

Before the Independent Hearings Panel
Appointed by the Waimakariri District Council

Under the Resource Management Act 1991

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

Andrew Carr

Submitter ID: 158

HEARING STREAM 12C: REZONING REQUESTS (Large Lot Residential Zone)

Summary Statement of Evidence - Samantha Leeanne Kealey

12th day of July 2024

Introduction

- 1 My full name is Samantha Leeanne Kealey. I am a Senior Planner at Town Planning Group. I have been advising Mr Andrew Carr (**submitter**) with respect to the Proposed Waimakariri District Plan (**PDP**) and I have provided expert planning evidence on behalf of the submitter in relation to the PDP.
- 2 308 Cones Road is a 4.08 ha parcel of land (Lot 3 DP 386430) that is currently zoned Rural Lifestyle Zone (**RLZ**) with a Large Lot Residential Zone Overlay (**LLRZO**) under the PDP. A submission was lodged to rezone the property to Large Lot Residential Zone (**LLRZ**)¹. Subsequently the neighbouring parcel at 90 Dixons Road also submitted to rezone part of their parcel from RLZ with LLRZO to LLRZ². Therefore, my evidence was prepared addressing both 308 Cones Road and the portion of 90 Dixons Road subject to the LLRZO (**Site**) having liaised with Council throughout the process³.
- 3 I provided evidence in chief (**EiC**) dated 5 March 2024 setting out my opinion in relation to the issues raised by and relief sought relevant to the submitter. I also provided a supplementary statement of evidence dated 5 July 2024 following Council's s42A officer's report and answers of the Council Planning Officer, Mr Mark Buckley, in response to questions asked by the Panel. My qualifications, experience and confirmation of adherence with the Court's Code of Conduct are set out in my EiC. I participated in day 1 and day 2 of the planning witness conferencing (urban environment and urban growth and development).
- 4 My EiC and supplementary evidence set out my support for the rezoning as the most appropriate outcome for the Site and is the most efficient and effective means of achieving the relevant objectives of the PDP and other relevant statutory documents, and overall, the purpose of the RMA. My opinions are generally aligned with the Council on all matters relating to the relief sought by the submitter. The remaining matters of difference are limited and the key matters are summarised below taking into account where these have "evolved to" within the process.

The Outline Development Plan (ODP)

- 5 Two versions of the ODP are provided by the submitter with one showing overland flow paths and the other not showing these. Mr Neeraj Pratap provided expert stormwater evidence on this matter for the submitter. I confirm that I support the provisions recommended by Mr Pratap on this matter, in my opinion, overland flow paths are not necessary to be included in the ODP, however if the Panel considers it necessary, a second ODP has been provided to respond to the advice set out by Mr Aramowicz.

¹ Mr Andrew Carr, submission reference 158

² Kyleston Farms Ltd, submission reference 70

³ From para 8, 9, 33 and 98 of my EiC

Relevance of Resource Consents RC225263 and RC225264

- 6 Resource Consents RC225263 and RC225264 were not raised in my EIC as, in my opinion, they are not relevant to the rezoning request. Whilst the resource consents do provide the Council confirmation that sufficient information is present for the purposes of servicing and other related effects from the development of the land, and demonstrate that the submitter is well-positioned to quickly progress a LLRZ subdivision on 308 Cones Road as Mr Buckley states, I am still of the opinion that in terms of the rezoning request they are not relevant because the resource consents were applied for, and information provided, based on the site being Rural under the Operative District Plan.⁴

Urban Zoning

- 7 The LLRZ is a defined zone within the National Planning Standards, the Regional Policy Statement and the PDP. The National Policy Statement on Highly Productive Land (**NPS-HPL**) defines land “identified for future urban development” as land that has been identified in a published Future Development Strategy. The site was identified within the Waimakariri Rural Residential Development Strategy published June 2019 and is therefore identified for future urban development land in terms of the NPS-HPL. The NPS-HPL therefore defines the site as urban.⁵
- 8 The National Policy Statement on Urban Development (**NPS-UD**) states an urban environment “is, or is intended to be, predominantly urban in character” (emphasis added). The relief sought provides for a Large Lot Residential area adjoining an existing Large Lot Residential Development in an area that has been identified as suitable for this type of development.⁶ Due to the size of the LLRZ land parcels, some rural activities can be enabled so long as they do not detract from the character and amenity of the zone, this primarily being for residential living.⁷
- 9 I consider the LLRZ to be an urban zone in the context of the statutory planning documents, noting that the higher order documents do not provide an ‘in between’ option (i.e. land is either urban or rural). The RMA requires that there is to be consistency among higher order documents and my approach is consistent with this.⁸

Transport

- 10 Through my EIC, S42A Officers Report and further Supplementary evidence, many matters have been resolved regarding transport with Mr Facey and Mr Buckley agreeing that road upgrades and access layouts are matters that can be assessed through the subdivision provisions of the

⁴ From 3.5 and 3.6 of my supplementary evidence

⁵ From page 33 of my EIC

⁶ From page 29 of my EIC

⁷ From 3.10 of my supplementary evidence

⁸ From 3.10 and 3.11 of my supplementary evidence

PDP.⁹ The transportation evidence is consistent that the Site can be safely connected to the local transportation network.

- 11 I confirm that I support the conclusions reached by Mr Facey in his EiC and supplementary evidence.

Stormwater

- 12 Similar to transportation, many matters have been resolved in the evidence regarding stormwater. Mr Pratap confirms in his evidence that stormwater management solutions on the Site are based on attenuating post-development flows such that pre-development flows are not exceeded.¹⁰ Overland flow paths have been discussed at length and in my opinion, overland flow paths are not necessary to be included in the ODP, however if the Panel considers it necessary, a second ODP has been provided.

- 13 I confirm that I support the conclusions reached by Mr Pratap in his EiC and supplementary evidence.

Landscape

- 14 There are no disagreements regarding landscape effects as a result of the rezoning, and I am in agreement with Mr Compton-Moen and Mr Buckley that the landscape effects arising from the rezoning will be appropriate.

Geotechnical

- 15 There are no disagreements regarding geotechnical for the site.

Conclusion

- 16 Overall I agree with Mr Buckley and, as set out in my EiC and my Supplementary Evidence, I support the acceptance of the submissions from A. Carr [158.1] and [158.3], and Kyleston Farms Limited [70.1] for the land to be rezoned to Large Lot Residential Zone.

- 17 I am happy to take any questions that the Panel may have.

Dated: 12 July 2024



Samantha Leeanne Kealey

⁹ From 5.3 and 5.7 of my supplementary evidence

¹⁰ From 7.3 of my supplementary evidence