

**Before the Hearings Panel
At Waimakariri District Council**

Under Schedule 1 of the Resource Management Act 1991

In the matter of the Proposed Waimakariri District Plan

Between **Various**

Submitters

And **Waimakariri District Council**

Respondent

**Council Officer's Preliminary Response to written questions on Rezoning –
Oxford and Settlement Zone (Ohoka and Woodend Beach) on behalf of
Waimakariri District Council**

Date: 31 May 2024

INTRODUCTION:

- 1 My full name is Rachel McClung. I am employed as a Principal Planner for Waimakariri District Council.
- 2 The purpose of this document is to respond to the list of questions published from the Hearings Panel in response to my s42 report.
- 3 In preparing these responses, I note that I have not had the benefit of hearing evidence presented to the panel at the hearing. For this reason, my response to the questions may alter through the course of the hearing and after consideration of any additional matters raised.
- 4 Following the conclusion of this hearing, a final right of reply document will be prepared outlining any changes to my recommendations as a result of evidence presented at the hearing, and a complete set of any additions or amendments relevant to the matters covered in my s42A report.
- 5 The format of these responses in the table below follows the format of questions identified in the Commissioner’s minute.
- 6 I am authorised to provide this evidence on behalf of the District Council.

Date: 31 May 2024



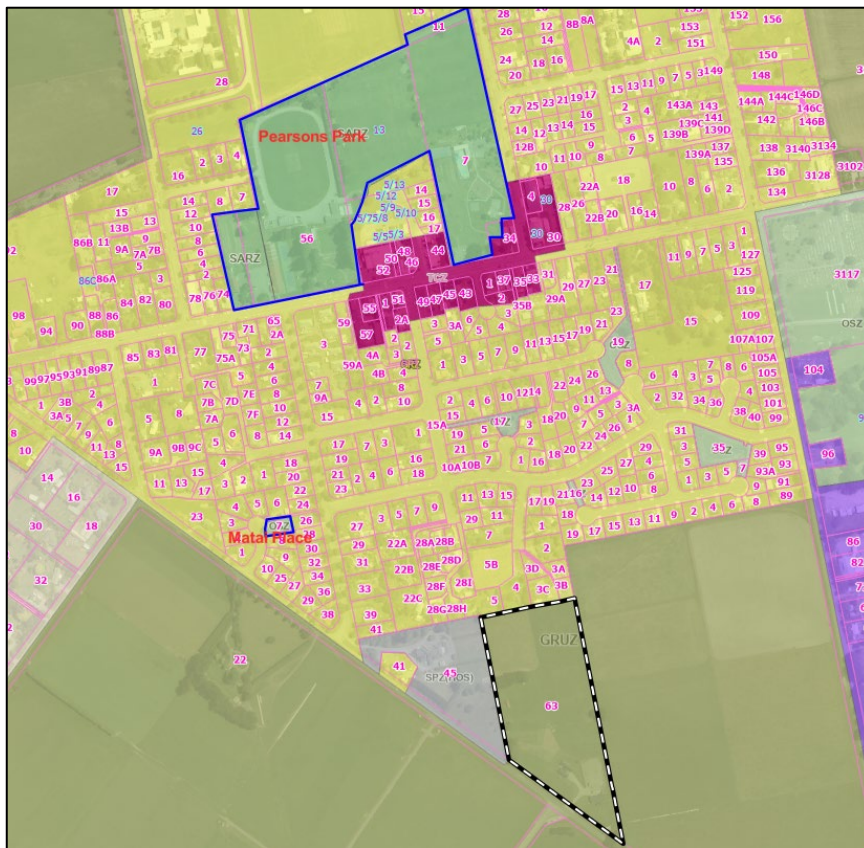
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Paragraph or Plan reference	Question
<p>Para 82</p>	<p>Please explain how the Greenspace team’s concerns about lack of connectivity to the open space network would be addressed through the rezoning exercise, and any subsequent subdivision, should the rezoning be approved?</p>
<p>The concerns of Greenspace is that Council's Parks level of service standards regarding acceptable distances and walking time to a neighbourhood park space are not met by the rezoning, but they cannot justify a new neighbourhood park within the development. Council’s level of service is that a neighbourhood park is located <i>‘ideally within a ten minute walking distance or a 500m radius of the targeted residential users in urban and suburban areas’</i>.¹</p> <p>The Joint Witness Statement of Ms Claire McKeever and I (Appendix E of the s42A report) addressed this matter at Para 29 and states the:</p> <p><i>“[29] We acknowledge that the Greenspace advice identifies a need for a neighbourhood park in the area to the east of the submission site. While this is not in scope of this submission to provide it on the adjoining site, wider site design and integration with adjoining blocks must be considered at subdivision and resource consent stage for this site. It is noted that a subsequent plan change could address the entirety of the south Oxford area as identified in the Waimakariri District Development Strategy in the longer term. We note there is no submission requesting the rezoning of the land to the east of the submission site.”</i></p> <p>To expand on the above, a neighbourhood park reserve area could be provided through the rezoning by showing a neighbourhood park reserve on the ODP. However, the advice from Greenspace was that the demand generated within the development would not justify this. Therefore, providing for connection to the east on the ODP, provides for a link to the potential future development area where a neighbourhood park reserve area is desired by Greenspace.</p>	

¹ Waimakariri District Council Parks Categories and Levels of Service. August 2011, page 10

At the subdivision and resource consent stage, the roading connection to the east will be reinforced through compliance with SUB-S4 - *Areas subject to an ODP*, and a development contribution would be taken towards the establishment of future reserves.

I note that it is a 6 minute walk from 63 Harewood Road to the Matai Reserve at 7 Matai Place which contains a swing set, and a 10 minute walk via Park Avenue to Pearsons Park which contains larger sports grounds and a playground. The walk would be slightly longer for those people living in properties within the subject site that are further from Harewood Road, thereby not meeting the level of service desired.



Currently, there is no formed footpath on Harewood Road, and the footpath on Park Avenue terminates at the north side of the hospital. For a residential subdivision of this nature, the developer would typically be required to urbanise the street frontage of the site and may be required to extend the footpath to connect with the existing network on Park Street.

Para 92

Please provide an assessment of the Oxford-Ohoka Community Board submission [172.2 and 172.3].

I apologise that this was missed in the report. I now provide the below assessment:

Assessment

The Oxford-Ohoka Community Board (The Board) [172.2 and 172.3] prefers rezoning of rural land on the outskirts of Oxford for residential development over infill development, and they considered that infill housing detrimentally impacts the 'rural' character of the town. They do not specify a particular zoning or the locations for the rezoning that they seek.

The Oxford Housing Capacity and Demand Assessment² identified a housing demand for 40 dwellings in a large-scale development, as opposed to infill. This finding supports the greenfield development aspects of The Boards submission.

The General Residential Zone (GRZ) rezoning proposal sought by Geoff Mehrtens [175.1] at 63 Harewood Road, Oxford provides for the identified demand, as the proposed rezoning would feasibly achieve approximately 48 residential sections. I have recommended that Geoff Mehrtens [175.1] be accepted and consider that this contributes towards providing the relief sought by The Board [172.2 and 172.3]. However, this does not prevent further infill development of larger sites in the existing GRZ. I therefore recommend The Board [172.2 and 172.3] be accepted in part.

Para 143 and 144

The Panel is finding it difficult to reconcile your position of not recommending rezoning this land to GRZ, given our understanding that large areas of Waimakariri that are proposed to be zoned GRZ or MRZ and allow for greater levels of development than in the ODP are subject to natural hazards.

In undertaking the planning assessment, I have relied on the expert opinions of Council's engineers. Therefore, in responding to this question, I have liaised with Mr Chris Bacon and Mr John Aramowicz who provided the Natural Hazard engineering assessments and have incorporated their opinions in my response below.

² Oxford and Settlement Zone S42A, Appendix D

The difference between the area subject of these submissions and other locations seeking GRZ and MRZ rezoning within the District with identified natural hazards (such as areas in Kaiapoi), is that Oxford has minimal existing stormwater infrastructure, minimal existing flood protection, and any potential mitigation measures and effects of mitigation on the natural hazards risks are less well understood in Oxford.

Mr Bacon is of the opinion that if this area of Oxford was to be rezoned to GRZ then the level of service required to manage stormwater would change, and significant works would be required to achieve that. His opinion is that mitigating the effects of flooding could not be done on a lot-by-lot basis without having major effects on neighbouring properties. By comparison, within urban Kaiapoi, floor levels can be raised to mitigate flood risk without worsening the flood risk on neighbouring properties. Modelling and technical assessment has been undertaken to inform this approach in Kaiapoi. This is not the case for Oxford.

Furthermore, because of the largely undeveloped nature and size of the land parcels within identified Future Development Areas in Kaiapoi, it is practical to mitigate the natural hazard risks associated with flooding and other natural hazards (such as liquefaction) through raising the land and land remediation. It is Mr Bacon's opinion that it is possible for each landowner to do that independently without impacting on neighbouring properties. Whereas in his opinion the same cannot be said for the West Oxford area because the properties are all partially developed to a LLRZ intensity with multiple landowners, there is an existing roading network, and it is delineated in a way that in Mr Bacon's opinion would make implementing a comprehensive flood mitigation scheme practically impossible.

With regard to the respective active fault, advice was received from Environment Canterbury (ECan) regarding earthquake fault information for the Waimakariri District Plan review³. The advice was that for proposed plan changes within a fault awareness area (whether classed as definite, likely, or possible) that enable intensification of land use, or where development could be damaged by surface fault rupture, Policy 11.3.3 of the Canterbury Regional Policy Statement applies. It is the advice of ECan that this requires a site-specific investigation including detailed mapping of the fault at a scale of 1:35,000 or better

³ https://www.waimakariri.govt.nz/_data/assets/pdf_file/0016/136123/4.-ECan-Memo-on-earthquake-faults-7-April-2020-for-Distrct-Plan-Review.PDF, page 11

and assessment of its recurrence interval be undertaken to a level sufficient to apply the MfE guidelines⁴. Without this information, it is not certain that the adverse effects of fault rupture, liquefaction and lateral spreading can be managed or avoided.

The active faults and folds of the Waimakariri District have generally been mapped at a scale of 1:250,000, the Ashley Fault Zone is the exception⁵. This scale highlights those areas potentially affected by active faults or fold hazards and identifies locations for further investigations. The figure⁶ below shows the suspected Starvation Hill Fault across the submission area as the two red dashed lines. It should be noted that this is only the *suspected* location of the Starvation Hill Fault and the red dashed lines are an indicative location only. Mr Aramowicz has advised me that this is not an accurate representation of where historic ground rupture occurred. His opinion is that Council does not have sufficiently accurate information to determine where exactly new buildings should be avoided, and where new buildings could be established away from the likely rupture surface.

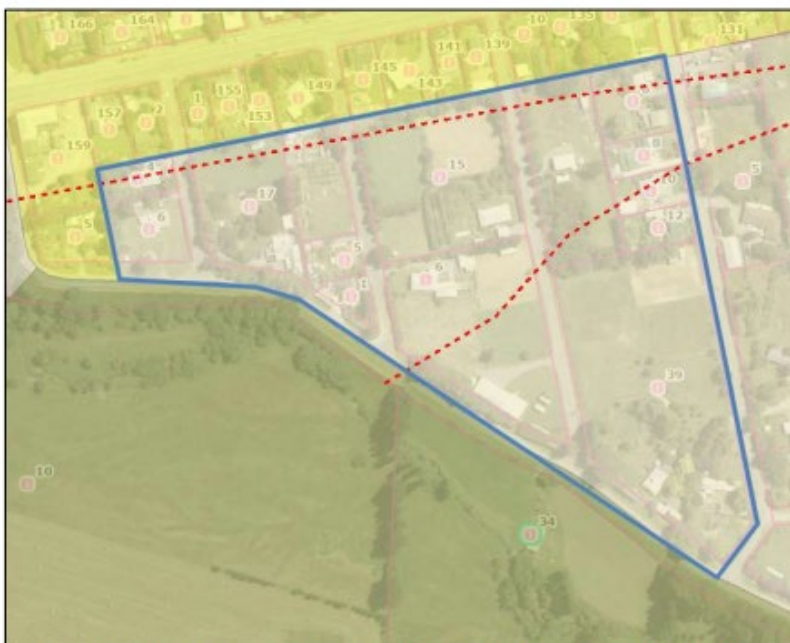


Figure 14 – Suspected GNS Faults across the Southwest Area – Source: WAIMAP

⁴ <https://environment.govt.nz/publications/planning-for-development-of-land-on-or-close-to-active-faults-a-guideline-to-assist-resource-management-planners-in-new-zealand/>

⁵ General distribution and characteristics of active faults and folds in the Waimakariri District, North Canterbury. GNS Science Consultancy Report 2012/326. Environment Canterbury Report R13/28. July 2013. Page 28

⁶ Shown in Figure 14 of the s42A report, page 23

There is a report by GNS in relation to the Starvation Hill Fault. However, this report was specific for 3025 and 3065 Oxford Road (Lots 2 and 3 DP5199). These properties are located just outside the Oxford township, approximately 2.2kms to the east of the submission area as shown in the below Figure.

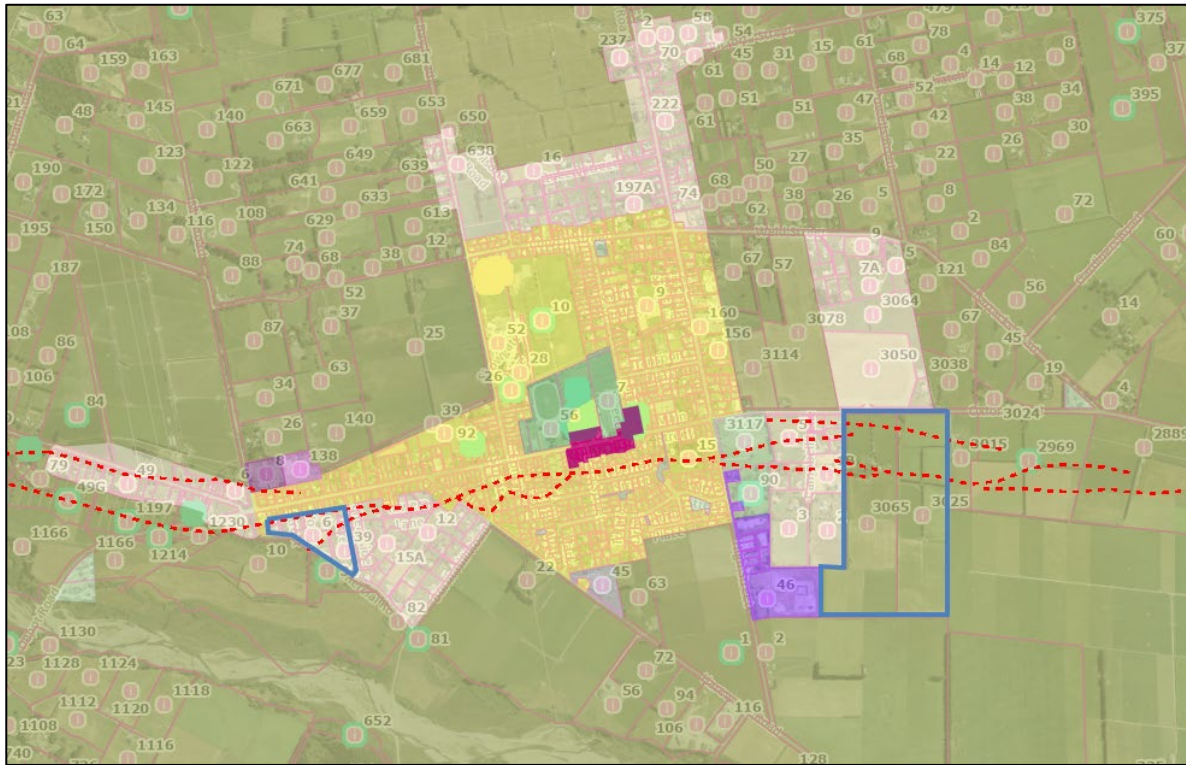


Figure: Suspected Starvation Hill fault across Oxford. Submission site and 3025 and 3065 Oxford Road highlighted with blue outline. Source: WAIMAP

This GNS report assumed the Starvation Hill fault has a recurrence interval of between 3500 to 5000 years and that previous fault rupture predominantly occurs as horizontal movement with a vertical component. In this case, the GNS report suggested that light timber framed buildings (Importance level 1 or 2a⁷) on piles could be located within the fault avoidance zone. This approach would allow structures to be relevelled if needed due to vertical ground movement.

⁷ General distribution and characteristics of active faults and folds in the Waimakariri District, North Canterbury. GNS Science Consultancy Report 2012/326. Environment Canterbury Report R13/28. July 2013, page 13

Building Importance Level 1 – Structures presenting a low degree of hazard to life and other property (examples: Structures with a total floor area of less than 30m², farm buildings, fences, towers in rural situations)

Building Importance Level 2a – Residential timber-framed construction (example – timber framed single story dwelling)

The GNS report⁸ identified that if buildings were constructed over the fault scarp and if a ground-deforming fault rupture occurred, that 'serious damage or destruction (to buildings) and life-safety threat to occupants is 'likely'.

The submitters have not provided any technical information to assist Council in understand where the fault scarp is located. Given this, the advice from Mr Aramowicz is that he is unable to differentiate between areas where buildings should be limited to light timber framed structures on shallow timber piles (Importance level 1 and 2a), and the other areas where the effects of fault rupture are less likely to cause destruction and life safety issues.

Furthermore, Mr Aramowicz is of the opinion that as the fault assessed in the GNS report has not been subject to any onsite detailed investigations (by paleo trenching) to confirm recurrence interval and fault rupture location/s. There is still a risk that the recurrence interval could be found to be smaller (i.e. more likely) in which case there would be a much stronger case to prevent new buildings where the fault could rupture. Mr Aramowicz recommends a conservative approach be adopted until the fault is investigated in the area of the submission site.

Council has not undertaken the further investigations for this west Oxford area that would be required to determine if a co-ordinated area wide flood mitigation is possible, or where the fault scape is located. It was stated in the Memo to Rezoning Submitters⁹ that the onus for providing sufficient information to support a rezoning submission lies with the submitter.

⁸ General distribution and characteristics of active faults and folds in the Waimakariri District, North Canterbury. GNS Science Consultancy Report 2012/326. Environment Canterbury Report R13/28. July 2013, page 11

⁹ Memo to Rezoning Submitters (12 December 2023) - Appendix A - Engineering information and Council's requirements for developments - Para 5