

BEFORE THE WAIMAKARIRI DISTRICT COUNCIL HEARINGS PANEL

UNDER the Resource Management Act 1991

IN THE MATTER of Proposed Waimakariri District Plan

SUBMITTER A McAllister

Submitter: DPR 8 &250

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REBUTTAL EVIDENCE OF IVAN THOMSON – PLANNING

5 July 2024

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## INTRODUCTION

- 1 My name is Ivan Thomson.
- 2 I have the qualifications and experience set out in my evidence-in-chief dated 5 March 2024.
- 3 I confirm that I have prepared this evidence in accordance with the Code of Conduct for Expert Witnesses contained in Part 9 of the Environment Court Practice Note 2023. The issues addressed in this statement of evidence and appended report are within my area of expertise, except where I state that I am relying on the evidence or advice of another person. The data, information, facts and assumptions I have considered in forming my opinions are set out in the part of the evidence in which I express my opinions and in the appended report. I have not omitted to consider material facts known to me that might alter or detract from the opinions I have expressed.

## SCOPE OF EVIDENCE

- 4 The purpose of this Statement is to respond to matters raised in the Council's Section 42A Report prepared by Mr Buckley and other technical experts and peer reviewers. Mr Rossiter (Transport) and Mr McMullan (Stormwater) have prepared separate briefs to respond to the matters raised concerning infrastructure. As explained below I have sought approval for Mr Mars (Wastewater) to submit late evidence.
- 5 I have also examined the questions put to Mr Buckley by the Panel relevant to this zoning proposal and his response to those questions. For the convenience of the Panel, I have commented in detail on his responses (where relevant) at **Appendix 1** and refer the Panel to them as part of my Rebuttal. I have had particular regard to Appendix A in his response in which he assesses the merits of a submission concerning Tupelo Place which is in the LLRO directly opposite Block B.
- 6 Some of the differences in opinion between myself and Mr Buckley stem from a difference in the way we have addressed the question of what is the 'urban environment' for Greater Christchurch in the context of the NPS-UD. In short, Mr Buckley has adopted the position that the 'urban environment, is confined to the main townships identified on Map A of the CRPS, which Swannanoa and Mandeville are not<sup>1</sup>. However, I have taken a broader view based on definitions in the more recent National Planning Standards (NPS), National Policy Statement Urban Development (NPS-UD) and National Policy Statement Highly Productive Land (NPS-HPL) and

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<sup>1</sup> As adopted by Mr Willis in his Section 42A Report on Ohoka

consider the urban environment to be the whole of Greater Christchurch. I have expanded on this in **Appendix 2**.

- 7 I don't think this divergence of opinion makes any significant difference in the Swannanoa context. I consider that each settlement needs to be 'well-functioning' in a local context anyway. However, I consider it does matter when considering matters such as access to services and greenhouse gas emissions.
- 8 I note that Mr Buckley has referred to the Southern Cross v Eden and Epsom Residential Protection Society in his answer to Panel Questions. My reading of this case is that the issue was whether, in that instance, the District Plan was required to give effect to the NPS-UD. It seems to me that this is not an issue for the PDP i.e. it has to give effect. What is of interest to me though as a planner (not a legal expert) is how the PDP gives effect to it. It appears that the NPS-UD *mainly* applies to 'urban environments', but it seems that Objective 2, and Policy 2 may apply to the whole of a Tier 1 territorial authority irrespective of whether or not specific locations within the TAs are within an Urban Environment as defined in the NPS-UD. This is reinforced in parts of Sub part 3.6.
- 9 If I was to encapsulate this in the context of Greater Christchurch as a planner, it would be like this: Tier 1 TLAs are required to take steps to ensure that housing is affordable throughout the District/ City, including by ensuring there is an adequate supply of serviced land, but make sure the urban environment (however it is defined, is well-functioning).
- 10 There are still details to be finalised around the best method of wastewater disposal in a manner that does not exacerbate current issues in the downstream reticulation system caused by inflow and infiltration. There have been on-going email exchanges between Mr Buckley and Mr Mars (Submitter's wastewater expert), the last of which was only received late on July 4, and which contained important information needed to enable Mr Mars to prepare evidence. My understanding is that there is a technical solution, which, if required, can be complemented by a staging rule and possibly an on-site storage facility which would function in times of heavy rainfall. I have sought approval from the Panel for Mr Mars to submit late evidence on this matter. I consider there would be value in Mr Mars and Mr Bacon conferring to finalise the details.
- 11 I consider that the site-specific matters raised by Mr Buckley (transport, hazard management, stormwater management) can be addressed.
- 12 I have concluded that Block B can be rezoned to LLR, with a possible staging rule and storage facility if needed, while the LLRZO on Block A could be retained indefinitely,

or alternatively removed and used as a 'swap' for Block B. I consider there is scope for the latter option using Submission 185.1.

## **SECTION 42A REPORT**

- 13 By way of recap, the submission is seeking zone changes for two discreet blocks of land adjacent to Swannanoa, identified in my Evidence in Chief as 'Block A' and 'Block B'.
- 14 Regarding Block A (1379, 1401 and 1419 Tram Road) the submission seeks a change from proposed Large Lot Residential Overlay (LLRO) to Large Lot Residential Zone (LLRZ). Mr Buckley is recommending that this submission be rejected on the following grounds:
- a. The proposed rezoning is inconsistent with Objective 1 and Policy 1 of the NPSUD as it does not meet the requirements of contribution to a well-functioning urban environment, in that it does not have good accessibility to jobs and community services and does not support a reduction in GHG emissions.
  - b. The proposed rezoning does not meet the requirements of Polices 5.3.5(1), and 5.3.6 RPS, in that there is insufficient capacity in the wastewater network for it to be serviced.
  - c. Groundwater resurgence and flooding is a significant issue for the Mandeville/Ohoka area and the potential for flooding to be exasperated in Silverstream and Kaiapoi.
  - d. Increased development within the Mandeville/Ohoka area will also contribute towards transportation effects at the Tram Road/State Highway 1 interchange.
  - e. 'Other constraints' which I infer to include restrictions on any change in land use of the Council owned land forming a substantial part of Block A.
- 15 With regard to Block B (1275 Tram Road) the reasons given for recommending rejection are:
- a) The proposed rezoning is inconsistent with Policy 1 of the NPSUD as it does not meet the requirements of being a well-functioning urban environment, in that it does not have good accessibility to jobs and community services and does not support a reduction in GHG emissions.

- b) There is insufficient capacity in the wastewater network for it to be serviced, and it could potentially result in reverse sensitivity effects on primary production of the surrounding RLZ blocks.
  - c) The rezoning does not meet the requirements of Policy 6.3.9 RPS, in that it was not identified in the RRDS, and would be inconsistent with Policy 6.3.9 of the RPS.
  - d) It could potentially result in reverse sensitivity effects on primary production of the surrounding RLZ blocks.
  - e) There are uncertainties around the disposal of stormwater and the potential for increasing flooding and groundwater resurgence downstream of the Site. The submitters engineers have not assessed the impacts of flooding across the wider Mandeville and Kaiapoi area.
  - f) Access will be off Tram Road which results in significant safety concerns given the present speed environment and its proximity to the Swannanoa School. The assessment did not consider the wider impacts upon the transport network due to an estimated additional 37 dwellings would by themselves result in a significant impact on the Tram Road/State Highway 1 interchange. No provision has been provided for public transport or active transport modes.
- 16 I consider the planning reasons to be largely similar for each block, but there are slight site-specific differences for infrastructure, and there are statutory differences complicated by Mr Buckley's change in position outlined below. I am relying on the technical experts, Mr Carr and Mr McMullan to respond to the matters concerning transport stormwater, except where there are land use planning / resource management implications. There is no specialist wastewater evidence because my technical expert has not been able to meet with the relevant Council engineers and modellers.
- 17 There are two common planning reasons for the recommendation to reject both blocks: development will not give effect to the NPS-UD (Objective 1, and Policy 1); and will not give effect to the CRPS (Policy 6.3.9, and Policies Polices 5.3.5(1), and 5.3.6). I will respond to the NPS-UD even though, as I understand it, Mr Buckley is no longer relying on this (the Panel might not agree with his view).
- 18 Although not mentioned in his Report, Mr Buckley refers to SUB-P6 in his response to the Panel's questions. He states that the ODPs do not meet the criteria required by the PDP for an ODP, and do not give effect to Policy 6.3.3 of the CRPS. My response to this is in **Appendix 1** at paras 20-22.

## RESPONSE TO MATTERS RAISED IN S42A REPORT

### Mr Buckley's change in position

- 19 I note that Mr Buckley now considers that the LLRZ is not 'urban,' based on the character and level of services typical of LLR development i.e. no kerb and channelling, streetlights, businesses and community services.
- 20 While I agree that the character of Swannanoa and Mandeville may lean towards being semi-rural in character (due principally to the larger average lot size and wider rural setting) there are certain strategic matters that need to be considered before adopting his changed position, which I have discussed in **Appendix 2**.
- 21 In my opinion however, the merits of Block B can withstand an assessment under each of Mr Buckley's previous and positions. However, I consider it makes more strategic sense, and is more robust in terms of the higher order statutory framework, for LLRs to be considered as 'urban' areas.

### Re: NPS-UD and Blocks A and B

- 22 Mr Buckley, taking his initial position on the submission, is there is an inconsistency with the NPS-UD because neither block has good accessibility to jobs and community services, and do not support a reduction in GHG emissions. I have provided a detailed response in **Appendix 2**, and in doing so elaborate on my Evidence in Chief. In essence, Swannanoa (and Mandeville) is an existing settlement within the Greater Christchurch area (GCA) apart from, technically speaking, Block A which is on the 'far side' of the GCA boundary, which is Two Chain Road. Swannanoa has some community functions (school, sports facilities) and is close to Mandeville (including being connected by a cycle path where there is even a greater range of amenities and some employment. Swannanoa provides for the needs, in terms of type, price, and location, of different households.<sup>2</sup>
- 23 Its relative distance from main urban areas (approximately 13km from both Rangiora and Kaiapoi) means it should probably not become a significant growth node, but this does not mean that it should be prohibited from any development at all, particularly if development contributes to a well-functioning urban environment in Swannanoa itself.

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<sup>2</sup> NPS-UD Policy 1(a)(i)

- 24 For small settlements such as Swannanoa, there will inevitably be a tension between meeting market demand, supporting local services of these settlements and minimising private transport costs/ greenhouse gas emissions and downstream transport network impacts. How this tension gets resolved depends on local context. The context here is Block A has been identified in the PDP as a future LLRZ and Block B, in my opinion, as being suitable for LLR in terms of local urban form and being in accordance with UFD-P3.
- 25 Within the above context I consider that Mr Buckley's reasoning for rejection on Policy 1 grounds, that Swannanoa does not have good accessibility to jobs and community services, and does not support a reduction in GHG emissions, is oversimplistic. However, this becomes immaterial if the NPS-UD does not apply (I consider it does).

Giving effect the CRPS.

- 26 Part of Mr Buckley's reason for rejecting Block A is the proposed rezoning does not meet the requirements of CRPS Polices 5.3.5(1)<sup>3</sup>, and 5.3.6 (Wider Region). These have to do with servicing, and I consider that this matter should have been addressed before now. I note that the policies do not require reticulated services, rather that treatment and disposal avoids or mitigates adverse effects on the environment and human health.
- 27 The LLROs were an outcome of the WRRDS. The Strategy identifies and seeks to manage and enable growth locations for further rural residential development over a 10 year timeframe from 2019<sup>4</sup>. The Strategy implements Policy 6.3.9 of the Canterbury Regional Policy Statement.
- 28 I note that Buddle Findlay advises that, within the context of the NPS-HPL, the LLRZO is not a (future urban) zone, the actual zone being (in the context of Oxford) a General Rural Zone. I respectfully disagree with that advice and consider that the LLRZO confirms the Council's intention to enable the LLRZO land to be subdivided for large residential lots. This appears to be consistent with UFD-P3:

UFD-P3

Identification/location and extension of Large Lot Residential Zone areas

In relation to the identification/location of Large Lot Residential Zone areas:

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<sup>3</sup> Avoiding development which will not be served in a timely manner to avoid or mitigate adverse effects on the environment and human health;

<sup>4</sup> WRRS p3

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.
- 29 I also note that the WRRDS states that, for Swannanoa, the reticulated wastewater network delivers wastewater to the Rangiora treatment plant (Eastern District Sewer Scheme) and has capacity to accommodate the hypothetical 50 and 100 lots. There would likely be a need for new local reticulation, at the developers cost.<sup>5</sup> The obvious question for me is: why would the Council publicly notify a future LLR development in its District Plan in a location that cannot be serviced over the Plan period? If the Council learned of these constraints post-notification, why did it not make a submission seeking the removal of the LLRZOs?
- 30 For Block B, Mr Buckley's reasoning is that the rezoning does not meet the requirements of Policy 6.3.9 RPS, in that it was not identified in the RRDS, and would be inconsistent with Policy 6.3.9 of the RPS. The Panel has asked Mr Buckley whether or not sites not included in the RRDS can be considered for rezoning considering NPS-UD Objective 6 and Policy 8. He agrees that the NPS-UD is a relevant document regardless of whether a proposed LLRZ is an 'urban environment'. His view appears to be that if a LLR rezoning proposal is not 'urban in character' then it cannot contribute to a well-functioning urban environment, one of the Policy 8 criteria for a responsive approach to unanticipated plan changes. In my opinion, Block B and possibly Block A are within an 'urban environment' as defined in the NPS-UD and both of the Policy 8 criteria are met (for the reasons set out in my evidence in chief<sup>6</sup>).
- 31 I again draw the Panel's attention to UFD-P3 which provides some flexibility for situations such as Block B. I also refer to **Appendix 1** for further evidence on this issue in the context of Mr Buckley's response to the Panel's questions on the WRRDS. UFD-P3 does not automatically exclude LLRZOs that have no current access to reticulated services. The Policy (under d) provides for situations where reticulated services are not available:
- where such [infrastructure](#) is not available, upgrades, funds and builds [infrastructure](#) as required, to an acceptable standard;
29. In summary I am not clear on Mr Buckley's position on the NPS-UD, and weight to be given to the WRRDS, UFD-P3 and Policy 6.3.9 of the CRPS. My opinion as a planner is that the NPS-UD needs to be given effect to for Block B (and to a lesser extent Block

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<sup>5</sup> WRRS p35

<sup>6</sup> Evidence in Chief para 24



A) and therefore the Council can rely on UFD-P3, putting less weight on the WRRDS and Policy 6.3.9.

### Reverse Sensitivity

30. In relation to Block B it is suggested the proposed LLRZ could potentially result in reverse sensitivity effects on primary production of the surrounding RLZ blocks. RURZ P8, Reverse Sensitivity, applies to the RLZ and needs to be considered. GRUZ BF S5 sets out separation distances.
31. I accept that properties in the RLZ will, to varying degrees, have some primary production value. However, generally these blocks are small scale and are used for part time or hobby farming activities which tend to be benign in the effects they have on the surrounding environment<sup>7</sup>. Otherwise they would generate complaints from surrounding landowners. Block B is fully surrounded by small RLZ blocks to the east and south/southeast (lot sizes in 3-5.77ha size range) and the existing Swannanoa LLRZ and Swannanoa school and preschool adjoin to the west.
32. The Plan recognises the more intensive subdivision pattern and dwelling density in the RLZ. The purpose of the Rural Lifestyle Zone is *'to provide for primary productive activities, those activities that support rural activities and those that rely on the natural resources that exist in the zone, while recognising that the predominant character is derived from smaller sites'*. Therefore the rule that permits primary production in the RLZ does not apply to any farm quarry provided for under RLZ-R12; intensive indoor primary production provided for under RLZ-R18 (RDIS); intensive outdoor primary production provided for under RLZ-R19 (RDIS); mining provided for under RLZ-R30 (DIDS); or quarrying activity provided for under RLZ-R31 (DIS). In other words, activities that potentially could generate significant adverse effects require an assessment of those effects, including on character and amenity values (e.g. RUZ MD3).
33. The WRRDS identifies two reverse sensitivity constraints that may have influenced the decision not to expand Swannanoa to the east: A local airfield located further to the east and an intensive poultry farm operating further to the south (see Figure 1 below).

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<sup>7</sup> See the McFarlane Report Macfarlane Rural Business Ltd, 2018. Waimakariri District Plan Review - Rural Production Advice – Rural Land Zoning.

The former is an intermittently used private airfield which I understand is not used as part of promoting primary production (although is presumably a legally established use) and certainly not 'strategic infrastructure', while the latter is over 1.0km to the south west from Block B. Block B is well beyond the 'intensive farm buffer shown on the Swannanoa rural residential direction Figure 4 (and further away than the preferred rural residential growth direction to the east (Block A).



Figure 1: Distance between closest part of Block B and existing poultry sheds (1.03km).

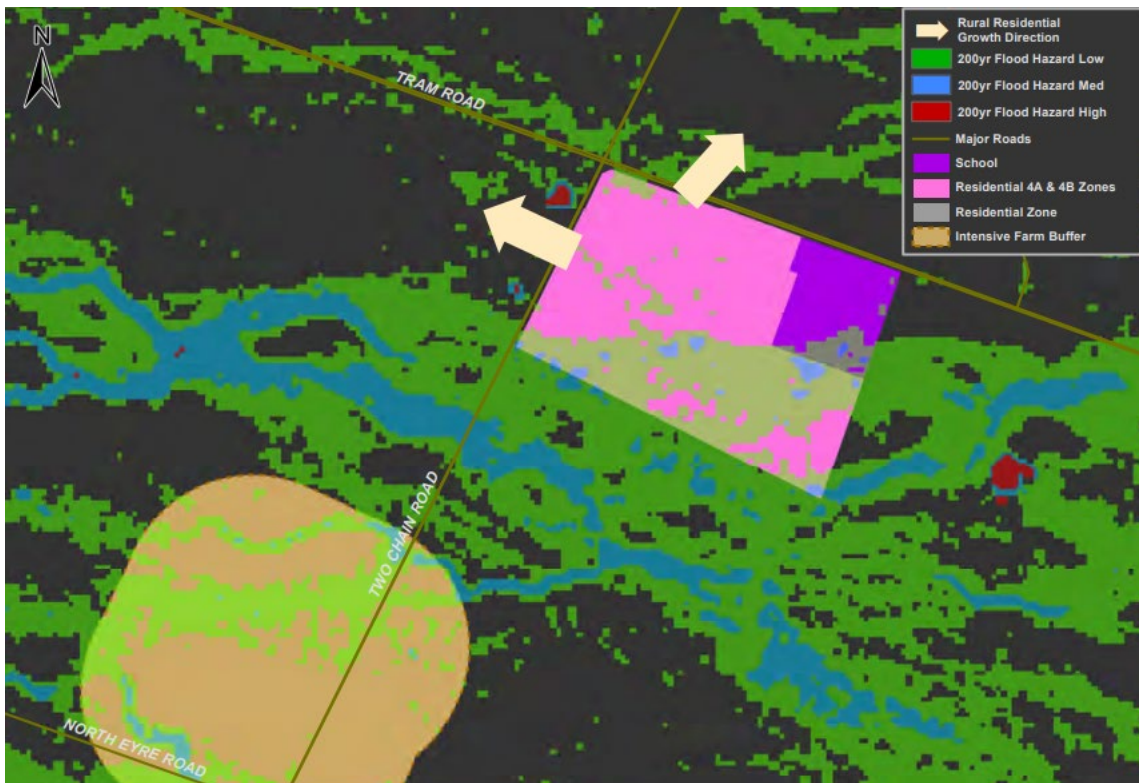


Figure 4: Swannanoa rural residential growth direction

Figure 2: extract from WRRDS

### Infrastructure

34 It was somewhat surprising to read in the S 42A Report that the Swannanoa LLRZOs are unable to be serviced with wastewater connections. Potential connectivity to reticulated water and wastewater services existing capacity in both networks is listed as a 'strength' supporting further rural residential development in the settlement.<sup>8</sup>

35 I understand there is no capacity within the Council wastewater network for any additional inputs from development within the Mandeville/Swannanoa area beyond those that were originally provided for prior to the District Plan review. I further understand that this is at least partly on the basis that allowance has been made in the modelling for the infill of the former Residential 4B Zones at Swannanoa, Mandeville and Ohoka. There has been some correspondence between me, Mr Mars (Submitter's Wastewater Expert) and Mr Buckley on this issue but at the time of submitting this evidence there has been no opportunity for Mr Mars to discuss the issue with the Council's wastewater engineers directly, despite requests on behalf of the submitter for this to be facilitated. I note that there was an email sent from Chris Bacon Network

<sup>8</sup> P12

Planning Team Leader via Mr Buckley which we received on 4 July which helped to crystallise the options.

- 36 From a planning perspective, I agree that there are urban form benefits in infilling existing large lot zones. However, the Council needs to be realistic in applying assumptions around the feasibility and timing of this future infill. There are significant constraints and uncertainties concerning the feasibility, timing and therefore potential quantum of this potential infill that will actually happen. These include the size, shape and services to existing dwellings and the location of those dwellings on the site. My desktop assessment is that many of the 'potential' new lots would be non-complying and the only way intensification could occur for these lots would be through a plan change to GRZ (General Residential Zone). Considering lot size alone, only 14 of the existing 28 Swannanoa LLRZ lots are large enough (i.e. 1 ha +) to resubdivided to create average 5000m<sup>2</sup> lots (and not taking into account access requirements given that the minimum 5000m<sup>2</sup> lot size is the net area, excluding access).
- 37 I also note that there has ben no interest expressed from landowners in the Tupelo PI overlay for rezoning (apart from one landowner). With the Block A Overlay unlikely to be available in the foreseeable future either, Block B is the only realistic option for providing further housing in Swannanoa in a timely fashion.
- 38 I also appreciate that the Panel is considering several submissions (some involving 100+ sections) and an wholistic approach to managing the wastewater constraints will be needed. However, I consider that can be considered in isolation given that there will in all likelihood be sufficient capacity in the existing network at Swannanoa in the short to medium term (3-10 years) at least. As a contingency I suggest the following staging rule would offer some additional comfort to the Council:

**For the LLRZ at 1275 Tram Road, not more than 10 residential units shall be permitted until the Council confirms there is sufficient capacity in the wastewater catchment to service the remainder of the development, or five years, whichever is the sooner.**

This rule could either be a Requirement in the Subdivision Chapter e.g. SUB S12 or included in the ODP Narrative.

- 39 I suggest that the Council continue to work with Mr McAllister advisers to find a solution to the newly identified wastewater constraint that enables the WRRS to be implemented and Block B to be given due consideration on its planning merits.

## Transport

40 Mr Carr has provided his expert Rebuttal evidence and has made some recommendations that address the matters raised by Council officers. In particular, he agrees as I do that the ODP for Block B it would be desirable, but *not essential*, to provide for a link through to Winter Road, which involves the acquisition of one property. I understand that Mr McAllister has had some initial discussions with the property owner but is unable to make any further commitments until the outcome of his proposal is known.

## Groundwater

41 I note from the WRRS that modelling '*shows some low to medium flood hazard, particularly to the south and east*'. High groundwater conditions and possible groundwater resurgence issues are also potential constraints to further development in Swannanoa, and these have been raised in the Officers Report. Mr McMullan responds to these matters in his rebuttal and is satisfied that any adverse effects can be mitigated or avoided.

## **MR BUCKLEY'S RESPONSE TO THE PANEL'S QUESTIONS**

42 For the Panel's convenience I have put my response in **Appendix 1** and have addressed them together.

43 I do however wish to respond here to the assessment of the submission of Peter and Lizzy Anderson who are seeking to rezone 1 Tupelo Place, Swannanoa from RLZ and LLRZ. The subject property is directly opposite Block B, and some of Mr Buckley's comments may apply equally to Block B. I emphasise I am not commenting on the evidence of Ms Dance.

44 First of all, it initially appears Mr Buckley is taking the position that Swannanoa is part of the urban environment and has assessed the submission against the NPS-UD accordingly. This is consistent with my position. However, at [24] he then says that Swannanoa is not part of the urban environment, so presumably the NPS-UD does not apply. But at [28] he agrees that LLRZ is urban within the context of the Proposed Plan.

45 My comments on his response regarding the NPS-UD are as follows

- a) It is to be expected that small townships will not be able to support a wide range of community facilities and jobs. There simply is not the economies of scale in and around Swannanoa to make these services viable. Conversely, if the population grew, then some of these services could be attracted for the benefit

of the wider rural area. This is the nature of sub regional urban systems as I explain in Appendix 2.

- b) The matters listed under Policy 1 interact with one another, are not exhaustive, and need to be applied in context. For example, Rangiora does not offer the same range of services and jobs as Christchurch City, but it does fulfil other functions and gives effect to Policy 1 in other ways. Similarly with Woodend. There is a hierarchy of urban settlements each with a different function.

- 46 Whether a proposal contributes to providing 'significant development capacity' needs to be viewed in the local context. I would consider 63 houses (including 37 for Block B) to be significant in the context of the existing settlement of Swannanoa which comprises 28 existing LLR lots. It also significant in the context of the WRRDS which only makes provision for a total of 385 LLR lots across the whole District for the period 2019-2029, which equates to 39 per year. Decisions on the PDP are likely to be late 2024/early 2025 and cover a 10-year planning period i.e. to 2034/35. As far as I am aware, there have been no areas zoned LLR since 2019. So, based on 39 lots pa, a further 5 years supply (195 lots) is required over and above the WRRDS supply, a total of 580 lots. If applying NPS-UD requirements, there must be at least sufficient development capacity to meet short-, medium- and long-term needs at any one time.
- 47 There is limited scope for any further LLR sections becoming available in the foreseeable future. Both Block A and the Tupelo Place Overlay areas have development impediments, the latter being seemingly little interest from landowners as a whole. Any subdivision of the existing area is likely to be slow and incremental. In the context of what appears to be an emerging clear undersupply situation in Swannanoa, any immediate supply which helps address the shortage is significant.

## **CONCLUSIONS**

- 48 As indicated in my Evidence in Chief, Block A faces significant hurdles that preclude any likelihood of development of the block in its entirety in the short to medium term. In view of the wastewater situation, relative separation from community facilities and transport concerns raised by Mr Gregory, a pragmatic solution would be to defer any zoning and retain the Overlay.
- 49 Block B is well located to provide residential development in terms of the PDP (Policy UFD-P3) and NPS-UD. I do not consider that significant weight should be given to Policy 6.3.9 of the CRPS. Even if the Panel adopts Mr Buckley's revised position (that

LLRZs are not urban) in my opinion Policy UFD-P3(2) takes precedence over Policy 6.3.9. This is because the Council has new information that supersedes that available when the WRRDS (which purports to give effect to the CRPS) was developed. I also consider that the world has moved on since Policy 6.3.9 was promulgated over ten years ago. I also consider that Block B gives effect to the NPS-UD.

50 In terms of Policy 8 of the NPS-UD I consider that individually or combined, Blocks A and B would add significant development capacity to Swannanoa and to the overall District supply of LLR lots.

51 The site constraints on Block can be addressed either through rules in the Plan or conditions of subdivision consent and I am happy to work with Council staff to formulate the former. The situation with wastewater requires further consideration but given previous commitments by the Council, I consider it is incumbent on officers to work constructively with Mr McAllister and his advisers to reach a positive outcome.







## APPENDIX 1: COMMENTS ON OFFICER'S RESPONSE TO PANEL'S QUESTIONS

### Introduction: Is LLR Urban or something else?

1. My overall assessment of both blocks in my Evidence In Chief was based on the statutory framework starting with the NPS-UD, and assuming that the LLRZ is an urban zone in terms of the relevant statutory framework. This appears to have been Mr Buckley's approach in his Section 42A Report, but I see he has now changed his position. While his revised position may be favourable to my client<sup>1</sup>, I have difficulty in accepting it.
2. As Mr Buckley has noted there are different interpretations in statutory documents that lead us to different understandings of whether a LRRZ is an 'urban environment', and part of a well-functioning urban environment in terms of the NPS-UD. It partly depends on what is considered as the 'Tier 1 Urban Environment for Greater Christchurch, and partly on how LLRZs are treated in higher order statutory documents.
3. In response to Mr Buckley's assessment of the proposed LLR zone sought by Mr McAllister, I have set out my interpretation of what constitutes the Greater Christchurch Urban Environment in **Appendix 2**, and this differs from the position taken by the Council officers. These differences are a lot to do with how we define 'urban character'.
4. My interpretation leads to me to the opinion that Swannanoa-Mandeville is part of the Greater Christchurch urban environment. My examination of higher order statutory documents leads me to the conclusion that, on balance, these settlements are 'urban' in statutory terms. As Mr Buckley correctly points out the NPS-HPL includes LLRZs within the ambit of an urban area and I think this is significant.
5. Policy 5 and Clause 3.6 of the NPS-HPL applies to urban *rezoning* (it does not apply to 'urban development' generally). The zones that are considered to be 'urban' zones are defined in Clause 1.3 of the NPS-HPL and this includes nearly all the zones defined in Standard 8 (Zone Framework Standard) in the National Planning Standards and includes LLR. I consider that this is significant for the following reasons:
  - a) Regional councils and territorial authorities are required to give effect to both the NPS-HPL and the NPS-UD as relevant through plan change processes.
  - b) The wording of Clause 3.6 of the NPS-HPL has been drafted specifically to facilitate this interaction.
  - c) The NPS-HPL uses wording and terms that are consistent with those used in the NPS-UD (eg, sufficient development capacity, feasible, well-functioning urban environment), to ensure consistent terminology and interpretation across both national direction instruments.
  - d) Policy 2 and Clause 3.2 of the NPS-HPL requires that HPL is managed in an integrated way that considers the interactions with urban development.

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<sup>1</sup> This is because the NPS-UD would no longer need to be considered.

6. Therefore, I consider Block B needs to be assessed against the NPS-UD as well as NPS-HPL. (subject to the land being proposed as RLZ).
7. The above can be found in the supporting material for the NPS-HPL<sup>2</sup>.
8. I note that elsewhere in his response Mr Buckley states that: 'Given the NPS-HPL is a higher order document, and that RRDS was developed prior to the NPS-HPL, and does not give effect to the higher order document, I prefer approach of the NPS-HPL when considering the policies of the NPS-HPL and the application of 'urban'. I consider it is more holistic to regard LLZs as 'urban' under both Statements, but accept that some, like Swannanoa, tend to have features more akin to a semi rural settlement.
9. By way of information, the NPS-HPL Guidance document also helpfully provides guidance on some of the other matters raised by the Panel. For example it helps answer the question on whether the NPS-UD requires the Council to consider housing demand and capacity both throughout the urban environment as a whole as well as in different locations in the District itself. I note the following passage from the Guide with reference to Clause 3.6.3(a) of the NPS-HPL in relation to the meaning of 'locality':

[However] a locality should not simply be defined as the entire district administered by the territorial authority (or authorities) that prepared the Future Development Strategy. In a scenario where the territorial authority assessed demand and supply as a whole within the district (and provided no useful distinctions as to locations of demand within the district), consideration of locality is intended to be finer grained than a district as a whole and will require further analysis to understand where the key demand areas for urban growth are. Conversely, not every suburb or settlement will be its own locality – for instance a cluster of similar suburbs, or a group of settlements that cater to the same market may be a single locality<sup>3</sup>.
10. This makes sense to me as a planner because it requires the Council to consider how it allocates growth around its townships. I would assume the Council has some idea of projected growth in its settlements so that it can plan services accordingly and identify any potential effects. To my mind it is of little help to the planning of the District to rely on the District wide bottom lines in the RPS without having some idea where that growth is going to occur. LLR development should be part of that allocation process because it provides for a particular housing market.
11. I now address specific matters raised by the Panel.

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<sup>2</sup> <https://environment.govt.nz/assets/publications/National-Policy-Statement-Highly-Productive-Land-Guide-to-implementation-March-2023.pdf>

<sup>3</sup> Ibid p49

## Overarching Questions

### Weight given to WRRS, CRPS and NPS-UD

12. If the Panel accepts my reasoning above that LLRZs are 'urban', then the weight to be given to statutory documents aligns closely with the relevant clauses in Section 74 and 75 of the Act ie the NPS-UD carries significant weight as does the CRPS where it gives effect to the NPS-UD. Regard must be had to the WRRDS. If the Panel prefers Mr Buckley's new position, I consider that the NPS-UD carries less weight because Swannanoa would not be part of the urban environment. In my opinion Policy UFD-P3, becomes the dominant planning consideration (if retained) because it effectively implements the WRDDS and gives effect to Policy 6.3.9 of the CRPS but provides some responsiveness and flexibility in doing so. The issue here of course is that if the responsive provisions of the NPS-UD do not apply, then arguably UFD-P3(2) would not be giving effect to Policy 6.3.9 of the CRPS.

13. However, again as a planner, I regard UFD-P3(2) as also providing flexibility in applying the WRRDS. The WRRDS should not be a static document and if there is more detailed information that overcomes the reasons why an area wasn't included in the original strategy. Viewed in this way the policy is simply enabling the Strategy to be updated through the Review of the District Plan in accordance with Policy 6.3.9. This is actually recognised in the Strategy and I draw attention to the following statement in the Monitoring and Review section of the WRRDS (P22):

*This document has a ten year life from adoption, but will be checked in 2022 in order to reconcile it against other work including the review of the Waimakariri District Plan. The quantum of anticipated and/or actual land rezoned for rural residential use as an outcome of this Strategy and the District Plan Review will then be better known and will inform this exercise.* My underlining.

14. I note that Mr Buckley has referred to the Southern Cross v Eden and Epsom Residential Protection Society in his answer to Panel Questions. My (quick) reading of this case is that part of the issue was whether, in that instance, the District Plan was required to give effect to the NPS-UD, the context being a private plan change application. It seems to me that this is not an issue for the PDP ie it has to give effect. What is of interest to me though as a planner (not a legal expert) is how the PDP gives effect to it. It appears that the NPS-UD mainly applies to 'urban environments', but it seems that Objective 2, and Policy 2 may apply to the whole of a Tier 1 territorial authority irrespective of whether or not specific locations within the TAs are within an Urban Environment as defined in the NPS-UD. This is reinforced in parts of Sub part 3.6.

15. If I was to encapsulate this in the context of Greater Christchurch as a planner, it would be like this: Tier 1 TLAs are required to take steps to ensure that housing is affordable throughout the District/ City, including by ensuring there is an adequate supply of serviced land, but make sure the urban environment (however it is defined), is well-functioning

16. I note that Council officers are recommending replacing the term “Urban Environment” for “Urban Centres”. Apparently, this change in the term and definition ‘aligns with both the Regional and District Councils approach towards Rural Residential/LLRZ as not being considered as urban’.
17. With respect, urban environments and urban centres are not the same thing in planning documents. A town such as Woodend can be regarded as an urban environment but it is not an urban centre. *Urban centres* are not defined in the NPS-UD but a *centre zone* is. These zones are described in the National Planning Standards (Zone Framework Standard) and are predominantly service/ employment related. Policy 6.3.1(4) of the CRPS is to ‘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’. Objective 6.2.6 requires new commercial activities are primarily directed to the Central City, Key Activity *Centres* and neighbourhood *centres*. SD-02(5) clearly refers to a hierarchy of centres in these terms.
18. I cannot see any justification for this change. I accept there might be a problem with the way ‘urban environment’ is used in UFD-P1 but I don’t think the recommended change addresses this.
19. I note in Appendix 3, Table A, reference is made to how LRR Zones are addressed in Christchurch City and Selwyn District. I wish to point out that the LLRZ in (south) Prebbleton was inside the Projected Infrastructure Boundary (PIB). The Christchurch City RLL on the Port Hills are not rural either. They are inside the Existing Urban Area but have a smaller lot size closer to Low Density Residential.

Overview/195] McAllister

20. This question concerns the weighting that should be given to the WRRS, and by implication, the relevant statutory assessment criteria. I use the McAllister submission to illustrate my view on this.
21. Block A is outside the area defined as Greater Christchurch but adjoins the western side of Swannanoa. To the extent that the WRRS is an instrument of the CRPS Policy 6.3.9 the latter has no relevance for existing Overlays. The Overlays can also be assumed to give effect to Policy 5.3.1 of the CRPS (the Regional Council would have presumably opposed them otherwise). In my opinion therefore the WRRS is a matter under S74 (2)(b)(i) ‘to have regard to’. However, UFD-P3 seems to be the dominant planning instrument.
22. In my opinion, what is required for Block A to be approved under UFD-P3(1) is that site specific matters are considered and the zoning given effect to through an ODP. The criteria for ODPs are set out in SUB P-6 which to my mind is also a key policy here.
23. Relevantly, I note Mr Buckley comments on SUB-P6 in response to a later question specifically referring to Blocks A and B (re Paras 192-201). He correctly states that the ODP submitted for Block A does not show all the features in the SUBP-6 criteria, but

there is a good reason for this. The Policy seeks that new *Residential Development Areas*, new *Large Lot Residential Zones*, new *Commercial and Mixed Use Zones* and new *Industrial Zones* shall not be subdivided until an ODP for that area has been included in the District Plan and each ODP shall:...(my italics).

24. This criteria doesn't just apply to LLRZ, and not all potential ODP areas are the same and will vary according to their size, location, specific issues that are present (eg transmission lines, set backs natural features etc). This will mean that some of the criteria listed are of less or no relevance in a particular situation. For example, the ODP that I presented for the Spark submission in SE Rangiora included all the listed criteria and probably more, because those features were required in order to provide an integrated planning framework for that particular Site. Block A is nothing like the Spark site. I also note that Policy 6. 3.3(3) of the CRPS (ODP) begins by the words 'Where relevant...' (this would only apply to Block B, being inside Map A, but reinforces my point).
25. I am not convinced that it is necessary for an ODP for Block A to show how it integrates with neighbouring developed areas and connectivity with any support services, such as schools, and reserves. However, I am prepared to discuss this further with Council officers and amend the ODP accordingly if needed.
26. Block B is inside the Greater Christchurch boundary and is subject therefore to Policy 6.3.9. However, in my view this has been overtaken by UDF-P3(2) (if retained) which I consider should be given more weight to give effect to the responsive provisions of Objective 6 and Policy 8 of the NPS-UD. I provided some evidence on 'significant development capacity' in my Evidence in Chief and Appendix 1 in response to Mr Buckley's assessment of the Tupelo Place submission.
27. As I note above, if the Panel considers that Swannanoa is not part of the 'urban environment' then UDF-3(2) becomes the dominant policy instrument. I have already discussed, as a planner, how I consider UFD-P3(2) should be applied in terms of the WRRDS and Policy 6.3.9 of the CRPS.

#### LLRZO v LLRZ

28. I generally agree with Mr Buckley's response although I do not consider his reference to the Section 42A Report on Urban Form and Development [149] is that helpful. My understanding of the LLRZO is that it is similar to a FDA, with the assessment process focusing on the site-specific matters. I note for Swannanoa it was anticipated that wastewater services would be available (refer to **Appendix 3** of this evidence). The Council apparently discovered in Dec 2021 that this was not the case but took no action to remove the Overlay, so I assume the Council intends to rectify the situation through the LTP or some other mechanism. I note from Mr Buckley's earlier report that in supporting the retention of UFD-P3, consideration has been given to enabling new large lot residential development to occur should those sites identified in the Proposed Plan be considered unsuitable.

29. I do not agree that 5.3.1(1) applies to those areas identified in the WRRDS within the Greater Christchurch Area in RPS Policy 6.3.9. This policy applies to the Wider Region which excludes Greater Christchurch.

#### Overarching Question

30. *Please explain what criteria you have used to determine whether a rezoning request is consistent with Objective 1 and Policy 1. For example, what distance to you consider to be close to jobs, to be serviced by public or active transport; and what constitutes supporting reductions in greenhouse gas emissions etc?*<sup>4</sup>

31. I consider this to be a very important question, particularly in relation to greenhouse gases (GHGs) which, as far as I can tell, has not been directly addressed in Mr Buckley's response to the question. In the case of the McAllister submission, one of the reasons for rejection is that he and Mr Binder do not consider the proposed development will support reductions in greenhouse gas emissions. A report from Beca concluded the same for the Ohoka proposal.

32. I assume they are saying that people living in Swannanoa need to travel further to the main urban areas for work recreation, shopping, schools etc. However, there are caveats to this assumption. For example, these longer trips may be less frequent than similar trips made by residents closer to destinations. Also, the graphs below, indicating travel patterns for Swannanoa and Kaiapoi, show that there is a higher proportion of journey to work trips ending up in Christchurch for Kaiapoi compared to Swannanoa. There is also a higher proportion of trips from Kaiapoi using private cars, trucks or vans. Source: <https://commuter.waka.app/#> using 2018 Census.

33. If my opinion is accepted that Greater Christchurch functions as an urban system, **(Appendix 2)** I consider it is reasonable to expect that some parts of the system will function more efficiently than others. But the overall aim of the system should be to achieve a reduction in GHGs over time through strategic sub-regional planning.

34. Furthermore, the NPS-UD Objective 3 requires regional policy statements and district plans enable **more** people (my bold emphasis) to live in, and more businesses and community services to be located in, areas of an urban environment in which one or more of the following apply:

- a. the area is in or near a centre zone or other area with many employment opportunities
- b. the area is well-serviced by existing or planned public transport;
- c. there is high demand for housing or for business land in the area, relative to other areas within the urban environment.

35. This objective is partly aimed at reducing single occupancy vehicles and promoting transport choice and is seeking that more people live in those locations, not everybody.

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<sup>4</sup> I note that the Panel asked a similar question relating to Par 271 of the S42A Report.

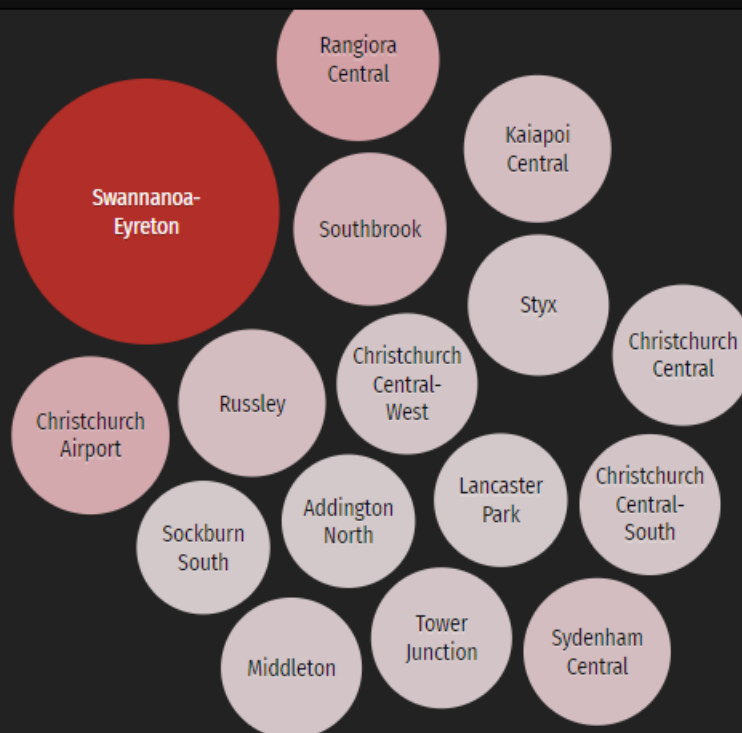
# Swannanoa-Eyreton



Resident Workers: 588

All · Workplace · Education

**162 people (52% of departures)** travel from Swannanoa-Eyreton for work, while **147 people (48% of departures)** also live & work within Swannanoa-Eyreton. People travel to **15 different areas**, the largest external destination being **Rangiora Central (21 people—7% of departures)**. People in Swannanoa-Eyreton most often depart by **drive a private car, truck or van (57%)**.



Commuter View



# Kaiapoi North West



Resident Workers: 1,047

All · Workplace · Education

**330 people (67% of departures)** travel from Kaiapoi North West for work, while **159 people (33% of departures)** also live & work within Kaiapoi North West. People travel to **27 different areas**, the largest external destination being **Kaiapoi Central (48 people—10% of departures)**. People in Kaiapoi North West most often depart by **drive a private car, truck or van (67%)**.



36. In relation to the Panel’s question regarding [271]:

Please explain how you define “close enough” in respect to your assessment of proximity to jobs, community services and public transport,

37. I agree with Mr Buckley’s response. That is, with reference to Policy 6.3.9 5(k) of the CRPS, 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. I consider both Blocks A and B give effect to this clause.



## APPENDIX 2

### Well-functioning urban environments.

NB: What follows is only relevant if the Panel considers Policy 1 of the NPS-UD must be given effect to as per Mr Buckley's Section 42A assessment on the McAllister submission.

#### Introduction

1. The Panel sought guidance from the expert planners on what, in the context of Greater Christchurch, should be considered as the 'urban environment' in terms of the NPS-UD. The experts were unable to reach a unanimous view on this.
2. There were two main 'camps'. There were those, which included Council officers, who took the position that the urban environment was defined by the existing urban area on Map A of the Canterbury Regional Policy Statement (CRPS). The rationale for this position is well set out by Andrew Willis in his Section 42A Report for the Stream 12D hearing on Ohoka<sup>1</sup>. As he states:

any area of land (regardless of size, and irrespective of local authority or statistical boundaries) that:

- a) is, **or** is intended to be, predominantly urban in character (my bold emphasis); and
  - b) is, or is intended to be, part of a housing and labour market of at least 10,000 people.
3. The main other view, including mine, was that the whole of Greater Christchurch as shown on Map A of the operative RPS and in the Greater Christchurch Spatial Plan<sup>2</sup> including the 'non settlement' areas was the relevant area to which Policy 1 of the NPS ought to be applied. I acknowledge there are reasonable arguments for either approach. Some considered the urban environment in Waimakariri District included areas outside Greater Christchurch e.g. Oxford.

#### Are we talking about 'urban form' or 'urban systems'?

4. In my opinion, whether an area has urban characteristics is not just a matter of urban form. It is also, perhaps more so, a matter of urban 'function'. The NPS-UD is concerned with '*well functioning*' urban environments, not urban form per se, even though the two are interconnected. This means, in my opinion, we need to think about 'urban systems'.
5. I consider the Greater Christchurch area<sup>3</sup>, to be an urban *system* in terms of the NPS-UD and the area not 'zoned' for 'urban' purposes (not all of which has a rural zoning) as 'peri-urban'.<sup>4</sup> There are various interactions between the peri-urban and urban areas, not just in terms of housing and labour markets, but also in terms of how city dwellers depend on the natural and physical resources in the peri-urban environment, and vice versa. For example, various roads, transmission lines and sub surface reticulation services connect various settlements to one another and to the peri-urban area. Similarly, areas such as the Port Hills, Bottle Lake, Mcleans Island and Rangiora Racecourse 'have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport' (Policy 1(c) below). Maps 9 and 10 of the Greater Christchurch Spatial Plan (GCSP) show these features.
6. At the local level, we still need to think about well-functioning communities which is consistent with the view of Council officers.

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<sup>1</sup> Section 3.4 of his report [https://www.waimakariri.govt.nz/\\_data/assets/pdf\\_file/0025/163294/HS12D-S42A-REPORT.pdf](https://www.waimakariri.govt.nz/_data/assets/pdf_file/0025/163294/HS12D-S42A-REPORT.pdf)

<sup>2</sup> <https://greaterchristchurch.org.nz/assets/Documents/greaterchristchurch-/Greater-Christchurch-Spatial-Plan-2024-Web.pdf> Map 1 page 12

<sup>3</sup> As defined in the Greater Christchurch Spatial Plan<sup>3</sup> At [48]. Also the CRPS Map A.

<sup>4</sup> I note that the Greater Christchurch Spatial Plan terms this a 'Green Belt,'.

7. The definition of what constitutes a well-functioning urban environment is not exhaustive and the matters listed interact with each other. For example an important consideration is that an urban environment must be financially sustainable in terms of both capital and operational expenditure, both public and private. It is generally accepted that urban areas that are compact are more efficient than those that are spread out but even this acceptance involves countless trade offs eg market acceptance and land costs.
8. Policy 1 of the NPS-UD defines well-functioning urban environments as:  
urban environments that, as a minimum:
  - (a) have or enable a variety of homes that:
    - (i) meet the needs, in terms of type, price, and location, of different households; and
    - (ii) enable Māori to express their cultural traditions and norms; and
  - (b) have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and
  - (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
  - (d) support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and
  - (e) support reductions in greenhouse gas emissions; and
  - (f) are resilient to the likely current and future effects of climate change.
9. Mr Willis correctly identified that there are large parts of the Greater Christchurch area that are not intended to be 'predominantly urban character'<sup>5</sup>, particularly in Waimakariri and Selwyn Districts. But he accepts that all of Greater Christchurch may be part of a housing and labour market of at least 10,000 people<sup>6</sup>.
10. The determining factor to be whether the Greater Christchurch area is predominantly urban in character, or intended to be as Mr Willis states: *[this] is ultimately a matter of application of substantive judgement and expertise, having regard to particular facts and circumstances applying to that area*<sup>7</sup>. Unfortunately there is no definition of 'character' either in the Act nor any higher order statutory document. Mr Willis however appears to have taken the position that the term is best understood by an expert such as a landscape architect or expert in urban character.<sup>8</sup>
11. This is where I differ from Mr Willis.
12. Under Mr Willis's approach much of MR 873 at Tuahiwi would not be considered part of a well-functioning urban environment, even though arguably it should be under Policy 1 (a) (ii). It is only partly recognised being within the Existing Urban Area on Map A and has a separate status as 'Kainga Nohanga/Papakāinga' on Map 2 of the GCSP. Bottle Lake Forest in Christchurch City would be excluded even though it is a well used recreation area for Greater Christchurch.
13. Viewed as an urban system the 'character' of an area is more than just visual landscape and includes characteristics that are not 'visible'. I note that the 2018 Boffa Miskell Rural Character Assessment referred to by Mr Willis does not define character and is essentially a landscape based assessment. This means that areas like the Port Hills for example would be seen as having a rural character. However, they have an important function as being an urban backdrop, urban recreation area and part of the Christchurch stormwater catchment.
14. Finally, district plan zoning should not be seen as the basis for distinguishing urban from rural. The Christchurch District Plan identifies both Bottle Lake Forest and Travis Wetland as Open

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<sup>5</sup>,

<sup>6</sup> At [49]

<sup>7</sup> At [46]

<sup>8</sup> At [46]

Space (Natural) even though the latter is completely surrounded by residential development while the former is surrounded by a range of uses and includes a rehabilitated landfill area.

15. I accept that there are existing imperfections in the way the subregional system functions. I also accept the landscape character in parts of the Greater Christchurch is predominantly rural, including between Clarkville and Swannanoa.
16. The intensity of interaction between the peri urban and urban areas varies in different parts of the subregion. The interaction is strongest in Christchurch City and weakest in western areas of Waimakariri and Selwyn. It could be argued that the boundaries of the Greater Christchurch Area don't conform with what functions as an urban area. However, that is the planning unit used for the urban development strategy since circa 2006.
17. I also consider that each township functions as its own 'subsystem' so urban development proposals in these areas need to consider Policy 1 but the context within which each subsection applies will be different. Some urban settlements will be able to achieve it more than others depending on, for example, their size, or access to existing or planned public transport services.

#### **Significance of this Issue.**

18. The issue is a cross boundary one. It is important that each territorial authority and Ecan are consistent in the way that urban environment is understood and applied. Subregional settlement strategies must be developed in a manner consistent with Policy 1, by for example allocating most growth to intensification areas. District /City urban strategies need to give effect to that strategy, but it is unlikely that all growth needs can be accommodated through intensification.
19. Some subsections of Policy 1 will be easier to implement at a local level than at a subregional level. For example Policy 1(f) is more likely to be resolved at a subregional level through for example identifying areas of retreat from coastal areas. Supporting a reduction in greenhouse gases is probably going to be easier to give effect to in the short term at the local level through for example providing for greater transport choice. Any growth in the outer settlements is most likely to generate greenhouse gases through private transport use but even this depends on a range of assumptions around trip behaviour. As take up of electric cars continues over time, the contribution of private transport to green house gas emissions 'across the board' will reduce.

#### **Relevance to Swannanoa Rezoning.**

20. Defining what constitutes the urban environment is relevant if the NPS-UD applies to Swannanoa. If Mr Buckley is not now relying on the NPS-UD to support his recommendations then there is no need to consider Policy 1 at the subregional level. However, I still consider a consolidated urban form at Swannanoa is more in keeping with sound resource management than a more dispersed one.
21. Swannanoa has a relatively strong semi rural character relative to other settlements such as Woodend, Prebbleton (Selwyn District) and even Ohoka. Its contribution to a well-functioning subregional urban environment is minor compared to the abovementioned examples. This is mainly because of its size and limited range of community facilities and because it is relatively less efficient in terms of travel distances and servicing. It does provide active transport options, being connected by a cycleway to the existing local commercial centre at Mandeville.
22. However it is an existing settlement that provides for a specific housing market that needs to be recognised and provided for to give effect to the National Policy Statement on Urban Development. There is a potential benefits in tactical rezoning in terms of promoting a well-functioning settlement. This is no different from say the Spark rezoning at south east Rangiora (approximately half of which is outside a Future Development Area).

## **Conclusion**

23. Greater Christchurch is a subregional planning unit and potentially a subregional administrative unit like Auckland Council. It should be regarded as the urban environment in terms of the NPS-UD although the efficiency in the way it functions varies across the subregion. If this interpretation is accepted then Swannanoa is part of that urban environment.

## APPENDIX 3 ASSESSMENT OF SWANNANOVA IN WRRDS

### 1. Swannanoa

Swannanoa is located approximately 14km west of Kaiapoi. The existing Residential 4B Zone was developed in 1995 and comprises 30 lots on approximately 30 hectares. It is bounded by Two Chain Road to the west and Tram Road to the north.

The area is surrounded by Rural Zone lots ranging from 4 hectares to 20 hectares. Swannanoa School is located on Tram Road, immediately east of the rural residential area, and north of Tram Road is the Swannanoa Domain Reserve. It is connected to the Council's reticulated water supply and wastewater scheme (Eastern District Sewer Scheme) and is not within a rated drainage area.

#### Strengths

**Overall, the Swannanoa area enjoys the following strengths relevant to further rural residential development:**

- Potential connectivity to reticulated water and wastewater services; existing capacity in both networks
- Close proximity to local school and domain
- Outside of identified active fault lines and not subject to liquefaction risk or coastal hazards
- Not near high voltage transmission lines infrastructure
- No mapped notable/protected trees, vegetation and habitat sites, heritage sites, wāhi tapu sites, wāhi taonga sites or silent file areas nearby

- Good transport connections via Tram Road
- Clear from flood hazard shown in Environment Canterbury's Ashley River breakout modelling
- Good support for more rural residential development at Swannanoa through submissions on the draft Strategy.

#### Constraints

**In general, the Swannanoa area faces some environmental and other constraints:**

- Council Localised Flood Hazard Modelling shows some low to medium flood hazard, particularly to the south and east
- High groundwater conditions and possible groundwater resurgence issues
- Medium soil drainage
- A local airfield located further to the east
- Versatile soils to south and east that should be protected for productive rural activities
- An intensive poultry farm operating further to the south
- Outside of rated drainage scheme.

#### Growth Directions

**Taking into account identified local strengths and constraints, further rural residential development will be enabled to the north and west of the existing Rural Residential Zone, as shown in Figure 4.**

These directions largely avoid versatile soils and flood hazard areas more prevalent to the south.

Some key underlying landowners in these directions have signalled their support for rural residential development through the submission process on the draft Strategy.

Appropriate connectivity, particularly to the school, across Tram Road and Two Chain Road will need to be considered in any development proposal.

## APPENDIX 4

Correspondence Re Wastewater at Swannanoa Received 4 July 2024.

Hi Mark

At the end of the day its something we would need to test in the model. We have the model (not WSP) so its something WDC are probably best running.

We haven't tested each of the proposed rezoning applications in the model, only the one received from the San Dona area and the answer there was the system doesn't have capacity but capacity could be freed up via two options

1. Reticulation Pipe Upgrades + Conversion to LPSS
2. Reticulation Pipe Upgrades + Upgrade to Bradleys Road Pumpstation (incl part of the rising main)

Cameron is right that there is some spare capacity downstream of the Bradleys Road pumpstation. There is not nearly enough to accommodate PC31 but there is some spare capacity there for some additional connections. However, in order to connect to this part of the system you have to have a LPSS system. Anything connected upstream of Bradleys Road needs to be STEP and there is no spare capacity in this part of the network. But also noting that a big chunk of the existing capacity at Bradleys Road has been taken up by future connections which have been allowed for to give effect to the LLRZ zoning, so there is some time dependant capacity available also.

That leaves you with a number of options.

1. You could simply hook on more STEP connections onto the STEP network, undertake any necessary reticulation pipe upgrades and do an upgrade of the Bradleys Road pumpstation to accommodate the extra flow. The key issue with this option is the downstream rising main which is PN10 pressure class, so we can't simply increase the pumping head to get more flow down the pipe, we would need to replace a significant length of it to make this option work. Also, this adds more STEP connections to the network which have proven problematic when we get those major flood events which overwhelm the system for days.
2. You could create a new LPSS system running in parallel with the STEP system via a new dedicated reticulation network and hook this into the system downstream of the existing Bradleys Road pumpstation. There will be a limit to how much you can actually send into this rising main before exceeding the capacity of it but that is something we should be able to calculate. The key issue here is the length of new reticulation you would need and if you're in San Dona it may not be too significant but if you're in Swannanoa that's a rather long length of pressure main to construct to get you past Bradleys Road.
3. You could convert over part (or all) of the system to LPSS which would free up capacity at Bradleys Road and in turn the downstream rising main and the network in general. This has a number of long term benefits in reducing I&I but there is a significant upfront cost and you would need to undertake the conversions in blocks by redirecting and reconfiguring parts of the reticulation network to bypass the Bradleys Road pumpstation. This is something that could be done relatively easily at the San Dona end but it comes with the same cost considerations as Option 2 if you try and do it at the Swannanoa end. There may also be some opportunity to do this in say San Dona to create capacity for Swannanoa but all of this would need to be tested in the model. The key issue with this option is the cost in converting over existing connections to LPSS, approximately \$25k per property based on recent work



in Tuahiwi and Fernside. There is also the possibility that the existing reticulation mains will need to be upgraded if the existing pressure class is not sufficient.

4. You could simply accept additional connections now in lieu of those future connections taking up the capacity in the future. The obvious issue with this approach is you have taken up capacity and the means for some of those LLRZ properties to subdivide in the future. Also, if there is a desire to convert the whole of Mandeville to LPSS in the future to deal with the I&I you are creating an investment in private infrastructure that may be obsolete in the medium to long term. However on top of that you would need to put together a plan or strategy for upgrades in the future and collect contributions from the properties connecting now to pay for that. This bit would be challenging as we can't collect DC's for projects beyond 10 years, so either the works would need to be completed earlier or the Council would end up funding those future properties to subdivide in the future.

The bottom line here is there's a lot of work to do in order to understand the most cost effective and practical strategy for freeing up additional capacity in the system as well as understanding what the ultimate capacity of the rising main between Mandeville – Ohoka – Rangiora is.

I don't know if that helps you in your response. In my mind the simplest (albeit conservative) approach at this stage would be for the applicant to consider an independent LPSS system connecting downstream of the Bradleys Road Pumpstation and using that as a basis for any rezoning application. The available capacity in the downstream rising main could be estimated by assuming the Bradleys Road pumps are operating at max flow for an extended period and the demand in Ohoka calculated by using the future number of LPSS connections in the Ohoka area based on the figures in the PDU report.

Cheers

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