regional or district resource consents.</p> <p>Consistent with Policy.</p>
<p>EW-P1 Enabling earthworks</p> <p>Enable earthworks where they:</p> <ol style="list-style-type: none"> 1. are compatible with the character, values and qualities of the location and surrounding environment; 2. avoid, remedy or mitigate any adverse effects on any sites or areas identified as ONL, ONF, SAL, Coastal Environment Overlay, SNA, sites and areas of significance to Māori, Natural Open Space Zone, surface freshwater bodies and their margins, or any notable tree, historic heritage or heritage setting; 3. minimise erosion and avoid adverse effects from stormwater or sediment discharge from the site; 4. avoid increasing the risk to people or property from natural hazards; 	<p>Part of land development for urban purposes involves engineered earthworks which are usually managed through an earthworks and sediment control plan at subdivision stage or through conditions of consent for management of sediment discharge, air discharge consent for dust, and other nuisance.</p> <p>Construction and land development effects are temporary.</p> <p>The Site is effectively flat so no land stability questions will arise.</p> <p>Consistent with policy.</p>

<ol style="list-style-type: none"> 5. maintain the stability of land including adjoining land, infrastructure, buildings and structures; 6. minimise the modification or disturbance of land, including any associated retaining structures, on the visual amenity values of the surrounding area; and 7. minimise adverse dust, vibration and visual effects beyond the site. 	
<p>EW-P2 Earthworks within Flood Assessment Overlays Allow earthworks within the Urban Flood Assessment Overlay and Non-Urban Flood Assessment Overlay where:</p> <ol style="list-style-type: none"> 1. the earthworks do not increase the flooding risk to the site or neighbouring sites through the displacement of flood waters; 2. the earthworks associated with proposed subdivision, development or use do not increase the risk to life or property; and 3. the ability to convey flood waters is not impeded as a result of the earthworks. 	<p>Earthworks to enable urban development will be engineered and designed in part to manage flood risk from changes in ground levels that affect overland flow paths and to ensure effective control of flood waters to stormwater management areas or outfalls to natural waterways.</p> <p>Complies with the Policy.</p>
<p>EW-P3 Archaeological sites, and sites and areas of significance to Māori Earthworks avoid, remedy or mitigate adverse effects on archaeological sites and sites and areas of significance to Māori, by having regard to:</p> <ol style="list-style-type: none"> 1. the particular cultural or historical values of the site and the extent to which these values may be affected; 2. any consultation with mana whenua, in particular any identified mitigation measures or the incorporation of mātauranga Māori into the scale and extent of the earthworks; and 	<p>The PWDP does not identify any specific archaeological sites and engagement with Ngai Tuahuriri will establish any interest in the Site.</p> <p>Consistent with the Policy.</p>

<p>3. any consultation with HNZPT.</p>	
<p>EW-P4 Scale of earthworks within or adjacent to urban environments Minimise adverse effects related to the scale of earthworks on character, and amenity values within or adjacent to urban environments by:</p> <ol style="list-style-type: none"> 1. encouraging the integrated design and management of earthworks associated with subdivision, development and use; 2. minimising any off-site effects of earthworks by controlling the duration and sequencing of earthworks; and 3. avoiding quarry, landfill, cleanfill area, mining, or dam activities within or adjacent to urban environments. 	<p>Part of land development for urban purposes involves engineered earthworks which are usually managed through an earthworks and sediment control plan at subdivision stage or through conditions of consent for management of sediment discharge, air discharge consent for dust, and other nuisance.</p> <p>A traffic management plan will address vehicle movements to and from the site during Site development at subdivision.</p> <p>Complies with the Policy.</p>
<p>EW-P5 Rehabilitation Require site rehabilitation during or immediately following the completion of earthworks activity to:</p> <ol style="list-style-type: none"> 1. minimise adverse effects on amenity values, natural values, cultural values, quality of the surrounding environment and the future use of the site, and 2. encourage rehabilitation that incorporates ecological enhancement and habitat for indigenous fauna and the use of locally sourced indigenous vegetation. 	<p>As above</p>
<p>EW-P6 Water resources Avoid adverse effects of earthworks on ground and surface water bodies that could result in water contamination and adverse effects on mahinga kai.</p>	<p>As above.</p>
<p>NOISE-O1 Adverse noise effects</p>	<p>As above</p>

<p>Noise does not adversely affect human health, communities, natural values and the anticipated amenity values of the receiving environment.</p>	
<p>NOISE-P1 Minimising adverse noise effects Minimise adverse noise effects by:</p> <ol style="list-style-type: none"> 1. limiting the noise level, location, duration, time, intensity and any special characteristics of noise generating activities, to reflect the function, character and amenity values of each zone; 2. requiring lower noise levels during night hours compared to day time noise levels to protect human health, natural values and amenity values of sensitive environments; and 3. requiring sound insulation, or limiting the location of noise sensitive activities where they may be exposed to noise from existing activities. 	<p>As above for subdivision earthworks.</p>
<p>NOISE-P2 Limited duration noise generating activities Enable specific noise generating activities of limited duration that are:</p> <ol style="list-style-type: none"> 1. required for anticipated activities within zones or the District, including construction noise... 	<p>As above for subdivision earthworks.</p>
<p>NOISE-P3 Rail and roads Protect the operation of rail and road infrastructure by identifying locations where acoustic mitigation measures for any new noise sensitive activities are required.</p>	<p>N/A</p>
<p>NOISE-P5 Rangiora Airfield Avoid the development of noise sensitive activities in the Rural Lifestyle Zone within the 55dBA Ldn Noise Contour for Rangiora Airfield and prohibit noise sensitive activities within the 65 dBA Ldn Noise Contour for Rangiora Airfield.</p>	<p>NA Not near Rangiora Airfield nor within noise contours.</p>

<p>RESZ-O1 Residential growth, location and timing Sustainable residential growth that:</p> <ol style="list-style-type: none"> 1. provides more housing in appropriate locations in a timely manner according to growth needs; 2. is responsive to community and district needs; and 3. enables new development, as well as redevelopment of existing Residential Zones. 	<p>The Site is opposite existing rural residential development in Ohoka and is seen as an appropriate location that enables new development with an urban design that integrates with existing urban development.</p> <p>Complies with objective.</p>
<p>RESZ-O2 Residential sustainability Efficient and sustainable use of residential land and infrastructure is provided through appropriate location of development and its design.</p>	<p>As above</p>
<p>RESZ-O3 Residential form, scale, design and amenity values A form, scale and design of development that:</p> <ol style="list-style-type: none"> 1. achieves a good quality residential environment that is attractive and functional; 2. supports community health, safety and well-being; 3. maintains differences between zones; and 4. manages adverse effects on the surrounding environment. 	<p>The appx 86 lot development will comply with PWDP activity and subdivision standards that will ensure a good quality residential environment that is attractive and functional.</p> <p>Effects can be managed through subdivision e.g., fences, landscaping, rural interface.</p> <p>Achieves the Objective.</p>
<p>RESZ-O5 Housing choice Residential Zones provide for the needs of the community through:</p> <ol style="list-style-type: none"> 1. a range of residential unit types; and 2. a variety of residential unit densities. 	<p>The proposal will maintain a low density with open space while providing a range of lot sizes.</p> <p>Consistent with the Objective.</p>
<p>RESZ-P8 Housing choice Enable a range of residential unit types, sizes and densities where:</p>	<p>As for RESZ-P3 above.</p>

<ol style="list-style-type: none"> 1. good urban design outcomes are achieved; and 2. development integrates with surrounding residential areas and infrastructure. 	
<p>RESZ-P10 Retirement villages Provide for the development of retirement villages in all Residential Zones, other than the Large Lot Residential Zone, where:</p> <ol style="list-style-type: none"> 1. consistent with good urban design, including external design; and 2. integration with any adjacent residential activity, the transport system, roads and parking is achieved. 	<p>N/A No retirement village proposed.</p>
<p>RESZ-P12 Outline development plans Use and development of land subject to an ODP shall:</p> <ol style="list-style-type: none"> 1. be in accordance with the development requirements and fixed and flexible elements in the relevant ODP, or otherwise delivers equivalent or better outcomes while achieving an efficient, effective and consolidated urban form, except relation to any interim use and development addressed in (3); 2. ensure that development: <ol style="list-style-type: none"> a. contributes to a strong sense of place, and a coherent, functional and safe neighbourhood; b. contributes to residential areas that comprise a diversity of housing types; c. retains and supports the relationship to, and where possible enhances, recreational, historic heritage and ecological features and values; and 	<p>An ODP which meets the requirements of this Policy will be supplied. No higher density areas are proposed.</p>

<p>d. achieves a high level of visual and landscape amenity;</p> <p>3. interim use and development of land subject to an ODP shall not compromise the timely implementation of, or outcomes sought by, the ODP</p> <p>RESZ-P13 Location of higher density development Locate higher density housing to support and have ready access to:</p> <p>1. commercial business areas, community facilities and open space; and 2. public transport and well-connected walkable communities.</p>	
<p>RESZ-P14 Development density Development densities for new Development Areas and Large Lot Residential Zone Overlays shall be as follows:</p> <p>1. in new Development Areas, achieve a minimum net density of 15 households per ha averaged across the whole of the residential Development Area within the relevant ODP, unless there are demonstrated constraints then no less than 12 households per ha.</p> <p>2. in new Large Lot Residential Zone Overlays, achieve a net density of 1 to 2 households per ha.</p>	<p>N/A not in the LLRZ overlay but request is for the Site to be added. Will meet the required, density standard, but an amendment is sought to enable this to be increased in appropriate circumstances .</p>
<p>LLRZ-O1 Purpose, character and amenity values of Large Lot Residential Zone A high quality, low density residential zone with a character distinct to other Residential Zones such that the predominant character:</p> <p>1. is of low density detached residential units set on generous sites;</p>	<p>Development will maintain a low density of housing with open space. Ohoka is a rural residential settlement and is considered an appropriate location for LLRZ development and is compatible with the surrounding residential development.</p>

<ol style="list-style-type: none"> 2. has a predominance of open space over built form; 3. is an environment with generally low levels of noise, traffic, outdoor lighting, odour and dust; and 4. provides opportunities for agriculture activities where these do not detract from maintaining a quality residential environment, but provides limited opportunities for other activities. 	
<p>LLRZ-P1 Maintaining the qualities and character Maintain the qualities and character of the Large Lot Residential Zone by:</p> <ol style="list-style-type: none"> 1. achieving a low density residential environment with a built form dominated by detached residential units, which other than minor residential units, are established on their own separate sites; 2. managing the scale and location of buildings so as to maintain a sense of openness and space between buildings on adjoining sites and ensuring that open space predominates over built form on each site; 3. ensuring the built form for all activities is consistent with the low density residential character of the zone; and 4. retaining the open character and outlook from sites to rural areas through managing boundary fencing including the style of fencing, their height and visual permeability. 	<p>As above. Low density will be maintained.</p>
<p>LLRZ-P2 Managing activities Manage activities within the zone to maintain the character and amenity values of the zone including by:</p>	<p>Residential activities will dominate the development. Small scale agriculture activities are not precluded through the development. Consistent.</p>

<ol style="list-style-type: none"> 1. enabling residential activities and activities ancillary to residential activities, where the scale of activity does not dominate the residential use of the site; 2. providing for agricultural activities, and activities that support agricultural activities where any adverse effects are internalised within the site where the activity occurs; 3. providing for a limited range of community activities, and commercial activities which in terms of location, scale and type of activity are compatible with the predominant activities of the zone, which ensuring that adverse effects of any activity are internalised within the site where the activity occurs; and 4. other than provided for above, non-residential activities, including retail, commercial and industrial activities that would diminish the amenity values and the quality and character of the zone. 	
<p>LLRZ-P3 Reverse sensitivity Minimise reverse sensitivity effects within the Large Lot Residential Zone or on an existing activity in an adjacent zone by:</p> <ol style="list-style-type: none"> 1. requiring new activities minimise the potential for reverse sensitivity effects to occur on activities anticipated in the zone; and 2. requiring separation distances between new activities in the Large Lot Residential Zone and existing activities in adjacent zones. 	<p>The rural interface, landscaping and fences can be managed at the subdivision stage. Surrounding lots (except one) are used for grazing.</p> <p>The exiting dairy operation and its proximity to residential development is resulting in reverse sensitivity effects. Rezoning the site has the potential to have positive effects and reducing the existing reverse sensitivity issues.</p> <p>Consistent.</p>
<p>LLRZ-P4 Amenity values Maintain amenity values within the Large Lot Residential Zone through:</p>	<p>As above, Ohoka is a rural residential settlement with low levels of noise, outdoor lighting, signs, dust, and traffic (farming operations naturally</p>

<ol style="list-style-type: none"> 1. low levels of noise, outdoor lighting, signs, dust, odour and traffic; and 2. limiting kerb, channel and street lighting compared to other Residential Zones. 	<p>produce some odour). The amenity of the LLRZ opposite the site will be maintained through the development. Consistent with the policy.</p>
<p>LLRZ-P5 Large Lot Residential Zone Overlay</p> <p>For any Large Lot Residential Zone Overlay, ensure an ODP is developed in accordance with SUB-P6 and incorporated into the District Plan.</p>	<p>An ODP has not been developed for the Site yet but will be.</p>

Appendix 6: Section 32 RMA Assessment for Proposed District Plan Submission

Bradleys Road

Introduction and RMA requirements

1. The submitter is lodging a submission on the Proposed Waimakariri District Plan (**PWDP**) to change the zoning of the application site from Rural Lifestyle Zone (**RLZ**) to Large Lot Residential Zone (**LLRZ**).
2. The submission has outlined the background to and reasons for the requested submission.
3. The amendments to the PWDP are outlined in the submission. No adverse environmental effects are anticipated by the change of zoning, however the potential environmental effects of implementation of the submission have been described in the relevant sections of the submission.
4. Any change to a plan needs to be evaluated in accordance with section 32 of the Resource Management Act. Waimakariri District Council has also required submitters for re-zoning submissions to prepare a section 32 assessment in support of the submission.
5. Section 32 states:

Requirements for preparing and publishing evaluation reports

(1) An evaluation report required under this Act must—

- (a) examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and
- (b) examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by—
 - (i) identifying other reasonably practicable options for achieving the objectives; and
 - (ii) assessing the efficiency and effectiveness of the provisions in achieving the objectives; and
 - (iii) summarising the reasons for deciding on the provisions; and
- (c) contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.

(2) An assessment under subsection (1)(b)(ii) must—

- (a) identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—
 - (i) economic growth that are anticipated to be provided or reduced; and

(ii) employment that are anticipated to be provided or reduced; and
(b) if practicable, quantify the benefits and costs referred to in paragraph (a); and (c) assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.

(3) If the proposal (an amending proposal) will amend a standard, statement, national planning standard, regulation, plan, or change that is already proposed or that already exists (an existing proposal), the examination under subsection (1)(b) must relate to—

(a) the provisions and objectives of the amending proposal; and

(b) the objectives of the existing proposal to the extent that those objectives—

(i) are relevant to the objectives of the amending proposal; and

(ii) would remain if the amending proposal were to take effect.

5. The Guidance Note on section 32 analysis on the Quality Planning website makes the following statement:

Appropriateness - means the suitability of any particular option in achieving the purpose of the RMA. To assist in determining whether the option (whether a policy, rule or other method) is appropriate the effectiveness and efficiency of the option should be considered:

• *Effectiveness - means how successful a particular option is in addressing the issues in terms of achieving the desired environmental outcome.*

• *Efficiency - means the measuring by comparison of the benefits to costs (environmental benefits minus environmental costs compared to social and economic costs minus their benefits).*

6. In this case it is the appropriateness of rezoning rural land for General Residential that needs to be examined.

Objective of the Submission to the Proposed District Plan

6. The objective of the submission is to change the zoning of the application site in the PWDP from RLZ to LLRZ in a controlled and managed way and by adopting, as far as possible, proposed planning zones and subdivision, activity and development standards.

7. Accepting the submission will:

- a) Provide for additional housing and residential land choice in Ohoka at LLRZ density and standards that achieve the target of 1-2 households per hectare, but also include the option of some higher density LLRZ lots, which will enable a more site specific subdivision design to be developed, for example with potential clusters of higher density LLRZ lots in appropriate locations. Such densities will complement the residential land opposite the Site without compromising the character or amenity of that land;
- b) Provide for large lot urban development that enables efficient use of existing and future infrastructure and land resources.

Environmental Outcomes – District Plan Objectives and Policies

8. The Proposed Waimakariri District Plan (**PWDP**) objectives give effect to the purpose of the Resource Management Act. The objectives are the end goals or end states (including environmental outcomes) to be strived for and the policies are the broad strategies to achieve the objectives.¹
9. The proposed rural residential rezoning has been assessed against the relevant PWDP objectives and policies. It concludes that the requested rezoning is consistent with and meets the outcomes sought by the objectives and policies, but not for urban/township growth and new residential areas (which are not in case directly applicable as the objectives and policies for LLR apply).
10. The Site is identified on the PWDP planning maps within the RLZ; it is not identified within a FDA in Map A of the Canterbury Regional Policy Statement as amended by Change 1, nor is it within the Projected Infrastructure Boundary. Ohoka is not identified as an area of potential LLRZ growth in the Waimakariri Rural Residential Strategy 2019.
11. The most efficient use of the Site is for large lot residential development, given the location of the Site, being opposite the existing residential area of Ohoka.

Identification of options

12. In determining the most appropriate means to achieve the objectives of the submission, a number of alternative planning options are assessed below.
13. These options are:
 - a) Option 1: status quo/do nothing: Do not rezone the Site (Rural Lifestyle)
 - b) Option 2: submission to rezone the whole site as Large Lot Residential (LLRZ) with densities including the 1000-3000m² size range (2A); or LLRZ in the 2500m² – 1 ha size range (2B); or a mix of these densities (2C).
 - c) Option 3: resource consent: ad hoc land use and subdivision consent for subdivision through non-complying subdivision and land use consents for residential use.

¹ See PWDP Part 1, HPW Plan Structure

S32 Matter	Option 1: Do nothing: Rural Lifestyle Zone	Option 2: Large lot Residential	Option 3: Consents
Cost	<p>None for submitters.</p> <p>On-going costs for landowners with rural activities managing effects of adjoining residential land uses.</p> <p>Does not address the rise of reverse sensitivity effects from residential activity opposite the Site. The two activities are compatible but residents continue to complain.</p>	<p>Time and money cost to submitter submission processes and technical reports.</p> <p>Different servicing costs for respective development densities.</p> <p>Development contributions for Council services</p> <p>Contributes some potential commuter traffic to Greater Christchurch from a portion of the anticipated appx. 80 additional households (but site is very accessible to existing road network and close to Rangiora and Kaiapoi).</p> <p>Some Ohoka residents have previously opposed further rural residential growth on the basis that it may adversely affect the existing character and amenity of the village. This can be retained with sensitive design. The Site is not central to village core and will have limited impact on this core character area.</p>	<p>Time and money cost to Applicant to seek one-off noncomplying land use and subdivision consents. Consents unlikely to be approved as exceed the permitted RLZ zone dwelling density standards.</p> <p>Community cost and uncertainty in responding to ad hoc applications and not seeing the full scale of possible development at any time.</p>
S32 Matter	Option 1: Do nothing: Rural Lifestyle Zone	Option 2: Large lot Residential	Option 3: Consents
Benefit	<p>Ongoing rural production on the Site. However, submitter intends to discontinue the existing dairy farming activity and subdivision into 4 ha RL blocks if LLR zoning isn't granted so regardless ongoing rural production will be limited.</p> <p>Retains existing rural character and amenity</p>	<p>Additional housing stock with greater choice in typology than currently available, contributing to the growth of Ohoka and wider district. Contributes additional supply of housing to market where there is strong demand.</p> <p>Adds competition to the land/housing market in Ohoka.</p>	<p>No rezoning required.</p> <p>Benefit to individuals that succeed (but successful applications unlikely)</p>

		<p>Site can be developed as one well designed and integrated development</p> <p>Implements NPS-UD regarding more land and housing made available.</p> <p>Provides more households to support settlement services/amenities and facilities.</p> <p>A mixed density development with some smaller LLR lots provides greater housing choice and is a more efficient use of land. Provides greater opportunity for a site specific design solution, including potentially some clustering of lots.</p> <p>Meets housing demand for smaller LLR lots currently not catered for in any of the Proposed Plan zones. Delivers on NPS-UD requirement to provide for a variety of housing typologies in different locations and price points.</p>	
S32 Matter	Do nothing: Rural Lifestyle Zone	Option 2: Large lot Residential	Option 3: Consents
Efficiency/ Effectiveness	<p>Application site likely to be used for low productivity rural lifestyle land in close proximity to residential development if LLRZ not approved. Current dairy farming activity will be discontinued regardless.</p> <p>Housing needs may not be met.</p> <p>Reverse sensitivity effects between the existing dairy farm operation and the residential activity continues and is not resolved.</p> <p>Does not give effect to the NPS-UD requiring more land for housing.</p>	<p>Can be efficiently serviced with reticulated services as adjoining existing township.</p> <p>Effects on the existing township character and amenity values can be addressed by sensitive design, which will be managed through an ODP (to be supplied).</p> <p>Effective as it utilises rural land in a favourable location (close to residential development) for low density development.</p> <p>Effective in providing for the needs and well-being of</p>	<p>Least effective and efficient as outcomes from consent processes are uncertain, and potentially un-coordinated and lack proper planned integration with the township utilities.</p>

		<p>landowners according to respective aspirations.</p> <p>Comprehensively provides for extension of the settlement.</p> <p>Effective in meeting housing needs in an appropriate location, and implements the NPS-UD</p>	
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Risks of Acting or Not Acting

14. Zoning under the Proposed District Plan has to be robust enough to last the statutory life of the Plan (10 years), and the NPS-UD 2020 also requires that at the end of 10 years the Council is assured that there will be a sufficient supply of appropriately zoned land beyond that point. The risk of not acting in 2021 to re-zone sufficient residential zoned land, and to provide security of land supply over that timeframe, is that, Ohoka and the wider District will experience the present day issues of uncatered for demand, undersupply of serviced land and a lurch in land and house prices.
15. The risk is that if necessary decisions are not taken today then the sustainable growth and development of Ohoka and the District over the foreseeable planning period is uncertain. The PWDP sets out the feasible development capacity that exists, and forecasts the needs for the medium and long term in UFD-O1. Not re-zoning sufficient land that can support appropriate housing typologies to meet the needs of a range of household needs is not meeting the purpose of the Act, nor meeting the Council's obligations to sustainably manage the natural and physical resources of the Waimakariri District for present and future generations, or the requirements of the NPS-UD 2020.
16. An issue arises with the PWDP proposal to release land for development through a novel and untested certification process that is not clearly derived from RMA statutory powers, nor Local Government Act 2002 (**LGA**) authority. That process is claimed to be more responsive, timely and cost-effective than a conventional rezoning approach. It is not clear whether this approach will apply to LLR area. This is opposed if this is the intention.
17. What the s32 in support of the certification approach does not do is test the efficiency and effectiveness of certification against the opportunity presented by the notification of the PWDP for the Council to just zone the land for the purposes of residential development.

18. The certification process has the effect of transferring the costs of re-zoning largely on the private sector applicant, and not engaging the public funded costs that go with the RMA duty to provide for planned and sustainable approach to the management of district resources for the life of the District Plan.
19. There is a risk that applicants may shy away from certification because of the uncertainties associated with it as it is presently set out in the PWDP. Those uncertainties are described in the submission. The process is hugely discretionary, does not provide conventional rights to an applicant (eg right of objection/appeal) meaning decisions cannot be challenged, and it is not apparent that the process will be appropriately documented with a transparent record of the decision-making within the certification process.
20. A potential effect of the certification process not being taken up is that the statutory duty of the Council to meet the requirements of the NPS-UD are simply not met, that its s31 RMA duties are not fulfilled; that the PWDP does not provide plan-enabled land; and seems to fly in the face of a sound, structured strategic planning process to date (the WDDS) not being implemented. All the ground work seems to have been done, but the Council seems to have become gun shy in fronting the costs and the process of just re-zoning in the PWDP (only the second district plan under the RMA).
21. There is a risk arising from the Council not acting now as is its RMA and LGA duty to provide a co-ordinated, staged and funded approach to land development over the four development areas and LLR overlays (and additional areas sought through submissions, including this submission) from a land use viewpoint (the PWDP) and for servicing (Asset Plans, 10 year financial strategy and LTP under the LGA).
22. There is a risk that the LLRZ land supply is controlled by a limited number of large developers (one in Ohoka), who will act out of self-interest in either land-banking or staging release of land to maximise returns and creating pressure on other developers around access to and agreements on servicing. Allowing additional proposals such as this appx 80 lot proposal provides competition to the housing/land supply market but that competition may fail to arise through the certification process. That will not be giving effect to an element of the NPS-UD 2020.
23. The submitters will commission a preparation of an Outlined Development Plan and a number of reports: soil contamination, geotechnical, ITA, and servicing reports to inform and shape the development proposal either as evidence to any hearing, or at subdivision stage.

24. There is no risk that a decision will be made in an absence of expert advice and appropriate technical solutions for servicing and design and there is the subdivision and detailed design stage to be passed.
25. All these inputs to the proposal mean there is little, if any, uncertain or missing information in relation to this proposal.
26. It is therefore considered that there are no significant risks of acting to adopt or accept the submission.

Summary of s32 evaluation

S32 Evaluation	Option 1: Do nothing: Rural Lifestyle Zone	Option 2: Large lot Residential	Option 3: Consents
Objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act	±	+	×
Whether the provisions in the proposal are the most appropriate way to achieve the objectives	×	+	×
Benefits	+	+	×
Costs	×	++	±
Risks	+	×	++

×: does not achieve the matter, negative effect

+: does achieve the matter; positive effect

++: significant effect

±: neutral in relation to the matter

Overall Assessment

27. Based on the above assessment, it is concluded that the submission to re-zone the Site from RLZ to LLRZ is the most appropriate method for achieving the objectives of the proposal, than the other alternatives also considered above.
28. Option 2 is consistent with a range of District Plan policies.
29. Option 2 to re-zone the Site LLRZ is the most appropriate given:
 - a) The proposals adopt a Proposed District Plan zone, and development and activity standards. This ensures continuity of District Plan anticipated environmental outcomes and urban amenity for Rangiora;
 - b) Will be consistent with and give effect to the relevant proposed District Plan objectives and policies;

- c) It is a logical extension to the developed and developing residential land opposite the Site while achieving a compact, efficient urban form;
 - d) There is no additional cost to the Council in re-zoning the Site in this proposal as there is either capacity in the public or on-site utilities and the existing road network, or the developer will cover the costs needed to ensure the development is safe and functions within the district;
30. The inclusion of the LLRZ in the proposal is considered to be appropriate to achieve the sustainable growth and development of Ohoka.
 31. The economic, social and environmental benefits of the proposal outweigh the potential costs.
 32. The overall efficiency and effectiveness of the proposal is high, in comparison the alternative options which are low (Options One and Three).
 33. The proposal is considered to be the most appropriate, efficient and effective means of achieving the purpose of the Resource Management Act 1991.