

**BEFORE THE WAIMAKARIRI DISTRICT  
COUNCIL HEARINGS PANEL**

**IN THE MATTER** of the Resource Management  
Act 1991

**AND**

**IN THE MATTER** of a submission by Andrew  
McAllister (submission 8)

**SUMMARY STATEMENT OF EVIDENCE OF IVAN THOMSON**

**Date: 22 July 2024**

## **INTRODUCTION**

1. My name is Ivan Thomson. Along with my Evidence in Chief (EIC), I have previously provided a rebuttal statement of evidence (dated 5 July 2024) responding to the Council Officers' reports on planning matters, and their response to questions put by the Panel. My EIC sets out my qualifications and experience, and I confirm I have read and will abide by my professional obligations under the Environment Court's Practice Note 2023.
2. The 'site' comprises two separate areas. Towards the west, 1379, 1401 and 1419 Tram Road are located on the southwestern quadrant of the Tram Road / Two Chain Road intersection, and are collectively known as Block A. 1275 Tram Road lies east of the Tram Road / Two Chain Road intersection, adjoining the existing developed LLRZ and Swannanoa school and preschool and is known as Block B. The statutory context differs markedly for the two areas as they are either side of the Greater Christchurch boundary.

## **SUMMARY OF POSITION**

3. My position has three parts. Firstly, I have assumed that Swannanoa is part of the Greater Christchurch urban system, and Swannanoa forms part of that system. I consider that this approach provides the context for assessing the submission strategically in terms of Objective 6 and Policy 1 of the NPS-UD, including greenhouse gas emissions. This does not mean that new urban development should be permitted to occur indiscriminately across the sub region/system.
4. Secondly, I consider that Swannanoa is an urban area in terms of the higher order statutory framework but acknowledge that this is finely balanced. This enables the submission to be assessed in its wider district urban planning context. Thirdly, Block B is well located in terms of assisting Swannanoa to move towards a well-functioning urban environment at the local level, but Block A is less so because of the severance created by Two Chain Road, and further distance from Mandeville. The expert technical evidence I am relying on does not indicate that there are site specific constraints that prevent the rezoning of either block but the Council's intentions regarding the future of its portion of Block A are unclear.
5. I place most weight on the NPS-UD and UFD-P3(2) to support Block B, and the Waimakariri Rural Residential Development Strategy (WRRDS) and Chapter 5 of the CRPS to support Block A's rezoning. I consider that the District Plan Review is the method for reviewing the WRRDS<sup>1</sup> and therefore the inclusion of Block B as a LLRZ would not be contrary to Policy 6.3.9 of the RPS.

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<sup>1</sup> WRRDS Part 3 Monitoring and Review p 22. 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

6. If, on the other hand, the Panel adopts the position the Swannanoa is a rural settlement, the statutory framework changes. Most significantly Block B is not subject to Policy 1 of the NPS-UD and greater weight is placed on UFD-P3(2) and the monitoring provisions of the WRRDS. I consider that the framework for Block A remains unchanged. Under either scenario I consider that the rezoning of Block B gives effect to/is consistent with the applicable statutory framework.
7. I consider that, while Block A is consistent with its applicable statutory framework, there are potentially some impediments to its development in the short to medium term, alluded to above. If a choice needs to be made between zoning Block B or Block A, for example because of wastewater capacities, in my opinion Block B should be given priority because of its more central location and single ownership.
8. The development of Block B has positive effects for the local community. Mr McAllister has agreed to gift land to the adjoining preschool to provide additional car parking for staff and parents. This will help solve a current safety issue at pick up and drop off times when queuing vehicles spill onto the road due to lack of on-site parking at pick-up and drop-off times. The ODP also provides for a pedestrian link into the preschool and school.
9. My EIC concludes that concludes that Block A is exempt from the provisions of the NPS-HPL because it is exempt from the definition of HPL under Clause 3.5.7 of that document. For Block B, I have concluded that, on balance, an LLRZ would not be contrary to the NPS-HPL based on the evidence of Mr Ford, my assessment in terms of Clause 3.6 of the NPS-HPL, and on the proposed Rural Lifestyle Zone which exempts the land under Clause 5.3.7(b)(ii). I note that under the Operative and Proposed Plans, McAllister is already able to subdivide Block B into four-hectare blocks and has existing live subdivision and land use resource consents for this purpose.
10. I note that the presence of versatile soils was one of the reasons for excluding Block B from the WRRDS. However, there is nothing I can see anywhere in Chapter 6 of the RPS (including issues, Policy 6.3.9 and environmental results anticipated) that makes mention of versatile soils.
11. Regarding transport I have read the s 42A reports of Mr Buckley and Mr Gregory (Appendix F to the s 42A report) and, within the field of my expertise have commented in both my EIC and Rebuttal. I agree with Mr Carr's evidence where he covers matters pertaining to the ODP, active and public transport and, by implication, greenhouse gas emissions.
12. I concur with Mr Carr when he states in his Summary that the school, preschool, tennis courts and community hall in Swannanoa are within walking distance of both Block A and B.

However, Block B is closer to Mandeville<sup>2</sup> for those choosing to use transport other than private vehicles to access/ visit the supermarket and other facilities or social contacts in that settlement. There is a purpose-built shared cycleway/footpath running past Block B to facilitate this.

13. Potential flood hazard was a factor in the Council's decision not to include Block B in the WRRDS. From my understanding of Mr McMullan's EIC and Rebuttal there are mitigation measure available which manages the risk to enable approval under Section 106 of the Act to be given at the subdivision stage. In the latter, Mr McMullan acknowledges the groundwater resurgence issues present, and provides further details on how stormwater can be managed on site to manage the rate of run-off and filter out contaminants.
14. The availability of an acceptable wastewater disposal method appears to be one of, if not the, main reasons for recommending rejecting the rezoning submission for Blocks A and B. The state of the wastewater network is a catchment wide problem, and not just a problem for Swannanoa, and I understand the need for caution when considering new development proposals and ensuring that there is integration between land use planning and servicing.
15. Mr Mars, in his Rebuttal, has described engineering options to ensure that the proposed development does not worsen the current state of the wastewater system. I have suggested two planning options: not rezoning Block A through the review process; and offering up a staging rule for developing Block B (to be finalised with Council staff) to ensure that additional, incremental, loadings are commensurate with what the modelling is telling us about what is achievable without aggravating the existing situation. Between the engineering and planning instruments, I consider there should be a positive outcome for the landowner and community in the face of an unanticipated and recently raised issue.

## **CONCLUSIONS**

16. Having considered the relevant statutory framework(s), Council's Reports and Response to questions and the technical reports I cannot see any valid resource management reasons preventing the rezoning of Block B for Large Lot Residential and can support that part of the submission.
17. I have a different view on Block A. Unless the Council intends to remove the plantation in the near future and work collaboratively with Ngai Tahu and Mr McAllister to achieve an integrated development, I see little point at this stage in rezoning the current overlay.

Ivan Thomson

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<sup>2</sup> The distance to the commercial centre at Mandeville is approx. 3.1 km. I stated in my Evidence in Chief that the distance to Mandeville is 1.5km at [17]. I accept that most trips will be to the Centre and the 3.1 km distance is more meaningful in planning terms.

22 July 2024