

Before the Hearings Panel
appointed by the Waimakariri District Council

under the Resource Management Act 1991

in the matter of Submissions and further submissions on the Proposed
Waimakariri District Plan
Hearing Stream 12A: Oxford rezonings

and Patrick Campbell and Elvere Mooney
Submitter: 365 and 366

Evidence of Matt McLachlan
22 May 2024

INTRODUCTION

1. My full name is Matthew Paul McLachlan. I am the General Manager – Land Development at Devcorp Limited, a privately owned company specialising in residential and commercial developments.
2. I hold the qualification of a Master's in Planning from Lincoln University. I have 24 years' professional experience within land development, including fourteen years of resource management and planning experience. My expertise relates primarily to land development resource management for subdivision, rezoning and land use contexts across the Greater Christchurch and wider Canterbury region.
3. I did not prepare the original submissions (365 and 366) on the proposed Waimakariri District Plan seeking that the zoning be amended from Large Lot Residential Zone to General Residential Zone. However, I have read the submissions, visited the site and am familiar with the area.

CODE OF CONDUCT

4. While this is not a hearing before the Environment Court, I confirm that I have read the Code of Conduct for expert witnesses contained in the Environment Court of New Zealand Practice Note 2023 and that I have complied with it when preparing my evidence. Other than when I state I am relying on the advice of another person, this evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

SCOPE OF EVIDENCE

5. This evidence primarily supports the rezoning of 6 York Street, 15 Perth Street, and part of 34 Commercial Road (but also includes the properties within the 'triangle' between Commercial Road, Cheapside Street and Bath Street) under the proposed Waimakariri District Plan from Large Lot Residential Zone (LLRZ) to General Residential Zone (GRZ).
6. In my evidence I address the following issue:
 - The Council's s42A Report relating to the Oxford and Settlement rezoning requests prepared by Ms Racel McClung.

SITE AND SURROUNDING ENVIRONMENT

7. The submitters properties are identified in Table 1 and shown in Figure 1 below.

Table 1: Submitters Property Details				
No.	Address	Legal Description	Record of Title	Area
1	15 Perth Street	Pt RS 1750	CB487/9	0.6493ha
2	6 York Street	Pt RS 1750	CB262/222	0.1942ha
3	34 Commercial Road	Lots 1 & 2 DP 4212	CB294/239	2.8442ha



Figure 1: Submitters Properties

8. For clarity, I have included the additional properties within the 'triangle' as per Table 2 and Figure 2 below.

Table 2: Property Details for the Wider 'Triangle' Area				
No.	Address	Legal Description	Record of Title	Area
4	4 Bath Street	Pt RS 1750	CB378/63	0.0759ha
5	6 Bath Street	Pt RS 1750	CB378/66	0.1391ha
6	17 Commercial Road	Lot 2 DP 52437	CB30F/1143	0.3532ha
7	149 Main Street	Lot 1 DP 52437	CB30F/1142	0.3056ha
8	5 York Street	Lots 1 & 3 DP 10592	CB443/177	0.0746ha

9	1 York Street	Lot 2 DP 10592	CB443/178	0.0460ha
10	133 Main Street	Pt RS 1750	CB31K/529	0.4055ha
11	39 Commercial Road	Lot 2 DP 24121	CB5C/914	1.1921ha
12	6 Cheapside Street	Pt RS 1750	CB378/18	0.1619ha
13	8 Cheapside Street	Lot 1 DP 28998	CB11K/823	0.0809ha
14	10 Cheapside Street	Lot 2 DP 28998	CB11K/824	0.0809ha
15	12 Cheapside Street	Pt RS 1750	CB378/25	0.0809ha

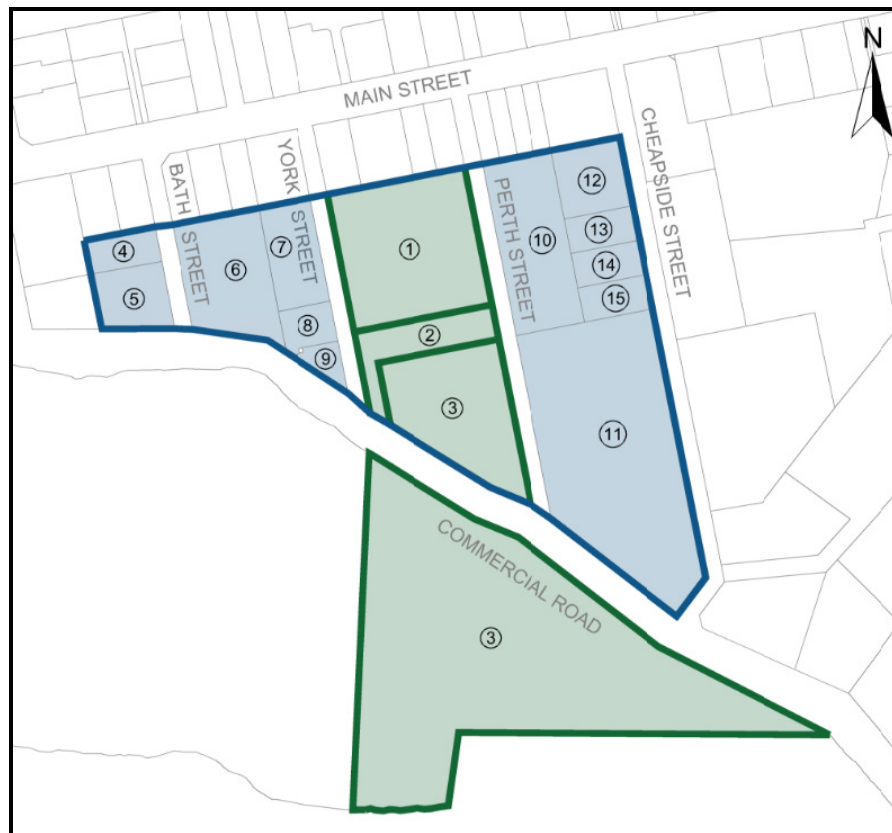


Figure 2: Wider Area

9. The area is currently zoned Residential 4A under the Operative District Plan. The Residential 4 zones are based on the former Rural-Residential Zone. The zones provide **a living environment within the rural area. The nature of these zones has increasingly taken on urban characteristics. People value them as very low-density residential sites in a rural setting. Increasingly it is expected that servicing standards will mirror urban rather than rural settings. The difference between the 4A Zone and 4B Zone relates to lot sizes.**

10. The surrounding area is residential in nature, characterised by single storey detached dwellings on medium to large sites with low site coverages.

SUBMISSION

11. The submitter opposes the proposed LLRZ and seeks rezoning of the land to GRZ to better reflect the character of the area. The submitters seek a GRZ for their properties and the wider 'triangle' area.
12. The rezoning would adopt, without amendment, the proposed Waimakariri District Plan provisions for the GRZ.
13. The submitters would also like to clarify two points around their submission.
14. Firstly, Ms McClung notes that the submission *seeks the rezoning of 34 Commercial Road from General Rural Zone to General Residential Zone and the subject site is approximately 2.34 hectares¹.*
15. 34 Commercial Road comprises two parcels (Lots 1 and 2 DP 4212) held in the same Record of Title (CB294/239). Lot 1 DP 4212 has a proposed zoning of LLRZ and Lot 2 has a proposed zoning of GRUZ. The two properties are split by Commercial Road.
16. The original submission (365) only seeks Lot 1 DP 4212 to be rezoned from LLRZ to GRZ. The submitters would like it noted that they do not seek Lot 2 DP 4212 to be rezoned from GRUZ to GRZ.
17. Secondly, the Council's database appears to be incorrect and shows 6 York Street being bigger than it is. This is not the case. 6 York Street is 0.1942ha in area held under Record of Title CB262/222, as shown in Figure 3 below.

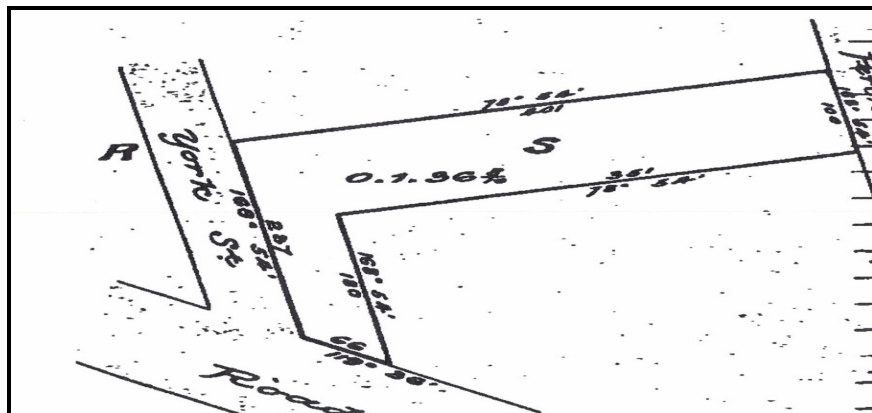


Figure 3: CB262/222

¹ Council s42A Report, Para 73

18. The balance of this land forms part of the 34 Commercial Road title area.

STATUTORY FRAMEWORK

Resource Management Act 1991

19. The Resource Management Act (RMA) provides the legislative framework that defines the requirements for submissions to District Plan reviews. As this proposal includes land for re-zoning it is appropriate to address these requirements as they relate to the subject site.
20. Schedule 1 of the RMA provides the circumstances and requirements of preparation, change, and review of policy statements and plans. Clause 22 of Schedule 1 provides the requirements for changes to the District Plan.
21. Section 74 and 75 set out the matters which must be considered when preparing a District Plan. I understand that the following matters must be considered:
- The functions of a territorial authority under section 31.
 - The provisions of Part 2.
 - An evaluation report prepared in accordance with section 32.
 - Any national policy statement, a coastal policy statement and a national planning standard.
 - Any regulations.
22. In addition, a territorial authority shall have regard to:
- Any proposed regional policy statement or regional plan.
 - Any management plans and strategies prepared under other Acts.
 - Any management plans and strategies including iwi management plans.
23. Section 31 of the RMA outlines the Council functions for giving effect to the Resource Management Act.
24. Section 32 establishes a procedure to evaluate the appropriateness of the proposed provisions, including objectives, policies, rules and other methods. Noting that the Council has provided its own s32 assessments, which do not propose re-zoning the site, a further evaluation under s32AA is attached as **ATTACHMENT 1.**

National Policy Statements

25. National policy statements (NPSs) enable central government to prescribe objectives and policies for matters of national significance which are relevant to achieving the sustainable management purpose of the RMA. Matters of national significance may include matters outside of those listed section 6 of the RMA.
26. The NPS for Highly Productive Land (NPS-HPL), and Urban Development (NPS-UD) are relevant to the proposed rezoning request.
27. The NPS-HPL does not apply to land that already has an urban zoning (regardless of LUC classification). Given Council's proposed zoning of the site as LLRZ, the NPS-HPL does not apply and therefore does not prevent the rezoning of the site for urban purposes.
28. In terms of the NPS-UD, I agree with Ms McClung's assessment in that Oxford is not subject to the District's Future Development Strategy, which is required to be prepared by Tier 1 local authorities. I have considered the objectives and policies of the NPS-UD (where relevant) in my evidence.
29. The submitters wish to note that Objective 1 of the NPS-UD states that:

New Zealand has 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.
30. The proposed rezoning achieves this objective and its supporting policies. It enables and provides choice for more people to live within Oxford's urban area. The rezoning also contributes to a well-functioning urban environment by offering a variety of home styles in a location where there is good accessibility to urban amenities and services.

National Environmental Standards

31. National environmental standards (NESs) are regulations which prescribe technical standards, methods or requirement for land use and subdivision. They can set a 'starting point', allowing councils to impose more lenient standards, or it may be absolute, so that local rules cannot be any more lenient or stricter than the standard (s43B of the RMA).
32. Although there are several NESs currently operative, the NES for Assessing and Managing Contaminants is considered relevant to this proposal.

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health

33. The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES) came into the effect in January 2012. The NES requires territorial authorities to enforce the regulations for particular 'land' and 'activity' criteria.
34. There is no information shown on the Listed Land Use Register for the properties and wider area. Any Preliminary or Detailed Site Investigation would form part of any future resource consent process.
35. It is considered that no further investigation is required at the time of this rezoning proposal.

Canterbury Regional Policy Statement

36. Under section 75(3)(c) of the RMA, district plans are required to give effect to regional policy statements.
37. The Canterbury Regional Policy Statement (CRPS) sets out objectives, policies and methods to resolve resource management issues in Canterbury. The relevant objectives and policies of the CRPS have been included as **ATTACHMENT 2.**
38. Overall, the proposed rezoning is consistent with the relevant objectives and policies in Chapter's 5 and 11 of the CRPS.

Proposed Waimakariri District Plan

39. The objectives and policies in the proposed District Plan are considered relevant and an assessment provided in **ATTACHMENT 3.**
40. Based on the assessment provided in **ATTACHMENT 3.** the proposal to rezone the site from LLRZ to GRZ is consistent with the relevant objectives and policies and achieves the policy direction of the proposed Waimakariri District Plan.

Waimakariri 2048 District Development Strategy

41. The Waimakariri 2048 District Development Strategy (WDDS) is a strategic planning document which provides an overview of development in the District. The strategy outlines broad directions for growth for the main towns, with further analysis required to determine exact growth areas. It is not a FDS in terms of the NPS-UD but does align with the provisions set out in the NPS-UD.

42. Ms McClung notes that the WDDS sets out the *demand for new households in Oxford is to be met in part by developing existing vacant land and / or intensifying the density in existing zoned areas, particularly rural-residential areas.*
43. The area subject to the rezoning submission is circled below in Figure 4.

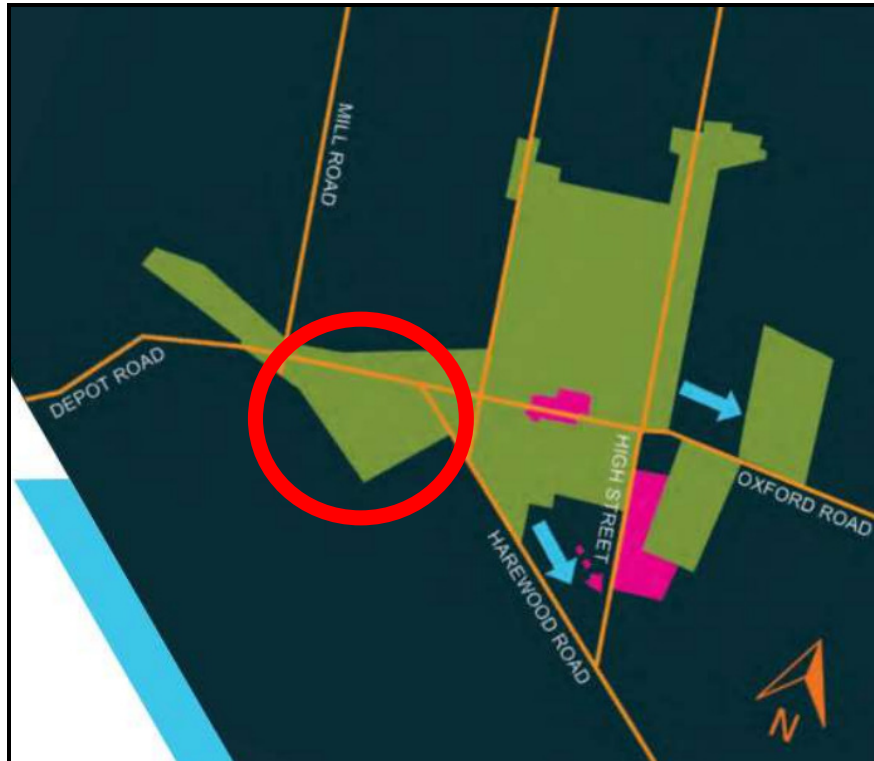


Figure 4: Rezoning submission in relation to Oxford growth areas

44. The submitters properties and wider area comprises 15 parcels (including 12 existing residential dwellings) being circa 4.21ha (excluding roads). If the area is rezoned to GRZ, this would create sufficient vacant land to develop and establish additional residential households in the future, which is development ready.
45. The proposed rezoning also supports the findings within Mr Yeoman’s report on the housing capacity and demand at Oxford. As stated in Ms McClung’s report:

*Mr Yeoman advises that it would be prudent to consider providing additional capacity for 40 dwellings in greenfield large scale development (as opposed to infill development), either via new urban land being provided for by rezoning some GRUZ land to GRZ, **or by upzoning parts of the LLRZ to GRZ** (my emphasis) ... It is Mr Yeoman’s view that this additional provision of capacity would not have a material impact on the outcomes in the rest of the District,*

but it would ensure that there is ample opportunity for different types of development within Oxford.

46. Therefore, the proposed rezoning from LLUZ to GRZ supports the outcomes sought to be achieved by the WDDS.

ASSESSMENT OF ENVIRONMENTAL EFFECTS OF THE PROPOSED REZONING

47. Ms McClung's s42A report includes engineering and greenspace advice on the rezoning request, with the key findings summarised in the report² and included in Appendix C. The key matters and others are discussed below.

Residential Character and Amenity

48. The purpose of the GRZ is to provide for *residential areas predominantly used for residential activity, with a mix of building types, and other compatible activities that provide for maintenance or enhancement of residential amenity values.*
49. Although the RMA does not define character, section 2 defines amenity values as *those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes.*
50. The surrounding area is characterised by single storey detached dwellings on medium to large sites with low site coverages. Given the existing built form, the proposed rezoning will not look out of place in the context of the wider environment.
51. The existing allotments (except 39 Commercial Road) within the submission area and wider 'triangle' are all undersized and do not meet the intended LLRZ zone provisions requiring a minimum allotment size of 2,500m² with an average of 5,000m² over the subdivision.
52. The existing allotments are rectangular in shape, generally flat and not dissimilar to other properties in the surrounding area. They can also be appropriately serviced. The proposed density will remain consistent with the characteristics of the existing area. Furthermore, the current Residential 4A Zone has continued to take on urban characteristics, further reinforcing the proposed rezoning from LLRZ to GRZ.

² Council s42A Report, Para 126 to 138

53. Based on the GRZ provisions, the submission area could provide an additional 14 to 17 residential allotments, and a further 27 to 30 residential allotments over the wider 'triangle area'. An indicative plan is shown in Figure 5 below.



Figure 5: Indicative layout plan

54. Any adverse effects on the environment can be sufficiently addressed and effects internalised within the submission area itself, further maintaining the character and amenity anticipated by the wider area.

Transport

55. Mr Binder notes that *all of the north-south streets will require urbanisation and widening*, to service a full GRZ density. He also notes that *the existing background traffic is quite low on all streets*.

56. Mr Binder also notes that:

*it would appear that Submission 365 does not include 34 Commercial Road (which is on the south side of Commercial Rd and outside of the "triangle" common across all three submissions). Hopefully this is a correct interpretation because the "triangle" **north of Commercial Rd seems appropriate for GRZ** but not necessarily south of Commercial.*

57. As part of any future resource consent if rezoned GRZ, the Council will have the ability to assess and require additional widening of the road reserve and the level of urbanisation required. Given the roads are already existing and part of a functioning road network, some discretion will be required to achieve an appropriate outcome.

Servicing

58. The provision of new infrastructure is a fundamental component of any urban development. No servicing constraints have been identified for the proposed rezoning. Therefore, any adverse effects are less than minor.

Geotechnical

59. The submission area is within the Fault Awareness Overlay. No geotechnical testing has been completed within the submission site and wider 'triangle' area. However, we note the comments made by Mr Aramowicz below:

*GNS report 2033/44 for eastern Oxford (Lots 2 & 3 DP51992) assumes the Starvation Hill fault has a recurrence interval III and that the fault area be zoned GRUZ to minimise the density of development but concedes that within GRUZ light timber framed single storey dwellings with a suspended timber floor supported on shallow timber piles could be used as partial mitigation of the risk of fault rupture. **I recommend a similar approach be adopted to any areas of s274/355/365/366 that are within 20m of the faults shown on the GNS active faults database.***

60. Regardless of the underlying zone, or potential development options, a geotechnical report would be required if a new dwelling was to be built within the submission area. The Council then can determine whether the site is appropriate for development.

61. Furthermore, the submitters reference the geotechnical report that was accepted as part of RC225255 / RC225256, and note that:

... under Section 106 (1) of the RMA, that there are no reasons from a geotechnical perspective that the site is considered unsuitable for development, provided any development is undertaken with appropriate engineering design measures. This is especially relevant considering the site will be located within a Fault Awareness Area (FAA), and a risk-based approach to constructing residential developments within the Oxford township needs to be taken.

62. Any adverse effects with regards to geotechnical matters can be appropriately addressed at time of any future resource consent process.

Hazards

63. The engineering advice notes that the eastern side of the 'triangle' is within a low/medium flood hazard, with the western side mostly outside of the flood hazard area, as shown in Figure 6 below.



Figure 6: Flood Hazard Overlay

64. Most of the properties within the low/medium flood hazard area are already existing and somewhat developed to a GRZ standard (6 to 12 Cheapside Street). As per the approved resource consent at 131 Main Street (RC225255 / RC225256), floor levels can be set and specific engineering conditions restricting earthworks and foundation types within these areas can mitigate any adverse effects of developing within identified flood hazard areas.
65. Therefore, any adverse effects from the proposed rezoning are no more than minor.

Greenspace

66. I agree with the Councils advice in that the rezoning submission raises no open space or community green space matters of relevance.

Positive Effects

67. The proposal will create the opportunity for housing to support the changing needs of the community. The proposed rezoning will continue to support a pleasant, safe, and interactive living environment which will cater for the social and economic well-being of residents and the wider community.

PART 2 OF THE RMA

68. Section 74 of the act requires the rezoning request to be assessed under the provisions of Part 2 of the Act. Part 2 is the overarching purpose and principles of the Act.
69. Section 5 sets out the purpose of the RMA, that being to promote sustainable management of natural and physical resources.
70. As set out within the above assessment the proposal will provide for people and communities social, economic wellbeing by providing an efficient and consolidated development. The site is seen as a natural extension to the adjoining residential area with any adverse effects able to be avoided, remedied or mitigated.
71. Section 6 identifies matters of national importance to be recognised and provided for. It is considered that none of these matters are relevant to the proposed rezoning.
72. Section 7 sets out the other matters which regard must be given towards. The proposal has considered these 'other matters' as set out within the above assessment of effects; this includes the fact that the proposal is an efficient use of the natural resource, will maintain and enhance amenity values and maintain the quality of the surrounding environment.
73. Section 8 requires persons to take into account the principles of the Treaty of Waitangi. It is considered that the proposed rezoning is consistent with the principles of the Treaty of Waitangi.
74. Overall, the proposal to rezone the site from LLRZ to GRZ will achieve the principle and purpose of Part 2 of the RMA.

CONCLUSION

75. Patrick Campbell and Elvere Mooney (365 and 366) are providing additional information to their submission to the Waimakariri District Plan review to support the request to rezone their site (and the wider triangle area) from LLRZ to GRZ.
76. No changes are proposed to the Objectives, Policies and Rules of the proposed Waimakariri District Plan.
77. I consider that the potential adverse effects of the requested rezoning of the land (to GRZ) can or will be avoided, remedied or mitigated to an acceptable standard.

78. In terms of section 32, the requested zoning of the land is the most appropriate method for achieving the objective of the proposal and the corresponding benefits will outweigh any potential costs.
79. In conclusion, the requested rezoning is an appropriate, efficient and effective means of achieving the purpose of the Resource Management Act.

Dated: 22 May 2024



Matt McLachlan

ATTACHMENT 1 – SECTION 32AA ASSESSMENT

SECTION 32AA ASSESSMENT

A section 32AA assessment has been undertaken as an amendment to the District Plan is sought by the re-zoning of the site at 6 York Street, 15 Perth Street, 34 Commercial Road and the wider 'triangle area from Large Lot Residential Zone to General Residential Zone. This submission is not proposing any new objectives or rules to be added to the District Plan, nor any further changes.

Section 32AA(1)(b) states that a further evaluation required under this Act must be undertaken in accordance with Section 32(1) to (4). A section 32 report requires the submitter (and the Council) to evaluate, at a level of detail corresponding to the scale and significance of the anticipated environmental, economic, social and cultural effects:

- The extent to which the objectives of the proposal are the most appropriate to achieve the purpose of the RMA.
- Whether the provisions (rules) are the most appropriate way for achieving the objective (purpose), by including consideration of any other reasonably practicable options, the efficiency and effectiveness of the provisions in achieving the purpose, and reasons for deciding on the provisions.

Two options have been assessed below; retain the current proposed Large Lot Residential Zoning; or provide for a new General Residential Zoning. The Quality Planning Guidance note on section 32 analysis states that the most appropriate option means "suitable, but not necessarily superior". The most appropriate option does not need to be the most optimal or best option but must demonstrate that it will meet objectives in an efficient and effective way.

OPTION	BENEFIT	COST
OPTION 1: RE-ZONE TO PROPOSED GENERAL RESIDENTIAL ZONE	<ul style="list-style-type: none"> • Enables compatibility with the existing environment. • Potential for affordable housing. • Does not create undersized residential allotments within a new District Plan review process. • No servicing constraints have been identified. • The proposed rezone area is a natural extension to the current urban form. • The land is development ready (subject to approvals). 	<ul style="list-style-type: none"> • The possibility of reverse sensitivity issues from adjoining residential neighbours.
OPTION 2: RETAIN THE PROPOSED LARGE LOT RESIDENTIAL ZONE (STATUS QUO)	<ul style="list-style-type: none"> • Retaining the zone would result in limited change to the existing environment. 	<ul style="list-style-type: none"> • Retaining undersized residential allotments that do not meet the intent of the new District Plan provision. • Only one allotment (39 Commercial Road) can be further subdivided under the LLRZ provisions. • Costs of preparing application(s) with uncertain outcomes (of achieving future consent approval).

EFFICIENCY

Option 1, rezoning the site to General Residential has been assessed as the most efficient use of the land and is the most appropriate option when the costs and benefits of both are compared. The benefits of Option 1 outweigh the costs meaning that it is the most efficient option, and therefore the most suitable use of land.

EFFECTIVENESS

The proposed re-zoning to General Residential meets the relevant objectives and policies of the proposed District Plan. The benefits of the re-zoning the site to General Residential outweigh the costs. Therefore Option 2 has been determined as the most appropriate.

**ATTACHMENT 2 – CANTERBURY REGIONAL POLICY STATEMENT OBJECTIVES AND
POLICIES ASSESSMENT**

OBJECTIVES AND POLICIES OF THE CANTERBURY REGIONAL POLICY STATEMENT

The Canterbury Regional Policy Statement (CRPS) became operative on 15 January 2013 and gives an overview of the significant resource management issues facing the region and sets out objectives and policies to resolve those issues. The Canterbury Regional Council and territorial authorities are required to give effect to the CRPS through their regional and district plans. Relevant chapters in the CRPS relate to servicing and urban development. These are discussed further below.

CHAPTER 5 – LAND USE AND INFRASTRUCTURE

Below is an assessment of the level of compliance that the proposed re-zoning has in relation to key objectives and policies in Chapter 5.

RELEVANT OBJECTIVES AND POLICIES	ASSESSMENT
<p>Objective 5.2.1 Location, Design and Function of Development (Entire Region)</p> <p>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; and2. Enables people and communities, including future generations, to provide for their social, economic and cultural well-being and health and safety; and which....	<p>The rezoning will allow for further residential development on the site. Although the proposal changes the zoning from LLRZ to GRZ, there will be no change to the character and values of the surrounding area given the site forms part of the township boundary and is part of the residential area identified on the Waimakariri District Development Strategy.</p> <p>The proposed rezoning is consistent with Objective 5.2.1 because it will contribute to a consolidated and sustainable residential area in Oxford, and will enable people to provide for their social, economic, and cultural well-being and health and safety now and in the future.</p>

<p>Policy 5.3.3 Management of development (Wider Region)</p> <p>To ensure that substantial developments are designed and built to be of a high-quality, and are robust and resilient:</p> <ol style="list-style-type: none"> 1. through promoting, where appropriate, a diversity of residential, employment and recreational choices, for individuals and communities associated with the substantial development; and 2. where amenity values, the quality of the environment, and the character of an area are maintained, or appropriately enhanced. 	<p>The rezoning will continue to promote a quality residential environment where the surrounding amenity values and character can be maintained, and the quality of the environment further enhanced.</p>
<p>Policy 5.3.5 Servicing development for potable water, and sewage and stormwater disposal (Wider Region)</p> <p>Within the wider region, ensure development is appropriately and efficiently served for the collection, treatment, disposal or re-use of sewage and stormwater, and the provision of potable water, by:</p> <ol style="list-style-type: none"> 1. avoiding development which will not be served in a timely manner to avoid or mitigate adverse effects on the environment and human health; and 2. requiring these services to be designed, built, managed or upgraded to maximise their on-going effectiveness. 	<p>No servicing constraints have been identified with capacity available within the current infrastructure.</p>
<p>Policy 5.3.6 Sewerage, stormwater and potable water infrastructure (Wider Region)</p> <p>Within the wider region:</p> <ol style="list-style-type: none"> 1. Avoid development which constrains the on-going ability of the existing sewerage, stormwater and potable water supply infrastructure to be developed and used. 2. Enable sewerage, stormwater and potable water infrastructure to be developed and used, provided that, as a result of its location and design: <ul style="list-style-type: none"> • the adverse effects on significant natural and physical resources are avoided, or where this is not practicable, mitigated; and • other adverse effects on the environment are appropriately controlled. 3. Discourage sewerage, stormwater and potable water supply infrastructure which will promote development in locations which do not meet Policy 5.3.1 	<p>No servicing constraints have been identified with capacity available within the current infrastructure.</p>

CHAPTER 11 – NATURAL HAZARDS

Below is an assessment of the level of compliance that the proposed re-zoning has in relation to key objectives and policies in Chapter 11.

RELEVANT OBJECTIVES AND POLICIES	ASSESSMENT
<p>Objective 11.2.1 Avoid new subdivision, use and development of land that increases risks associated with natural hazards. 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.</p>	<p>The proposed rezoning from LLRZ to GRZ will not increase the risk of natural hazards. There is enough information to show that appropriate measures can be implemented to avoid such risks.</p>
<p>Objective 11.2.2 Adverse effects from hazard mitigation are avoided or mitigated. Adverse effects on people, property, infrastructure and the environment resulting from methods used to manage natural hazards are avoided or, where avoidance is not possible, mitigated.</p>	<p>Potential flooding, drainage and geotechnical effects have been accounted for under RC225255 / RC22525. Existing overland flow paths will be maintained and there will be no adverse effects on surrounding properties.</p>
<p>Policy 11.3.2 Avoid development in areas subject to inundation. In areas not subject to Policy 11.3.1 that are subject to inundation by a 0.5% AEP flood event; any new subdivision, use and development (excluding critical infrastructure) shall be avoided unless there is no increased risk to life, and the subdivision, use or development...</p>	<p>Most of the properties within the low/medium flood hazard area are already existing and somewhat developed to a GRZ standard. Appropriate floor levels can be set and specific engineering conditions restricting earthworks and foundation types within these areas can mitigate any adverse effects of developing within identified flood hazard areas.</p>
<p>Policy 11.3.3 Earthquake hazards. New subdivision, use and development of land on or close to an active earthquake fault trace, or in areas susceptible to liquefaction and lateral spreading, shall be managed in order to avoid or mitigate the adverse effects of fault rupture, liquefaction and lateral spreading.</p>	<p>The proposed rezoning area is within the Fault Awareness Overlay. The Council have stated that <i>light timber framed single storey dwellings with a suspended timber floor supported on shallow timber piles could be used as partial mitigation of the risk of fault rupture.</i></p> <p>This shows that measures are available to mitigate adverse effects around earthquake hazards.</p>

CONCLUSION

The proposal will provide for outcomes consistent with that sought by the relevant Objectives and Policies in the Canterbury Regional Policy Statement.

**ATTACHMENT 3 – PROPOSED WAIMAKARIRI DISTRICT PLAN OBJECTIVES AND
POLICIES ASSESSMENT**

OBJECTIVES AND POLICIES OF THE PROPOSED WAIMAKARIRI DISTRICT PLAN

The proposed Waimakariri District Plan was publicly notified for consultation in September 2021. The objectives and policies in the proposed District Plan have been considered for the assessment of this rezoning submission.

STRATEGIC DIRECTIONS

This chapter provides the **overarching objectives to provide high level direction for the District Plan**. Below is an assessment of the level of compliance that the proposed re-zoning has in relation to key strategic objectives.

RELEVANT OBJECTIVES AND POLICIES	ASSESSMENT
SD – O2 URBAN ENVIRONMENT	The proposed rezoning promotes the retention of existing land use patterns and the further development of the proposed urban form of Oxford. Overall, the proposed development represents an efficient, effective, and sustainable use of land that provides housing opportunities in the short term.
SD – O6 NATURAL HAZARDS AND RESILIENCE	Appropriate mitigation measures through engineering design can be implemented to sufficiently address and mitigate the risk of natural hazards.

URBAN FORM AND DEVELOPMENT

The Urban Form and Development objectives and policies **address a range of matters related to growth and development, for both urban and rural environments**. Below is an assessment of the level of compliance that this proposal has in relation to the urban form and development objectives.

RELEVANT OBJECTIVES AND POLICIES	ASSESSMENT
<p>UFD – O1 FEASIBLE DEVELOPMENT CAPACITY FOR RESIDENTIAL ACTIVITIES</p> <p>UFD – P1 DENSITY FO RESIDENTIAL DEVELOPMENT</p>	<p>This objective sets bottom lines for housing capacity to meet the changing demographic profile of the district.</p> <p>This proposal supports the continued supply of a variety of housing styles which is consistent with the existing built form of the area.</p>

SUBDIVISION

Subdivision plays an important role in determining the location and density of development and its effect on the character and sustainability of urban environments. Below is an assessment of the level of compliance that this proposal has in relation to key subdivision objectives.

RELEVANT OBJECTIVES AND POLICIES	ASSESSMENT
<p>SUB – O1 SUBDIVISION DESIGN</p> <p>SUB – O2 INFRASTRUCTURE AND TRANSPORT</p> <p>POLICIES SUB – P1 SUB – P2 SUB – P3 SUB – P4 SUB – P5</p>	<p>These two objectives seek to achieve an integrated pattern of land use, development and urban form. It also seeks an efficient and sustainable use of infrastructure and a legible, well connected transport system.</p> <p>The proposed rezoning creates residential allotments where the predominant activity is living. No servicing constraints have been identified with connections to the surrounding transport network retained.</p>

RESIDENTIAL ZONES

The purpose of the chapter is to **provide for and manage activities within new and existing residential areas. These areas include the existing settlements throughout the district, as well as the larger urban environments of Oxford, Rangiora, Kaiapoi, Woodend and Pegasus.** The objectives and policies below apply to all Residential Zones.

RELEVANT OBJECTIVES AND POLICIES	ASSESSMENT
<p>RESZ – 01 RESIDENTIAL GROWTH, LOCATION AND TIMING</p> <p>RESZ – 02 RESIDENTIAL SUSTAINABILITY</p> <p>RESZ – 03 RESIDENTIAL FORM, SCALE, DESIGN AND AMENITY VALUES</p> <p>RESZ – 05 HOUSING CHOICE</p> <p>POLICIES SUB – P1 SUB – P2 SUB – P3 SUB – P4 SUB – P8</p>	<p>The proposed development is an efficient use of the land that reduces land costs, provides a more affordable property option and greater choice in the market. The proposal adds to an existing residential area which is already a safe, convenient, and pleasant living environment.</p>

GENERAL RESIDENTIAL ZONES

General Residential Zone is to provide for **residential areas predominantly used for residential activity, with a mix of building types, and other compatible activities that provide for maintenance or enhancement of residential amenity values.** Below is an assessment of the level of compliance that this proposal has in relation to the General Residential Zone objectives.

RELEVANT OBJECTIVES AND POLICIES	ASSESSMENT
<p>GRZ – O1 GENERAL RESIDENTIAL ZONE</p> <p>GRZ – P1</p>	<p>This objective recognises the need for a range of sites for residential use.</p> <p>The proposal provides low density allotments that can be designed in such a way that they sit comfortably within the surrounding area and contribute to the existing residential character. Allotments are of a size that can accommodate a residential dwelling with appropriate amenity.</p>

CONCLUSION

The objective and policy framework of the Proposed District Plan is similar to what already exists within the operative District Plan – albeit in some more detail and more relevant to the current issues of the district. Therefore, the proposed rezoning is consistent with the policy direction of the Proposed District Plan.