

OFFICER'S REPORT FOR:

Hearing Panel

SUBJECT:

Proposed Waimakariri District Plan: Wāwāhia
whenua / Subdivision - Urban

PREPARED BY:

Rachel McClung

REPORT DATED:

13 March 2024

DATE OF HEARING:

Hearing Stream 8: 15-17 April 2024



WAIMAKARIRI
DISTRICT COUNCIL

Executive Summary

1. This report considers submissions received by the District Council in relation to Urban subdivision. This includes assessment of submissions on:
 - The introduction to the subdivision chapter
 - All Subdivision Objectives and policies except, SUB-P9 Access to, protection and enhancement of the margins of water bodies, and new policies proposed by the Canterbury Regional Council and Kainga Ora, and specific submission points on objectives and policies associated with rural issues
 - All activity rules except; SUB-R3, and SUB-R8 to SUB-11¹
 - New rules for unit title and cross lease subdivision proposed by submitters
 - All subdivision standards except; parts of SUB-S1, SUB-S2 associated with rural issues and SUB-S6, SUB-S8, SUB-S10, SUB-S13, SUB-S14, SUB-S16, SUB-S18²
 - All Advice Notes
 - All Matters of Control and Discretion, except SUB-MCD5, SUB-MCD6, SUB-MCD9, SUB-MCD10, SUB-MCD11 and SUB-MCD12.
2. The report outlines recommendations in response to the issues that have emerged from these submissions.
3. There were a number of submissions and further submissions received on the Urban Subdivision Topic. The submissions received were diverse and sought a range of outcomes. The following are considered to be in contention in the chapter and addressed in this report:
 - Criteria for subdivision design and amenity
 - Criteria for an Outline Development Plan (ODP)
 - A boundary adjustment will not result in additional allotments or undersized allotments
 - Allotment size and dimensions
 - Activity status for when 20m esplanade strip or reserve is not provided; and

¹ SUB-R3 Subdivision within the liquefaction overlay, SUB- R8 Subdivision to create a bonus allotment, SUB- R9 Outstanding Natural Feature and Landscape Overlay / Heritage Area Overlay / Notable Trees Overlay, SUB-R10 Subdivision General Rural Zone, SUB-R11- Subdivision resulting in an allotment that is less than 4ha within the 50dBA Ldn noise contour for Christchurch International Airport.

² SUB-S6 Access to a strategic road or arterial road SUB-S8 Corner Sites on road intersections in Rural Zones, SUBS10 Potable Water in Rural Zones, SUB-S13 Offsite Wastewater disposal fields, SUBS14 Electricity Supply and Communications Connectivity, SUB-S16 Rural Drainage, SUB-S18 Subdivision to create a bonus allotment.

- How the PDP allows for cross lease, company lease and unit title subdivision.
4. This report addresses each of these matters, as well as any other issues raised by submissions.
 5. I have recommended some changes to the Proposed Plan provisions to address matters raised in submissions and are summarised below:
 - SUB-O2 – Additional wording to more clearly relate the objective to subdivision;
 - SUB-P1 – Amendment to clause 3 to improve readability;
 - SUB-P2 – New Clause 4 for commercial and industrial zones;
 - SUB-P3 – Additional words ‘where appropriate’ in clause 3, and a new clause 5 to address climate change resilience and natural hazard risk;
 - SUB-P6 – Amendments to include ‘new General Residential Zones’ in the chapeau, replace ‘school’ with ‘educational facility’ in clause 2(b)(i), remove ‘and how it will be funded’ from clause 2(b)(e), new clause 2(b)(m) for natural hazards;
 - SUB-P7 – Additional words ‘general accordance with’ flexible elements;
 - SUB-P8 – remove example ‘such as financial contributions that are proportional to the benefit received’ from policy;
 - SUB-R1 – Amend to require compliance with SUB-S1 to ensure no additional allotment is created by a boundary adjustment and that a boundary adjustment does not increase the degree of non-compliance with the minimum allotment size;
 - New SUB-R3a – new rule for subdivision to update cross lease, company leases and unit title plans;
 - SUB-S1 – reduce activity status from non-complying to controlled when compliance with minimum frontage within a cul-de-sac turning head is not achieved by adding ‘lots fronting cul-de-sac turning heads’ as an exclusion to the frontage requirements in Table 1;
 - SUB-S17 – reduce activity status from non-complying to restricted discretionary when compliance not achieved with minimum width;
 - New SUB-AN3 – New advice note for consideration of limited access road to ensure properties have frontage to legal road;
 - SUB-MCD1 – new clause 5 for updates to cross lease plans, company plans or unit title plans; and
 - SUB-MCD3 – Amendments to clause b to include consideration of any upgrades required to existing accesses as a result of subdivision, and to clause c to include transport safety.
 6. Having considered all the submissions and reviewed all relevant statutory and non-statutory documents, I recommend that the Proposed Plan should be amended as set out in section **Appendix A** of this report.
 7. For the reasons set out in the Section 32AA evaluation in **Appendix C**, I consider that the proposed objectives and provisions, with the recommended amendments, will be the most appropriate means to:

- achieve the purpose of the RMA where it is necessary to revert to Part 2 and otherwise give effect to higher order planning documents, in respect to the proposed objectives, and
- achieve the relevant objectives of the Proposed Plan, in respect to the proposed provisions.

Contents

| | |
|--|------|
| Executive Summary..... | i |
| Contents..... | iv |
| Interpretation | viii |
| 1 Introduction | 1 |
| 1.1 Purpose | 1 |
| 1.2 Author | 2 |
| 1.3 Key Issues in Contention..... | 3 |
| 1.4 Procedural Matters | 3 |
| 2 Statutory Considerations | 4 |
| 2.1 Resource Management Act 1991..... | 4 |
| 2.2 Section 32AA | 4 |
| 2.3 Trade Competition | 4 |
| 3 Consideration of Submissions and Further Submissions | 5 |
| 3.1 Overview | 5 |
| 3.2 SUB-Introduction | 6 |
| 3.3 Objectives..... | 7 |
| 3.4 SUB-O1 Subdivision design | 7 |
| 3.5 SUB-O2 Infrastructure and transport..... | 11 |
| 3.6 SUB-O3 Esplanade reserves and esplanade strips..... | 13 |
| 3.7 Policies | 14 |
| 3.8 SUB-P1 Design and amenity..... | 14 |
| 3.9 SUB-P2 Allotment layout, size and dimension..... | 20 |
| 3.10 SUB-P3 Sustainable Design | 22 |
| 3.11 SUB-P5 Density in Residential Zones | 24 |
| 3.12 SUB-P6 Criteria for Outline Development Plans..... | 25 |
| 3.13 SUB-P7 Requirements of Outline Development Plans..... | 34 |
| 3.14 SUB-P8 Infrastructure | 36 |
| 3.15 Rules..... | 37 |
| 3.16 SUB-R1 Boundary Adjustment | 37 |
| 3.17 SUB-R2 Subdivision | 39 |
| 3.18 SUB-R4 Subdivision within flood hazard areas | 42 |
| 3.19 Standards | 44 |
| 3.20 Specific theme – network utility exemption..... | 44 |
| 3.21 SUB-S1 Allotment size and dimension..... | 45 |

| | | |
|------|--|----|
| 3.22 | SUB-S3 Residential yield | 50 |
| 3.23 | SUB-S4 Areas subject to an ODP | 51 |
| 3.24 | SUB-S17 Esplanade reserves or strips..... | 52 |
| 3.25 | SUB-Advice Notes | 56 |
| 3.26 | Matters of Control and Discretion | 58 |
| 3.27 | SUB-MCD2 Subdivision Design..... | 58 |
| 3.28 | SUB-MCD3 Property access | 58 |
| 3.29 | SUB-MCD13 Historic heritage, culture and notable trees | 60 |
| 3.30 | SUB-General | 61 |
| 3.31 | Plan Wide Submissions | 65 |
| 4 | Strategic Directions Primacy Assessment | 67 |
| 4.1 | Introduction | 67 |
| 4.2 | Relevant Strategic Directions Objectives..... | 67 |
| 5 | Conclusions | 70 |

Appendices

- Appendix A. Recommended Amendments to SUB – Chapter
- Appendix B. Recommended Responses to Submissions and Further Submissions
- Appendix C. Section 32AA Evaluation
- Appendix D. Report Author's Qualifications and Experience
- Appendix E. Section 42A reports considered

List of Figures

| | |
|---|----|
| Figure 1: 64, 66 and 70 Pegasus Main Street, Pegasus..... | 53 |
| Figure 2: Northbrook Stream esplanade reserve at 7A Ward Place, Rangiora..... | 55 |
| Figure 3: Northbrook Stream esplanade reserve at 78C Newnham St, Rangiora | 55 |

List of Tables

| | |
|---|------|
| Table 1: Abbreviations | viii |
| Table 2: Abbreviations of Submitters' Names | viii |

List of Tables in Appendices**Appendix B**

| | |
|---|--|
| Table B1: Recommended responses to submissions and further submissions SUB-Introduction | |
| Table B2: Recommended responses to submissions and further submissions on SUB-01 Subdivision design | |
| Table B3: Recommended responses to submissions and further submissions on SUB-02 Infrastructure and transport | |
| Table B4: Recommended responses to submissions and further submissions on SUB-03 Esplanade reserves and esplanade strips | |
| Table B5: Recommended responses to submissions and further submissions on SUB-P1 Design and amenity | |
| Table B6: Recommended responses to submissions and further submissions SUB-P2 Allotment layout, size and dimension | |
| Table B7: Recommended responses to submissions and further submissions SUB-P3 Sustainable Design | |
| Table B8: Recommended responses to submissions and further submissions SUB-P4 Integration and connectivity | |
| Table B9: Recommended responses to submissions and further submissions SUB-P5 Density in Residential Zones | |
| Table B10: Recommended responses to submissions and further submissions SUB-P6 Criteria for Outline Development Plans | |
| Table B11: Recommended responses to submissions and further submissions SUB-P7 Requirements of Outline Development Plans | |
| Table B12: Recommended responses to submissions and further submissions SUB-P8 Infrastructure | |
| Table B13: Recommended responses to submissions and further submissions SUB-P10 Esplanade reserves and esplanade strips | |
| Table B14: Recommended responses to submissions and further submissions SUB-R1 Boundary Adjustment | |
| Table B15: Recommended responses to submissions and further submissions SUB-R2 Subdivision | |
| Table B16: Recommended responses to submissions and further submissions SUB-R4 Subdivision within flood hazard areas | |
| Table B17: Recommended responses to submissions and further submissions SUB-R5 Subdivision containing a site or area of significance to Maori | |
| Table B18: Recommended responses to submissions and further submissions SUB-R7 Subdivision of a site containing a historic heritage item or heritage setting, or notable tree | |
| Table B19: Recommended responses to submissions and further submissions SUB-S1 Allotment Size and dimension | |
| Table B20: Recommended responses to submissions and further submissions SUB-S3 Residential Yields | |

- Table B21: Recommended responses to submissions and further submissions SUB-S4 Areas subject to an ODP
- Table B22: Recommended responses to submissions and further submissions SUB-S5 Legal and physical access
- Table B23: Recommended responses to submissions and further submissions SUB-S7 Corner sites on road intersections in Residential Zones, Commercial and Mixed Use Zones, Special Purpose Zones, or Industrial Zones
- Table B24: Recommended responses to submissions and further submissions SUB-S9 Potable water in Residential Zones, Commercial and Mixed Use Zones, Special Purpose Zones or Industrial Zones
- Table B25: Recommended responses to submissions and further submissions SUB-S11 Water Supply for fire fighting
- Table B 26: Recommended responses to submissions and further submissions SUB-S12 Reticulated wastewater disposal in Residential Zones, Commercial and Mixed Use Zones, Special Purpose Zones or Industrial Zones
- Table B27: Recommended responses to submissions and further submissions SUB-S15 Stormwater disposal in Residential Zones, Commercial and Mixed Use Zones, Special Purpose Zones, or Industrial Zones
- Table B28: Recommended responses to submissions and further submissions SUB-S17 Esplanade reserves or strips
- Table B29: Recommended responses to submissions and further submissions SUB-Advice Notes
- Table B30: Recommended responses to submissions and further submissions SUB-MCD1 Allotment area and dimensions
- Table B31: Recommended responses to submissions and further submissions SUB-MCD2 Subdivision Design
- Table B32: Recommended responses to submissions and further submissions SUB-MCD3 Property access
- Table B33: Recommended responses to submissions and further submissions SUB-MCD4 Esplanade provisions
- Table B34: Recommended responses to submissions and further submissions SUB-MCD7 Mana Whenua
- Table B35: Recommended responses to submissions and further submissions SUB-MCD8 Archaeological sites
- Table B36: Recommended responses to submissions and further submissions SUB-MCD13 Historic heritage, culture and notable trees
- Table B37: Recommended responses to submissions and further submissions SUB-General
- Table B38: Recommended responses to submissions and further submissions Definitions
- Table B39: Recommended responses to submissions and further submissions - Plan wide submissions

Appendix C

- Table C 1: Recommended Amendments to Objectives – SUB-O1 and SUB-O2
- Table C 2: Assessment of efficiency and effectiveness – SUB-P1, SUB-P3, SUB-P6, SUB-P7 and Sub-P8
- Table C 3: Assessment of efficiency and effectiveness – SUB-R1, new SUB-R3a, SUB-S1, SUB-S17, new SUB-MCD3 and SUB-MCD1

Interpretation

8. Parts A and B of the Officer's reports utilise a number of abbreviations for brevity as set out in Table 1 below:

Table 1: Abbreviations

| Abbreviation | Means |
|------------------|--|
| CRPS | Operative Canterbury Regional Policy Statement |
| District Council | Waimakariri District Council / territorial authority |
| ECan | Environment Canterbury/Canterbury Regional Council |
| NES | National Environmental Standard |
| NPS | National Planning Standards November 2019 |
| NPSET | National Policy Statement on Electricity Transmission 2008 |
| NPSUD | National Policy Statement on Urban Development 2020 |
| Operative Plan | Operative Waimakariri District Plan |
| Proposed Plan | Proposed Waimakariri District Plan |
| RMA | Resource Management Act 1991 |
| WRCDM23 | The Waimakariri Residential Capacity and Demand Model 2023 |

Table 2: Abbreviations of Submitters' Names

| Abbreviation | Means |
|-------------------|---|
| Bellgrove | Bellgrove Rangiora Limited |
| CCC | Christchurch City Council |
| CDHB | Christchurch District Health Board |
| CIAL | Christchurch International Airport Ltd |
| Daiken | Daiken Bew Zealand Limited |
| DoC | Department of Conservation Te Papa Atawhai |
| ECan | Environment Canterbury / Canterbury Regional Council |
| Federated Farmers | Federated Farmers of New Zealand Inc. |
| FENZ | Fire and Emergency New Zealand |
| Forest and Bird | Royal Forest and Bird Protection Society of New Zealand Inc. |
| Heritage NZ | Heritage New Zealand Pouhere Taonga |
| Kainga Ora | Kainga Ora - Homes and Communities |
| KiwiRail | KiwiRail Holdings Limited |
| Mainpower | Mainpower New Zealand Limited |
| MoE | Minister / Ministry of Education Te Tāhuhu o Te Mātauranga |
| Ngāi Tūāhuriri | Te Ngāi Tūāhuriri Rūnanga |
| NZPork | New Zealand Pork |
| Ravenswood | Ravenswood Developments Ltd |
| RIDL | Rolleston Industrial Developments Limited |
| Transpower | Transpower New Zealand Ltd |
| WDC | Waimakariri District Council (including as requiring authority) |
| Waka Kotahi | Waka Kotahi New Zealand Transport Agency |

In addition, references to submissions includes further submissions, unless otherwise stated.

1 Introduction

1.1 Purpose

9. The purpose of this report is to provide the Hearing Panel with a summary and analysis of the submissions received on the urban subdivision topic and to recommend possible amendments to the Proposed Plan in response to those submissions.
10. This report is prepared under section 42A of the RMA. It considers submissions received by the District Council in relation to the relevant objectives, policies, rules and definitions, as they apply to the Urban subdivision topic in the Proposed Plan. The report outlines recommendations in response to the key issues that have emerged from these submissions.
11. This report discusses general issues or topics arising, the original and further submissions received following notification of the Proposed Plan, makes recommendations as to whether or not those submissions should be accepted or rejected, and concludes with a recommendation for changes to the Proposed Plan provisions based on the preceding discussion in the report.
12. The recommendations are informed by the evaluation undertaken by the author. As the Urban subdivision topic needs to provide provisions that integrate and are complementary to many of the other PDP chapters, in preparing this report the author has had regard to the s42A recommendation reports for other chapters that have been prepared by other officers and a list of these reports is included in **Appendix E**. In addition, and where within each section of this report I have provided reference to the s42A reports where the related issues is address in one of those reports.
13. This report is provided to assist the Hearings Panel in their role as Independent Commissioners. The Hearings Panel may choose to accept or reject the conclusions and recommendations of this report and may come to different conclusions and make different recommendations, based on the information and evidence provided to them by submitters.
14. This report has been prepared on the basis that it is intended to be read in conjunction with the Rural subdivision s42A Officers' Report prepared by Mr Mark Buckley. Both authors appreciate it is somewhat artificial to split the Subdivision chapter into 'Urban' and 'Rural' aspects, as a number of the provisions cross over both reports. Mr Buckley and I agreed on which s42A report seemed more suitable to address the issue based on a mixture of where the issue primarily fell and each of the author experience with the issue. Where the issue is relevant to both s42A reports, we have provided commentary and cross referencing within each of our respective reports.
15. The Subdivision chapter is subject to provisions introduced by *Variation 1: Housing Intensification* ('V1'). For clarity, the provisions introduced by V1 and submissions on them are addressed in the V1 s42A report and therefore are not addressed within this report.
16. The Subdivision chapter is not subjected to provisions introduced by *Variation 2: Financial Contributions* ('V2'). This Variation makes changes to the 'How the plan works' (Part 1 – Introduction and general provisions), and Financial Contributions (Part 2 – District wide matters) chapters of the plan, but not the Subdivision chapter. Accordingly, submissions on the provisions introduced by V2 are not addressed within this report.

1.2 Author

17. My name is Rachel Sarah McClung. My qualifications and experience are set out in **Appendix D** of this report.
18. My role in preparing this report is that of an expert planner.
19. I was not involved in the preparation of the Proposed Plan and did not author any of the Section 32 Evaluation Reports or supporting documentation.
20. Although this is a District Council Hearing, I have read the Code of Conduct for Expert Witnesses contained in the Practice Note issued by the Environment Court January 2023. I have complied with that Code when preparing my written statement of evidence and I agree to comply with it when I give any oral evidence.
21. The scope of my evidence relates to the Urban Subdivision Topic. For clarity, this excludes the Large Lot Residential Zone (LLRZ) provisions and all rural zone provisions. I confirm that the issues addressed in this statement of evidence are within my area of expertise as an expert policy planner.
22. Any 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. Where I have set out opinions in my evidence, I have given reasons for those opinions.
23. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

CONFLICT OF INTEREST DECLARATION

24. I was employed as the Environmental Policy Advisor – South Island, with Horticulture New Zealand (HortNZ) between September 2017 and June 2022. In this role I was responsible for managing HortNZ's involvement in South Island regional and district planning processes in regions where fruit and vegetables are grown commercially.
25. I wrote the Horticulture New Zealand (HortNZ) submission on the proposed Waimakariri District Plan 2021, and I was listed as the original contact for service for that submission. I did not prepare the further submissions as these were called for when I was no longer employed by HortNZ. The contact for service has also changed following my leaving HortNZ.
26. On review of the submission and further submission, there are no submissions from HortNZ on the Urban Subdivision provisions of the proposed District Plan that are subject of this s42A report.
27. I am satisfied that there is no conflict of interest in relation to the Urban subdivision chapter provisions that are subject to this section 42A report.

1.3 Key Issues in Contention

28. The submissions and further submissions received on the Urban subdivision provisions of the chapter were diverse and sought a range of outcomes from detailed changes to objectives, policies, rules and standards, to new provisions.
29. I consider the following to be the key issues in contention:
- Criteria for subdivision design and amenity;
 - Criteria for an Outline Development Plan (ODP);
 - A boundary adjustment will not result in additional allotments or undersized allotments;
 - Allotment size and dimensions;
 - Activity status for when 20m esplanade strip or reserve is not provided; and
 - How the District Plan allows for cross lease, company lease and unit title subdivision.
30. I address each of these key issues in this report, as well as any other issues raised by submissions.

1.4 Procedural Matters

31. There are no procedural matters relating to this report.

2 Statutory Considerations

2.1 Resource Management Act 1991

32. The Proposed Plan has been prepared in accordance with the RMA and in particular, the requirements of:

- section 74 Matters to be considered by territorial authority, and
- section 75 Contents of district plans,

33. There are a number of higher order planning documents and strategic plans that provide direction and guidance for the preparation and content of the Proposed Plan. These documents are discussed in detail within the Section 32 Evaluation Report: Subdivision.

2.2 Section 32AA

34. I have undertaken an evaluation of the recommended amendments to provisions since the initial section 32 evaluation was undertaken in accordance with s32AA. Section 32AA states:

32AA Requirements for undertaking and publishing further evaluations

(1) A further evaluation required under this Act—

(a) is required only for any changes that have been made to, or are proposed for, the proposal since the evaluation report for the proposal was completed (the changes); and

(b) must be undertaken in accordance with section 32(1) to (4); and

(c) must, despite paragraph (b) and section 32(1)(c), be undertaken at a level of detail that corresponds to the scale and significance of the changes; and

(d) must—

(i) be published in an evaluation report that is made available for public inspection at the same time as the approved proposal (in the case of a national policy statement or a New Zealand coastal policy statement or a national planning standard), or the decision on the proposal, is notified; or

(ii) be referred to in the decision-making record in sufficient detail to demonstrate that the further evaluation was undertaken in accordance with this section.

(2) To avoid doubt, an evaluation report does not have to be prepared if a further evaluation is undertaken in accordance with subsection (1)(d)(ii).

35. The required section 32AA evaluation for changes proposed as a result of consideration of submissions with respect to Urban subdivision is contained within the assessment of the relief sought in submissions, and is appended to this report as **Appendix C**, as required by s32AA(1)(d)(ii).

2.3 Trade Competition

36. There are no known trade competition issues raised within the submissions.

3 Consideration of Submissions and Further Submissions

3.1 Overview

37. There were 372 submission points on the Urban subdivision chapter that are addressed in this report, and 286 further submission points.

3.1.1 Report Structure

38. Submissions on Urban subdivision raised a number of issues which have generally been grouped into sub-topics under the relevant provision where they have been assessed within this report. I have considered substantive commentary on primary submissions contained in further submissions as part of my consideration of the primary submission(s) to which they relate.

39. In accordance with Clause 10(3) of the First Schedule of the RMA, I have undertaken the following evaluation on both an issues and provisions-based approach, as opposed to a submission by submission approach. I have organised the evaluation in accordance with the layout of chapters of the Proposed Plan as notified.

40. Due to the number of submission points, this evaluation is generic only and may not contain specific recommendations on each submission point, but instead discusses the issues generally. This approach is consistent with Clause 10(2)(a) of Schedule 1 to the RMA. Specific recommendations on each submission / further submission point are contained in **Appendix B**.

41. The following evaluation should be read in conjunction with the summaries of submissions and the submissions themselves. Where I agree with the relief sought and the rationale for that relief, I have noted my agreement, and my recommendation is provided in the summary of submission table in **Appendix B**. Where I have undertaken further evaluation of the relief sought in a submission(s), the evaluation and recommendations are set out in the body of this report. I have provided a marked-up version of the Chapter with recommended amendments in response to submissions as **Appendix A**.

42. This report only addresses definitions that are specific to this topic. Definitions that relate to more than one topic have been addressed in Hearing Stream 1.

3.1.2 Format for Consideration of Submissions

43. For each identified topic, I have considered the submissions that are seeking changes to the Proposed Plan in the following format:

- Matters raised by submitters;
- Assessment; and
- Summary of recommendations
- Section 32AA evaluation (referenced to **Appendix C**)

44. The recommended amendments to the Subdivision chapter are set out in in **Appendix A** of this report where all text changes are shown in a consolidated manner.

45. I note that there are a number of further submissions of a high-level nature generally opposing or supporting the original submission. All further submissions have been footnoted against the original submission in the assessment below, as well as being listed within **Appendix B**. Recommendations in relation to these further submissions reflect the recommendations on the relevant primary submission.
46. I have undertaken the s32AA evaluation in a consolidated manner following the assessment and recommendations on submissions in this section, which is attached at **Appendix C**.

3.2 SUB-Introduction

3.2.1 *Matters raised by submitters*

47. There are four submissions on the SUB-Introduction. Please refer to **Table B1, Appendix B**. Clampett Investments Limited [284.199], Kainga Ora [325.150] and RIDL [326.336] supported the introduction as notified, while the submission of Transpower [195.93] sought amendment to the fourth paragraph to include additional wording relating to the National Grid.
48. There are four further submissions opposing / opposing in part the submission of Kainga Ora [325.15]³ and one further submission opposing RIDL [326.336]⁴.

3.2.2 *Assessment*

49. In considering what the SUB-Introduction covers and in particular the list of 'Other potentially relevant District Plan provisions' in the last paragraph, in my opinion the introduction as notified appropriately provides for consideration of the National Grid. The last paragraph states:

As well as the provisions in this chapter, other District Plan chapters that contain provisions that may also be relevant to Subdivision include:

- Energy and Infrastructure.
- ...

50. I consider this is sufficient for the SUB – Introduction, as it draws attention to other topic specific provisions across the District Plan that may be relevant to subdivision rather than repeating them in the introduction.
51. I therefore recommend that the submission of Transpower [195.93] be **rejected** and the submissions of Clampett Investments Limited [284.199], Kainga Ora – Homes and Communities [325.150], and Rolleston Industrial Developments Limited [326.336] to retain SUB-Introduction as notified are **accepted**.

³ R & G Spark [FS37] – Oppose; D Cowley [FS41] – Oppose in part; M Hales [FS46] – Oppose in part; and R J Paterson Family Trust [FS91] – Oppose in part.

⁴ Ohoka Residents Association [FS137] – Oppose

3.2.3 Recommendations

52. I recommend that the submissions from Clampett Investments Limited [284.199], Kainga Ora – Homes and Communities [325.150] and Rolleston Industrial Developments Limited [326.336] be **accepted**.
53. I recommend that the submissions from Transpower New Zealand Limited [195.93] be **rejected**.
54. I recommend the further submissions be accepted or rejected as correspondence to my recommendation on the original submissions above. Recommendations on individual further submissions are contained in **Table B1, Appendix B**.
55. I recommend no changes to SUB-Introduction section of the Proposed Plan.

3.3 Objectives

3.4 SUB-O1 Subdivision design

3.4.1 Matters raised by submitters

56. There are 20 submissions on SUB-O1 assessed below. Please refer to **Table B2, Appendix B**. Eight submissions supported SUB-O1 and sought it to be retained as notified, while 15 submissions sought amendments.
57. Of the 15 submissions that sought amendments:
- Five submissions seek deletion of clause 2 (Richard & Geoff Spark [183.6]⁵, J & C Broughton [223.7]⁶, R Alloway and L Larsen [236.9]⁷, Dalkeith Holdings Ltd [242.6] and M Hales [246.7])
 - Two submissions seek the addition of rural residential to clause 2 (M & M Prosser [224.3] and B & A Stokes [211.3])
 - Three submissions seek additions to clause 3 in relation to indigenous biodiversity values (Forest & Bird [192.79]), environmental values (ECan [316.124]⁸), and high class soils (Federated Farmers [414.206]⁹)
 - Three submissions each seek a new, but different, reverse sensitivity clause (Fulton Hogan [41.30], NZPork [169.14] and CIAL [254.43]¹⁰)
 - One submission seeks a new clause to address adverse effects on Strategic Infrastructure (CIAL 254.43)¹¹, and

⁵ Bellgrove Rangiora Ltd [FS85] – Oppose

⁶ R J Paterson Family Trust [FS91] – Support in part

⁷ M Dartnell [FS4] – support; D & S Elley [FS28] – Support; JP Bailey Family Trust [FS29] – Support; K Manson & N Kuru [FS30] – Support; R Fraser [FS31] – Support; L N R deLacy [FS32] – Support; and L Marriott [FS33] – Support

⁸ CIAL [FS80] – Support, Richard & Geoff Spark [FS37] – Oppose, David Cowley [FS41] – Oppose in part

⁹ Richard & Geoff Spark [FS37] – Oppose; M Hales [FS46] – Oppose; M & J Schluter [FS89] – Oppose

¹⁰ Transpower [FS92] – Support; KiwiRail [FS99] – Support; Waka Kotahi NZ Transport Agency [FS110] – Support

¹¹ Transpower [FS92] – Support; KiwiRail [FS99] – Support; Waka Kotahi NZ Transport Agency [FS110] – Support

- One submission seeks a new urban design clause (Judith Roper Lindsay [120.17]).
58. There are 24 further submissions in relation to submissions on SUB-O1 which are footnoted here and/or listed in **Table B2, Appendix B**.
59. Federated Farmers [414.206], Fulton Hogan [41.30] and NZPork [169.14] are addressed in the Rural subdivision s42A evaluation, as are the three further submissions on Federated Farmers [414.206].

3.4.2 Assessment

Clause 2

Subdivision design achieves an integrated pattern of land use, development, and urban form, that: ...

2. Consolidates urban development and maintains rural character except where required for, and identified by the District Council, for urban development

60. All five submissions seeking deletion of clause 2 were prepared by Aston Consultants and all seek amendments to the District Plan as a '*less preferred alternative*' to their preferred rezoning request for the specified land parcels. No specific reasons were provided for seeking the deletion. All the reasons provided within the submission related to the preferred relief of rezoning.
61. The section 32 reports states on page 42 that SUB-01 '*seeks the consolidation of urban development, which is sought by the higher order planning documents including the Canterbury Regional Policy Statement. Rural character is sought to be maintained, except where it is required for urban use. This contributes to the sustainable management of the rural soil resource.*' I agree with this statement.
62. Deletion of the clause would therefore not give effect to¹² the Canterbury Regional Policy Statement (CRPS), namely Objective 6.2.1(3) (recovery framework), Objective 6.2.2 (urban form and settlement pattern), Policy 5.3.1 Regional growth (wider region) and Policy 5.3.12 Rural production (wider region).
63. I therefore recommend retaining clause 2 and **rejecting** the submissions of R and G Spark [183.6], J & C Broughton [223.7], R Allaway and L Larsen [236.9], Dalkeith Holdings Ltd [242.6], and Miranda Hales [246.7].
64. M and M Prosser [224.3] and B & A Stokes [211.3] seek the addition of the words '*and rural residential*' to clause 2.
65. Rural Residential is a term not widely used in the District Plan as the term has been replaced this with Large Lot Residential Zone (LLRZ) to align with the National Planning Standards (NPS) Zone framework. The description of the district within Part 1¹³, does describe rural residential

¹² in accordance with s75(3)(c) of the RMA

¹³ Part 1 – Introduction and general provisions. Description of the District state that '*Large lot residential development (formerly known as 'rural residential' and zoned Residential 4A or 4B) is mainly located in areas zoned for that purpose in locations including Mandeville North, Fernside, Ohoka, Clarkville, Swannanoa, Loburn, Waikuku, Waikuku Beach, Ashley, Waiora Lane, West Eyreton and the outskirts of Oxford.*

as Large Lot residential development. When reading the Introduction for the LLRZ, together with LLRZ-O1 and the LLRZ supporting policies it is clear that LLRZ is meant to be different to other residential zones. The Introduction to the LLRZ states *"The Large Lot Residential Zones are located near but outside the established townships"*. LLRZ-O1 (3) states it *'is an environment with generally low levels of noise, traffic, outdoor lighting, odour and dust'*. I note that recommendations on submissions on the LLRZ provisions, including the description within the introduction are yet to be considered by the Hearing Panel and the s42A assessment was not completed at the time of this assessment.

66. I consider that guidance for subdivision design within the LLRZ is provided through clause 1 of SUB-O1, which directs that subdivision design *"...provides for anticipated land use and density that achieve the identified future character, form or function of zones"*.
67. For the above reasons, I consider that it is not necessary to include 'rural residential' in clause 2, as this clause is not applicable to subdivision design within the LLRZ, which is addressed by clause 1. I therefore recommend **rejecting** this submission.

Clause 3

Subdivision design achieves an integrated pattern of land use, development, and urban form, that: ...

3. supports protection of cultural and heritage values, conservation values; and
68. Forest & Bird [192.79] seek 'indigenous biodiversity values' are included in clause 3. ECan [316.124] seeks 'environmental values' are included, and Federated Farmers [414.206] seek 'high class soils' be included.
69. The s32 report does not provide a specific explanation as to why clause 3 was proposed as written. However, there are Historic and Cultural Value overlays on the planning maps which identify s6 matters of national importance, being Historic Heritage items (s6(f)) and cultural sites (s6(e)). 'Conservation Values' is a term used within the SUB objectives and policies as it is relevant to the protection of conservation values for the purpose of esplanade reserves and esplanade strips (s229 of the RMA). This is more obvious when reading SUB-O1 together with SUB-O3 and SUB-P10.
70. The Forest and Bird [192.79] submission states that *"This chapter / objective introduces a term that is not used throughout the plan and is not defined, conservation values. This objective should use consistent terminology with other chapter such as ECO. Rather than use conservation values this chapter should use or also use indigenous biodiversity values."*
71. I disagree with Forest and Bird [192.79] as s229 of the RMA states that conservation values are a relevant purpose of esplanade reserves and esplanade strips. Furthermore, ECO-O1, ECO-P3, ECO-P4, ECO-P5, ECO-P6 and ECO-P7 use the term Indigenous Biodiversity, but not indigenous biodiversity values¹⁴.

¹⁴ I note that recommendations on submissions on the ECO Chapter are yet to be considered by the Hearing Panel and the s42A assessment was not completed at the time of this assessment.

72. Regardless, of this, the relevant SUB-rule's or SUB-Standard's relating to indigenous biodiversity are SUB-R8 and SUB-R9. SUB-R8 has a restricted discretionary status and SUB-R9 has a discretionary activity status.
73. As stated within the SUB-Introduction, 'as well as the provision in this chapter, other District Plan chapters contain provisions that may be relevant to subdivision, including any other District wide matter that may affect or relate to the site or sites'. Therefore, if a bonus allotment is being created or if site that includes an SNA is being subdivided, then the objective and policies of the ECO chapter are a relevant consideration.
74. For these reasons, I recommend that Forest and Bird [192.79] be **rejected**.
75. The ECan submission states that the suggested amendment to include environmental values is consistent with CRPS Objective 5.2.1 and Policy 5.3.1. However, neither of these CRPS provisions use the term 'environmental values'. I therefore do not agree that introducing the new term will provide greater consistency with the CRPS. I therefore recommend no change and that ECan [316.124] be **rejected**.

New clause – adverse effects on Strategic Infrastructure

76. CIAL [254.43] seeks a new clause 5 as follows:
5. does not give rise to adverse effects on strategic infrastructure.
77. Many of the CIAL submission points were addressed in a separate s42A report prepared by Mr Sheerin, but this does not include CIAL [254.43]. The allocation of submission point assessment to that s42A report was at the suggestion of CIAL in their memorandum of Counsel to the Panel dated 14 August 2023¹⁵. I have read Mr Sheerin's s42A report and concur with his assessment in Section 3.3.2 that states:

The Strategic Directions, Energy and Infrastructure, Transport and Noise chapters already contain objectives and policies that recognise, provide for and manage adverse reverse sensitivity issues on; critical infrastructure, strategic infrastructure, and regionally significant infrastructure in the District (including the Airport). Therefore, in my opinion, I consider much more detailed provisions specific to the Airport are unnecessary.

78. In addition, I note that policies SUB-P1(2) and (3), SUB-P6(2)(i) and SUB-P8 all specifically and adequately address the issue of reverse sensitivity on infrastructure at the time of subdivision.
79. I therefore recommend that CIAL [254.43] is **rejected**.

New clause – urban design

80. Judith Roper-Lindsay [120.17] sought a new urban design clause as follows:
5. meets high standards of urban design, and creates positive outcomes socially, environmentally, economically and culturally.
81. No reason was provided in the submission for the amendments sought. It is unclear how the 'high standard' or 'positive outcome' would be assessed. The submitter may wish to clarify

¹⁵ https://www.waimakariri.govt.nz/_data/assets/pdf_file/0020/141563/SUBMITTER-254-EMAIL-CIAL-MEMORANDUM-OF-COUNSEL-TO-HEARING-PANEL-ANNABELLE-LEE-CHAPMAN-TRIPMemorandum-of-counsel-CIAL.pdf

this at the hearing. No further submissions were received on this original submission. In my opinion, the outcome sought in the submission is already contained within objective SUB-O1(1) and the supporting policies SUB-P1(1) *Design and amenity* and SUB-P2(1)(b) *Allotment layout, size and dimension*. On the basis of the information provided and my assessment, I do not consider this clause would add clarity or certainty to SUB-O1. I therefore recommend the submission by Judith Roper-Lindsay [120.17] be **rejected**.

3.4.3 Summary of recommendations

82. I recommend that the submissions from Dean and Victoria Caseley [159.8], CA and GJ McKeever [111.19], John Stevenson [162.18], Chloe Chai and Mark McKitterick [256.19], Clampett Investments Limited [284.2], FENZ [303.38], Kainga Ora [325.151], RIDL [326.337], and Keith Godwin [418.19] be **accepted**.
83. I recommend the submissions from Forest and Bird [192.79], ECan [316.124], R and G Spark [183.6], J & C Broughton [223.7], R Allaway and L Larsen [236.9], Dalkeith Holdings Ltd [242.6], Miranda Hales [246.7], M and M Prosser [224.3], B & A Stokes [211.3], CAIL [254.43], and Judith Roper-Lindsay [120.17] be **rejected**.
84. I recommend the further submissions be accepted or rejected as correspondence to my recommendation on the original submissions above. Recommendations on individual further submissions are contained in **Table B2, Appendix B**.
85. I recommend the no changes to SUB-O1 of the District Plan.
86. S32AA evaluation table reference: C1.

3.5 SUB-O2 Infrastructure and transport

3.5.1 Matters raised by submitters

87. Ten submissions were received on the SUB-O2. Please refer to **Table B3, Appendix B**. Eight were in support and sought SUB-O2 to be retained as notified, while two submissions sought amendments.
88. There are five further submissions in relation to submissions on SUB-O2 which are footnoted against the original submission in the below and listed in **Table B3, Appendix B**.
89. MainPower [249.204] seek the following amendment to SUB-O2:
“SUB-O2:

Subdivision is designed and located in a way that supports the Efficient and sustainable provision, use and maintenance of infrastructure; and a legible, accessible, well connected transport system for all transport modes.”
90. The subdivision s32 report¹⁶ states that SUB-O2 provides that subdivision design and layout promotes efficient and sustainable provision, use and maintenance of all types of infrastructure and legible, well connected comprehensive movement networks for all transport modes. However, as notified SUB-O2 does not include the word ‘*subdivision design*’

¹⁶ Page 35, section 5.3.2 of the Subdivision S32 Report

and layout promotes' and therefore reads more generally than what is stated in explanation of the s32 report. The relief sought by Mainpower (as above) seeks to remedy this.

91. For the above reasons, I agree with Mainpower [249.204] and recommend that their submission be **accepted in part**, subject to amendments made in response to other submissions that are discussed below.
92. Waka Kotahi [275.28] seek the following amendment to SUB-O2:
- SUB-O2 Infrastructure and transport
- Efficient and sustainable provision, use and maintenance of infrastructure; and a legible, accessible, safe, well connected transport system for all transport modes.
93. A further submission was received from KiwiRail [FS99] in support.
94. Waka Kotahi is of the view that safety is a key component of transport and associated infrastructure and therefore seek safety be included within the objective. KiwiRail are also of the opinion that safety it is a key component of transport infrastructure.
95. The amendment sought aligns with *TRAN-O1 - A safe, resilient, efficient, integrated and sustainable transport system*. There are also a number of policies in the CRPS¹⁷ that support safe transport systems. Therefore, I agree with amendment to SUB-O2 sought by Waka Kotahi [275.28] and supported by KiwiRail [FS99] as the amendment aligns with TRAN-O1 would better give effect to the relevant provisions of the CRPS. I note that no change to this part of objective TRAN-O1 is recommended in the TRAN right of reply version of the chapter.
96. I recommend that the Waka Kotahi [275.28] submission and KiwiRail further submission [FS99] be **accepted** subject to amendments made in response to other submissions.

3.5.2 Summary of recommendations

97. I recommend that the following submissions be **accepted in part**; CA and GJ McKeever [111.20]; John Stevenson [162.19]; MainPower [249.204]; Chloe Chai and Mark McKitterick [256.2]; Waka Kotahi NZ [275.28]; Ministry of Education [277.30]; FENZ [303.39]; Kainga Ora [325.152]; KiwiRail [373.57]; and Keith Godwin [418.20].
98. I recommend the further submission KiwiRail [FS99] be **accepted in part**.
99. I recommend the further submissions be accepted or rejected as correspondence to my recommendation on the original submissions above. Recommendations on individual further submissions are contained in **Table B3, Appendix B**.
100. I recommend the following changes to SUB-O2 of the District Plan:

SUB-O2:

Subdivision is designed and located in a way that supports the Efficient and

¹⁷ CRPS Policies 5.2.3 and 5.3.7 both seek a safe transport system. CRPS Policies 5.3.2(3)(b) and 5.3.8(1)(b) supports development/land use that is integrate with safe transport systems and Policy 6.2.4 seeks to integrate transport infrastructure and land use while enhancing transport safety.

sustainable provision, use and maintenance of infrastructure; and a legible, accessible, safe well connected transport system for all transport modes.

101. S32AA evaluation table reference: C1.

3.6 SUB-O3 Esplanade reserves and esplanade strips

3.6.1 Matters raised by submitters

102. Ten submissions were received on the SUB-O3. Please refer to **Table B4, Appendix B**. Eight were either neutral or supported it and sought it to be retained as notified. Two submissions sought amendments.
103. Judith Roper-Lindsay [120.18] has sought amendments to include climate change resilience through design and planting. No reason was provided for seeking this amendment.
104. Forest and Bird [192.80]¹⁸ have sought amendments to include the protection of indigenous biodiversity values. In their submission Forest and Bird state that the term conservation values is a new term that is not used throughout the plan and is not defined. They consider that SUB-O3 should use consistent terminology with other chapter such as ECO. And therefore, rather than use the term conservation values here, indigenous biodiversity values should be used either instead of, or in addition to, conservation values.
105. There are six further submissions in relation to submissions on SUB-O3 which are footnoted against the original submission in the below table.

3.6.2 Assessment

106. The subdivision s32 report¹⁹ states that SUB-O3 seeks opportunities for the protection of conservation values, public access to or along rivers and lakes or the coast and enabling public access where it is compatible with conservation values.
107. In the context of SUB-O3, the term 'conservation values' is consistent with section 229 of the RMA. Section 229 states the purpose of esplanade reserves and esplanade strips. It reads as follows:

229 Purposes of esplanade reserves and esplanade strips

An esplanade reserve or an esplanade strip has 1 or more of the following purposes:

- (a) to contribute to the protection of conservation values by, in particular,—
- (i) maintaining or enhancing the natural functioning of the adjacent sea, river, or lake; or
 - (ii) maintaining or enhancing water quality; or
 - (iii) maintaining or enhancing aquatic habitats; or

¹⁸ KiwiRail [FS99] – Support

¹⁹ Page 35, Section 5.3.3 of the subdivision s42A report

- (iv) protecting the natural values associated with the esplanade reserve or esplanade strip; or
 - (v) mitigating natural hazards; or
- (b) to enable public access to or along any sea, river, or lake; or
- (c) to enable public recreational use of the esplanade reserve or esplanade strip and adjacent sea, river, or lake, where the use is compatible with conservation values.
108. Furthermore, *Table SUB-2: Esplanade Reserve or Esplanade Strip Requirements for water bodies* sets out the s229 purpose of each of the listed water bodies, 'conservation' being one listed purpose.
109. In reading s229 against SUB-O3 as notified and in conjunction with Table SUB-2, the connection can be made that the objective has been written to be consistent with this section of the RMA.
110. I note that policy SUB-P10 includes the term '*natural hazard mitigation*'. The Council right of reply version of the Natural Hazards chapter has recommended the introduction of a new objective NH-O5 *Climate change* which links through to existing policy NH-P1(2) and amendments to standards NH-S1(1)(e) and NH-S1(2)(d). Accordingly, in my opinion, the issue of climate change is already encompassed in the objective and policy.
111. I therefore recommend that the amendments sought by Judith Roper-Lindsay [120.18] and Forest and Bird [192.8] be **rejected**.

3.6.3 Summary of recommendations

112. I recommend that the submissions from CA and GJ McKeever [111.21], John Stevenson [162.20], Chloe Chai and Mark McKitterick [256.21], Clampett Investments Limited [284.201], Environment Canterbury Regional Council [316.125], Kainga Ora [325.153], Rolleston industrial Developments Limited [326.338] and Keith Godwin [418.21] be **accepted**.
113. I recommend that the submission from Judith Roper-Lindsay [120.18] and Forest and Bird [192.80] be **rejected**.
114. I recommend the further submissions be accepted or rejected as correspondence to my recommendation on the original submissions above. Recommendations on individual further submissions are contained in **Table B4, Appendix B**.
115. I recommend that no changes be made to the Subdivision chapter of the District Plan.

3.7 Policies

3.8 SUB-P1 Design and amenity

3.8.1 Matters raised by submitters

116. 17 submissions were received on the SUB-O3. Please refer to **Table B5, Appendix B**. 10 were either neutral or supported it and sought it to be retained as notified. Seven submissions sought amendments.

117. Of the seven submissions that sought amendments:
- The submission from Transpower [195.94] seeks deletion of the chapeau (the top line) and consequential amendments to each clause
 - Four submissions seek amendment to clause 2 (Fulton Hogan [41.31]²⁰, Daiken New Zealand Limited [145.21], Kainga Ora [325.154]²¹ and Transpower [195.94])
 - Three submissions seek amendment to clause 3 (Kainga Ora [325.154]²², Concept Services [230.7]²³ and Transpower [195.94])
 - The submission's from Kainga Ora [325.154]²⁴ and Transpower [195.94] seek amendment to both clauses 4 and 5
 - PorkNZ's [169.15] submission seeks a new clause to address reverse sensitivity, and
 - ECan [316.126] seek a new clause to address climate change and environmental pressures.
118. There are nine further submissions in relation to submissions on SUB-P1 which are listed in **Table B5, Appendix B** and footnoted against the original submission here.
119. The submissions of Fulton Hogan [41.31], Daiken New Zealand Limited [145.21] and PorkNZ's [169.15] are considered in the Rural Subdivision s42A evaluation.

3.8.2 Assessment

The chapeau

Enable subdivision that:

120. Transpower [195.94] seeks deletion of the chapeau (the top line) and consequential amendments to each clause as follows:

SUB-P1 Design and amenity

~~Enable subdivision that:~~

1. Enable subdivision within Residential Zones, that incorporates best practice urban design, access to open space, and CPTED principles;
2. Enable subdivision that minimises reverse sensitivity effects on infrastructure including through the use of setbacks;
3. Avoids subdivision that restricts the operation, maintenance, upgrading and development of the National Grid;
4. Enable subdivision that recognises and provides for the expression of cultural values of mana whenua and their connections in subdivision design; and

²⁰ KiwiRail [FS99] – Support

²¹ Transpower [FS92] – Oppose; Kiwirail [FS99] – Oppose; Richard & Geoff Spark [FS37] – Oppose; D Cowley [FS41] – Oppose in part; M Hales [FS46] – Oppose in part; R J Paterson Family Trust [FS91] – Oppose in part

²² Transpower [FS92] – Oppose; Kiwirail [FS99] – Oppose; Richard & Geoff Spark [FS37] – Oppose; D Cowley [FS41] – Oppose in part; M Hales [FS46] – Oppose in part; R J Paterson Family Trust [FS91] – Oppose in part

²³ Transpower [FS92] – Oppose

²⁴ Transpower [FS92] – Oppose; Kiwirail [FS99] – Oppose; Richard & Geoff Spark [FS37] – Oppose; D Cowley [FS41] – Oppose in part; M Hales [FS46] – Oppose in part; R J Paterson Family Trust [FS91] – Oppose in part

5. Enable subdivision that supports the character, amenity values, form and function for the relevant zone.”

121. Transpower's explanation for the submission is that they generally support Policy SUB-P1 on the basis that clause 3 gives effect to Policies 10 and 11 of the NPSET. However, that the expression in Policy SUB-P1 could be improved so that the Policy does not read “... *enable subdivision that avoids subdivision that...*”.
122. I acknowledge that the wording of clause 3 is awkward and can be improved. However, I consider the amendments as proposed by Transpower introduce unnecessary wording repetition. I consider that clause 3 could be redrafted without the need to delete the chapeau and amend every clause in SUB-P1. This is discussed together with other submissions on Clause 3 below.
123. I recommend Transpower [195.94] is **accepted in part**. Alternative relief in relation to Clause 3 is assessed below.

Clause 2

2. minimises reverse sensitivity effects on infrastructure including through the use of setbacks;
124. The amendments sought by Transpower [195.94]. have been shown above. The amendments sought by Kainga Ora [325.154] are as follows:
2. minimises reverse sensitivity effects on infrastructure ~~including~~ through the use of setbacks;
125. Kainga Ora's [325.154] submission states that they support this policy with the amendments they sought but provide no reasons for the amendments they seek. The amendment they sought essentially seeks to limit the methods to minimise reverse sensitivity impacts to the use of setbacks.
126. KiwiRail [FS99] further submitted in opposition to Kainga Ora [325.154] stating that '*KiwiRail rejects limiting the management of effects on infrastructure to setbacks only*'. And further stating that '*it is essential that adverse effects on the transport system are avoided to ensure that the rail corridor can continue to operate safely and efficiently.*'
127. I concur with KiwiRail. There are other methods that can be used to address reverse sensitivity including (but not limited to) subdivision design and layout, acoustic fencing and consent notices that require mechanical ventilation to avoid noise and/or odour effects when windows are open. Therefore, I recommend **rejecting** of Kainga Ora [325.154] as it relates to clause 2 and **accepting** KiwiRail [FS99].
128. For the above reasons, I recommend no change to Clause 2.

Clause 3

3. avoids subdivision that restricts the operation, maintenance, upgrading and development of the National Grid;

129. Three submissions seek amendment to Clause 3 (Kainga Ora [325.154]²⁵, Concept Services [230.7]²⁶ and Transpower [195.94]). The amendments sought by Transpower are linked to the deletion of the chapeau. The amendments sought include:
3. ~~manage~~ avoids subdivision that restricts or compromises the operation, maintenance, upgrading and development of the National Grid; (Kainga Ora [325.154])
 3. ~~Aviods-Managed~~ subdivision that has the potential to restrict the operation ... of the National Grid. (Concept Services [230.7])
 4. ~~A~~avoids subdivision that restricts the operation, maintenance, upgrading and development of the National Grid; (Transpower [195.94])
130. Transpower [FS92] further submitted in opposition to Kainga Ora [325.154] stating that they do not support the replacement of 'avoids' with 'manages' because the amendment proposed does not give effect to the strong direction in the NPSET and CRPS Policy 16.3.4. KiwiRail [FS99] also made a further submission in opposition stating 'KiwiRail further rejects softening of this policy from avoid to manage'.
131. Transpower also further submitted in opposition to Concept Services [230.7] stating that 'Transpower does not support the relief sought on the basis that the amendments proposed do not give effect to the NPSET and Policy 16.3.4 of the CRPS'.
132. I concur with Transpower's reasons that the amendments proposed by Kainga Ora [325.154] and Concept Services [230.7] do not give effect to the NPSET or Policy 16.3.4²⁷ of the CRPS. However, I consider that the alignment with Policy 16.3.4 (particularly 16.3.4(2)) could be improved and the awkward connection to the chapeau could be resolved through the following amendments:
- SUB-P1 Design and Amenity
- Enable subdivision that:
- ...
3. ~~avoids subdivision that restricts~~ restrictions on the operation, maintenance, upgrading and development of the National Grid;

²⁵ Transpower [FS92] – Oppose; Kiwirail [FS99] – Oppose; Richard & Geoff Spark [FS37] – Oppose; D Cowley [FS41] – Oppose in part; M Hales [FS46] – Oppose in part; R J Paterson Family Trust [FS91] – Oppose in part

²⁶ Transpower [FS92] – Oppose

²⁷ **16.3.4 Reliable and resilient electricity transmission network within Canterbury**

To encourage a reliable and resilient national electricity transmission network within Canterbury by:

1. having particular regard to the local, regional and national benefits when considering operation, maintenance, upgrade or development of the electricity transmission network;
2. avoiding subdivision, use and development including urban or semi urban development patterns, which would otherwise limit the ability of the electricity transmission network to be operated, maintained, upgraded and developed;
3. enabling the operational, maintenance, upgrade, and development of the electricity transmission network provided that, as a result of route, site and method selection, where;
 - a. the adverse effects on significant natural and physical resources or cultural values are avoided, or where this is not practicable, remedied or mitigated; and
 - b. other adverse effects on the environment are appropriately controlled.

133. I therefore recommend **accepting in part** Kainga Ora [325.154], Concept Services [230.7] and Transpower [195.94] as they relate to clause 3.

Clause 4

5. recognises and provides for the expression of cultural values of mana whenua and their connections in subdivision design; and

134. The submission's from Kainga Ora [325.154]²⁸ and Transpower [195.94] seek amendment to Clauses 4. The amendments sought by Transpower are shown below paragraph 129 above and seeks amendments to improve the readability of Clause 3 which has been addressed above. Kainga Ora seeks the following amendments:

4. where appropriate, recognises and provides for the expression of cultural values of mana whenua and their connections in subdivision design; and

135. I do not consider that the amendments sought by Kainga Ora [325.154]²⁹ are required as when reading SUB-P1(4) together with SUB-MCD8(2) and SUBMCD13(3), clarity for recognising and providing for cultural values is provided.

136. I therefore recommend **rejecting** both Kainga Ora [325.154]³⁰ and Transpower [195.94] as they relate to Clause 4.

Clause 5

5. supports the character, amenity values, form and function for the relevant zone.

137. The submission's from Kainga Ora [325.154]³¹ and Transpower [195.94] seek amendment to Clauses 5. The amendments sought by Transpower seeks to improve the readability of Clause 3 which has been addressed above. Kainga Ora seeks the following amendments:

5. supports ~~the character, amenity values,~~ anticipated form and function for the relevant zone.

138. Deleting character and amenity values for clause 5 would be inconsistent with section 7(c) and 7(f) of the RMA, as well as many objectives and policies across the District Plan as character and amenity are commonly used terms (for example, SD-O2, TREE-O1, LLRZ-P2).

139. I therefore recommend **rejecting** Kainga Ora [325.154] and Transpower [195.94] as they relate to Clause 5.

²⁸ Transpower [FS92] – Oppose; Kiwirail [FS99] – Oppose; Richard & Geoff Spark [FS37] – Oppose; D Cowley [FS41] – Oppose in part; M Hales [FS46] – Oppose in part; R J Paterson Family Trust [FS91] – Oppose in part

²⁹ Transpower [FS92] – Oppose; Kiwirail [FS99] – Oppose; Richard & Geoff Spark [FS37] – Oppose; D Cowley [FS41] – Oppose in part; M Hales [FS46] – Oppose in part; R J Paterson Family Trust [FS91] – Oppose in part

³⁰ Transpower [FS92] – Oppose; Kiwirail [FS99] – Oppose; Richard & Geoff Spark [FS37] – Oppose; D Cowley [FS41] – Oppose in part; M Hales [FS46] – Oppose in part; R J Paterson Family Trust [FS91] – Oppose in part

³¹ Transpower [FS92] – Oppose; Kiwirail [FS99] – Oppose; Richard & Geoff Spark [FS37] – Oppose; D Cowley [FS41] – Oppose in part; M Hales [FS46] – Oppose in part; R J Paterson Family Trust [FS91] – Oppose in part

New clause – climate change and environmental pressures

140. ECan [316.126] seek a new clause to address climate change and environmental pressures. Their reason is that this would be consistent with SUB-O1 and give effect to CRPS 11.3.8³². The wording they seek is as follows:

“recognises and provides the ability to adapt and respond to the effects of climate change and environmental pressures.”

141. I agree with ECan that climate change should be addressed in the SUB policies. This would give effect to Section 7(i) of the RMA and CRSP Policy 11.3.8 and be consistent with SUB-O1. However, as SUB-P1 addresses Design and amenity, and SUB-P3 addresses sustainable design, I consider this would be best addressed as a new clause within SUB-P3. I therefore recommend the above wording and that ECan [316.126] is **accepted in part** and that the amendment sought is made to SUB-P3.

3.8.3 Summary of recommendations

142. I recommend that the submissions from CA and GJ McKeever [111.22], John Stevenson [162.21], Mainpower [249.205], Chloe Chai and Mark McKitterick [256.22], Clampett Investments Limited [284.202], RIDL [326.339], KiwiRail [373.58], Federated Farmers [414.207], Keith Godwin [418.22], Dean and Victoria Caseley [159.9], Transpower [195.94], Kainga Ora [325.154], Concept Services [230.7], and ECan [316.126] be **accepted in part**.
143. I recommend the further submissions be accepted or rejected as correspondence to my recommendation on the original submissions above. Recommendations on individual further submissions are contained in **Table B5, Appendix B**.
144. I recommend the following changes to SUB-P1 of the District Plan:

SUB P1 Design and amenity

Enable subdivision that:

1. within Residential Zones, incorporates best practice urban design, access to open space, and CPTED principles;
2. minimises reverse sensitivity effects on infrastructure including through the use of setbacks;
3. avoids ~~subdivision that restricts~~ restrictions on the operation, maintenance, upgrading and development of the National Grid;
4. recognises and provides for the expression of cultural values of mana whenua and their connections in subdivision design; and
5. supports the character, amenity values, form and function for the relevant zone.

SUB-P3 Sustainable design

Ensure that subdivision design:

...

³² CRPS Policy 11.3.8 Climate change

When considering natural hazards, and in determining if new subdivision, use or development is appropriate and sustainable in relation to the potential risks from natural hazard events, local authorities shall have particular regard to the effects of climate change.

5. recognises and provides for the ability to adapt and respond to the effects of climate change and environmental pressures

145. 32AA evaluation table reference: C2.

3.9 SUB-P2 Allotment layout, size and dimension

3.9.1 Matters raised by submitters

146. 13 submissions were received on the SUB-P2. Please refer to **Table B6, Appendix B**. 11 were either neutral or supported it and sought it to be retained as notified. Three submissions sought amendments.

147. Of the three submissions that sought amendments:

- Ravenswood Developments Limited [347.11] seek a new clause for commercial and industrial zones.
- Kainga Ora [325.154]³³ seeks deletion of 'densities' in clause 1a and the complete deletion of clause 1b to align with the rule framework for residential chapters.
- Nicholas Hoogeveen [202.1] seeks a specific clause for rural residential development and this submission is addressed in the rural subdivision s42A report.

148. There are nine further submissions in relation to original submissions on SUB-P2 which are listed in **Table B6, Appendix B** and footnoted against the original submission here.

3.9.2 Assessment

Commercial and Industrial

149. Ravenswood Developments Limited [347.11] seeks a specific clause for commercial and industrial zones as follows:

4. in Commercial and Industrial zones:
a. provides for the design and operational requirements of activities that are anticipated within the relevant zones.

150. The reason provided in the submission is that this is needed to inform the development of rules/standards for subdivisions in Commercial and Industrial zones.

151. No other SUB-policies provide this direction. I agree that this is missing from SUB-P2 and recommend submission Ravenswood Developments Limited [347.11] is **accepted**.

³³ Richard & Geoff Spark [FS37] – Oppose; D Cowley [FS41] – Oppose in part; M Hales [FS46] – Oppose in part; R J Paterson Family Trust [FS91] – Oppose in part

Alignment with rule framework

152. Kāinga Ora [325.154] state in their submission that they generally support the policy as proposed, but they seek amendments to align with the rule framework in residential chapters and seek the reference to densities be deleted.
153. I consider that SUB-P1 does align with the policy and rule framework for residential development, particularly MRZ-R18 *Multi-unit residential development* and MRZ-P1(3) *Residential character*³⁴. I also consider that reference to densities is appropriate given the range of residential zones with varying minimum densities provided for by the District Plan. I therefore disagree with the amendment sought by Kainga Ora [325.154] and recommend that their submission is **rejected**.

3.9.3 Summary of recommendations

154. I recommend that the submissions from Ravenswood Developments Limited [347.11] be **accepted**.
155. I recommend that the submissions from: Fulton Hogan [41.32], NZPork [169.16], John Stevenson [162.22], CIAL [254.45], Chloe Chai and Mark McKitterick [256.23], Clampett Investments Limited [284.203], Eyrewell Dairy Ltd [300.12], RIDL [326.340], Federated Farmers [414.208], Keith Godwin [418.23] and Dean and Victoria Caseley [159.10] be **accepted in part**.
156. I recommend the further submissions be accepted or rejected as correspondence to my recommendation on the original submissions above. Recommendations on individual further submissions are contained in **Table B6, Appendix B**.
157. I recommend the following changes to SUB-P2:

SUB-P2 Allotment layout, size and dimension

Ensure that allotment layout, size and dimensions:

1. in Residential Zones:
 - a. enables a variety of allotment sizes to cater for different housing types and densities to meet housing needs;
 - b. supports the achievement of high quality urban design principles for multi-unit residential development;
2. in Rural Zones:
 - a. retains the ability for rural land to be used for primary production activities; and
3. in Open Space and Recreation Zones:
 - a. provides a variety of types and sizes of open space and recreation areas to meet current and future recreation needs.
4. in Commercial and Industrial zones:
 - a. provides for the design and operational requirements of activities that are anticipated within the relevant zones.

158. 32AA evaluation table reference: C2.

³⁴ Both in relation to the PDP as notified, and as amended by V1.

3.10 SUB-P3 Sustainable Design

3.10.1 Matters raised by submitters

159. 14 submissions were received on the SUB-P3. Please refer to **Table B7, Appendix B**. 10 were either neutral or supported it and sought it to be retained as notified. Three submissions sought amendments.
160. Of the three submissions that sought amendments:
- MainPower New Zealand Limited [249.206], seeks a new clause for electricity distribution network infrastructure.
 - Kainga Ora [325.157]³⁵ seeks amendments to delete 'ensure that' from the chapeau and insert 'where appropriate' in clause 3.
 - Federated Farmers [414.209] seek a new clause for treatment and/or attenuation of human sewage
161. The submission of Federated Farmers [414.209] is considered in the Rural Subdivision s42A report, and not here.
162. There are seven further submissions in relation to original submissions on SUB-P2 which are listed in **Table B6, Appendix B** and footnoted against the original submission here.

3.10.2 Assessment

163. Mainpower New Zealand [249.206] support SUB-P3 *"as it recognises the need to maintain the design capacity of infrastructure"*, but seek amendments stating that *"further clarity is proposed to ensure that subdivision design recognises the need to integrate with the electricity network"*. The new clause they seek is as follows:
5. Recognises the need to integrate with electricity distribution network infrastructure to ensure new development is adequately serviced.
164. This submission point is not addressing a specific sustainable design consideration. Providing infrastructure for electricity transmission is an integral part of subdivision generally. It is not necessary for SUB-P3 to address integration with the electricity network, as this is addressed in SUB-P8 (2)(e). I therefore recommend no change and **rejecting** Mainpower New Zealand [249.206].
165. Kainga Ora [325.157] support SUB-P3 in part, stating that amendment is sought to *"better reflect that it might not always be possible to 'ensure' sustainable design outcomes and matters listed under Sub-P3(3)a.-d. could be promoted and undertaken where appropriate, generally not in all cases"*.
166. In reviewing clause 3 against the rules, standards and assessment criteria in the Subdivision Chapter, there are no provisions that implement SUB-P3(3). The Waimakariri Engineering

³⁵ Richard & Geoff Spark [FS37] – Oppose; D Cowley [FS41] – Oppose in part; M Hales [FS46] – Oppose in part; R J Paterson Family Trust [FS91] – Oppose in part

Code of Practice provides discretion to consider private property owners installing a stormwater tank for water conservation or other reasons³⁶, however this is not mandatory.

167. The effects of climate change are to be considered under Section 7(i) of the RMA. It is predicted that the effects of climate change will result in an increase in extreme rainfall intensity in the Waimakariri District because a warmer atmosphere can hold more moisture. In addition, the District will likely become more drought prone in the future as temperatures increase and precipitation changes³⁷.
168. I consider that SUB-P3(3) is seeking to address the effects of climate change and will be implemented through methods outside the District Plan.
169. For these reasons, I agree with the inclusion of 'where appropriate' as sought by Kainga Ora [325.157] to clause 3, but do not consider the amendments they seek to the chapeau are necessary to address the reasons stated for the submission and they would also create inconsistency with the drafting of other SUB-policies. I therefore recommend Kainga Ora [325.157] is **accepted in part**.

3.10.3 Summary of recommendations

170. I recommend that the submissions from CA and GJ McKeever [111.24], John Stevenson [162.23], Chloe Chai and Mark McKitterick [256.24], Clampett Investments Limited [284.204], Fire and Emergency New Zealand [303.40], ECan [316.127], RIDL [326.341], KiwiRail [373.59], Keith Godwin [418.24], Dean and Department of Conservation [419.114] and Kainga Ora [325.157] be **accepted in part**.
171. I recommend that the submissions from Mainpower New Zealand [249.206] be **rejected**.
172. I recommend the further submissions be accepted or rejected as correspondence to my recommendation on the original submissions above. Recommendations on individual further submissions are contained in **Table B7, Appendix B**.
173. I recommend the following changes to SUB-P3:

SUB-P3 Sustainable design

Ensure that subdivision design:

1. maximises solar gain, including through:
 - a. road and block layout; and
 - b. allotment size, dimension, layout and orientation;
2. in Residential Zones, Commercial and Mixed Use Zones, and Open Space and Recreation Zones, supports walking, cycling and public transport; and
3. promotes where appropriate:
 - a. water conservation,
 - b. on-site collection of rainwater for non-potable use,
 - c. water sensitive design, and
 - d. the treatment and/or attenuation of stormwater prior to discharge, and
4. recognises the need to maintain the design capacity of infrastructure within the public network and avoid causing flooding of downstream properties.

³⁶ Waimakariri District Council Engineering Code of Practice section 5.8.3

³⁷ https://niwa.co.nz/sites/niwa.co.nz/files/WDC_TechnicalReport_FINAL.pdf

174. I note that a change to SUB-P3 was also recommended in section 3.8 above that is not shown here.
175. 32AA evaluation table reference: C2.

3.11 SUB-P5 Density in Residential Zones

3.11.1 Matters raised by submitters

176. 10 submissions were received on the SUB-P5. Please refer to **Table B9, Appendix B**. Nine were either neutral or supported it and sought it to be retained as notified. One submission from Kainga Ora [325.159]³⁸ sought the its' deletion.
177. The nine submissions that are either neutral or in support are: CA and GJ McKeever [111.26], John Stevenson [162.25], Malcolm Dartnell [240.1], CAIL [254.46]³⁹, Chloe Chai and Mark McKitterick [256.26]⁴⁰, Clampett Investments Limited [284.206], RIDL [326.343]⁴¹, Bellgrove Rangiora Ltd [408.22] and Keith Godwin [418.26]⁴².
178. There are eight further submissions in relation to original submissions on SUB-P2 which are listed in **Table B6, Appendix B** and footnoted against the original submission here.

3.11.2 Assessment

179. SUB-P5 was notified as follows:

SUB-P5 Density in Residential Zones

Provide for a variety of [site](#) sizes within [Residential Zones](#), while achieving minimum residential [site](#) sizes that are no smaller than specified for the zone.

180. Kāinga Ora seeks the deletion of SUB-P5. They consider the proposed policy should be reviewed against other policies listed in this chapter, and that the review should either see the removal of the policy or other policies in this chapter amended to account for the outcome sought by this policy. They also consider that any reference to density should be removed.
181. SUB-P5 applies to all Residential Zones being General Residential Zone (GRZ), Medium Density Residential Zone (MDRZ), Settlement Zone (SETZ), and Large Lot Residential Zone (LLRZ). The following is from the introduction for Residential Zones (as notified and no change was made through Variation 1),

*"The key difference between the General Residential Zone and Medium Density Residential Zone is **housing density**, with the latter located within walkable distance to town centres, schools, open space and transport routes. The Settlement Zone differs from both of these zones, providing for a greater range of [commercial activity](#), as the settlements do not have*

³⁸ Richard & Geoff Spark [FS37] – Oppose; D Cowley [FS41] – Oppose in part; M Hales [FS46] – Oppose in part; R J Paterson Family Trust [FS91] – Oppose in part

³⁹ Kainga Ora [FS88] – Oppose

⁴⁰ M McKitterick [FS2] – Oppose

⁴¹ Ohoka Residents Association [FS137] – Oppose

⁴² Richard & Geoff Spark [FS37] – Oppose in Part

*their own business zones. The Large Lot Residential Zone provides for very **low density** rural residential living opportunities with an open, spacious character.” (Bold emphasis added)*

182. Therefore, a key feature distinguishing these zones is their density.
183. The section 32 report for subdivision states that SUB-P1 to SUB-P7 implement Objective SUB-O1 Subdivision Design. The report explains that these policies provide for design and amenity, the consideration of lot layout, size and dimension, identity through response to existing features and context and ensuring that the ability for people to provide for sustainable design is incorporated into subdivision and land development. The required levels of density are set out through provision of minimum lot sizes, and also through minimum density for future urban development areas and greenfield priority areas.
184. I note that V1 to the proposed District plan removed the minimum allotment area for the MDRZ in SUB-S1. Therefore, there is no minimum allotment area specified for MDRZ. However, there a specified minimum allotment area for GRZ, SETZ and LLRZ in SUB-S1. Therefore, I consider the policy should remain as it applies to all residential zones. I recommend that the submission of Kainga Ora [325.159] be **rejected**.

3.11.3 Summary of recommendations

185. I recommend that the submissions from CA and GJ McKeever [111.26], John Stevenson [162.25], Malcolm Dartnell [240.1], CIAL [254.46], Chloe Chai and Mark McKitterick [256.26], Clampett Investments Limited [284.206], RIDL [326.343], Bellgrove Rangiora Ltd [408.22], and Keith Godwin [418.26] be **accepted**.
186. I recommend that the submission of Kainga Ora [325.159] be **rejected**.
187. I recommend the further submissions be accepted or rejected as correspondence to my recommendation on the original submissions above. Recommendations on individual further submissions are contained in **Table B8, Appendix B**.
188. I recommend that no changes be made to the District Plan.

3.12 SUB-P6 Criteria for Outline Development Plans

3.12.1 Matters raised by submitters

189. 30 submissions were received on the SUB-P6. Please refer to **Table B10, Appendix B**. 13 were either neutral or supported it and sought it to be retained as notified. 17 submissions sought amendments.
190. Of the 17 submissions that sought amendments:
- Two submissions seek amendments to the chapeau to include new general residential zones (Waimakariri District Council [367.9]) and to clarify this policy only applied to new greenfield areas (Templeton Group [412.5])
 - The MoE [277.32] seek to replace the term ‘schools’ with ‘education facilities’ in clause 2(b)(i) and include a specific clause for provision of education facilities in a new clause

- Six submissions seek amendments to density minimums in Clause 2 (c)] — Richard and Geoff Spark [183.7]⁴³, J & C Broughton [223.8]⁴⁴, R Alloway and L Larsen [236.10]⁴⁵, Dalkeith Holdings Ltd [242.7]⁴⁶, M Hales [246.8]⁴⁷ and Ngai Tahu Property [411.31]⁴⁸
 - Two submissions seek amendments regarding infrastructure — Waka Kotahi [275.30] and CIAL [257.47]⁴⁹
 - ECan [316.129]⁵⁰ seeks a new subclause to require demonstration that any high hazard areas are avoided and that other natural hazards are addressed in accordance with Chapter 11 of the CRPS
 - Forest and Bird [192.81] seeks the identification, protection and maintenance of indigenous biodiversity values, and
 - FENZ [303.41] seek a new subclause to ensure ODP's are prepared in accordance with PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice.
191. The submission of RIDL [160.5], NZPork [169.17], Nicholas Hoogeveen [202.2] sought amendments and are considered in the Rural Subdivision s42A report, not here.
192. There are 29 further submissions in relation to original submissions on SUB-P6 which are listed in **Table B10, Appendix B** and footnoted against the original submission here. Some of these are addressed in the assessment below.

3.12.2 Assessment

The chapeau

SUB-P6 Criteria for Outline Development Plans

Ensure 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:

193. SUB-P6 gives effect to Policy 6.3.3 *Development in accordance with outline development plans* of the CRPS. I note that this policy only applies to the Greater Christchurch area, however, this is the high growth area of the District where new development areas and zone are most likely.
194. Policy 6.3.3 requires an ODP prior to subdivision for greenfield development, future development areas or rural residential development. Policy 6.3.3, Method 2 states that Territorial Authorities will require an outline development plan to be developed and

⁴³ Bellgrove Rangiora Ltd [FS85] – Oppose; Waka Kotahi NZ Transport Agency [FS110] – Oppose

⁴⁴ R J Paterson Family Trust [FS91] – Oppose; Waka Kotahi NZ Transport Agency [FS110] – Oppose

⁴⁵ M Dartnell [FS4] – Support; D & S Elley [FS28] – Support; JP Bailey Family Trust [FS29] – Support; K Manson & N Kuru [FS30] – Support; R Fraser [FS31] – Support; L N R deLacy [FS32] – Support; L Marriott [FS33] – Support; Transpower [FS92] Neutral; Waka Kotahi NZ Transport Agency [FS110] – Oppose

⁴⁶ Waka Kotahi NZ Transport Agency [FS110] – Oppose

⁴⁷ Waka Kotahi NZ Transport Agency [FS110] – Oppose

⁴⁸ Waka Kotahi NZ Transport Agency [FS 110] – Oppose⁴⁹ Kainga Ora [FS88] – Oppose; Kiwirail [FS99] – Oppose in part

⁴⁹ Kainga Ora [FS88] – Oppose; Kiwirail [FS99] – Oppose in part

⁵⁰ CIAL [FS80] – Support

incorporated into district plans, prior to, or at the same time as, rezoning land for urban use in greenfield priority areas or Future Development Areas.

195. Greenfield priority areas and Future Development Areas are shown on Map A of the CRPS.
196. All Greenfield priority areas within the Waimakariri District have been zoned in the District Plan and have a corresponding ODP within the Development Areas chapter.
197. The Future Development Areas within the Waimakariri District have been identified on the planning maps by a Development Area overlay. Some of these areas have an ODP within the District Plan, including South East Rangiora, West Rangiora and Kaiapoi. The North East Rangiora Future Development Area was not proposed within the District Plan, however, it has been proposed through Variation 1 and contains a corresponding ODP.
198. Future rural residential development has been identified on the planning maps as an Area Specific Overlay for Large Lot Residential Zone (LLRZO). Examples include LLRZO at Fawcetts Road, Ashely; Two Chain Road, Swannanoa; and Gressons Road, Waikuku. However, these areas with LLRZO do not have a corresponding ODP.
199. In addition to the above, the District Plan also identifies future general residential zones through an Area Specific Overlay for General Residential Zone (GRZO) across LLRZ in northwest Rangiora and Chinnery's Road, Woodend. However, this is not required to give effect to Policy 6.3.3 but has been included in SUB-P6. A District Plan policy can be more stringent than a regional policy. I consider that while this aspect of SUB-P6 is more stringent than Policy 6.3.3, SUB-P6 overall does give effect to Policy 6.3.3.
200. The Waimakariri District Council [367.9] seek 'new General Residential Zones' be included in the chapeau and the reason they provide is to clarify that the policy applied to General Residential Zone overlays (GRZO). The GRZO applies across the Large Lot Residential Zone (LLRZ) on Chinnery's Road in Woodend and the north end of West Belt in Rangiora. These areas contain multiple land parcels under different ownership. Residential development would be difficult to co-ordinate efficiently or effectively without an ODP. I agree with Waimakariri District Council [367.9] that it is not clear that SUB-P6 applies to the General Residential Zone and recommend their submission is **accepted**.
201. Templeton Group [412.5] seek amendment to SUB-P6 to ensure that subdivision can occur at Pegasus township and within Local Centre Zone (LCZ) (including the rezoning to LCZ as sought through their submission) without an ODP. This submission point is related to their broader submission where they have sought a rezoning at Pegasus from MRZ to LCZ, and deletion of the Pegasus ODP through the Templeton Group Submission. The submission to delete the ODP is assessed in the Development Area s42A report⁵¹ and submissions seeking rezoning will be addressed in Hearing Stream 12, and not here. Templeton Group [412.5] do not offer suggested amendments to SUB-P6 in their relief sought.
202. SUB-R2 states that subdivision is a controlled activity where SUB-S1 to SUBS18 are met (with some listed exceptions). SUB-S4 *Areas subject to an ODP* states that *Any subdivision shall comply with the relevant ODP and rules for the ODP, as set out in the Development Areas Chapter of the District Plan.* The activity status when compliance is not achieved is

⁵¹Development Areas S42A report, dated 12 /01/24, page 53

Discretionary. Therefore, if Templeton Group [412.5] seek a subdivision that does not comply with the relevant ODP, then it would be a discretionary activity. SUB-MCD2 (2) and (9)⁵² specifically directs consideration of this. Therefore, there is a consenting pathway for them. I therefore recommend **rejecting** Templeton Group [412.5].

Clause 2(b)(i) - schools

203. The MoE [277.32] seek to replace the term 'schools' with 'education facilities' in clause 2(b)(i) and include a specific clause for provision of education facilities in a new clause.
204. *Educational Facility* is a term defined in the Interpretation chapter of the District Plan and this definition is the National Planning Standard Definition. The District Plan does not contain a definition for school, therefore the original English dictionary meaning would apply. However, given the District Plan does define *Educational Facility*, I agree with MoE [277.32] that the term school should be replaced. I note they seek a slight variation of this term in asking for 'education facilities'. However, I consider that to avoid potential confusion for plan implementation the best term to replace 'schools' with is the defined term of *Educational Facility*. I consider this will provide the intent of the relief sought.
205. With regard to the new clause sought by MoE [277.32], the MoE requests that specific provision for education facilities is provided to ensure that population growth and the impact on schools is considered within developments and Outline Development Plans. The additional clause they seek is as follows:
- m. demonstrate how effective provision is made for educational facilities within the ODP.*
206. The drafting of the clause sought assumes that provision for educational facilities will be required within every ODP given that it requires *demonstration of how effective provision is made*. This will not always be the case. SUB-P6 already provides for land to be identified if it is to be set aside for education facilities through Clause 2b(i). Furthermore, SUB-P6 2b(i) gives effect to Policy 6.3.3(3)(b)⁵³. I therefore do not consider the additional clause is required.
207. I therefore recommend 'school' is replaced by 'Educational Facility' within clause 2(b)(i) and that the MoE [277.32] be **accepted in part**.

⁵² SUB MCD2

...

2. The extent to which the proposal complies with any relevant ODP or concept plan. Where a proposal does not comply with an ODP or concept plan, the extent to which the proposal achieves the same, or better urban design and environmental outcomes, than provided through the ODP or concept plan.

...

9. The extent to which subdivision subject to an ODP:

- a. provides for the protection of routes for future roads, and other public features of the subdivision, from being built on; and
- b. will not undermine or inhibit the future development of identified new development areas.

⁵³Policy 6.3.3 (CRPS)

Subdivision must not proceed ahead of the incorporation of an outline development plan in a district plan. Outline development plans and associated rules will:

...

3. To the extent relevant show proposed land uses including:

...

b. Land required for community facilities or schools;

Clause 2 (c) – densities

- c. for new Residential Development Areas demonstrate how each ODP area will achieve a minimum net density of at least 15 lots or households per ha, unless there are demonstrated constraints then no less than 12 households per ha;
208. Six submissions seek amendments to density minimums in Clause 2 (c) — Richard and Geoff Spark [183.7]⁵⁴, J & C Broughton [223.8]⁵⁵, R Alloway and L Larsen [236.10]⁵⁶, Dalkeith Holdings Ltd [242.7]⁵⁷, M Hales [246.8]⁵⁸ and Ngai Tahu Property [411.31]⁵⁹.
209. The amendments sought by Richard and Geoff Spark [183.7], J & C Broughton [223.8], R Alloway and L Larsen [236.10], Dalkeith Holdings Ltd [242.7] and M Hales [246.8] are as follows:
- c. for new Residential Development Areas, demonstrate how each ODP area will achieve a minimum net density of at least 15 lots or households per ha, unless there are demonstrated constraints then no less than 12 households per ha a reduced density standard or density exemption shall apply.
210. Amendment sought by Ngai Tahu Property [411.31] is as follows:
- c. for new Residential Development Areas demonstrate how each ODP area will achieve a minimum net density of at least 15 lots or households per ha where possible, unless there are demonstrated constraints then no less than 12 households per ha where possible;
211. CCC [360.2] specifically support retention of SUB-P6(2)(c). CIAL [FS80] supported the CCC submission, while R & G Spark [FS37] and Miranda Hales [FS46] opposed the CCC submission.
212. Density scenarios and anticipated yields were tested through 'Our Space' 2018-2048 to ensure the most efficient utilisation of land within identified future development areas, and these new areas will provide much of the capacity required over both the medium and long term⁶⁰. This was used to inform the Proposed Plan. A density of 15 households per hectare is largely required to meet anticipated housing demand. However, it was acknowledged by SUB-P6 that in some circumstances infrastructure requirements and more detailed structure planning may reduce the developmental areas and therefore reduce the achievable households per hectare. Therefore, this clause acknowledges this by including '*unless there are demonstrated constraints then no less than 12 households per ha*'.

⁵⁴ Bellgrove Rangiora Ltd [FS85] – Oppose; Waka Kotahi NZ Transport Agency [FS110] – Oppose

⁵⁵ R J Paterson Family Trust [FS91] – Oppose; Waka Kotahi NZ Transport Agency [FS110] – Oppose

⁵⁶ M Dartnell [FS4] – Support; D & S Elley [FS28] – Support; JP Bailey Family Trust [FS29] – Support; K Manson & N Kuru [FS30] – Support; R Fraser [FS31] – Support; L N R deLacy [FS32] – Support; L Marriott [FS33] – Support; Transpower [FS92] Neutral; Waka Kotahi NZ Transport Agency [FS110] – Oppose

⁵⁷ Waka Kotahi NZ Transport Agency [FS110] – Oppose

⁵⁸ Waka Kotahi NZ Transport Agency [FS110] – Oppose

⁵⁹ Waka Kotahi NZ Transport Agency [FS 110] – Oppose

⁶⁰ <https://greaterchristchurch.org.nz/assets/Documents/greaterchristchurch/Our-Space-final/Our-Space-2018-2048-WEB-FINAL.pdf>, page 28

213. The Waimakariri Residential Capacity and Demand Model 2023 (WRCDM23)⁶¹ acknowledges that the combination of the District Plan, IPI, and Future Growth areas have combined to result in a substantial change in the planning framework within the District. It goes on to say that this is understandable as Waimakariri area is facing strong levels of residential growth, even when compared to the wider region or nationally.
214. The findings of the WRCDM23 are that recent greenfield areas are providing more capacity than previously delivered to meet housing demand⁶². For the longer-term developments the WRCDM23 has applied a higher density which accounts for change in density over the coming three decades to meet housing demand. This has meant that the New Development Areas are estimated to provide more capacity than under the previous model and the previous zones provisions. Therefore, generally 15 households per hectare are required within future development areas to meet housing supply.
215. I therefore recommend no change to SUB-P6 (2)(c) and that Richard and Geoff Spark [183.7], J & C Broughton [223.8], R Alloway and L Larsen [236.10], Dalkeith Holdings Ltd [242.7], M Hales [246.8] and Ngai Tahu Property [411.31] be **rejected**.

Infrastructure

216. Two submissions seek amendments regarding infrastructure — Waka Kotahi [275.30] and CAIL [275.47].
217. Waka Kotahi [275.30] seeks the following amendments to subclause 2(e):
- e. indicate how required infrastructure will be provided ~~and how it will be funded~~;
218. In their submission, Waka Kotahi questions whether it is appropriate to set out how required infrastructure will be funded through the provisions and associated rules of an ODP. They state that there are often situations where there are changes to land use from other activities that may need to contribute to the same required infrastructure upgrades that are unknown at the time, and there are times where cost sharing arrangements may be reached at a later date. The key is that there is agreement and/or a process that acknowledges that the required infrastructure will be provided.
219. I agree with Waka Kotahi that at the ODP stage there is a degree of uncertainty that would make it difficult for parties to commit to cost sharing arrangements, and that key to the ODP is the acknowledgment of infrastructure requirements, which will be shown on the ODP. Future processes will determine cost sharing, such as financial contribution conditions of subdivision consent or cost sharing agreements between parties.
221. Policy 6.3.3 of the CRPS provides that all of the matters listed in the policy can be given effect to through an outline development plan or other rules. Variation 2 has introduced Financial Contribution rules to the Proposed District Plan. FC-R2 requires a financial contribution assessment for subdivision where more than two lots are created. Where the assessment is not provided, the activity status becomes discretionary.

⁶¹ Waimakariri Residential Capacity and Demand Model September 2030, pages 16 and 24

⁶² Waimakariri Residential Capacity and Demand Model September 2030, page 24

222. Furthermore, SUB-P8(1) covers cost-sharing or other arrangements for infrastructure upgrades required for subdivision. Given this, the District Plan will still give effect to Policy 6.3.3 of the CRPS.
223. I therefore recommend the change sought by Waka Kotahi [275.30] is **accepted**.
224. CIAL [275.47] seeks the following amendments to subclause 2(i) and new 2(j):
- i. show how other potential adverse effects ~~on and/or from nearby existing or~~ designated strategic infrastructure (including requirements for designations, or planned infrastructure) will be avoided, remedied or mitigated, recognising the functional need for infrastructure to be located in particular places, and the fact that this infrastructure pre-dates the residential development in the area.
 - j. show how more than minor adverse effects on existing or designated strategic infrastructure (including requirements for designations, or planned infrastructure) will be avoided, and other minor or less than minor effects will be managed;
225. As stated previously, many of the CIAL submission points were addressed in a separate s42A report prepared by Mr Sheerin. The allocation of submission point assessment to that s42A report was at the suggestion of CIAL in their memorandum of Counsel to the Panel dated 14 August 2023⁶³. I have read Mr Sheerin's s42A report and concur with his assessment in Section 3.3.2 that states:
- The Strategic Directions, Energy and Infrastructure, Transport and Noise chapters already contain objectives and policies that recognise, provide for and manage adverse reverse sensitivity issues on; critical infrastructure, strategic infrastructure, and regionally significant infrastructure in the District (including the Airport). Therefore, in my opinion, I consider much more detailed provisions specific to the Airport are unnecessary.*
- I therefore recommend that CIAL [254.47] be **rejected**.
- High Hazard*
226. ECan [316.129]⁶⁴ seeks a new subclause to require demonstration that any high hazard areas are avoided and that other natural hazards are addressed in accordance with Chapter 11 of the CRPS.
227. Policy 6.3.3(11) *Development in accordance with outline development plans* of the CRPS states that outline development plans will '*show how the adverse effects associated with natural hazards are to be avoided, remedied or mitigated as appropriate and in accordance with Chapter 11 and any relevant guidelines*'.
228. Policy 6.3.12(6) *Future Development Areas* of the CRPS states '*The effects of natural hazards are avoided or appropriately mitigated in accordance with the objectives and policies set out in Chapter 11* [emphasis added].

⁶³ https://www.waimakariri.govt.nz/_data/assets/pdf_file/0020/141563/SUBMITTER-254-EMAIL-CIAL-MEMORANDUM-OF-COUNSEL-TO-HEARING-PANEL-ANNABELLE-LEE-CHAPMAN-TRIPMemorandum-of-counsel-CIAL.pdf

⁶⁴ CIAL [FS80] – Support

229. In summary, Policy 11.3.1 *Avoidance of inappropriate development in high hazard areas* of the CRPS seeks to avoid new subdivision in **high** hazard areas and mitigate in lower hazard areas. It is my opinion that Policy 11.3.1 is not an absolute avoidance policy, but rather, is a hierarchical risk management policy.
230. I note that Policy 6.3.12 was introduced into the CRPS in July 2021 through Change 1 to Chapter 6 of the CRPS, while Chapter 11 dates to the operative date of the CRPS (15 January 2013).
231. SUB-P6 as notified does not include a clause that addresses natural hazards. Given SUB-P6 is giving effect to Policy 6.3.3 of the CRPS, I consider that the exclusion of natural hazards is a gap. However, given the direction within Policy 6.3.12(6) and Policy 11.3.1 of the CRPS, I do not agree with the relief sought by ECan that SUB-P6 should include a new subclause to avoid high hazard areas. No drafting was offered by ECan in their submission. However, I recommend the following new clause:

m. show how the adverse effects associated with natural hazards are to be avoided, remedied or mitigated, as appropriate.

232. I consider this new clause to give effect to the CRPS, particularly Policies 6.3.3, 6.3.12 and 11.3.1, and provide greater alignment with SUB-O1(4). I therefore recommend that ECan [316.129] be **accepted in part**.

Indigenous biodiversity values

233. Forest and Bird [192.81] seeks the identification, protection and maintenance of indigenous biodiversity values through a new clause:

x. identify indigenous biodiversity values and show how they will be protected and maintained

234. I do not consider this is necessary as SUB-P6(2)(b)(vi) and (d) provides for consideration of land to be set aside from development for environmental, landscape protection or natural feature and values protection or enhancement. SUB-P6(2)(b)(vii) provides for consideration of land to be set aside from development for any other reason, and the reasons for its protection. Furthermore, the District Plan specifically addresses indigenous biodiversity values in the ECO chapter.

235. I therefore recommend no change and that the submission Forest and Bird [192.81] be **rejected**.

PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice

236. FENZ [303.41] seek a new subclause to ensure ODP's are prepared in accordance with PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice. I consider this is a level of engineering detail that is best addressed through an application for subdivision consent.

237. I note that this issue is addressed through SUB-S11 *Water supply for firefighting* which requires this to be demonstrated for all new allotments at time of application for subdivision. SUB-S11 requires the subdivision application to demonstrate that there is sufficient water supplies for fire fighting to all residential units via the District Council's urban reticulated system where this is available. Where reticulated water supply is not available, then

alternative firefighting water sources must be provided. SUB-P6 (2)(a) requires an ODP to identify relevant infrastructure and (2)(e) requires an indication as to how the provision of infrastructure is to be provided. The District Plan /RMA definition of Infrastructure includes 'a water distribution system'. Therefore, by identifying the water distribution system (such as pump station and new water mains) on the ODP this matter is addressed in an appropriate level of detail for an ODP.

238. Furthermore, the criteria for the Outline Development Plan is in addition to other subdivision policies, such as SUB-P8 *Infrastructure* which at (2)(b) requires adequate water supply to be provided.

239. I therefore recommend no change and FENZ [303.41] be **rejected**.

3.12.3 Summary of recommendations

240. I recommend that the submissions of CCC [360.2], Waimakariri District Council [367.9] and Waka Kotahi [275.30] be **accepted**.

241. I recommend that the submissions of CA and GJ McKeever [111.27], John Stevenson [162.26], B & A Stokes [211.4], B & A Stokes [214.2], Mark and Melissa Prosser [224.4], MainPower New Zealand Limited [249.207], Chloe Chai and Mark McKitterick [256.27], Clampett Investments Limited [284.207], Kainga Ora [325.160], RIDL [326.344], KiwiRail [373.62], and Keith Godwin [418.24], Ministry of Education [277.32] and ECan [316.129] be **accepted in part**.

242. I recommend that the further submissions of Templeton Group [412.5], Richard and Geoff Spark [183.7], J & C Broughton [223.8], R Alloway and L Larsen [236.10], Dalkeith Holdings Ltd [242.7], M Hales [246.8], Ngai Tahu Property [411.31] CAIL [275.47], Forest and Bird [192.81], and FENZ [303.41] are **rejected**.

243. I recommend the further submissions be accepted or rejected as correspondence to my recommendation on the original submissions above and in **Table B10, Appendix B**.

244. I recommend that the following changes be made to the District Plan:

SUB-P6 Criteria for Outline Development Plans

Ensure that new Residential Development Areas, new General Residential Zones, 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:

1. be prepared as a single plan; and
2. be prepared in accordance with the following:
 - a. identify principal roads, connections and integration with the surrounding road networks, relevant infrastructure and areas for possible future development;
 - b. any land to be set aside:
 - i. for community facilities or ~~schools~~ educational facility;
 - ii. parks and land required for recreation or reserves;
 - iii. for business activities;
 - iv. the distribution of different residential densities;
 - v. for the integrated management of water systems, including stormwater treatment, secondary flow paths, retention and drainage paths;
 - vi. from development for environmental or landscape protection or enhancement; and
 - vii. from development for any other reason, and the reasons for its protection.
 - c. for new Residential Development Areas demonstrate how each ODP area will achieve a minimum net density of at least 15 lots or households per ha, unless there are demonstrated constraints then no less than 12 households per ha;

- d. identify any cultural, natural, and historic heritage features and values and show how they are to be enhanced or maintained;
- e. indicate how required infrastructure will be provided ~~and how it will be funded~~;
- f. set out the phasing and co-ordination of subdivision and development;
- g. demonstrate how effective provision is made for a range of transport options, including public transport systems, pedestrian walkways and cycleways, both within and adjoining the ODP area;
- h. for new Residential Development Areas, demonstrate how open space, playgrounds or parks for recreation will be provided within a 500m radius of new residential allotments including:
 - i. transport connectivity for active, public and other transport modes;
 - ii. connection to any other open space or community facility and other zones; and
 - iii. potential use of open space for stormwater management;
- i. show how other potential adverse effects on and/or from nearby existing or designated strategic infrastructure (including requirements for designations, or planned infrastructure) will be avoided, remedied or appropriately mitigated;
- j. show how other potential adverse effects on the environment, the protection and enhancement of surface and groundwater quality, are to be avoided, remedied or mitigated;
- k. include any other information which is relevant to an understanding of the development and its proposed zoning; ~~and~~
- l. demonstrate that the design will minimise any reverse sensitivity effects; ~~and~~
- m. show how the adverse effects associated with natural hazards are to be avoided, remedied or mitigated, as appropriate.

245. S32AA evaluation table reference: C2.

3.13 SUB-P7 Requirements of Outline Development Plans

3.13.1 Matters raised by submitters

246. 14 submissions were received on the SUB-P7. Please refer to **Table B11, Appendix B**. Eight were either neutral or supported it and sought it to be retained as notified. Six submissions sought amendments.

247. Of the six submissions that sought amendments:

- Five submissions (Richard and Geoff Spark [183.8], J & C Broughton [223.9]⁶⁵, R Alloway and L Larsen [236.11]⁶⁶, Dalkeith Holdings Ltd [242.8] and M Hales [246.9]) seek the following change:

~~Ensure that subdivision is in accordance with the fixed or flexible elements of any relevant ODP.~~ Manage subdivision to ensure that the outcomes intended by the Outline Development Plan are met.

- Bellgrove Rangiora Limited [408.23]⁶⁷ seeks the insertion of 'general accordance'.

⁶⁵ R J Paterson Family Trust [FS91] – Oppose in part

⁶⁶ R J Paterson Family Trust [FS4] – Support; D & S Elley [FS28] – Support; JP Bailey Family Trust [FS29] – Support; K Manson & N Kuru [FS30] – Support; R Fraser [FS31] – Support; L N R deLacy [FS32] – Support; [FS33] – L Marriott Support

⁶⁷ R & G Spark [FS37] – Oppose in part

248. There are 15 further submission points in relation to original submissions on SUB-P6 which are listed in **Table B11, Appendix B** and footnoted against the original submission here.

3.13.2 Assessment

249. Bellgrove [408.23] support development to occur in accordance with ODPs contained within the plan, and the acknowledgement that there will be some flexible elements in an ODP, which will evolve as design progresses. Given this, the Bellgrove [408.23] consider that the policy should provide for minor departures from ODP elements where these are not fundamental to the overall intent of the ODP and therefore seek SUB-P7 provide for 'general' accordance with a relevant ODP.
250. The other five submissions also seek greater recognition of the flexible components of ODP's. However, I prefer the wording as proposed by Bellgrove [408.23] because it provides the necessary relief while still acknowledging that there are fixed and flexible elements within ODPs. Also, the fixed and flexible elements are acknowledged elsewhere in the District Plan (e.g., within Special Purpose Zone⁶⁸ and Development Area⁶⁹).
251. It is my understanding that the identification of fixed elements has arisen following detailed consideration as to whether there was flexibility in either that the element be provided and the location in which it is to be provided. The identification of fixed and flexible elements flows through to different activity status and matters of discretion, with 'fixed' elements generally having a higher activity status and hence stronger policy direction.
252. I therefore recommend amending SUB-P7 to include 'general' accordance with the flexible elements of any relevant ODP. I recommend Bellgrove [408.23], Richard and Geoff Spark [183.8], J & C Broughton [223.9], R Alloway and L Larsen [236.11], Dalkeith Holdings Ltd [242.8] and M Hales [246.9] be **accepted in part**.

3.13.3 Summary of recommendations

253. I recommend that Bellgrove [408.23], Richard and Geoff Spark [183.8], J & C Broughton [223.9], R Alloway and L Larsen [236.11], Dalkeith Holdings Ltd [242.8], M Hales [246.9], CA and GJ McKeever [111.28], John Stevenson [162.27], Chloe Chai and Mark McKitterick [256.28]⁷⁰, Clampett Investments Limited [284.208], Kainga Ora [325.161]⁷¹, RIDL [326.345], KiwiRail [373.63], and Keith Godwin [418.28] be **accepted in part**
254. I recommend the further submissions be accepted or rejected as correspondence to my recommendation on the original submissions above and in **Table B11, Appendix B**.
255. I recommend that the following change be made to the District Plan:

⁶⁸ SPZ(PR)-P1

⁶⁹ Outline Development Plan explanations within Appendices e.g. DEV-WR-APP1

⁷⁰ M McKitterick [FS2] – Oppose

⁷¹ R & G Spark [FS37] – Oppose; D Cowley [FS41] – Oppose in part; M Hales [FS46] – Oppose in part; R J Paterson Family Trust [FS91] – Oppose in part

SUB-P7 Requirements of Outline Development Plans

Ensure that subdivision is in accordance with the fixed ~~or~~ and general accordance with flexible elements of any relevant ODP.

256. 32AA evaluation table reference: C2.

3.14 SUB-P8 Infrastructure

3.14.1 Matters raised by submitters

257. 13 submissions were received on the SUB-P8. Please refer to **Table B12, Appendix B**. 11 were either neutral or supported it and sought it to be retained as notified. Two submissions sought amendments.

258. Of the 2 submissions that sought amendments:

- Waka Kotahi [275.31] seeks deletion of *'that are proportional to the benefit received'* from clause 1.
- Federated Farmers [414.211] sought amendments and are considered in the Rural Subdivision s42A report, not here.

259. There are seven further submission points in relation to original submissions on SUB-P6 which are listed in **Table B11, Appendix B** and footnoted against the original submission here.

3.14.2 Assessment

260. Waka Kotahi [275.31] submission states that they generally support the matters set out in SUB-P8 which are intended to achieve integrated and comprehensive infrastructure with subdivision. However, with respect to clause (1), they consider there are risks with imposing cost-sharing arrangements proportional to the benefit received, when it involves an upgrade to the state highway network.

261. They are of this view because the policy could be used to argue that the subdivision triggering the upgrade need only fund a portion of the cost of the infrastructure, relying on Waka Kotahi to fund the remainder of the upgrade.

262. Waka Kotahi [275.31] state that they cannot guarantee that such funding would be available. There is then a risk that funding cannot be secured to pay the remaining non-developer funded cost of the infrastructure, and the potential effects related to the infrastructure are then not appropriately addressed.

263. There were no further submissions received on Waka Kotahi [275.31].

264. In reading clause 1, I do not consider that the words *'such as financial contributions, that are proportional to the benefit received'* are fundamental to the policy clause. They read as an example of cost sharing or other arrangements. As such, I consider that they can be removed to avoid the issue raised by Waka Kotahi [275.31]. I therefore recommend the submission and change sought by Waka Kotahi [275.31] be **accepted**.

3.14.3 Summary of recommendations

265. I recommend that the submissions of Waka Kotahi [275.31] be **accepted**.
266. I recommend that the further submissions of CA and GJ McKeever [111.29], Te Ngai Tuahuriri Runanga [142.7], John Stevenson [162.28], Mainpower New Zealand Limited [249.208], Chloe Chai and Mark McKitterick [256.29]⁷², Clampett Investments Limited [284.209], FENZ [303.42], Kainga Ora [325.162]⁷³, RIDL [326.345], Bellgrove Rangiora Ltd [408.24]⁷⁴, and Keith Godwin [418.29] are **accepted in part**.
267. I recommend the further submissions be accepted or rejected as correspondence to my recommendation on the original submissions above and in **Table B11, Appendix B**.
268. I recommend that the following change be made to the District Plan:

SUB-P8 Infrastructure

Achieve integrated and comprehensive infrastructure with subdivision by ensuring:

1. upgrade of existing infrastructure where the benefit is solely for the subdivision and subsequent development, or otherwise provide for cost-sharing or other arrangements for any upgrade, ~~such as financial contributions, that are proportional to the benefit received;~~
2. adequate infrastructure provision and capacity to service the scale and nature of anticipated land uses, including:
 - a. wastewater disposal that will maintain public health and minimise adverse effects on the environment, while discouraging small-scale standalone community facilities;
 - b. water supply;
 - c. stormwater management;
 - d. phone, internet and broadband connectivity can be achieved, with new lines being underground in urban environments, except within the Special Purpose Zone (Kāinga Nohoanga);
 - e. electricity supply, with new lines being underground in new urban environments except within the Special Purpose Zone (Kāinga Nohoanga);
3. where reticulated wastewater disposal is available, that any new site is to be provided with a means of connection to the system; and
4. where a reticulated wastewater system is not available, ensure that onsite treatment systems will be installed.

269. 32AA evaluation table reference: C2.

3.15 Rules**3.16 SUB-R1 Boundary Adjustment****3.16.1 Matters raised by submitters**

270. 11 submissions were received on the SUB-R1. Please refer to **Table B14, Appendix B**. Seven were either neutral or supported it and sought it to be retained as notified. Two submissions

⁷² M McKitterick [FS2] – Oppose

⁷³ Richard & Geoff Spark [FS37] – Oppose; D Cowley [FS41] – Oppose in part; M Hales [FS46] – Oppose in part; R J Paterson Family Trust [FS91] – Oppose in part

⁷⁴ Richard & Geoff Spark [FS37] – Oppose in part

were conditional support on relief sought elsewhere and one submission sought specific amendments.

271. Of the 2 submissions that sought conditional amendments:

- Waka Kotahi [275.32] seeks to retain SUB-R1, subject to amendments to SUB-MCD3 *Property access* and SUB-MCD-10 *reverse sensitivity*. Submissions on SUB-MCD3 are considered in section 3.2.8 below, and submissions on SUB-MCD-10 are considered in the Rural Subdivision s42A report. The recommendations relevant to those provisions may provide the relief they desire. Waka Kotahi can provide their updated position with respect to SUB-R1 through evidence or at the hearing.
- Daniel Hamish Patrick Cosgrove [292.5] sought amendments to allow boundary adjustments in the General Rural Zone and are considered in the Rural Subdivision s42A report, not here.

272. The one submission that has sought specific amendments is Waimakariri District Council [367.14] as follows:

SUB-R1 Boundary Adjustment

...

Where:

1. no additional allotment is created, and
2. SUB-S2 to SUB-S18 (gavel symbol) are met, and
3. the boundary adjustment does not increase the degree of non-compliance, or lead to an allotment that does not comply with the minimum allotment size specified in SUB-S1.

...

273. There are six further submission points in relation to original submissions on SUB-R1 which are listed in **Table B14, Appendix B** and footnoted against the original submission here.

3.16.2 Assessment

274. The Subdivision s32 evaluation states that the subdivision objectives and policies are implemented through the rules. The rules ensure that subdivision, including boundary adjustment, is appropriate for the form and function of the respective zones.

275. Waimakariri District Council [367.14] seek amendments to SUB-R1 to ensure that the boundary adjustment does not create an undersized allotment or increase the level of any non-compliance with SUB-S1, and to ensure no additional allotment is created. There were no further submissions received on this original submission.

276. I disagree with the Waimakariri District Council that the boundary adjustment rule requires amendment to ensure that both issues raised in the submission are not realised.

277. The definition of Boundary Adjustment is hyperlinked within the rule and states '*means a subdivision that alters the existing boundaries between adjoining allotments, without altering the number of allotments*'. This is a National Planning Standard definition. Therefore, if an additional allotment is created, then this definition would not be met, and the subdivision would not be a boundary adjustment.

278. However, not including SUB-S1 within the rule does create an issue. While SUB-MCD1 - *Allotment area and dimension* is included as a matter of control so that allotment size can be considered, this does not alter the activity status if the minimum allotment area and dimensions are not met. As SUB-S1 has a controlled activity status, this would mean that the application could not be declined. It is my opinion that including SUB-S1 within SUB-R1 as a standard to be met will resolve this issue.
279. This approach will better implement SUB-O1 and SUB-P1 to SUB-P5 than the rule as notified.
280. I therefore recommend the Waimakariri District Council submission **be accepted in part** and SUB-R1 be amended to require SUB-S1 to be met also.

3.16.3 Summary of recommendations

281. I recommend that the submissions from CA and GJ McKeever [111.32], John Stevenson [162.31], CAIL [254.48], Chloe Chai and Mark McKitterick [256.32], Waka Kotahu [275.32], Clampett Investments Limited [284.212], Daniel Cosgrove [292.5]; Kainga Ora [325.165], Rolleston industrial Developments Limited [326.349], Keith Godwin [418.32] Waimakariri District Council [367.14] be **accepted in part**.
282. I recommend the further submissions be accepted or rejected as correspondence to my recommendation on the original submissions above and in **Table B14, Appendix B**.
283. I recommend that the following changes be made to the Proposed District Plan:
- SUB-R1 Boundary Adjustment
- ...
- Where:
1. SUB-S21 to SUB-S18 (gavel symbol) are met.
- ...
284. 32AA evaluation table reference: C3.

3.17 SUB-R2 Subdivision

3.17.1 Matters raised by submitters

285. 13 submissions were received on the SUB-R2. Please refer to **Table B15, Appendix B**. Nine were either neutral or supported it and sought it to be retained as notified. Two submissions were conditional support on relief sought elsewhere and two submission sought specific amendments.
286. The two submissions that sought conditional amendments are:
- Waka Kotahi [275.32] seeks to retain SUB-R2, subject to amendments to SUB-MCD3 and SUB-MCD-10. Submissions on SUB-MCD3 are considered in section 3.2.8 below, and submissions on SUB-MCD-10 are considered in the Rural Subdivision s42A report. The recommendations relevant to those provisions may provide the relief they desire. Waka Kotahi can provide their updated position with respect to SUB-R1 in evidence or at the hearing.

- Daniel Hamish Patrick Cosgrove [292.2] sought amendments to allow boundary adjustments in the General Rural Zone and are considered in the Rural Subdivision s42A report, not here.
287. The two submission that have sought specific amendments are:
- Transpower New Zealand Limited [195.95] seek a permitted activity status for subdivision of unstaffed infrastructure.
 - Kainga Ora [325.166] seek the rule be changed to apply 'Vacant site subdivision' in conjunction with a new rule (Kainga Ora [325.172]⁷⁵) they seek for subdivision associated with an approved land use consent.
288. There are six further submission points in relation to original submissions on SUB-R2 which are listed in **Table B15, Appendix B** and footnoted against the original submission here.

3.17.2 Assessment

289. Transpower [195.95] submission states that they support SUB-R2 to the extent that the District Plan includes a rule that provides for subdivision associate with infrastructure activities. However, they consider the proposed rule to be overly broad and onerous. They seek a permitted activity for subdivision of unstaffed infrastructure as they consider this to be more efficient and effective than the proposed SUB-R2. They did not offer drafted amendments to SUB-R2.
290. Generally, a permitted activity status would mean that no approval is required from Council. However, this is not the case for subdivision. S223 of the RMA requires either a subdivision consent or certificate of compliance (CoC) to be obtained from Council before a survey plan can be submitted for approval. An approved survey plan is required to obtain a Record of Title from the Register-General of Land⁷⁶.
291. The cost of obtaining a CoC would be similar to a controlled subdivision, as the information required to assess the certificate of compliance would be similar to the controlled subdivision.
292. If in assessing the CoC it was determined that a subdivision consent was required, then this would result in additional time and expense to the applicant in preparing the subdivision consent application and processing fees. In contrast, if a subdivision consent is sought for a controlled activity, but in assessing the application it is determined that a different activity status applies, then processing of the application can continue subject to the additional assessment required by the new activity status. Therefore, I disagree with Transpower that SUB-R2 is overly broad and onerous.
293. In addition to the above, applying the permitted activity status to all *unstaffed Infrastructure* is problematic as this covers a very broad range of activities. The District Plan definition of infrastructure has the same meaning as in section 2 of the RMA which is as follows:

⁷⁵ Table B38, Appendix B. Richard & Geoff Spark [FS37] – Oppose; D Cowley [FS41] – Oppose in part; M Hales [FS46] – Oppose in part; R J Paterson Family Trust [FS91] – Oppose in part

⁷⁶ S224(c) of the RMA

infrastructure means—

- (a) pipelines that distribute or transmit natural or manufactured gas, petroleum, biofuel, or geothermal energy:
- (b) a network for the purpose of telecommunication as defined in [section 5](#) of the Telecommunications Act 2001:
- (c) a network for the purpose of radiocommunication as defined in [section 2\(1\)](#) of the Radiocommunications Act 1989:
- (d) facilities for the generation of electricity, lines used or intended to be used to convey electricity, and support structures for lines used or intended to be used to convey electricity, excluding facilities, lines, and support structures if a person—
 - (i) uses them in connection with the generation of electricity for the person's use; and
 - (ii) does not use them to generate any electricity for supply to any other person:
- (e) a water supply distribution system, including a system for irrigation:
- (f) a drainage or sewerage system:
- (g) structures for transport on land by cycleways, rail, roads, walkways, or any other means:
- (h) facilities for the loading or unloading of cargo or passengers transported on land by any means:
 - (i) an airport as defined in [section 2](#) of the Airport Authorities Act 1966:
 - (j) a navigation installation as defined in [section 2](#) of the Civil Aviation Act 1990:
 - (k) facilities for the loading or unloading of cargo or passengers carried by sea, including a port related commercial undertaking as defined in [section 2\(1\)](#) of the Port Companies Act 1988:
 - (l) anything described as a network utility operation in regulations made for the purposes of the definition of network utility operator in [section 166](#)

294. Therefore, non-fanciful examples of unstaffed infrastructure could include a windfarm, a solar farm, a single wind turbine, a telecommunications tower, an airstrip and an irrigation scheme. Matters that Council would want consideration of for these activities include physical and legal access, provision of easements, servicing matters such as on-site stormwater disposal, possible creation of esplanade reserves or strips and contamination. Matters such as these, and others, are included in the controlled activity matters of discretion⁷⁷.
295. For these reasons, I consider that using such a broad term as *unstaffed infrastructure* will have unintended consequences. I recommend Transpower [195.95] be **rejected**. I note that Transpower made a similar submission on the proposed Selwyn District Plan which was rejected in the Decision. They have made an appeal to the Environment Court on this matter.
296. Kainga Ora [325.166] seek the rule be changed to apply 'Vacant site subdivision' in conjunction with a new controlled activity rule they seek for subdivision associated with an approved land use consent.

⁷⁷ W. Harris, Personal Communication, 21 December 2023

297. The relief sought by Kainga Ora [325.166] is already largely provided for by SUB-R2 and Sub-S1. SUB-R2 has a controlled activity status subject to meeting SUB-S1 to SUB-S18.
298. Under SUB-S1 *allotment size and dimensions*, there is no minimum allotment area for multi-unit residential development where the design statement and land use consent have been submitted and approved in the MDRZ.
299. It is my understanding that Kainga Ora residential developments within the Waimakariri District have been multi-unit development within the MRDZ, and therefore this clause would apply.
300. For the above reasons, I recommend the amendment sought to SUB-R2 by Kainga Ora [325.166] and the new rule Kainga Ora [325.172] be **rejected**.

3.17.3 Summary of recommendations

301. I recommend that the submissions of CA and GJ McKeever [111.33], John Stevenson [162.32], MainPower New Zealand Limited [249.209], Chloe Chai and Mark McKitterick [256.23]⁷⁸, Clampett Investments Limited [284.213], FENZ [303.43], Kainga Ora [325.166]⁷⁹, RIDL [326.350], KiwiRail [373.65], Keith Godwin [418.33] and Waka Kotahi [275.32] be **accepted**.
302. I recommend that the submissions of Transpower [195.95], Kainga Ora [325.166] and Kainga Ora [325.172] be **rejected**.
303. I recommend the further submissions be accepted or rejected as correspondence to my recommendation on the original submissions above and in **Table B11, Appendix B**.
304. I recommend that the following that no change be made to the District Plan.

3.18 SUB-R4 Subdivision within flood hazard areas

3.18.1 Matters raised by submitters

305. 10 submissions were received on the SUB-R4. Please refer to **Table B16, Appendix B**. Six were either neutral or supported it and sought it to be retained as notified. Four submissions sought specific amendments.
306. The four submissions that sought amendments are:
- Nicholas Hoogeveen [202.3] seeks a discretionary activity status when SUB-R4(1)-(3) cannot be complied with.
 - Kainga Ora [325.171]⁸⁰ seek to align with the relief sought point on the Planning Maps and general submission point for the Natural Hazards Chapter.

⁷⁸ M McKitterick [FS2] – Oppose

⁷⁹ Richard & Geoff Spark [FS37] – Oppose; D Cowley [FS41] – Oppose in part; M Hales [FS46] – Oppose in part; R J Paterson Family Trust [FS91] – Oppose in part

⁸⁰ Richard & Geoff Spark [FS37] – Oppose; D Cowley [FS41] – Oppose in part; M Hales [FS46] – Oppose in part; R J Paterson Family Trust [FS91] – Oppose in part

- Bellgrove Rangiora Ltd [408.13]⁸¹ seek a controlled or restricted discretionary activity status for non-compliance, and
- ECan [316.130] sought SUB-R4(1) and (2) state “within” rather than “with”. This was corrected in the clause 16 (2) minor amendments to the District Plan, dated 20 October 2022 and therefore not considered further here.

307. There are 11 further submission points in relation to original submissions on SUB-R2 which are listed in **Table B16, Appendix B** and footnoted against the original submission here.

3.18.2 Assessment

308. Both Nicholas Hoogeveen [202.3] and Bellgrove Rangiora Ltd [408.13] seek a lowering of the activity status for non-compliance with SUB-R4 (1)-(3). SUB-R4 has an activity status of restricted discretionary. The activity status for non-compliance with subclauses (1)-(3) is non-complying. Nicholas Hoogeveen [202.3] seeks non-compliance to be lowered to discretionary, whereas Bellgrove Rangiora Ltd [408.13] seek non-compliance to be lowered to controlled or restricted discretionary.
309. Lowering of the activity status for non-compliance would not be consistent with NH-O1, NH-O3, NH-P2 – NH-P4, NH-P8. The general tenant of these provisions (as recommended by Mr Willis’s s42A report and right of reply) is to avoid or mitigate natural hazard risk to ensure that any increased risk to life and property is acceptable. Therefore, SUB-R4 has an appropriate activity status of restricted discretionary to allow consideration of natural hazard risk and mitigations, and if this is not complied with, then the activity status default to non-complying which aligns with the avoid aspects of the above stated objectives and policies.
310. I therefore recommend no change and that Nicholas Hoogeveen [202.3] and Bellgrove Rangiora Ltd [408.13] be **rejected**.
311. Kainga Ora [325.101] oppose differentiating between urban and non-urban flood assessment overlays and seek that these and the mapped fixed floor level overlay are deleted from the District Plan and included as non-statutory map layers in the Waimakariri District Natural Hazards Interactive Viewer. They consider flood hazards are dynamic and subject to change and inclusion on the natural hazards viewer allows the maps to be improved and updated. This submission point [325.101] was assessed by Mr Willis in the Natural Hazards S42A report (para 56) where he considered that the proposed approach provides the best balance of certainty and flexibility and recommended that the submission is rejected. Given this, no consequential amendments to align SUB-R4 are necessary, and therefore I recommend that Kainga Ora [325.171] be **rejected** also.

3.18.3 Summary of recommendations

312. I recommend that the submissions of CA and GJ McKeever [111.35], John Stevenson [162.34], Chloe Chai and Mark McKitterick [256.35]⁸², Clampett Investments Limited [284.215], RIDL [326.352], Keith Godwin [418.35], and ECan [316.130] be **accepted**.

⁸¹ Richard & Geoff Spark [FS37] – Oppose in part

⁸² M McKitterick [FS2] – Oppose

313. I recommend that the submissions of Kainga Ora [325.101], Nicholas Hoogeveen [202.3] and Bellgrove Rangiora Ltd [408.13] be **rejected**.
314. I recommend the further submissions be accepted or rejected as correspondence to my recommendation on the original submissions above and in **Table B16, Appendix B**.
315. I recommend that no changes be made to the District Plan.

3.19 Standards

3.20 Specific theme – network utility exemption

3.20.1 Matters raised by submitters

316. Mainpower submission states that they 'seek appropriate exemptions for network utility sites as required'. This generic submission point relates to Subdivision Standards SUB-S2 to SUB-S18. No specific wording for the relief that is sought was provided within the submission.
317. There are nine Mainpower submission points seeking this relief on subdivision standards that are assessed in this Urban subdivision report as follows:
- MainPower [249.214] on SUB-S3 – Table B20, Appendix B
 - MainPower [249.215] on SUB-S4 – Table B21, Appendix B
 - MainPower [249.216] on SUB-S5 – Table B22, Appendix B
 - MainPower [249.218] on SUB-S7 – Table B23, Appendix B
 - MainPower [249.220] on SUB-S9 – Table B24, Appendix B
 - MainPower [249.222] on SUB-S11 – Table B25, Appendix B
 - MainPower [249.223] on SUB-S12 – Table B26, Appendix B
 - MainPower [249.226] on SUB-S15 – Table B27, Appendix B
 - MainPower [249.228] on SUB-S17 – Table B28, Appendix B
318. No further submissions were received on the above original submission points.
319. Submission points on SUB-S2, SUB-S6, SUB-S8, SUB-S10, SUB-S13, SUB-S14, SUB-S16 and SUB-S18 are assessed in the Rural subdivision s42A report.

3.20.2 Assessment

Network Utility exemption

320. Subdivision of an allotment for any unstaffed infrastructure, accessway or road is a controlled activity pursuant to SUB-R2(1)(a). SUB-R2 subclause (1) specifically provides an exemption to compliance with SUB-S1 to SUB-S18 where the allotment is for any unstaffed infrastructure, accessway or road, as well as any subdivision under (1)(b), (c) and (d). Therefore, no further exemption is required within these standards, as the exemption is provided within the rule.

3.20.3 Recommendations

321. I recommend that the submissions of MainPower [249.214, 249.215, 249.216, 249.218, 249.220, 249.222, 249.223, 249.226 and 249.228] be **rejected**.
322. I recommend that no changes be made to the Subdivision chapter of the Proposed Waimakariri District Plan (District Plan).

3.21 SUB-S1 Allotment size and dimension

3.21.1 Matters raised by submitters

323. 45 submissions were received on the SUB-S1. 30 submissions related to the rule itself and 15 relate specifically to Table SUB-1. 16 submissions are being assessed in the rural subdivision s42A report and not here. 29 submission points being assessed in this report. Please refer to **Table B19, Appendix B**.
324. Of the 29 submission points being assessed in this report, 13 submissions were either neutral or supported it, or parts or it, and sought it to be retained as notified.
325. The 15 submissions that sought amendments are:
- Four submissions seek changes to the General Residential Zone (GRZ) minimum allotment area, internal square and/or frontage as follows:

| Submission point | Minimum | Internal Square | Frontage |
|--------------------------------|---------------------|-----------------|----------|
| Kainga Ora [325.174] | 300m ² | 10m x 15m | 10m |
| Sarbaz Estates Limited [133.6] | 200m ² | none | none |
| Malcom Dartnell [240.4] | 350m ² | 13m x 13m | |
| Ravenswood [347.12] | 400m ² , | none | 10m |

- Kainga Ora [325.174⁸³ and 325.175⁸⁴] seek changes to the Medium Density Residential Zone (MRZ) minimum allotment area and activity status. They seek a 200m² minimum allotment area for vacant lots only and the deletion of reference to multi-unit development. They also seek a reduction in activity status from discretionary to restricted discretionary for when compliance is not achieved with SUB-S1 for MRZ. Kainga Ora [325.173]⁸⁵ also seek that the standards in Table SUB-1 do not apply to residential development where land use consent has been approved for more than one residential unit on a site.
- Five submissions seek changes related to the density of Large Lot Residential Zone (LLRZ) and are summarised in the below table as follows:

| Submission point | Minimum average | Maximum | other |
|-------------------------------|--------------------|---------|-------|
| Lennard Pope [150.1] | 4000m ² | | |
| Michael Peter Ermerins [21.1] | 4000m ² | | |

⁸³ Richard & Geoff Spark [FS37] – Oppose; D Cowley [FS41] – Oppose in part; M Hales [FS46] – Oppose in part; R J Paterson Family Trust [FS91] – Oppose in part

⁸⁴ Richard & Geoff Spark [FS37] – Oppose; D Cowley FS41 – Oppose in part; M Hales [FS46] – Oppose in part; R J Paterson Family Trust [FS91] – Oppose in part

⁸⁵ Richard & Geoff Spark [FS37] – Oppose; D Cowley FS41 – Oppose in part; M Hales [FS46] – Oppose in part; R J Paterson Family Trust [FS91] – Oppose in part

| | | | |
|------------------------------|--------------------|--------------------|--|
| Ken Fletcher [99.1] | 2000m ² | 5000m ² | |
| Morris Edward Harris [348.1] | 0.5ha | 1ha | connected to services and close to towns |

- A Carr [158.4] seeks a reduction in activity status for LLRZ subdivision from non-complying to restricted discretionary when compliance is not achieved with SUB-S1 and also seeks non-notification.
- Steven Higgs [119.9] considers the 500m² minimum allotment area for the Special Purpose Zone (Kaiapoi Regeneration) to be too intense and seeks clarification of Council's intention to retain or sell the land to private residents.
- Two submissions seek changes to minimum allotment areas for a specified township - Kelvin Ashby [90.1] – Woodend (600m²) and Ken Fletcher [99.1] – Oxford (600m²).
- Malcolm Hanrahan [307.1] seeks a definition of 'rear allotments' and consideration of allotment design around cul-se-sac heads.

326. There are 14 further submission points in relation to original submissions on SUB-S1 which are considered in this report and are listed in **Table B19, Appendix B** and footnoted against the original submission point assessed here.

3.21.2 Assessment

General Residential Zone

327. I concur with Mr McLennan's assessment in his Residential s42A report⁸⁶ where he states that *GRZ only applies to Oxford, the residential zones located within the townships of Rangiora, Kaiapoi, Pegasus and Woodend (including Ravenswood) have been re-zoned Medium Density Residential Zone within Variation 1. Variation 1 to the Proposed Plan provides for urban intensification giving effect to the NPS-UD. I consider the site density of one residential unit per 500m² in the GRZ will maintain the character and amenity anticipated within the GRZ-P1.*

328. I recommend no change and that the submissions of Kainga Ora [325.174], Sarbaz Estates Limited [133.6], Malcom Dartnell [240.4] and Ravenswood [347.12] be **rejected**.

Medium Density Residential Zone

329. The aspects of SUB-Table 1 that relate to MRZ have been superseded by Variation 1 to the proposed plan and are to be considered within the Variation 1's s42a report with Stream 07 (August 2024).

330. I recommend no change and that the submission of Kainga Ora [325.174] and [325.173] be **rejected** and Sarah Gale [273.2] be **accepted in part**.

⁸⁶ Residential s42A report, para 380.

Large Lot Residential Zone

331. The subdivision s32 evaluation states that subdivision less than the average of 5000m² in the LLRZ will not give effect to the CRPS⁸⁷.
332. As discussed previously, the CRPS uses the term rural residential, whereas this has been replaced with LLRZ in the District Plan to align with the National Planning Standards.
333. The CRPS defines rural residential activities as *residential units outside the identified Greenfield Priority Areas and Future Development Areas at an average density of between 1 and 2 households per hectare*.
334. Therefore, the District Plan would not be giving effect to the CRPS⁸⁸ with respect to LLRZ density if the average was lower than 5000m². Similarly, lowering the activity status for when compliance is not achieved with SUB-S1 for LLRZ subdivision from non-complying to restricted discretionary with non-notification, as sought by A Carr [158.4], would also not be giving effect to the CRPS as this would potentially enable subdivision that does not meet the CRPS average density.
335. I recommend no changes and the submissions of Lennard Pope [150.1], Michael Peter Ermerins [21.1], Ken Fletcher [99.1], Morris Edward Harris [348.1] and A Carr [158.4] be **rejected**.

Special Purpose Zone (Kaiapoi Regeneration)

336. Steven Higgs [119.9] considers the 500m² minimum allotment area for the Special Purpose Zone (Kaiapoi Regeneration) (SPZ(KR)) to be too intense and seeks clarification of Council's intention to retain or sell the land to private residents.
337. Council's intention to retain or sell land is beyond the scope of the District Plan. However, the purpose for the use of the SPZ(KR) are set out in the SPZ(KR) chapter, and a background to history of this zoning is provided in section 1.3 of the SPZ(KG) s42A report. Submissions on this chapter were addressed in Hearing Stream 10.
338. The 500m² minimum allotment area is applicable to any site within the SPZ(KR) that is listed as having the GRZ as the 'Alternate Zone' in Appendix APP1 - *Regeneration Area Remaining Private Residences and Alternate Zone*. The alternate zone approach carries through residential zoning rules and standards specifically for those remaining private residences. Given the history associated these remaining private residences and the limited application of the 500m² allotment area, I consider this approach to be consistent with SPZ(KR)-O2 and SPZ(KR)-P4 in particular.
339. I recommend no change and that Steven Higgs [119.9] be **rejected**.

⁸⁷ Subdivision s32A report, page 7

⁸⁸ in accordance with s75(3)(c) of the RMA

Woodend

340. With respect to Kelvin Ashby [90.1] seeking a minimum allotment size of 600m² for Woodend, the GRZ within Woodend has been superseded by MRZ within Variation 1 to the District Plan.
341. I recommend no change and that the submissions of Kelvin Ashby [90.1] be **rejected**.

Oxford

342. Ken Fletcher [99.1] seeks a 600m² minimum allotment size for the GRZ within Oxford. The District Plan provides a 500m² minimum allotment size. The subdivision s32 report⁸⁹ acknowledges that the 500m² minimum is a reduction from the existing 600m² for the Residential 2 zone in the Operative Plan, and then explains that the smaller site size provides some additional development potential in the GRZ. However, the 500m² is a minimum, and not a maximum.
343. The WRCDM23 states that while the District Plan enables a minimum lot size of 500m² in the GRZ within Oxford, it can be reasonably expected that lots of 600m² will be realised⁹⁰. Therefore, it is possible that new allotments of 600m² will be created in Oxford if there is a market demand for that size.
344. I recommend no change and that the submissions of Ken Fletcher [99.1] be **rejected**.
345. *Rear allotments and cul-de-sac heads*
346. Malcolm Hanrahan [307.1] seeks a definition of 'rear allotments' and consideration of allotment design around cul-de-sac heads. He does not provide wording for a definition of rear allotments. He does provide a plan of a cul-de-sac head and asks how to determine if lots have road frontage or not.
347. I consider the answer can be found in the definitions of 'road boundary' and 'accessway' within the Interpretation section of the District Plan.
348. Road Boundary means *any boundary of a site abutting a legal road (other than an accessway or service lane), road reserve or road designation. Frontage or road frontage shall have the same meaning as road boundary.*
349. Accessway means *any area of land the primary purpose of which is to provide access, including vehicle access, between the body of any allotment(s) or site(s) and any vehicle crossing. Accessway includes any rights of way, private way, access lot, access leg or private road.*
350. Therefore, if the only part of a proposed allotment to abut the legal road boundary, road reserve or road designation is an accessway, then it does not have road frontage and is a rear allotment.
351. Table-S1 (under SUB-S1) contains a minimum frontage dimension of 15m for allotments (excluding rear lots) in the GRZ, SETZ, SPZ(Hospital), SPZ(KN) – other land within the Tuahiwi

⁸⁹ Subdivision s32 report, page 7

⁹⁰ Waimakariri-Residential-Capacity-and-Demand-Model-September-2023 Appendix A – Zone Density Assumptions, Page 39

Precinct, and SPZ (Pines Beach and Kairaki Regeneration). In these zones, the activity status is non-complying when compliance with the minimum frontage is not achieved.

352. Therefore, if the 15m minimum frontage is not achieved within a cul-de-sac turning head (as is the concern of Mr Hanrahan), then this would mean the subdivision would be a non-complying activity.
353. In considering the relevant objective and policies, I consider that they do not support this non-complying activity status. SUB-O1 seeks subdivision design that provided for anticipated land use and density that achieves the identified character, form or function of zones (SUB-O1 (1)). SUB-O2 seeks that subdivision is designed and located in a way that supports efficient and sustainable provision, use and maintenance of infrastructure, and a legible, accessible, safe, well connected transport system. SUB-P1 then outlines how the anticipated Subdivision Design and Amenity are to be achieved. SUB-P1 (1) seeks to enable subdivision within residential zones that incorporate best practice urban design, access to open space and CPTED principles.
354. In addition, the matters of control and discretion as they apply to frontage and cul-de-sacs, such as SUB-MDC1(1) and (2), SUB-MDC2(1) and SUB-MCD3, provide for appropriate consideration of reduced frontage within cul-de-sacs. Also, through the development of ODPs there will be consideration of the number of cul-de-sacs and linkages between cul-de-sacs.
355. Given the above, I do not support the non-complying activity status when the minimum frontage is not meet. I recommend amending the heading within Table SUB-1 to remove the requirement for a 15m frontage within a cul-de-sac turning head. Allotments within a cul-de-sac would still be required to meet the minimum allotment area and internal squares (where applicable), with the matters of control and discretion providing flexibility with respect to width of frontage/access.

3.21.3 Summary of recommendations

356. I recommend that the submissions of John Norton [60.1], Canterbury District Health Board [68.13] be **accepted**.
357. I recommend that the submissions of Stephen Davison [108.1], CA and GJ McKeever [111.37], John Stevenson [162.42], Beach Road Estates Limited [167.1], MainPower New Zealand Limited [249.211], Chloe Chai and Mark McKitterick [256.37]. 199 Johns Road Ltd, Carolina Homes Ltd, Carolina Rental Homes Ltd, Allan Downs Ltd [266.8], Clampett Investments Limited [284.223], RIDL [326.360], Keith Godwin [418.43], Sarah Gale [273.2] and Malcolm Hanrahan [307.1] be **accepted in part**.
358. I recommend that the submissions of Kelvin Ashby [90.1], Ken Fletcher [99.1], Steve Higgs [119.9], Lennard Pope [150.1], A Carr [158.4], Kainga Ora [325.173, 325.174 and 325.175], Morris Edward Harris [21.1], Malcolm Dartnell [241.2 and 240.4], Sarbaz Estates Limited [133.6] and Ravenswood Developments Limited [347.12] be **rejected**.
359. I recommend the further submissions be accepted or rejected as correspondence to my recommendation on the original submissions above and in **Table B19, Appendix B**.
360. I recommend the following change be made to the District Plan:

Table SUB-1: Minimum allotment sizes and dimensions

| Zone | Minimum allotment area | Internal square | Frontage (excluding rear lots <u>and lots fronting a cul-de-sac turning heads</u> ⁹¹) |
|------|------------------------|-----------------|---|
|------|------------------------|-----------------|---|

361. 32AA evaluation table reference: C3.

3.22 SUB-S3 Residential yield

3.22.1 Matters raised by submitters

362. 17 submissions were received on the SUB-S3. Please refer to **Table B20, Appendix B**. Seven were either neutral or supported it and sought it to be retained as notified. 10 submissions sought specific amendments.

363. The 10 submissions that sought amendments as follows:

- Nine seek amendments that allow flexibility in relation to density. They include: RIDL [160], Richard and Geoff Spark [183.9], Nicholas Hoogeveen [202.5], John and Coral Broughton [223.10], Rick Allaway and Lionel Larsen [236.12], Dalkeith Holdings Ltd [242.9], Miranda Hales [246.10], and Bellgrove Rangiora Ltd [408.26].
- Nicholas Hoogeveen [202.5] also seeks a discretionary activity status for non-compliance with SUB-S3.
- MainPower [249.214] seek appropriate exemptions for network utility sites as required. This was assessed in section 3.2 above.

364. There are 11 further submission points in relation to original submissions on SUB-R3 which are listed in **Table B16, Appendix B** and footnoted against the original submission here.

3.22.2 Assessment

Density

365. The amendments sought by the submitters listed above reflect the amendments they also seek to SUB-P6(2)(c) *Criteria for Outline Development Plans*. For the reasons provided in paragraph 212 – 214 above, I recommend no change to SUB-S3 with respect to density.

Activity Status

366. Nicholas Hoogeveen [202.5] also seeks a discretionary activity status for non-compliance with SUB-S3. However, the non-complying activity status is necessary to ensure minimum yields are met by residential developments to meet housing demand. This is supported by SUB-P5 and SUB-P6 which are directive with respect to meeting a minimum density and yield. SUB-P5 states '*Provide for a variety of site sizes within Residential Zones, while achieving minimum*

⁹¹ Malcolm Hanrahan [307.1]

residential site sizes that are no smaller than specified for the zone.' [emphasis added] SUB-P6 states 'Ensure that... **each ODP shall ... for new Residential Development Areas demonstrate how each ODP area will achieve a minimum net density of at least 15 lots or households per ha, unless there are demonstrated constraints then no less than 12 households per ha**'.

367. Furthermore, a finding of the WRCDM23 was that recently development density has increased to 15 households per hectare ⁹². Therefore, this density is being achieved.

368. I therefore recommend no change and that Nicholas Hoogeveen [202.5] be **rejected**.

Summary of recommendations

369. I recommend that the submissions of CA and GJ McKeever [111.39], John Stevenson [162.44], Chloe Chai and Mark McKitterick [256.39], Clampett Investments Limited [284.225], RIDL [326.362], Ravenswood [347.13] and Keith Godwin [418.45] be **accepted**.

370. I recommend that the submissions of RIDL [160], Richard and Geoff Spark [183.9], Nicholas Hoogeveen [202.5], John and Coral Broughton [223.10], Rick Allaway and Lionel Larsen [236.12], Dalkeith Holdings Ltd [242.9], Miranda Hales [246.10], Bellgrove Rangiora Ltd [408.26] and Nicholas Hoogeveen [202.5] be **rejected**.

371. I recommend the further submissions be accepted or rejected as correspondence to my recommendation on the original submissions above and in **Table B20, Appendix B**.

372. I recommend that no changes be made to the District Plan.

3.23 SUB-S4 Areas subject to an ODP

3.23.1 Matters raised by submitters

373. 14 submissions were received on the SUB-R4. Please refer to **Table B21, Appendix B**. 12 were either neutral or supported it and sought it to be retained as notified. Two submissions sought specific amendments.

374. The two submissions that sought amendments are:

- Mainpower [249.215] seeks appropriate exemptions to SUB-S4 as required. This was assessed in section 3.2 above.
- Ravenswood [325.171] ⁹³ support the intent of SUB-S4, but seek the deletion of the outdated North Woodend Outline Development Plan.

375. There are 10 further submission points in relation to original submissions on SUB-S4 which are listed in **Table B21, Appendix B** and footnoted against the original submission here.

⁹² Waimakariri Residential Capacity and Demand Model September 2030, page 24

⁹³ Richard & Geoff Spark [FS37] – Oppose; D Cowley [FS41] – Oppose in part; M Hales [FS46] – Oppose in part; R J Paterson Family Trust [FS91] – Oppose in part

3.23.2 Assessment

376. Ravenswood [325.171]⁹⁴ support the intent of SUB-S4. However, they consider it inappropriate to 'carry over' an outdated ODP and then require any future subdivision to comply with that ODP. They seek the deletion of '*the outdated North Woodend Outline Development Plan 158 and replace with alternative provisions to guide the development of Ravenswood Town Centre and Key Activity Centre*'. They do not offer alternative provisions in their submission. The ODP matters will be addressed in the rezoning hearing in Stream 12. I therefore recommend no change and that Ravenswood [325.171] be **accepted in part**.

3.23.3 Summary of recommendations

377. I recommend that the submissions of CA and GJ McKeever [111.40], John Stevenson [162.45], John and Coral Broughton [223.11], Rick Allaway and Lionel Larsen [236.3], Dalkeith Holdings Ltd [242.10], Miranda Hales [246.11], Chloe Chai and Mark McKitterick [256.40], Clampett Investments Limited [284.226], RIDL [326.363], Ravenswood [347.4], KiwiRail [373.64], and Keith Godwin [418.46] be **accepted**.

378. I recommend that the submission of Ravenswood [325.171] be **accepted in part**.

379. I recommend the further submissions be accepted or rejected as correspondence to my recommendation on the original submissions above and in **Table B21, Appendix B**.

380. I recommend that no changes be made to the District Plan.

3.24 SUB-S17 Esplanade reserves or strips**3.24.1 Matters raised by submitters**

381. 10 submissions were received on the SUB-S17. Please refer to **Table B28, Appendix B**. Six were either neutral or supported it and sought it to be retained as notified. Four submissions sought specific amendments.

382. The four submissions that sought amendments as follows:

- MainPower [249.226] seek appropriate exemptions for network utility sites as required. This is assessed in section 3.2 above.
- Woodend-Sefton Community Board [155.4]⁹⁵ seek Pegasus Lake to be added to Table SUB-2 to allow public access around the entire lakefront. This was opposed by the further submission of Templeton Group [FS81].
- Bellgrove Rangiora Ltd seeks exclusion of 52 Kippenberger Avenue, Rangiora from Table Sub-2 as it relates to the Cam River.
- Sarah Gale [273.6] seeks deletion of Northbrook Stream from Table SUB-2.

383. There are three further submission points in relation to original submissions on SUB-S17 which are listed in **Table B28, Appendix B** and footnoted against the original submission here.

⁹⁴ Richard & Geoff Spark [FS37] – Oppose; D Cowley [FS41] – Oppose in part; M Hales [FS46] – Oppose in part; R J Paterson Family Trust [FS91] – Oppose in part

⁹⁵ Templeton Group [FS81] – Oppose

3.24.2 Assessment*Pegasus Lake - 64, 66 and 70 Pegasus Main St*

384. The Woodend-Sefton Community Board [155.4] seek that Pegasus Lake be added to Table SUB-2 to provide public access around the entirety of the lake, or an easement be created. Templeton Group [FS82] opposes the creation of any esplanade strip or open space zone over sites it owns at 64, 66 and 70 Pegasus Main Street and therefore seeks that submission point 155.4 is rejected.
385. It is not possible to create an easement through this District Plan review process as that is undertaken at the time of subdivision. However, the purpose of SUB-S17 and Table SUB-2 is to set out where esplanade reserves or strips would be sought at the time of subdivision and that is a matter that can be considered in this report.
386. The purpose of esplanade reserves or strips can include enabling public access to or along a lake (s229(b)). Access to and along Lake Pegasus in the vicinity of these properties is currently achieved largely through the Open Space Zoning of the lake margin and by roads such as Motu Quay, Lakeside Drive and Barnes Street.
387. Direct access to the lake frontage is not provided for a stretch of approximately 40m at 64 Pegasus Main St, 160m at 66 Pegasus Main St and then approximately 140m at 70 Pegasus Main Street. However, there is no physical impediment to people walking along the frontage to Motu Quay. Legal access is provided to walk along Pegasus Main Street and then reconnect with the lake frontage. This is the only location around the perimeter of the lake where direct access to the lake frontage is not provided.

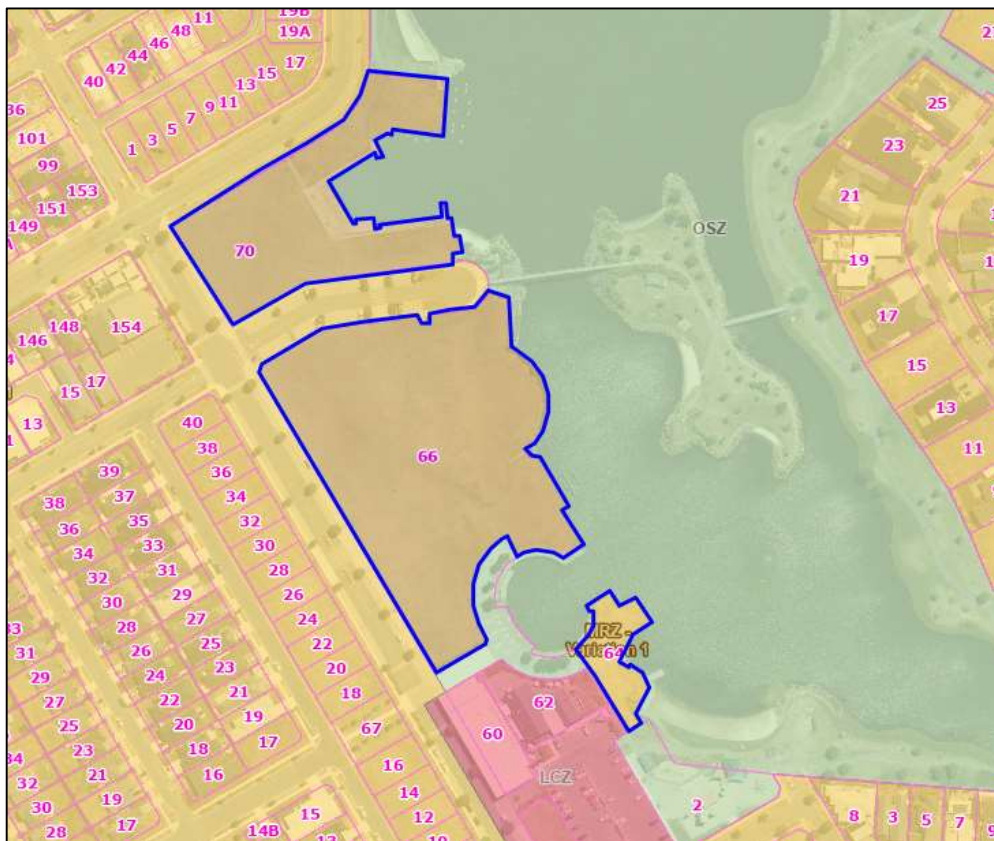


Figure 1 - 64, 66 and 70 Pegasus Main St, Pegasus

388. Any future developer of these sites may wish to incorporate additional lake front access and the District Plan would not preclude this. I note that the Council has announced their intention to purchase 66 Pegasus Main Street for a new community centre. This was endorsed by the Woodend-Sefton Community Board.⁹⁶

389. For these reasons, I do not consider it necessary to provide for additional public access through SUB-S17 and Table SUB2. I therefore recommend Woodend-Sefton Community Board [155.4] be **rejected**.

Cam River – 52 Kippenberger Avenue

390. Bellgrove [408.25] object to 52 Kippenberger Avenue being included in Table SUB-2 as this then requires a 20m wide esplanade reserve (in accordance with proposed SUB-S17) which they consider is not ecologically appropriate or required. Bellgrove [408.25] submit that ecological investigations have determined that *“there is no permanent aquatic habitat other than the ornamental pond north of the Bellgrove Homestead. Therefore, the buffer strip will not provide an ecological link to aquatic habitats in the near vicinity, regardless of width. Nor does the water temperature moderating effect have to be considered, as no water is present.”* I note that the Bellgrove stage 1 subdivision consent (RC125579) has been granted for 52 Kippenberger Avenue and has likely resolved Bellgrove's concerns. However, they may wish to clarify this at the hearing.

Northbrook Stream

391. Similarly, Sarah Gale [273.6] objects to a 20m blanket esplanade provision stating that the broad-brush approach does not provide certainty for urban development and finer grained analysis should be provided for. They consider SUB-S17 is unrealistic and will make all urban subdivision with esplanade provisions a non-complying activity due to the generic application of the rule. Sarah Gale [273.6] has specific concerns about Northbrook Stream being listed in Table SUB-2 given the Medium Density Residential Zoning of the urban areas which the Northbrook Stream flows through.

392. Sarah Gale [273.6] is correct in their assessment that the minimum width of an esplanade reserve or strip required by SUB-S17(1)(b) is 20m. Where compliance with SUB-S17 is not achieved, the activity status is non-complying.

393. There are examples of esplanade reserve along Northbrook Stream that are under 20m in width, and as small as approximately 5m in width (see **Figure 1 and 2** below). These have been created under the operative District Plan where non-compliance with the 20m width (Rule 33.1.4) is a restricted discretionary activity (Rule 33.2.1).

⁹⁶ <https://www.waimakariri.govt.nz/council/news-and-information/2023/12/new-community-centre-approved-for-pegasus>



Figure 2: Northbrook Stream esplanade reserve at 7A Ward Place, Rangiora

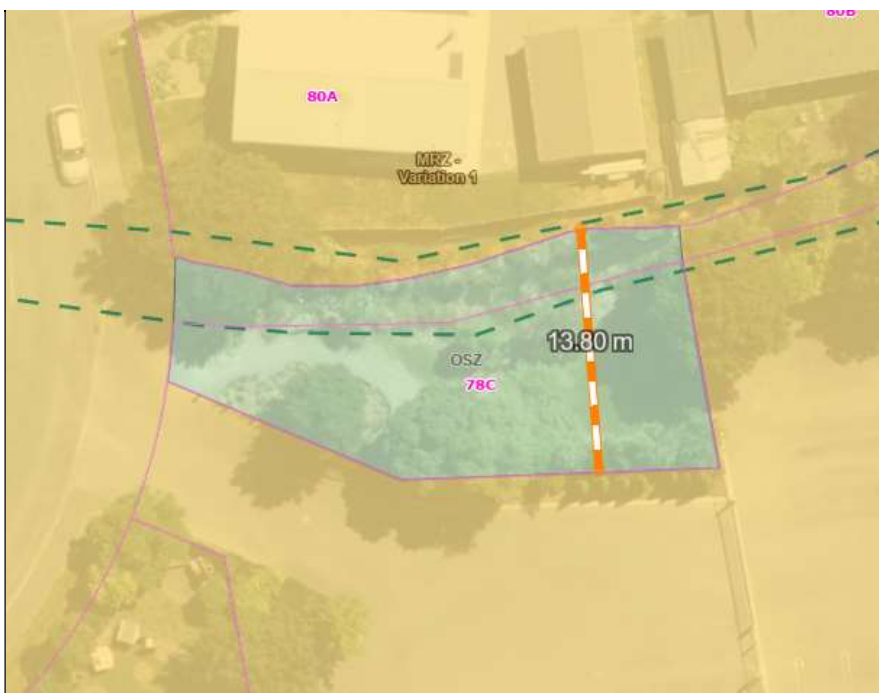


Figure 3: Northbrook Stream esplanade reserve at 78C Newnham St, Rangiora

394. As seen in the examples above, an esplanade reserve or strip that is less than 20m in width can contribute to the protection of conservation values, public access and enable recreation use that is compatible with conservation values as required by SUB-O3 and provide public benefit and be created regardless of subdivision site size as required by SUB-P10. Therefore, every esplanade reserve or strip does not have to be 20m in order not to be contrary to SUB-O3 and SUB-P10. For these reasons, I consider the non-complying activity status when

compliance with SUB-S17 is not achieved to be too onerous and unsupported by the relevant objective and policy.

395. Reducing the activity status to a restricted discretionary activity would still enable a pathway for a finer grained analysis (as requested by Sarah Gale [273.6]) to be provided with a subdivision consent. This would potentially enable the creation of future esplanade reserves and strips that meet the purpose of s230 of the RMA and that are consistent with SUB-O3 and SUB-P10. And, in my opinion, a restricted discretionary activity status would be more likely to create more esplanade reserves and strips (providing more opportunities for protecting conservation values, enabling public access, and enabling recreational use) than retaining the non-complying activity status. I agree with Sarah Gale [273.6] that the non-complying activity status is a deterrent to subdivision and the creation of esplanade reserves and strips.
396. I therefore recommend changing the activity status when compliance is not achieved with SUB-S17 to restricted discretionary, and that Sarah Gale [273.6] and Bellgrove [408.25] be **accepted in part**.

3.24.3 Summary of recommendations

397. I recommend that the submissions from CA and GJ McKeever [111.53], John Stevenson [162.57], Chloe Chai and Mark McKitterick [256.53]⁹⁷, Clampett Investments Limited [284.239], RIDL [326.376]⁹⁸, Keith Godwin [418.59], Sarah Gale [273.6] and Bellgrove [408.25] be **accepted in part**.
398. I recommend that the submission of Woodend-Sefton Community Board [155.4] be **rejected**.
399. I recommend the further submissions be accepted or rejected as correspondence to my recommendation on the original submissions above and in **Table B28, Appendix B**.
400. I recommend that the following changes be made to the District Plan:

SUB-S17 Esplanade reserves or strips

...

Activity status when compliance not achieved with SUB-S17(a) and/or SUB-S17(c): NC

Activity status when compliance not achieved with SUB-S17(b): RDIS

401. 32AA evaluation table reference: C3.

3.25 SUB-Advice Notes

3.25.1 Matters raised by submitters

402. One submission was received from Waka Kotahi [275.36] seeking a new SUB Advice Note as follows:

⁹⁷ M McKitterick [FS2] - Oppose

⁹⁸ Ohoka Residents Association [FS137] - Oppose

Limited Access Roads must be considered to ensure the properties have frontage to legal road.

403. Please refer to **Table B29, Appendix B**. No further submissions were received.

3.25.2 Assessment

404. Waka Kotahi supports the requirement for any allotment created to have legal and physical access to a legal road as provided for by SUB-S5 Legal and physical access. However, they seek an advice note be included that references Limited Access Roads under the Government Roothing Powers Act 1989 (GRPA). They seek this as access via a Limited Access Road is not considered to be access to a legal road unless appropriate approvals under Section 93⁹⁹ of the GRPA are provided by the roading authority. Waka Katohi consider that the advice note will provide for appropriate consideration to be given to a section of road with a Limited Access Road.

405. I consider that the advice note will be of assistance to those reading the District Plan in the future. I therefore recommend the submission be **accepted**.

406. I concur with the wording sought by Waka Kotahi:

SUB-AN3 Limited Access Roads must be considered to ensure the properties have frontage to legal road.

3.25.3 Summary of recommendations

407. I recommend that the submission from Waka Kotahi [275.36] be **accepted**.

408. I recommend the following changes be made to the District Plan:

SUB-AN3 Limited Access Roads must be considered to ensure the properties have frontage to legal road.

409. 32AA evaluation table reference: not undertaken as the change is guidance only and is de minimis.

⁹⁹ **93 Limited access road not a road for certain purposes**

(1) Where any person wishes to exercise any right involving the subdivision or use of land, and that right is conditional upon the land having a frontage or access to a road, or is in any other way conditional upon the existence of a road, for those purposes a limited access road which is a State highway shall be deemed not to be a road, except for such purpose, to such extent, and on such conditions, as may be notified from time to time to the territorial authority or, as the case may require, to the Registrar-General of Land by the Agency.

(2) Any person aggrieved at—

(a) the refusal of the Agency to issue a notice under subsection (1); or

(b) any condition subject to which any such notice is issued—

may object in writing to the Environment Court within 30 days after being notified of such refusal or conditions.

(3) The provisions of [section 24](#) of the Public Works Act 1981 shall, so far as they are applicable and with the necessary modifications, apply to the hearing of any objection under this section.

3.26 Matters of Control and Discretion

3.27 SUB-MCD2 Subdivision Design

3.27.1 *Matters raised by submitters*

410. Seven submissions were received on the SUB-MCD2. Please refer to **Table B31, Appendix B**. Six were either neutral or supported it and sought it to be retained as notified, while one sought amendment.
411. The submission of NZPork [169.19]¹⁰⁰ sought to include subdivision design criteria for subdivision design effects on the productive potential of rural resources.
412. There are six further submission points in relation to original submissions on SUB-S4 which are listed in **Table B21, Appendix B** and footnoted against the original submission here.

3.27.2 *Assessment*

413. NZPork [169.19] seek amendment to include subdivision design criteria for effects on productive potential of rural resources. SUB-MDC10 provides for consideration of potential reverse sensitivity effects on existing activities, including lawfully established rural activities. Therefore, it is my opinion that no amendments are required. I therefore recommend that this submission is **rejected**.

3.27.3 *Summary of recommendations*

414. I recommend that the submissions from Heritage New Zealand [178.47], MainPower New Zealand Limited [249.23], Clampett Investments Limited [284. 241], Kainga Ora [325.179], Rolleston industrial Developments Limited [326.378] and KiwiRail Holdings Limited [373.66] be **accepted**.
415. I recommend that the submissions of NZPork [169.19] be **rejected**.
416. I recommend the further submissions be accepted or rejected as correspondence to my recommendation on the original submissions above and in **Table B31, Appendix B**.
417. I recommend that no changes be made to the District Plan.

3.28 SUB-MCD3 Property access

3.28.1 *Matters raised by submitters*

418. Six submissions were received on the SUB-MCD3. Please refer to **Table B32, Appendix B**. Four were either neutral or supported it and sought it to be retained as notified, while two sought amendments.
419. The submission of Waka Kotahi [275.37] seeks additional wording to make it clear that the matters of control and discretion allow for the consideration of the appropriateness of any existing vehicle crossing. Waimakariri District Council [367.64]¹⁰¹ sought transport safety as a consideration.

¹⁰⁰ David Cowley [FS41] – Oppose

¹⁰¹ Waka Kotahi NZ Transport Agency – [FS110] Support

420. There are six further submission points in relation to original submissions on SUB-MCD3 which are listed in **Table B32, Appendix B** and footnoted against the original submission here.

3.28.2 Assessment

421. Waka Kotahi [275.37] seek amendments to SUB-MCD3 to subclause (b) as follows:
- " 1. The extent to which the subdivision makes provision for:
...
b. the provision of access, including consideration of the need for any upgrades to existing accesses;
..."
422. The suggested wording makes it clear that the matters of control and discretion allow for the consideration of the appropriateness of any existing vehicle crossing. However, I consider it could be further clarified that the upgrade is required due to increased effects on the environment as a result of the subdivision. I therefore recommend the following changes and that Waka Kotahi [275.37] be **accepted in part**.
423. b. the provision of access, including consideration of the need for any upgrades to existing accesses where there are increased effects as a result of increased traffic arising from subdivision;
424. Waimakariri District Council [367.64] seek amendments to subclause (c) as follows:
- "...
c. the location, design, and provision of vehicle crossings in particular, taking into account infrastructure, transport safety and street trees in the roading corridor;
..."
425. I agree with the submitter that this is appropriate to include consideration of transport safety within SUB-MCD3. This amendment provides for greater consistency with SUB-O2 (as recommended in this report), TRAN-O4, TRAN-P4, TRAN-P5, TRAN-P11 and TRAN-P12. I recommend that the amendment and submission be **accepted**.

3.28.3 Summary of recommendations

426. I recommend that the submissions from Waka Kotahi [325.18], Waimakariri District Council [367.64], Clampett Investments Limited [284.242], Kainga Ora [325.18], Rolleston industrial Developments Limited [326.379] and KiwiRail Holdings Limited [373.67] be **accepted in part**.
427. I recommend that the further submissions from Waka Kotahi [FS41] be **accepted in part**.
428. I recommend that the following changes be made to SUB-MCD3:
- " 1. The extent to which the subdivision makes provision for:
...
b. the provision of access, including consideration of the need for any upgrades to existing accesses where there are increased effects as a result of increased traffic arising from subdivision;
...
c. the location, design, and provision of vehicle crossings in particular, taking into account infrastructure, transport safety and street trees in the roading corridor;
..."

429. 32AA evaluation table reference: C3.

3.29 SUB-MCD13 Historic heritage, culture and notable trees

3.29.1 Matters raised by submitters

430. Five submissions were received on the SUB-MCD13. Please refer to **Table B36, Appendix B**. Four were either neutral or supported it and sought it to be retained as notified, while one sought amendment.

431. The submission of Bellgrove [408.15]¹⁰² seeks an additional matter of discretion as follows:

9. whether the retention of the heritage features or form of the listed structure, place, or object causes significant additional costs, or reduction in its range of likely uses

432. There are eight further submission points in relation to original submissions on SUB-S4 which are listed in **Table B36, Appendix B** and footnoted against the original submission here.

3.29.2 Assessment

433. The submission of Bellgrove [408.15] seeks amendments to SUB-MDC13 to ensure consistency with the operative Waimakariri District Plan which contains the following matter of discretion:

i) 'whether the retention of the heritage features or form of the listed structure, place, or object causes significant additional costs, or reduction in its range of likely uses'.

434. Bellgrove state that this provision has not been retained in the Proposed District Plan and should be included because cost considerations are a major component of land development. They are also concerned that the Proposed District Plan does not include any criteria focussed on evaluating a scheduled setting or open space around a heritage item.

435. Heritage NZ [FS115] consider the proposed wording by Bellgrove to be unnecessary and not appropriate. They consider the wording to be ambiguous and in particular the term '*significant additional costs*' could be open to interpretation and be difficult to assess. They consider the matters of discretion in the notified SUB-MCD13 to be well balanced in enabling subdivision whilst ensuring the district's important heritage resources are protected.

436. I agree with Heritage NZ that '*significant additional costs*' is open to interpretation and that the matters of discretion as notified are well balanced to enable subdivision whilst ensuring the District's important heritage resources are protected. As the protection of historic heritage is a matter of national importance (s6f) and given the loss of historic heritage items in Canterbury post the 2010/2011 earthquakes, it is important to protect what remains¹⁰³.

437. With respect to criteria that enables evaluation of a setting or open space around a heritage item, SUB-MCD1(3) includes the allotment area and dimensions with respect to historic heritage, and SUB-MCD13(1) includes '*any effect on ... any associated heritage setting*'. Historic setting is a defined term in the District Plan and includes open space. I therefore

¹⁰² Heritage NZ Pouhere Toanga [FS115] – Oppose; Oxford Equity Ltd [FS117] – Support; Richard & Geoff Spark [FS37] – Oppose in Part

¹⁰³ Historic Heritage s32 report, page 20

disagree with Bellgrove [408.15], as I consider these matters of control and discretion do provide for evaluating the heritage setting, including open space.

438. I note that the Bellgrove Stage 1 subdivision consent (RC125579) has been approved which contains the Bellgrove Farmhouse [HH052]. The subdivision scheme plan was attached to the Historic Heritage s42A Report in Appendix D.
439. I therefore recommend no change to SUB-MCD13 and that Bellgrove [408.15] be **rejected** and Heritage NZ [FS115] be **accepted**.

3.29.3 Summary of recommendations

440. I recommend the submissions from Heritage NZ [178.49], Clampett Investments Limited [284.252], Kainga Ora [325.190] and RIDL [326.389] be **accepted**.
441. I recommend the submission from Bellgrove [408.15] be **rejected**.
442. I recommend the further submissions be accepted or rejected as correspondence to my recommendation on the original submissions above and in **Table B36, Appendix B**.
443. I recommend that no changes be made to the District Plan.

3.30 SUB-General

3.30.1 Matters raised by submitters

444. Five submissions raised general matters (please refer to **Table B37, Appendix B**), including the following:
- General support of intensification of residential development – Stephen Davison [108.2]
 - Give effect to the Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill – Sarbaz Estates Limited [133.2]
 - Consider aligning terminology for consistency – ECan [316.136]¹⁰⁴
 - New controlled activity rule for unit title subdivision and new rule to update or convert cross leases, company leases and unit title plans – Eliot Sinclair [233.1]¹⁰⁵
 - New rule for subdivision in accordance with approved land use (controlled activity) consent – Kainga Ora [325.172]¹⁰⁶. This was assessed in conjunction with [325.166] in section 3.17 above.
445. There were seven further submission points that are footnoted against the original submission here and listed in **Table B37, Appendix B**.

3.30.2 Assessment

Intensification of residential development

¹⁰⁴ David Cowley [FS41] – Oppose and CIAL [FS80] – Support

¹⁰⁵ CIAL [FS80] – Neutral

¹⁰⁶ Richard and Geoff Spark [FS37] – Oppose; D Cowley [FS41] – Oppose in part; M Hales [FS46] – Oppose in part, R J Paterson Family Trust [FS91] – Oppose in part

446. Stephen Davison [108.2] seeks to retain the District Plan as notified as he considered that it provides for intensification of residential development on brownfield sites, and in doing so it protects or limits greenfield areas. The recommendations with this report retain the ability to intensify residential development, in particular this intent is retained within SUB-1 for the Medium Density Residential Zone where there is no minimum allotment area for multi-unit residential development where the design statement and land use consent have been submitted and approved.
447. I recommend no change and that Stephen Davison [108.2] be **accepted in part**.
Give effect to the Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill
448. Sarbaz Estates Limited [133.2] submission states that if the Resource Management (Enable Housing Supply & Other Matters) Amendment Bill is enacted, then they seek the Plan be amended as part of the PWDP process to give effect to its requirements and any consequential amendments to complete the same. The Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 is being addressed through Variation 1 to the District Plan and as such I recommend no change here.
449. I recommend that Sarbaz Estates Limited [133.2] be **accepted in part**.
Aligning terminology for consistency
450. ECan [316.136] seek alignment of terminology for consistency. They specifically comment that the rules reference 'building platforms', while the matters for control and discretion reference 'identified building platforms' and say that it is uncertain whether this is intentional or an oversight.
451. SUB-R3, SUB-R4 and SUB-R6 mention building platforms. The way these rules are written is to say: '*a building platform is identified on the subdivision plan*'. The matters of control and discretion require consideration of the '*identified building platform*' in a particular context – such as the location of the identified building platform in relation to liquefaction hazard (SUB-MCD12) or any effect on a notable tree as a result of the location of the identified building platform (SUB-MCD13). Therefore, the rules are requiring the identification of a building platform, and the matter of control and discretion are then requiring consideration of where the identified building platform has been located in relation to specific matter. I do not consider this drafting approach to be uncertain or unclear as interpreted by ECan.
452. I therefore recommend no change and that ECan [316.136] be **rejected**.
Unit title subdivision and update or convert cross leases, company leases and unit title plans
453. Eliot Sinclair [233.1] seek two new subdivision rules, one for unit title subdivision and one for cross lease and unit title update/conversion subdivision. They are of the view that the creation and alteration of cross leases and unit titles are common and this is a gap in the District Plan. They consider that The Enabling Housing Amendment Bill (now The Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021) is likely to give rise to more unit titles for housing developments.
454. Eliot Sinclair [233.1] state that to permit existing forms of tenure to be updated, such as freehold conversion of cross lease or unit titles which will not result in physical effects on the

environment, approval should be a formality for creating the necessary easements and lodgement of plans with Land Information New Zealand for legal titles.

455. They also list a number of other District Plans that include such rules, including the Christchurch District Plan and proposed Selwyn District Plan (now partly operative). They advise that in the Christchurch District Plan, alteration of cross leases and unit titles are a controlled activity under Rule 8.5.1.2C3¹⁰⁷, with the matters of control listed in Rule 8.7.2¹⁰⁸. The partly operative Selwyn District Plan also identifies cross lease and unit title updates in all zones as a controlled activity under Rule SUB-R15¹⁰⁹, with the activity status becoming a non-complying activity if any of the rules in SUB-R15.1 are not achieved. SUB-R15 in the partly operative Selwyn District Plan is operative as it has not been appealed.
456. The partly operative Selwyn District Plan does not include a separate rule for cross-lease or unit title subdivision, only a rule for the update of plans. Cross-lease and unit title subdivision are provided for generally through all subdivision rules, as the definition of Subdivision (below) includes cross-lease (a.iii) and unit title (a.v.). This is a National Planning Standard definition and therefore is also within the District Plan.

SUBDIVISION has the same meaning as “subdivision of land” in section 218 of the RMA.

means—

- a. the division of an allotment—
 - i. by an application to the Registrar-General of Land for the issue of a separate certificate of title for any part of the allotment; or
 - ii. by the disposition by way of sale or offer for sale of the fee simple to part of the allotment; or
 - iii. by a lease of part of the allotment which, including renewals, is or could be for a term of more than 35 years; or
 - iv. by the grant of a company lease or cross lease in respect of any part of the allotment; or
 - v. by the deposit of a unit plan, or an application to the Registrar-General of Land for the issue of a separate certificate of title for any part of a unit on a unit plan; or
- b. an application to the Registrar-General of Land for the issue of a separate certificate of title in circumstances where the issue of that certificate of title is prohibited by section 226.

(National Planning Standard definition)

457. Therefore, all subdivision rules in the partly Operative Selwyn District Plan provide for potential unit title and cross-lease subdivision, as do all subdivision rules in the District Plan. I note the Christchurch District Plan is yet to be updated to meet the National Planning Standards and therefore has a different structure to both the partly Operative Selwyn District Plan and the District Plan.

¹⁰⁷ <https://districtplan.ccc.govt.nz/pages/plan/Book.aspx?exhibit=districtplan&hid=85377>

¹⁰⁸ <https://districtplan.ccc.govt.nz/pages/plan/Book.aspx?exhibit=districtplan&hid=85399>

¹⁰⁹ <https://eplan.selwyn.govt.nz/review/rules/0/288/0/12029/0/172>

458. Mrs Wendy Harris, Council's Planning Manager, has confirmed that while there is a strong preference for freehold title subdivision in the District, the Council does receive applications for unit title subdivision which are more common in the MRZ¹¹⁰. Mrs Harris also confirmed that applications for alteration of cross lease plans are rare, but she is of the view that it would be helpful for plan administration to have a clear rule to address this¹¹¹.
459. For the reasons provided above, I do not agree with Eliot Sinclair [233.1] that a separate rule is required for cross-lease or unit title subdivision. However, I do agree with both Eliot Sinclair [233.1] and Mrs Harris that a clear pathway within the District Plan for updating cross lease and unit title plans would be helpful to plan administration.
460. I recommend a new rule for updating cross leases, company leases and unit title plans. However, the drafting as proposed does not entirely fit with the structure of the plan, particularly the inclusion of a bespoke assessment matter within the rule. I have therefore recommended this assessment matter be included in SUB-MCD1 and included reference to that MCD within the rule below.
461. I therefore recommend Eliot Sinclair [233.1] be **accepted in part**.

3.30.3 Summary of recommendations

462. I recommend the submissions from Stephen Davison [108.2], Sarbaz Estates Limited [133.2] and Eliot Sinclair [233.1] be **accepted in part**.
463. I recommend the submission from and ECan [316.136] be **rejected**.
464. I recommend the further submissions be accepted or rejected as correspondence to my recommendation on the original submissions above and in **Table B36, Appendix B**.
465. I recommend the following changes be made to the District Plan:

| SUB-R3a | Subdivision to Update Cross Leases, Company Leases, and Unit Titles Plans | |
|------------------|--|--|
| All Zones | <p>Activity status: CON Where:</p> <ol style="list-style-type: none"> 1. <u>Every title has legal access to a road, and that access is not obtained by crossing a railway line;</u> 2. <u>Every title or leased area is supplied with a potable water supply;</u> 3. <u>Every title or leased area is supplied with a connection to a reticulated wastewater network, where the site is located in a township with a reticulated wastewater network.</u> | <p>Activity status when compliance not achieved: as set out in the relevant subdivision standards</p> |

¹¹⁰ W. Harris, Personal Communication, 21 December 2023

¹¹¹ W. Harris, Personal Communication, 21 December 2023

| | |
|---|--|
| <p><u>Matters of control are restricted to:</u></p> <p><u>SUB-MCD1 - Allotment area and dimensions</u></p> <p><u>SUB-MCD3 - Property access</u></p> <p><u>SUB-MCD5 - Natural Hazards</u></p> <p><u>SUB-MCD6 - Infrastructure</u></p> <p><u>SUB-MCD11 - Effects on or from the National Grid</u></p> <p><u>Notification</u></p> <p><u>An application for a controlled activity under this rule is precluded from being publicly or limited notified.</u></p> | |
|---|--|

| | |
|------------------------|---|
| <p>SUB-MCD1</p> | <p>Allotment area and dimensions</p> <ol style="list-style-type: none"> 1. The extent to which allotment area and dimensions enables activities to take place in accordance with the function, role and character of the zone. 2. Area and dimensions of allotments for access, utilities, reserves and roads. 3. Area and dimensions of allotments created for conservation, restoration or enhancement or for any notable tree or historic heritage item with heritage values, and any significant indigenous vegetation or significant habitat of indigenous fauna, or wāhi taonga. 4. Any effect that the balance area of a residential subdivision will have on the achievement of any required minimum net household density. 5. <u>With respect to subdivision to update cross lease plans, company plans or unit title plans, the extent to which the functionality in relation to outdoor living space, outdoor service area or outdoor storage areas are reduced.</u> |
|------------------------|---|

466. 32AA evaluation table reference: C3.

3.31 Plan Wide Submissions

3.31.1 Matters raised by submitters

467. Four submission points raised plan wide matters (please refer to **Table B39, Appendix B**), as follows:

- Amend the District Plan to delete the use of absolutes such as 'avoid', 'maximise' and 'minimise' – RIDL [326.1]¹¹²

¹¹² Forest and Bird [FS78] – Oppose, Ohoka Residents Association [FS84] and [FS137] – Oppose, Andrea Marsden [FS119] – Oppose and Christopher Marsden [FS120]

- Amend the District Plan so that resource consent applications for a controlled and restricted discretionary activity are non-notified – Clampett Investments Limited [384.1] and RIDL [326.2¹¹³ and 326.3¹¹⁴]

468. There were 11 further submission point in opposition that are footnoted against the original submission here and listed in **Table B39, Appendix B**.

3.31.2 Assessment

469. Nothing provided within the submissions of Clampett Investments Limited [384.1] and RIDL [326.2 and 326.3] justifies the removal of public and/or limited notification from the rules within this chapter/topic.

470. Similarly, no information has been provided by RIDL [326.1] to justify the removal of the terms avoid, remedy, or mitigate from the objectives, policies, rules, and matters of discretion within this chapter/topic.

471. I consider that the notification status and RMA sustainable management direction verb is appropriate within this chapter/topic.

472. I recommend no change and that Clampett Investments Limited [384.1] and RIDL [326.2 and 326.3] be **rejected**.

3.31.3 Summary of recommendations

473. I recommend the submission from RIDL [326.1, 326.2 and 326.3] and Clampett Investments Limited [384.1] be **rejected**.

474. I recommend the further submissions be accepted or rejected as correspondence to my recommendation on the original submissions above and in **Table B39, Appendix B**.

475. I recommend that no changes be made to the District Plan.

¹¹³ Forest and Bird [FS78] – Oppose, Ohoka Residents Association [FS137] – Oppose, Andrea Marsden [FS119] – Oppose and Christopher Marsden [FS120]

¹¹⁴ Forest and Bird [FS78] – Oppose and Ohoka Residents Association [FS137]

4 Strategic Directions Primacy Assessment

4.1 Introduction

476. The Hearings Panel directed, via Minute 11, that s42A report authors provide their own professional opinion of the potential implications on a chapter's objectives if the Strategic Directions (SD) objectives (including Urban Form and Development (UFD)) were given primacy, or not.

477. I understand this is to be done in accordance with the approach set out in paragraph 9 of Mr Buckley's 29 September 2023 memo¹¹⁵, which set out the following different approaches to primacy for SD:

"(a) SD objectives have no "primacy" and sit on the same level as other objectives in the plan; (b) SD objectives have "primacy" in one of the following different senses (dependent on how the district plan is crafted):

- (i) SD objectives inform objectives and policies contained in other chapters;*
- (ii) Objectives and policies in other chapters must be expressed and achieved as being consistent with the SD objectives;*
- (iii) SD objectives are used to resolve conflict with objectives and policies in other chapters; and*
- (iv) SD objectives override all other objectives and policies in the plan."*

478. I note that 'primacy' is typically defined as 'being pre-eminent or most important'.

4.2 Relevant Strategic Directions Objectives

479. The Subdivision Chapters s32 report stated the following:

"The chapter implements the directions in the Rautaki ahunga/Strategic Direction Chapter:

- SD-O1 – directions for the natural environment*
- SD-O2 – recognition of the need for consolidated and integrated urban development*
- SD-O3 – improved connectivity across the district, development of infrastructure and its operative is able to be undertaken efficiently and effectively, and integration and sequencing of land use and infrastructure development takes place*
- SD-O4 – direction for rural areas to ensure they are available for productive rural activities*
- SD-O5 – recognise the role for Te Ngāi Tūāhiriri in the management of natural and physical resources*
- SD-O6 – Avoiding subdivision, use and development where the risk from natural hazards is unacceptable, and otherwise mitigating natural hazard risk.*

The Āhuatanga auaha ā tāone/Urban Form and Development Chapter also sets out a number of objectives and policies which are relevant to the Wāwāhia whenua/Subdivision Chapter:

- UFD-O1 – sets out targets for development capacity for residential activities in the district*

¹¹⁵ https://www.waimakariri.govt.nz/data/assets/pdf_file/0020/143408/RESPONSE-TO-MINUTE-10-PRIMACY-APPROACHES-FOR-PDP-CHAPTERS.pdf

- UFD-O2 – seeks sufficient feasible development capacity for commercial and industrial activities
- UFD-P1 – provides for residential density
- UFD-P2 – intensification of new Residential Development Areas
- UFD-P3 – identification and extension of Large Lot Residential Zone areas
- UFD-P4 – identification of Town Centre Zones
- UFD-P5 – identification/location and extension of Industrial Zones
- UFD-P6 – mechanism to release Residential and Commercial Development Areas ahead of rezoning
- UFD-P7 – mechanism to provide additional Commercial and Mixed Use Zones throughout the District
- UFD-P8 – mechanism to provide additional Industrial Zones throughout the District
- UFD-P9 – purpose and character of Special Purpose Zone (Kāinga Nohoanga)
- UFD-P10 – management of reverse sensitivity effects

The policies and methods have been developed in a manner to implement these directions that are set out in the Rautaki ahunga/Strategic Directions Chapter."

4.3 Implications on SUB from Primacy of Strategic Directions objectives

4.3.1 Potential implications if SD objectives are not given primacy, as per primacy approach (a)

480. In my opinion if primacy approach (a) 'SD objectives have no "primacy" and sit on the same level as other objectives in the plan' was to apply, the implications would be minimal given the most directive objectives and policies typically apply on the basis of standard interpretation requirements. In my opinion the SUB objectives and provisions would provide more relevant and more detailed direction than those contained in the strategic directions.

4.3.2 Potential implications if SD objectives are given primacy, as per primacy approaches (b)(i) and (b)(ii)

481. The following statement is in the introduction of all the SUB chapter:

"The provisions in this chapter are consistent with the matters in Part 2 - District Wide Matters - Strategic Directions and give effect to matters in Part 2 - District Wide Matters - Urban Form and Development."

482. I consider that this statement indicates that strategic objectives have some level of primacy as the Proposed Plan was developed so that the chapter provisions were consistent with them, which aligns with primacy approaches (b)(i) and (b)(ii).

483. Therefore, if the Proposed Plan's SD primacy approach of (b)(i) and (b)(ii) is retained and there is no hierarchy between objectives, I consider that the SUB provisions are satisfactorily provided for via its directive objectives and policies and its links to SD and UFD provisions as listed above.

4.3.3 Potential implications if SD objectives are given primacy, as per primacy approach (b)(iii) and (b)(iv)

484. In my opinion, it is difficult to assess the full implications of primacy under (b)(iii) or (b)(iv) because the SUB provisions effectively implement the zone provisions and other district wide provisions. The 'first port of call' for clarification in relation to subdivision has been the objectives and policies of the relevant chapter, for example – if a subdivision includes an SNA, then you would look to the provisions of the ECO chapter.
485. Because an application for subdivision consent is contextual each SD and UFD will only be relevant in certain subdivision. In addition, the SDs and UFDs do not cover all matters addressed within the SUB-Chapter, at the detail addressed within the SUB-Chapter.
486. For example, SD-01 will not be relevant to the majority of urban subdivisions as they typically do not contain these features. SD-02 will likely be most relevant. However, if SD-02 is to be given primacy, then this will conflict with the more directive SUB-P6 which specifies a residential minimum net density that is to be achieved. We have already seen through a number of submissions that developers want flexibility with regard to minimum density.
487. The UDF provisions do not provide the support needed to close this gap as they are not specific or directive enough in relation to density like the SUB provisions.
488. Therefore, applicants could then lean on the primacy given to SD's and UFD's to seek leniency. Arguments could be made that while a development does not meet SUB-P6, it does meet SD-O2 and UFD-01 and as they have primacy, should be approved.
489. This would impact the ability of the District Plan to give effect to the NPSUD, particularly Policy 2 that requires Council to provide at least sufficient development capacity to meet expected demand for housing and business land over the short term, medium term, and long term. While UFD-O1 seeks to achieve this at a district level by stating housing bottom lines, the minimum densities as set out in the SUB-chapter are a key mechanism for achieving at least sufficient development capacity to meet expected demand.
490. Applying a theoretical lens, if the implications of SD and UFD primacy under (b)(iii) or (b)(iv) are not significant, the consequence of this is that there is no obvious value from making the SDs have greater primacy than they currently have. There is however a risk that unintended outcomes could arise when specific development proposals are assessed under a stronger primacy framework.
491. Noting the potential issues identified above and this potential risk, I do not support applying primacy at the level identified under (b)(iii) or (b)(iv) to the SUB provisions.

5 Conclusions


492. Submissions have been received both in support and opposition to the provisions of the Subdivision Chapter of the Proposed Plan that are considered within this Urban Subdivision report.
493. Having considered all the submissions and reviewed all relevant statutory and non-statutory documents, I recommend that District Plan should be amended as set out in **Appendix A** of this report.
494. For the reasons set out in the Section 32AA evaluation attached at **Appendix C**, I consider that the proposed objectives and provisions, with the recommended amendments, will be the most appropriate means to:
- achieve the purpose of the Resource Management Act 1991 (RMA) where it is necessary to revert to Part 2 and otherwise give effect to higher order planning documents, in respect to the proposed objectives, and
 - achieve the relevant objectives of the Proposed Plan, in respect to the proposed provisions.

Recommendations:

I recommend that:

1. The Hearing Commissioners accept, accept in part, or reject submissions (and associated further submissions) as outlined in **Appendix B** of this report; and
2. The District Plan is amended in accordance with the changes recommended in **Appendix A** of this report.

Signed:

| Name and Title | | Signature |
|--|--|---|
| Rachel McClung Principal Policy Planner | |  |

Appendix A. Recommended Amendments to SUB-Chapter

Where I recommend changes in response to submissions, these are shown as follows:

- Text recommended to be added to the Proposed Plan is underlined.
- Text recommended to be deleted from the Proposed Plan is ~~struck through~~.

THIS SECTION HAS RULES THAT HAVE LEGAL EFFECT. PLEASE CHECK THE EPLAN TO SEE WHAT THE LEGAL EFFECT IS OR SUBJECT TO APPEAL.

SUB - Wāwāhia whenua - Subdivision

Introduction

Subdivision provides a framework for land ownership so that development and activities can take place. Subdivision can take place at a variety of scales, from a boundary adjustment or two-lot subdivision through to larger scale land development incorporating provision of cost effective and sustainable infrastructure and land for other uses such as open space.

Subdivision plays an important role in determining the location and density of development and its effect on the character and sustainability of rural and urban environments. It also implements national direction for urban development and enables land use anticipated by the various zone provisions.

The subdivision process can also include the provision of services for development and activities, including open space, infrastructure and community facilities. The adverse effects of activities are addressed by district wide or zone provisions, however some activities and their effects are managed at the time of subdivision, such as earthworks and the forming of roads.

Subdivision also provides an opportunity to consider matters such as natural hazards, protection and enhancement of riparian margins, rural character, reverse sensitivity, urban design, and the recognition and protection of cultural values.

The provisions in this chapter are consistent with the matters in Part 2 - District Wide Matters - Strategic Directions and give effect to matters in Part 2 - District Wide Matters - Urban Form and Development.

Other potentially relevant District Plan provisions

As well as the provisions in this chapter, other District Plan chapters that contain provisions that may also be relevant to Subdivision include:

- Energy and Infrastructure.
- Transport.
- Special Purpose Zone (Kāinga Nohoanga): how the Subdivision provisions apply in the Special Purpose Zone (Kāinga Nohoanga) is set out in SPZ(KN)-APP1 to SPZ(KN)-APP5 of that chapter.
- Any other District wide matter that may affect or relate to the site or sites.
- Zones: the zone chapters contain provisions about what activities are anticipated to occur in the zones.

| Objectives | |
|-------------------|---|
| SUB-O1 | <p>Subdivision design Subdivision design achieves an integrated pattern of land use, development, and urban form, that:</p> <ol style="list-style-type: none"> 1. provides for anticipated land use and density that achieve the identified future character, form or function of zones; 2. consolidates urban development and maintains rural character except where required for, and identified by, the District Council for urban development; |

| | |
|-----------------|---|
| | <p>3. supports protection of cultural and heritage values, conservation values; and</p> <p>4. supports community resilience to climate change and risk from natural hazards.</p> |
| SUB-O2 | <p>Infrastructure and transport</p> <p>Subdivision is designed and located in a way that supports the¹ <u>Efficient</u> and sustainable provision, use and maintenance of infrastructure; and a legible, accessible, <u>safe</u>.² well connected transport system for all transport modes.</p> |
| SUB-O3 | <p>Esplanade reserves and esplanade strips</p> <p>Esplanade reserves and esplanade strips created through subdivision adjacent to the sea, lakes and rivers contribute to:</p> <ol style="list-style-type: none"> 1. the protection of conservation values; 2. public access to or along rivers and lakes or the coast; or 3. enable public recreational use where it is compatible with conservation values. |
| Policies | |
| SUB-P1 | <p>Design and amenity</p> <p>Enable subdivision that:</p> <ol style="list-style-type: none"> 1. within Residential Zones, incorporates best practice urban design, access to open space, and CPTED principles; 2. minimises reverse sensitivity effects on infrastructure including through the use of setbacks; 3. avoids subdivision that restricts <u>restrictions on</u>³ the operation, maintenance, upgrading and development of the National Grid; 4. recognises and provides for the expression of cultural values of mana whenua and their connections in subdivision design; and 5. supports the character, amenity values, form and function for the relevant zone. |
| SUB-P2 | <p>Allotment layout, size and dimension</p> <p>Ensure that allotment layout, size and dimensions:</p> <ol style="list-style-type: none"> 1. in Residential Zones: <ol style="list-style-type: none"> a. enables a variety of allotment sizes to cater for different housing types and densities to meet housing needs; b. supports the achievement of high quality urban design principles for multi-unit residential development; 2. in Rural Zones: <ol style="list-style-type: none"> a. retains the ability for rural land to be used for primary production activities; and 3. in Open Space and Recreation Zones: <ol style="list-style-type: none"> a. provides a variety of types and sizes of open space and recreation areas to meet current and future recreation needs. 4. <u>in Commercial and Industrial zones:</u> <ol style="list-style-type: none"> a. <u>provides for the design and operational requirements of activities that are anticipated within the relevant zones.</u>⁴ |
| SUB-P3 | <p>Sustainable design</p> <p>Ensure that subdivision design:</p> <ol style="list-style-type: none"> 1. maximises solar gain, including through: <ol style="list-style-type: none"> a. road and block layout; and |

¹ Mainpower New Zealand Limited [249.204]

² Waka Kotahi NZ Transport Agency [275.28]

³ Kainga Ora [325.154], Concept Services [230.7] and Transpower [195.94]

⁴ Ravenswood Developments Limited [347.11]

| | |
|---------------|--|
| | <ul style="list-style-type: none"> b. allotment size, dimension, layout and orientation; 2. in Residential Zones, Commercial and Mixed Use Zones, and Open Space and Recreation Zones, supports walking, cycling and public transport; and 3. promotes <u>where appropriate</u>⁵: <ul style="list-style-type: none"> a. water conservation, b. on-site collection of rainwater for non-potable use, c. water sensitive design, and d. the treatment and/or attenuation of stormwater prior to discharge, and 4. recognises the need to maintain the design capacity of infrastructure within the public network and avoid causing flooding of downstream properties; and 5. <u>recognises and provides for the ability to adapt and respond to the effects of climate change and environmental pressures.</u>⁶ |
| SUB-P4 | <p>Integration and connectivity</p> <p>Achieve integration and connectivity by ensuring:</p> <ul style="list-style-type: none"> 1. in urban environments that there is effective integration of subdivision patterns and multi-modal transport connections within new development and to existing development; 2. subdivision on the boundaries between new and existing development is managed to: <ul style="list-style-type: none"> a. avoid or mitigate significant adverse effects, including reverse sensitivity effects, through the use of setbacks, landscaping to achieve screening, and other methods; and b. continuation of transport and pedestrian or cycle linkages. |
| SUB-P5 | <p>Density in Residential Zones</p> <p>Provide for a variety of site sizes within Residential Zones, while achieving minimum residential site sizes that are no smaller than specified for the zone.</p> |
| SUB-P6 | <p>Criteria for Outline Development Plans</p> <p>Ensure that new Residential Development Areas, <u>new General Residential Zones</u>⁷, 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:</p> <ul style="list-style-type: none"> 1. be prepared as a single plan; and 2. be prepared in accordance with the following: <ul style="list-style-type: none"> a. identify principal roads, connections and integration with the surrounding road networks, relevant infrastructure and areas for possible future development; b. any land to be set aside: <ul style="list-style-type: none"> i. for community facilities or schools <u>educational facility</u>⁸; ii. parks and land required for recreation or reserves; iii. for business activities; iv. the distribution of different residential densities; v. for the integrated management of water systems, including stormwater treatment, secondary flow paths, retention and drainage paths; vi. from development for environmental or landscape protection or enhancement; and vii. from development for any other reason, and the reasons for its protection. |

⁵ Kainga Ora [325.157]

⁶ ECan [316.126]

⁷ Waimakariri District Council [367.9]

⁸ Ministry of Education [277.32]

| | |
|---------------|---|
| | <ul style="list-style-type: none"> c. for new Residential Development Areas demonstrate how each ODP area will achieve a minimum net density of at least 15 lots or households per ha, unless there are demonstrated constraints then no less than 12 households per ha; d. identify any cultural, natural, and historic heritage features and values and show how they are to be enhanced or maintained; e. indicate how required infrastructure will be provided and how it will be funded⁹; f. set out the phasing and co-ordination of subdivision and development; g. demonstrate how effective provision is made for a range of transport options, including public transport systems, pedestrian walkways and cycleways, both within and adjoining the ODP area; h. for new Residential Development Areas, demonstrate how open space, playgrounds or parks for recreation will be provided within a 500m radius of new residential allotments including: <ul style="list-style-type: none"> i. transport connectivity for active, public and other transport modes; ii. connection to any other open space or community facility and other zones; and iii. potential use of open space for stormwater management; i. show how other potential adverse effects on and/or from nearby existing or designated strategic infrastructure (including requirements for designations, or planned infrastructure) will be avoided, remedied or appropriately mitigated; j. show how other potential adverse effects on the environment, the protection and enhancement of surface and groundwater quality, are to be avoided, remedied or mitigated; k. include any other information which is relevant to an understanding of the development and its proposed zoning; and l. demonstrate that the design will minimise any reverse sensitivity effects, <u>and</u> m. <u>show how the adverse effects associated with natural hazards are to be avoided, remedied or mitigated, as appropriate.</u>¹⁰ |
| SUB-P7 | <p>Requirements of Outline Development Plans</p> <p>Ensure that subdivision is in accordance with the fixed or <u>and</u> general accordance with ¹¹ flexible elements of any relevant ODP.</p> |
| SUB-P8 | <p>Infrastructure</p> <p>Achieve integrated and comprehensive infrastructure with subdivision by ensuring:</p> <ol style="list-style-type: none"> 1. upgrade of existing infrastructure where the benefit is solely for the subdivision and subsequent development, or otherwise provide for cost-sharing or other arrangements for any upgrade, such as financial contributions, that are proportional to the benefit received¹²; 2. adequate infrastructure provision and capacity to service the scale and nature of anticipated land uses, including: <ol style="list-style-type: none"> a. wastewater disposal that will maintain public health and minimise adverse effects on the environment, while discouraging small-scale standalone community facilities; b. water supply; c. stormwater management; |

⁹ Waka Kotahi [275.30]



¹⁰ ECan [316.129]

¹¹ Bellgrove [408.23], Richard and Geoff Spark [183.8], J & C Broughton [223.9], R Alloway and L Larsen [236.11], Dalkeith Holdings Ltd [242.8], M Hales [246.9], CA and GJ McKeever [111.28], John Stevenson [162.27], Chloe Chai and Mark McKitterick [256.28], Clampett Investments Limited [284.208], Kainga Ora [325.161], RIDL [326.345], KiwiRail [373.63], and Keith Godwin [418.28]

¹² Waka Kotahi [275.31]


| | |
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| | <p>d. phone, internet and broadband connectivity can be achieved, with new lines being underground in urban environments, except within the Special Purpose Zone (Kāinga Nohoanga);</p> <p>e. electricity supply, with new lines being underground in new urban environments except within the Special Purpose Zone (Kāinga Nohoanga);</p> <p>3. where reticulated wastewater disposal is available, that any new site is to be provided with a means of connection to the system; and</p> <p>4. where a reticulated wastewater system is not available, ensure that onsite treatment systems will be installed.</p> |
| SUB-P9 | <p>Access to, protection and enhancement of the margins of water bodies</p> <p>During subdivision development:</p> <ol style="list-style-type: none"> 1. ensure the protection and enhancement of the margins of water bodies; and 2. maintain the diversity, quality and quantity of any resources valued for mahinga kai through protection or restoration. |
| SUB-P10 | <p>Esplanade reserves and esplanade strips</p> <p>Provide for the creation of esplanade reserves or esplanade strips in areas where there is an actual or potential benefit for access, recreation, conservation or natural hazard mitigation by:</p> <ol style="list-style-type: none"> 1. identifying water bodies where such reserves or strips will be provided, regardless of subdivision site size; 2. recognising that provision of other areas that provide public benefit will be desirable; and 3. providing for minimum site sizes to be calculated as if any esplanade reserve resulting from the subdivision was part of the overall subdivision area. |

Activity Rules


| | | |
|------------------|---|--|
| SUB-R1 | Boundary adjustment | |
| All Zones | <p>Activity status: CON</p> <p>Where:</p> <ol style="list-style-type: none"> 1. SUB-S21¹³ to SUB-S18  are met. <p>Matters of control are restricted to:</p> <ul style="list-style-type: none"> SUB-MCD1 - Allotment area and dimensions SUB-MCD2 - Subdivision design SUB-MCD3 - Property access SUB-MCD5 - Natural hazards <p>Notification</p> <p>An application for a controlled activity under this rule is precluded from being publicly or limited notified.</p> | <p>Activity status when compliance not achieved: as set out in the relevant subdivision standards</p> |
| SUB-R2 | Subdivision | |
| All Zones | <p>Activity status: CON</p> <p>Where:</p> <ol style="list-style-type: none"> 1. SUB-S1 to SUB-S18  are met, except where: | <p>Activity status when compliance not achieved: as set out in the relevant subdivision standards</p> |


¹³ Waimakariri District Council [367.14]

| | | |
|-----------------------------|---|---|
| | <p>a. the allotment is for any unstaffed infrastructure, accessway or road;</p> <p>b. the subdivision is of a fee simple allotment from an approved cross lease site, where the exclusive use areas shown on the existing cross lease plan are not altered, and where only SUB-S5 will apply;</p> <p>c. the subdivision site is a reserve created under the Reserves Act 1977, or any esplanade reserve allotment; or</p> <p>d. otherwise specified in this chapter.</p> <p>Matters of control/discretion are restricted to:</p> <p>SUB-MCD1 - Allotment area and dimensions</p> <p>SUB-MCD2 - Subdivision design</p> <p>SUB-MCD3 - Property access</p> <p>SUB-MCD4 - Esplanade provision</p> <p>SUB-MCD6 - Infrastructure</p> <p>SUB-MCD7 - Mana whenua</p> <p>SUB-MCD8 - Archaeological sites</p> <p>SUB-MCD10 - Reverse sensitivity</p> <p>SUB-MCD13 - Historic heritage, culture and notable trees</p> <p>Notification An application for a controlled activity under this rule is precluded from being publicly or limited notified.</p> | |
| SUB-R3 | Subdivision within the Liquefaction Overlay | |
| Liquefaction Overlay | Activity status: CON Where: | Activity status when compliance with SUB-R3 (1) not achieved: NC |

| | | |
|---|---|--|
| | <p>1. a building platform is identified on the subdivision plan; and</p> <p>2. SUB-S1 to SUB-S18 are met.</p>  <p>Matters of control are restricted to: Matters of control listed in SUB-R2 SUB-MCD12 - Liquefaction hazard overlay</p> | <p>Activity status when compliance with SUB-R3 (2) not achieved: as set out in the relevant subdivision standards</p> |
| <p><u>SUB-R3a¹⁴</u> Subdivision to Update Cross Leases, Company Leases Plans, and Unit Titles Plans</p> | | |
| <p><u>All Zones</u></p> | <p><u>Activity status: CON</u> <u>Where:</u></p> <ol style="list-style-type: none"> <u>1. Every title has legal access to a road, and that access is not obtained by crossing a railway line;</u> <u>2. Every title or leased area is supplied with a potable water supply;</u> <u>3. Every title or leased area is supplied with a connection to a reticulated wastewater network, where the site is located in a township with a reticulated wastewater network.</u> <p><u>Matters of control are restricted to:</u> <u>SUB-MCD1 - Allotment area and dimensions</u> <u>SUB-MCD3 - Property access</u> <u>SUB-MCD5 - Natural Hazards</u> <u>SUB-MCD6 - Infrastructure</u> <u>SUB-MCD11 - Effects on or from the National Grid</u></p> <p><u>Notification</u> <u>An application for a controlled activity under this rule is precluded from being publicly or limited notified.</u></p> | <p><u>Activity status when compliance not achieved: as set out in the relevant subdivision standards</u></p> |

¹⁴ Eliot Sinclair [233.1]

| SUB-R4 | | Subdivision within flood hazard areas | |
|--|--|--|--|
| Urban Flood Assessment Overlay Non-Urban Flood Assessment Overlay Coastal Flood Assessment Overlay | <p>Activity status: RDIS Where:</p> <ol style="list-style-type: none"> 1. a building platform is identified on the subdivision plan; and 2. if located within the non-urban flood assessment overlay, the building platform is not located within a high flood hazard area; and 3. if located within the coastal flood assessment overlay, the building platform is not located within a high coastal flood hazard area; and 4. SUB-S1 to SUB-S18 are met. <p> Matters of discretion are restricted to: Matters of control/discretion listed in SUB-R2 SUB-MCD5 - Natural Hazards</p> | <p>Activity status when compliance with SUB-R4 (1) not achieved: NC Activity status when compliance with SUB-R4 (2) or SUB-R4 (3) not achieved: NC Activity status when compliance with SUB-R4 (4) not achieved: as set out in the relevant subdivision standards</p> | |
| | | <p>Advisory note:</p> <ul style="list-style-type: none"> • A Flood Assessment Certificate issued in accordance with NH-S1 will confirm if the site is located within a high hazard area. | |
| SUB-R5 | | Subdivision containing a site or area of significance to Māori | |
| Wāhi Tapu Overlay Wāhi Taonga Overlay Ngā Tūranga Tūpuna Overlay Ngā Wai Overlay | <p>Activity status: RDIS Where:</p> <ol style="list-style-type: none"> 1. SUB-S1 to SUB-S18 are met. <p>Matters of discretion are restricted to: Matters of control/discretion listed in SUB-R2 SUB-MCD7 - Mana whenua</p> <p>Notification An application for a restricted discretionary activity under this rule is precluded from being notified, but may be limited notified only to Te Ngāi Tūāhuriri Rūnanga where the consent authority considers this is required, absent its written approval.</p> | <p>Activity status when compliance not achieved: as set out in the relevant subdivision standards</p> | |
| SUB-R6 | | Subdivision within the National Grid Yard | |

| | | |
|---|--|--|
| <p>National Grid Yard Overlay</p> | <p>Activity status: RDIS Where:</p> <ol style="list-style-type: none"> a building platform is identified on the subdivision plan that is outside of the National Grid Yard, to be secured by way of a consent notice; and SUB-S1 to SUB-S18  are met. <p>Matters of discretion are restricted to: Matters of control/discretion listed in SUB-R2 SUB-MCD11 - Effects on or from the National Grid</p> <p>Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to Transpower New Zealand Limited, where the consent authority considers this is required, absent its written approval.</p> | <p>Activity status when compliance with SUB-R6 (1) not achieved: NC Activity status when compliance with SUB-R6 (2) not achieved: as set out in the relevant subdivision standards</p> |
| <p>SUB-R7</p> | <p>Subdivision of a site containing a historic heritage item or heritage setting, or notable tree</p> | |
| <p>Heritage Building or Item Overlay Heritage Area Overlay Notable Trees Overlay</p> | <p>Activity status: RDIS Where:</p> <ol style="list-style-type: none"> SUB-S1 to SUB-S18 are met. <p>Matters of discretion are restricted to: Matters of control/discretion listed in SUB-R2 SUB-MCD13 - Historic heritage and notable trees</p> | <p>Activity status when compliance not achieved: as set out in the relevant subdivision standards</p> |
| <p>SUB-R8</p> | <p>Subdivision to create a bonus allotment</p> | |
| <p>Rural Zones</p> | <p>Activity status: RDIS Where:</p> <ol style="list-style-type: none"> SUB-S1 to SUB-S18 are met. <p>Matters of discretion are restricted to: Matters of control/discretion listed in SUB-R2 ECO-MD3 - Bonus allotment or bonus residential unit</p> | <p>Activity status when compliance not achieved: as set out in the relevant subdivision standards</p> |

| SUB-R9 | | Subdivision | |
|---|--|---|--|
| Outstanding Natural Feature and Landscape Overlay Significant Natural Areas (SNA) Overlay Fault Awareness Overlay | Activity status: DIS Where: 1. SUB-S1 to SUB-S18 are met. | Activity status when compliance not achieved: as set out in the relevant subdivision standards | |
| Ashley Fault Avoidance Overlay | Activity status: NC | Activity status when compliance not achieved: N/A | |
| SUB-R10 | | Subdivision | |
| General Rural Zone | Activity status: NC Where: 1. subdivision creates an allotment with a minimum allotment area less than 20ha, except where a subdivision takes place to accommodate infrastructure. | Activity status when compliance not achieved: N/A | |
| SUB-R11 | | Subdivision resulting in an allotment that is less than 4ha within the 50dBA Ldn noise contour for Christchurch International Airport | |
| Rural Lifestyle Zone within the 50 dBA Ldn Noise Contour for Christchurch International Airport | Activity status: NC | Activity status when compliance not achieved: N/A | |

Subdivision Standards

| SUB-S1 Allotment size and dimensions | |
|--|--|
| 1. All allotments created shall comply with Table SUB-1. | Activity status when compliance not achieved: 1. In the Medium Density Residential Zone, any Industrial Zone and Special Purpose Zone (Kaiapoi Regeneration): DIS 2. In any other zone: NC |

Table SUB-1: Minimum allotment sizes and dimensions

The following shall apply:

- For unit title or cross-lease allotments, the allotment area shall be calculated per allotment over the area of the parent site.
- Minimum areas and dimensions of allotments in Table SUB-1 for Commercial and Mixed Use Zones, Industrial Zones and Residential Zones shall be the net site area.
- Allotments for unstaffed infrastructure, excluding for any balance area, are exempt from the minimum site sizes in Table SUB-1.

| Zone | Minimum allotment area | Internal square | Frontage (excluding rear lots <u>and</u> lots <u>fronting cul-de-sac turning heads</u>¹⁵) |
|---------------------------------------|---|------------------------|---|
| <i>Residential Zones</i> | | | |
| Large Lot Residential Zone | 2,500m ² with a minimum average of 5,000m ² for allotments within the subdivision | n/a | n/a |
| General Residential Zone | 500m ² | 15m x 15m | 15m |
| Medium Density Residential Zone | 200m ² No minimum for multi-unit residential development where the design statement and land use consent have been submitted and approved | n/a | n/a |
| Settlement Zone | 600m ² | 15m x 15m | 15m |
| <i>Rural Zones</i> | | | |
| General Rural Zone | 20ha | n/a | n/a |
| Rural Lifestyle Zone | 4ha | n/a | n/a |
| Bonus allotment | 1ha | n/a | n/a |
| <i>Commercial and Mixed Use Zones</i> | | | |
| Town Centre Zone | No minimum | n/a | n/a |
| Neighbourhood Centre Zone | No minimum | n/a | n/a |
| Local Centre Zone | No minimum | n/a | n/a |
| Mixed Use Zone | No minimum | n/a | n/a |

¹⁵ Malcolm Hanrahan [307.1]

| | | | |
|--|---|-----------|-----|
| Large Format Retail Zone | 1,000m ² | n/a | n/a |
| <i>Industrial Zones</i> | | | |
| Light Industrial Zone | 500m ² | n/a | n/a |
| General Industrial Zone | 1,000m ² | n/a | n/a |
| Heavy Industrial Zone | 5,000m ² | n/a | n/a |
| <i>Open Space Zones</i> | | | |
| Natural Open Zone | No minimum | n/a | n/a |
| Open Space Zone | No minimum | n/a | n/a |
| Sport and Active Recreation Zone | No minimum | n/a | n/a |
| <i>Special Purpose Zones</i> | | | |
| Special Purpose Zone (Hospital) | 500m ² | 15m x 15m | 15m |
| Special Purpose Zone (Museum and Conference Centre) | 700m ² | n/a | n/a |
| Special Purpose Zone (Kāinga Nohoanga) | | | |
| <ul style="list-style-type: none"> Māori land including within the Tuahiwi Precinct and the Large Lot Residential Precinct; | No minimum | n/a | n/a |
| <ul style="list-style-type: none"> Other land outside the Tuahiwi Precinct and the Large Lot Residential Precinct | 4ha | n/a | n/a |
| <ul style="list-style-type: none"> Other land within the Tuahiwi Precinct | 600m ² | 15m x 15m | 15m |
| <ul style="list-style-type: none"> Other land within the Large Lot Residential Precinct | 2,500m ² with a minimum average of 5,000m ² for allotments within the subdivision | n/a | n/a |
| Special Purpose Zone (Kaiapoi Regeneration) | 500m ² | n/a | n/a |

| | | | |
|--|--|------------|------------|
| Special Purpose Zone (Pines Beach and Kairaki Regeneration) | 600m ² | 15m x15m | 15m |
| Special Purpose Zone (Pegasus Resort) <ul style="list-style-type: none"> • Areas 1, 2 and 4 • All other areas | No minimum 4ha | n/a n/a | n/a n/a |
| SUB-S2 Identified building platforms and disposal areas in Rural Zones | | | |
| 1. Any new allotment in the Rural Zones shall include one or more identified building platform, and a sewage disposal area, unless it is required to be serviced by a reticulated wastewater system. | Activity status when compliance not achieved: NC | | |
| SUB-S3 Residential yield | | | |
| 1. Residential subdivision of any area subject to an ODP, except in the Large Lot Residential Zone, shall provide for a minimum net density of 15 households per ha, unless there are demonstrated constraints then no less than 12 households per ha. | Activity status when compliance not achieved: NC | | |
| SUB-S4 Areas subject to an ODP | | | |
| 1. Any subdivision shall comply with the relevant ODP and rules for the ODP, as set out in the Development Areas Chapter of the District Plan. | Activity status when compliance not achieved: DIS | | |
| SUB-S5 Legal and physical access | | | |
| 1. Any allotment created shall have legal and physical access to a legal road. | Activity status when compliance not achieved: NC | | |
| SUB-S6 Access to a strategic road or arterial road | | | |
| 1. Any subdivision of a site in any Rural Zone that creates two or more new allotments that access onto a strategic road or arterial road, shall be jointly served by a single accessway. | Activity status when compliance not achieved: DIS | | |
| SUB-S7 Corner sites on road intersections in Residential Zones, Commercial and Mixed Use Zones, Special Purpose Zones, or Industrial Zones | | | |
| 1. Any allotment created adjacent to any road intersection in Residential Zones, Commercial and Mixed Use Zones, Special Purpose Zones or Industrial Zones, shall, on the boundaries adjacent to the intersection, either: <ol style="list-style-type: none"> have a corner splayed with a diagonal line reducing each boundary by a minimum of 6m; or have a corner rounded to a radius of a minimum of 6m; and | Activity status when compliance not achieved: NC | | |

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| c. show the corner splay or corner rounding vesting as road. | |
| SUB-S8 Corner sites on road intersections in Rural Zones | |
| 1. The corner of any allotment at any road intersection in any subdivision in any Rural Zones, shall be splayed with a diagonal line reducing each boundary by: <ul style="list-style-type: none"> a. a minimum of 6m on local road or collector road; and b. a minimum of 15m on any strategic road or arterial road. | Activity status when compliance not achieved: NC |
| SUB-S9 Potable water in Residential Zones, Commercial and Mixed Use Zones, Special Purpose Zones, or Industrial Zones | |
| 1. Any new allotment created in Residential Zones, Commercial and Mixed Use Zones, Special Purpose Zones or Industrial Zones shall be served with: <ul style="list-style-type: none"> a. community reticulated potable water supply, where available, to the boundary; or b. where community reticulated potable water supply is not available, as described in rule EI-R45, potable water supply is to be provided by private reticulated potable water supply or potable groundwater. | Activity status when compliance not achieved with SUB-S9 (1)(a): NC Activity status when compliance not achieved with SUB-S9 (1)(b): DIS |
| SUB-S10 Potable water in Rural Zones | |
| 1. Any new allotment in Rural Zones shall be served with community reticulated potable water supply, where available, private reticulated potable water supply or potable groundwater. | Activity status when compliance not achieved: DIS |
| SUB-S11 Water supply for firefighting | |
| 1. All new allotments intended for residential use shall demonstrate at the time of application for subdivision that: <ul style="list-style-type: none"> a. sufficient water supply and access to water supplies for firefighting is available to all residential units via the District Council's urban reticulated system (where available) in accordance with the SNZ PAS 4509:2008 New Zealand Fire Service firefighting water supplies code of practice; and b. where a reticulated water supply compliant with SNZ PAS:4509:2008 is not available, or the only supply available is the controlled restricted rural type water supply which is not compliant | Activity status when compliance not achieved: NC |

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| <p>with SNZ PAS:4509:2008 water supply and access to water supplies for firefighting that is in compliance with the alternative firefighting water sources provisions of SNZ PAS 4509:2008 must be provided.</p> | |
| <p>SUB-S12 Reticulated wastewater disposal in Residential Zones, Commercial and Mixed Use Zones, Special Purpose Zones, or Industrial Zones</p> | |
| <p>1. Any new allotment in Residential Zones, Commercial and Mixed Use Zones, Special Purpose Zones, or Industrial Zones shall be served:</p> <ol style="list-style-type: none"> 1. to the boundary by a reticulated wastewater system, where available; or 2. where a reticulated wastewater system is not available as described in EI-R45, wastewater disposal is to be provided by on site waste water treatment services. | <p>Activity status when compliance not achieved: NC</p> |
| <p>SUB-S13 Offsite wastewater disposal fields</p> | |
| <p>1. Any allotments developed for a community wastewater scheme that includes a separate wastewater disposal field on another site shall be held together in a manner that they cannot be disposed of separately without the express permission of the District Council.</p> | <p>Activity status when compliance not achieved: NC</p> |
| <p>SUB-S14 Electricity supply and communications connectivity</p> | |
| <p>1. Any new allotment shall be served by electricity supply and shall demonstrate at the time of application for subdivision that connection to communication infrastructure including phone, internet and broadband can be achieved.</p> <p>2. Where two or more allotments share an accessway, the electricity supply and any communication lines necessary to achieve (1) shall be available where the accessway joins the main body of each allotment.</p> | <p>Activity status when compliance not achieved: DIS</p> |
| <p>SUB-S15 Stormwater disposal in Residential Zones, Commercial and Mixed Use Zones, Special Purpose Zones, or Industrial Zones</p> | |
| <p>1. Any new allotment in Residential Zones, Commercial and Mixed Use Zones, Industrial Zones or Special Purpose Zones shall demonstrate at the time of application for subdivision that it can be:</p> <ol style="list-style-type: none"> a. served by reticulated stormwater infrastructure where it is available at the boundary of the allotment; or | <p>Activity status when compliance not achieved: NC</p> |

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| <p>b. where no such infrastructure is available, provided with on-site stormwater disposal.</p> | |
| <p>SUB-S16 Rural drainage</p> | |
| <p>1. Any new allotment in Rural Zones shall connect to a public drain if the allotment is within a rural drainage area.</p> | <p>Activity status when compliance not achieved: DIS</p> |
| <p>SUB-S17 Esplanade reserves or strips</p> | |
| <p>1. An esplanade reserve or esplanade strip shall be created or set aside in the following circumstances:</p> <ul style="list-style-type: none"> a. except where provided by (c), an esplanade reserve or esplanade strip shall be created or set aside for any allotment which is created on subdivision regardless of the size of the allotment created where any part of the land to be subdivided: <ul style="list-style-type: none"> i. adjoins or is crossed by a water body listed in Table SUB-2; or ii. adjoins the CMA boundary; b. the minimum width of an esplanade reserve or esplanade strip required under (a)(i) and (a)(ii) above shall be 20m. c. where any allotment of less than 4ha is created on subdivision an esplanade reserve or esplanade strip shall be created or set aside from that allotment along the bank of any other river or along the mark of MHSWS of the sea; <ul style="list-style-type: none"> i. for the purpose of (c) above a river means a river whose bed has an average width of 3m or more where the river flows through or adjoins an allotment. | <p>Activity status when compliance not achieved with SUB-S17(a) and/or SUB-S17(c)¹⁶: NC</p> <p>Activity status when compliance not achieved with SUB-S17(b)¹⁷: RDIS</p> |

Table SUB-2: Esplanade Reserve or Esplanade Strip Requirements for water bodies

| Water body | Reach | Purpose (as set out in section 229 of the RMA) |
|------------|--|---|
| Cam River | From 52 Kippenberger Avenue (inclusive), legally described as Lot 2 DP 394668 Lot 2 DP 452196 Lot 2 DP 12090 Lot 2 DP 24808 Pt Lot 2 DP 9976 Pt Rural Sec 267 to Kippenberger Avenue | <ul style="list-style-type: none"> • Conservation • Natural hazard mitigation |

¹⁶ Sarah Gale [273.6] and Bellgrove [408.25]

¹⁷ Sarah Gale [273.6] and Bellgrove [408.25]

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| | From Kippenberger Avenue to the confluence with the Kaiapoi River | |
| Coastal Margins | The length of the CMA boundary including the Ashley River/Rakahuri, Saltwater and Waimakariri Estuaries | <ul style="list-style-type: none"> • Conservation • Natural hazard mitigation • Access |
| Courtenay Stream | From the crossing of Main North Road to confluence with the Kaiapoi River | <ul style="list-style-type: none"> • Conservation • Natural hazard mitigation • Access • Recreational use |
| Cust River | From crossing of Tippings Road to crossing of Rangiora – Oxford Road | <ul style="list-style-type: none"> • Conservation • Natural hazard mitigation • Access • Recreational use |
| Kaikanui Stream | From crossing of Tram Road to confluence with the Kaiapoi River | <ul style="list-style-type: none"> • Conservation • Natural hazard mitigation • Access • Recreational use |
| Kaiapoi River (upper reaches sometimes referred to as Silverstream) | From crossing of Heywards Road to the confluence with the Waimakariri River | <ul style="list-style-type: none"> • Conservation • Natural hazard mitigation • Access • Recreational use |
| Middle Brook | From crossing of King Street to confluence with the South Brook | <ul style="list-style-type: none"> • Conservation • Natural hazard mitigation • Access • Recreational use |
| North Brook | From crossing of Rangiora-Oxford Road to confluence with the South Brook | <ul style="list-style-type: none"> • Conservation • Natural hazard mitigation • Access • Recreational use |
| Ohoka Stream (North and Central Branch) | From crossing of Bradleys Road to Christmas Road | <ul style="list-style-type: none"> • Conservation • Natural hazard mitigation |
| | From Christmas Road to the confluence with the Kaiapoi River | <ul style="list-style-type: none"> • Conservation • Natural hazard mitigation • Access • Recreational use |
| Saltwater Creek at Pines/Kairaki | Downstream of a point west of the top of Featherstone Avenue to the coastal marine area boundary | <ul style="list-style-type: none"> • Conservation |

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| | | <ul style="list-style-type: none"> • Natural hazard mitigation • Access • Recreational use |
| South Brook | From crossing of Lehmans Road to confluence with the Cam River | <ul style="list-style-type: none"> • Conservation • Natural hazard mitigation • Access • Recreational use |
| Taranaki Stream | From Lot 2 DP 1799 and Lot 1 DP 76141 Preeces Road | <ul style="list-style-type: none"> • Conservation • Natural hazard mitigation |
| Taranaki Stream | Preeces Road to the confluence with the Ashley River/Rakahuri | <ul style="list-style-type: none"> • Conservation • Natural hazard mitigation • Access • Recreational use |
| Waikuku Stream | From most western crossing of Gressons Road to the Ashley River//Rakahuri | <ul style="list-style-type: none"> • Conservation • Access • Recreational use |

SUB-S18 Subdivision to create a bonus allotment

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| 1. Any subdivision for the protection and restoration of a mapped SNA listed in ECO-SCHED1 shall meet the requirements of Appendix APP2. | Activity status when compliance not achieved: NC |
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Advice Notes

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| SUB-AN1 | Resource consent may be required where land is being subdivided under the NESCS. Reference must be made to the NESCS to determine whether such consents are required. |
| SUB-AN2 | Communication infrastructure includes mobile network capacity where physical network connection does not exist. |
| SUB-AN3 | <u>Limited Access Roads must be considered to ensure the properties have frontage to legal road.</u> ¹⁸ |

Matters of Control and Discretion

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| SUB-MCD1 | Allotment area and dimensions <ol style="list-style-type: none"> 1. The extent to which allotment area and dimensions enables activities to take place in accordance with the function, role and character of the zone. 2. Area and dimensions of allotments for access, utilities, reserves and roads. 3. Area and dimensions of allotments created for conservation, restoration or enhancement or for any notable tree or historic heritage item with heritage values, |
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¹⁸ Waka Kotahi [275.36]

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| | <p>and any significant indigenous vegetation or significant habitat of indigenous fauna, or wāhi taonga.</p> <p>4. Any effect that the balance area of a residential subdivision will have on the achievement of any required minimum net household density.</p> <p>5. <u>With respect to subdivision to update cross lease plans, company plans or unit title plans, the extent to which the functionality in relation to outdoor living space, outdoor service area or outdoor storage areas are reduced.</u>¹⁹</p> |
| SUB-MCD2 | <p>Subdivision design</p> <ol style="list-style-type: none"> 1. The extent to which design and construction of roads, service lanes, and accessways will provide legal and physical access that is safe and efficient. 2. The extent to which the proposal complies with any relevant ODP or concept plan. Where a proposal does not comply with an ODP or concept plan, the extent to which the proposal achieves the same, or better urban design and environmental outcomes, than provided through the ODP or concept plan. 3. The extent to which allotments provide for solar orientation of buildings to achieve passive solar gain. 4. Design of the subdivision and any mitigation of reverse sensitivity effects on infrastructure. 5. The provision and location of walkways and cycleways, the extent to which they are separated from roads and connected to the transport network. 6. The provision and use of open stormwater channels, wetlands and waterbodies, excluding aquifers and pipes and how they are proposed to be maintained. 7. The provision, location, design, protection, management and intended use of reserves and open space. 8. The extent to which areas of significant indigenous vegetation or significant habitats of indigenous fauna, the natural character of freshwater bodies, springs, watercourses, notable trees, historic heritage items, or wāhi taonga are protected and their values maintained. 9. The extent to which subdivision subject to an ODP: <ol style="list-style-type: none"> a. provides for the protection of routes for future roads, and other public features of the subdivision, from being built on; and b. will not undermine or inhibit the future development of identified new development areas. |
| SUB-MCD3 | <p>Property access</p> <ol style="list-style-type: none"> 1. The extent to which the subdivision makes provision for: <ol style="list-style-type: none"> a. the location, design, lighting, alignment and pattern of roads in relation to allotments; b. the provision of access, <u>including consideration of the need for any upgrades to existing accesses where there are increased effects as a result of increased traffic arising from subdivision</u>²⁰; c. the location, design, and provision of vehicle crossings in particular, taking into account infrastructure, <u>transport safety</u>²¹ and street trees in the roading corridor; d. the location and design of footpaths and cycleways including their convenience, safety and separation from roads by visual and/or physical means; and e. road reserves and links to future subdivision on adjoining land. |
| SUB-MCD4 | <p>Esplanade provision</p> <ol style="list-style-type: none"> 1. Esplanade reserve or esplanade strip provision and management where any subdivision adjoins the CMA or a river identified in SUB-S17; |

¹⁹ Eliot Sinclair [233.1]

²⁰ Waka Kotahi NZ Transport Agency [275.37]

²¹ Waimakariri District Council [367.64]

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| | <ol style="list-style-type: none"> 2. The purpose of any esplanade reserve or esplanade strip as set out in section 229 of the RMA. 3. Any need for reduction in the width of the esplanade reserve or esplanade strip to take account of topography, subdivision design or expected land use; 4. The extent to which the esplanade reserve or esplanade strip provides for the protection or enhancement of: <ol style="list-style-type: none"> a. archaeological sites or historic heritage items with heritage values; b. SNAs; c. any notable tree; d. sites and areas of significance to Māori as set out in SASM-SCHED1; or e. the habitat of trout and salmon. 5. The extent to which the area to be provided connects, or matches the width of, existing esplanade strips or esplanade reserves for the purpose of conservation, access, recreation or natural hazard mitigation. 6. Where the purpose of the esplanade reserve or esplanade strip is to provide for or enhance an ecological corridor, the need to ensure that the integrity of the vegetation is not vulnerable or ineffective due to its narrowness or edge effects. |
| <p>SUB-MCD5</p> | <p>Natural hazards</p> <ol style="list-style-type: none"> 1. The extent to which risk from natural hazards has been addressed, including any effects on the use of the site for its intended purpose, including: <ol style="list-style-type: none"> a. provision of works for the subdivision including access and infrastructure; b. the location and type of infrastructure; c. location of structures and any identified building platform or platforms for natural hazard sensitive activities; d. any restriction on, or requirement for floor levels, floor levels and freeboard, and land levels as a result of flood hazard risk; and e. location and quantity of filling and earthworks that can be affected by the following hazards or which could affect the impact of those hazards on any allotment or other land in the vicinity: <ol style="list-style-type: none"> i. erosion; ii. flooding and inundation; iii. landslip; iv. rockfall; v. alluvion; vi. avulsion; vii. unconsolidated fill; viii. defensible space for fire safety; ix. soil contamination; x. subsidence; and xi. liquefaction. 2. The extent to which necessary overland flow paths are maintained, including consideration of any culvert development or road access that may impede overland flow. 3. Any effects from fill or difference in finished ground levels on stormwater management on the site and adjoining properties and the appropriateness of the fill material. |
| <p>SUB-MCD6</p> | <p>Infrastructure</p> <ol style="list-style-type: none"> 1. The quantity, security and potability of the water and means, location and design of supply, including: <ol style="list-style-type: none"> a. for fire-fighting purposes; and b. the location, scale, construction and environmental, including public health, effects of water supply infrastructure and the adequacy of existing supply systems outside the subdivision. |

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| | <ol style="list-style-type: none"> 2. The means, design, scale, construction and standard of stormwater infrastructure (including soakage areas and the means and location of any outfall). 3. The effectiveness and effects of any measures proposed for mitigating the effects of stormwater runoff, including the control of water-borne contaminants, litter and sediments. 4. The location, scale, construction and environmental effects of stormwater infrastructure, and whether or not the proposal requires on-site or area wide stormwater detention (either individually or collectively) to achieve stormwater neutrality or to meet any condition of regional network discharge consents. 5. Capacity of the stormwater drainage network. 6. The effect of the subdivision on water quality. 7. The extent to which the design of the stormwater infrastructure necessitates specific landscape treatment to mitigate any adverse effects on amenity values. 8. The means, design and standard of sewage treatment and disposal where a public reticulated wastewater system is not available. 9. The location, scale, construction, maintenance and environmental effects of the proposed wastewater system. 10. The adequacy and standard of electricity supply and connectivity to communication infrastructure including phone, internet and broadband. |
| SUB-MCD7 | <p>Mana whenua</p> <ol style="list-style-type: none"> 1. The extent to which protection of sites and areas of significance to Māori as set out in SASM-SCHED1 is provided for through the subdivision. 2. Provision of public access along and in the vicinity of the Taranaki Stream. 3. The effectiveness and environmental effects of any measures proposed for mitigating the effects of subdivision on wāhi taonga identified by Te Ngāi Tuahuriri Rūnanga. |
| SUB-MCD8 | <p>Archaeological sites</p> <ol style="list-style-type: none"> 1. Any archaeological sites are identified on the allotments, and any provisions to identify and/or protect archaeological sites. 2. Any protocols to provide for wāhi taonga, wāhi tapu, urupā and other historic cultural sites. 3. Processes that protect the interests of Te Rūnanga o Ngāi Tahu and Te Ngāi Tuahuriri Rūnanga. |
| SUB-MCD9 | <p>Airport and aircraft noise</p> <ol style="list-style-type: none"> 1. Any reverse sensitivity effect on the operation of the Christchurch International Airport from subdivision; and 2. Any effects from aircraft noise on the use of the site for its intended purpose. |
| SUB-MCD10 | <p>Reverse sensitivity</p> <ol style="list-style-type: none"> 1. Any need to provide a separation distance for any residential unit or minor residential unit from existing activities, and any need to ensure that subsequent owners are aware of potential reverse sensitivity issues from locating near lawfully established rural activities, including but not limited to intensive farming. |
| SUB-MCD11 | <p>Effects on or from the National Grid</p> <ol style="list-style-type: none"> 1. The extent to which the subdivision allows for earthworks, buildings and structures to comply with the safe distance requirements of the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances. 2. The provision for the ongoing efficient operation, maintenance, development and upgrade of the National Grid, including the ability for continued reasonable access to existing transmission lines for maintenance, inspections and upgrading. |

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| | <ol style="list-style-type: none"> 3. The extent to which potential adverse effects (including visual and reverse sensitivity effects) are mitigated through the location of an identified building platform or platforms. 4. The extent to which the design and construction of the subdivision allows for activities to be set back from the National Grid, including the ability to ensure adverse effects on, and from, the National Grid and on public safety and property are appropriately avoided, remedied or mitigated, for example, through the location of roads and reserves under the transmission lines. 5. The nature and location of any proposed vegetation to be planted in the vicinity of the National Grid. 6. The outcome of any consultation with Transpower New Zealand Limited. 7. The extent to which the subdivision plan clearly identifies the National Grid and identified building platform or platforms. |
| SUB-MCD12 | <p>Liquefaction Hazard Overlay</p> <ol style="list-style-type: none"> 1. The extent of liquefaction remediation measures to mitigate the effect on future development and associated inground infrastructure through ground strengthening, foundation design and geotechnical or engineering solutions, especially in the case where infrastructure including roads, water supply, and wastewater system are required to be extended to service the subdivision. 2. The location and layout of the subdivision, identified building platform or platforms and service locations in relation to the liquefaction hazard. |
| SUB-MCD13 | <p>Historic heritage, culture and notable trees</p> <ol style="list-style-type: none"> 1. Any effect on historic heritage, its heritage values and on any associated heritage setting. 2. The extent that HNZPT has been consulted and the outcome of that consultation. 3. The extent that the site has cultural or spiritual significance to mana whenua and the outcome of any consultation undertaken with Te Ngāi Tūāhuriri Rūnanga. 4. Opportunities to incorporate representation of the association of Te Ngāi Tūāhuriri Rūnanga into the design of residential and commercial subdivision. 5. Opportunities to enhance the physical condition of historic heritage and its heritage values. 6. Any mitigation measures proposed to be implemented to protect historic heritage and its heritage values. 7. The extent to which the subdivision layout and design provides for the protection of any notable tree. 8. Any effect on a notable tree as a result of the subdivision or identified building platform or platforms, and whether alternative methods or subdivision design are available to retain or protect the tree. |

Definitions

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| ALLOTMENT | <p>has the same meaning as in section 218 of the RMA.</p> <p>4. In this Act, the term allotment means—</p> <ol style="list-style-type: none"> a. any parcel of land under the Land Transfer Act 2017 that is a continuous area and whose boundaries are shown separately on a survey plan, whether or not— <ol style="list-style-type: none"> i. the subdivision shown on the survey plan has been allowed, or subdivision approval has been granted, under another Act; or ii. a subdivision consent for the subdivision shown on the survey plan has been granted under this Act; or b. any parcel of land or building or part of a building that is shown or identified separately— <ol style="list-style-type: none"> i. on a survey plan; or ii. on a licence within the meaning of subpart 6 of Part 3 of the Land Transfer Act 2017; or c. any unit on a unit plan; or d. any parcel of land not subject to the Land Transfer Act 2017. <p>5. For the purposes of subsection (2), an allotment that is—</p> <ol style="list-style-type: none"> a. subject to the Land Transfer Act 2017 and is comprised in 1 record of title or for which 1 record of title could be issued under that Act; or b. not subject to that Act and was acquired by its owner under 1 instrument of conveyance— shall be deemed to be a continuous area of land notwithstanding that part of it is physically separated from any other part by a road or in any other manner whatsoever, unless the division of the allotment into such parts has been allowed by a subdivision consent granted under this Act or by a subdivisional approval under any former enactment relating to the subdivision of land. <p>6. For the purposes of subsection (2), the balance of any land from which any allotment is being or has been subdivided is deemed to be an allotment.</p> <p>(National Planning Standard definition)</p> |
| BOUNDARY ADJUSTMENT | <p>means a subdivision that alters the existing boundaries between adjoining allotments, without altering the number of allotments.</p> <p>(National Planning Standard definition)</p> |
| ESPLANADE RESERVE | <p>has the same meaning as in section 2 of the RMA.</p> <p>means a reserve within the meaning of the Reserves Act 1977-</p> <ol style="list-style-type: none"> 1. which is either— <ol style="list-style-type: none"> a. a local purpose reserve within the meaning of section 23 of that Act, if vested in the territorial authority under section 239; or b. a reserve vested in the Crown or a regional council under section 237D; and 2. which is vested in the territorial authority, regional council, or the Crown for a purpose or purposes set out in section 229. |

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| | (National Planning Standard definition) |
| ESPLANADE STRIP | <p>has the same meaning as in section 2 of the RMA.</p> <p>means a strip of land created by the registration of an instrument in accordance with section 232 for a purpose or purposes set out in section 229.</p> <p>(National Planning Standard definition)</p> |
| IDENTIFIED BUILDING PLATFORM | <p>means a delineated area on a subdivision plan:</p> <ul style="list-style-type: none"> • outside of which the location of structures on an allotment is not allowed; • which is the subject of a condition of subdivision consent, to be complied with on a continuing basis; and • is recorded and issued in a consent notice in accordance with s221 of the Resource Management Act 1991. |
| NET SITE AREA | <p>means the total area of the site, but excludes:</p> <ol style="list-style-type: none"> a. any part of the site that provides legal access to another site; b. any part of a rear site that provides legal access to that site; c. any part of the site subject to a designation that may be taken or acquired under the Public Works Act 1981. <p>(National Planning Standard definition)</p> |
| SITE | <p>means:</p> <ol style="list-style-type: none"> a. an area of land comprised in a single record of title under the Land Transfer Act 2017; or b. an area of land which comprises two or more adjoining legally defined allotments in such a way that the allotments cannot be dealt with separately without the prior consent of the council; or c. the land comprised in a single allotment or balance area on an approved survey plan of subdivision for which a separate record of title under the Land Transfer Act 2017 could be issued without further consent of the Council; or d. despite paragraphs (a) to (c), in the case of land subdivided under the Unit Titles Act 1972 or the Unit Titles Act 2010 or a cross lease system is the whole of the land subject to the unit development or cross lease. <p>(National Planning Standard definition)</p> |
| SUBDIVISION | <p>has the same meaning as “subdivision of land” in section 218 of the RMA.</p> <p>means—</p> <ol style="list-style-type: none"> a. the division of an allotment— <ol style="list-style-type: none"> i. by an application to the Registrar-General of Land for the issue of a separate certificate of title for any part of the allotment; or ii. by the disposition by way of sale or offer for sale of the fee simple to part of the allotment; or iii. by a lease of part of the allotment which, including renewals, is or could be for a term of more than 35 years; or |

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| | <ul style="list-style-type: none">iv. by the grant of a company lease or cross lease in respect of any part of the allotment; orv. by the deposit of a unit plan, or an application to the Registrar-General of Land for the issue of a separate certificate of title for any part of a unit on a unit plan; orb. an application to the Registrar-General of Land for the issue of a separate certificate of title in circumstances where the issue of that certificate of title is prohibited by section 226. <p>(National Planning Standard definition)</p> |
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Appendix B. Recommended Responses to Submissions and Further Submissions

The recommended responses to the submissions made on this topic are presented below.

Appendix B.

Recommended Responses to Submissions and Further Submissions

The recommended responses to the submissions made on this topic are presented in the tables below.

As a cross reference, submissions on the following provisions are assessed in the Rural Subdivision S42A report:

- SUB-P9 Access to, protection and enhancement of the margins of water bodies
- GENERAL - NEW POLICY
- SUB-R3 Subdivision within the liquefaction Overlay
- SUB-R6 Subdivision within the National Grid Yard
- SUB-R8 Subdivision to create a bonus allotment
- SUB-R9 Subdivision (Outstanding Natural Feature and Landscape Overlay / Heritage Area Overlay /Notable Trees Overlay)
- SUB-R10 Subdivision (General Rural Zone)
- SUB-R11 Subdivision resulting in an allotment that is less than 4ha within the 50dBA Ldn noise contour for Christchurch International Airport
- SUB-S2 Identified building platforms and disposal areas in Rural Zones
- SUB-S6 Access to a strategic road or arterial road
- SUB-S8 Corner sites on road intersections in Rural Zones
- SUB-S10 Potable water in Rural Zones
- SUB-S13 Offsite wastewater disposal fields
- SUB-S14 Electricity Supply and communications Connectivity
- SUB-S16 Rural Drainage
- SUB-S18 Subdivision to create a bonus allotment
- SUB-MCD5 Natural Hazards
- SUB-MCD6 Infrastructure
- SUB-MCD9 Airport and aircraft noise
- SUB-MCD10 Reverse Sensitivity
- SUB-MCD11 Effects on or from the National Grid
- SUB-MCD12 Liquefaction Hazard Overlay

In addition to the above, there are some submission points on provisions assessed within this report that have been assessed in the Rural Subdivision s42A due to their subject matter. To assist the reader, these submission points have been identified in the tables below for reference, noting they are assessed in the Rural Subdivision s42A.

Table B1: Recommended responses to submissions and further submissions SUB-Introduction

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|---|--------------------|---|--|--------------------------|--|--|
| 284.199 | Clampett Investments Limited | SUB - Introduction | Retain Subdivision Introduction as notified. | 3.2 | Accept | Agree with Submitter. | No |
| 325.150 | Kainga Ora – Homes and Communities | SUB - Introduction | Retain introduction for Subdivision Chapter as notified. | 3.2 | Accept | Agree with Submitter. | No |
| FS37 | Richard & Geoff Spark | | Oppose | 3.2 | Reject | | |
| FS41 | David Cowley | | Oppose in part | 3.2 | Reject | | |
| FS46 | Miranda Hales | | Oppose in part | 3.2 | Reject | | |
| FS91 | R J Paterson Family Trust | | Oppose in part | 3.2 | Reject | | |
| 326.336 | Rolleston Industrial Developments Limited | SUB - Introduction | Retain the Introduction to the Subdivision Chapter as notified. | 3.2 | Accept | Agree with Submitter. | No |
| FS137 | Ohoka Residents Association | | Oppose | 3.2 | Reject | | |
| 195.93 | Transpower New Zealand Limited | SUB - Introduction | Amend Subdivision Chapter Introduction, fourth paragraph: “ ... Subdivision also provides an opportunity to consider matters such as natural hazards, the protection of the National Grid, protection and enhancement of riparian margins, rural character, reverse sensitivity, urban design, and the recognition and protection of cultural values. ...” | 3.2 | Reject | I consider that the introduction as notified appropriately provides for consideration of the National Grid given the last paragraph states: “As well as the provisions in this chapter, other District Plan chapters that contain provisions that may also be relevant to Subdivision include: <ul style="list-style-type: none"> • Energy and Infrastructure • ...” | No |

Table B2: Recommended responses to submissions and further submissions on SUB-01 Subdivision design

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|-------------------------------|-----------|--|--|--------------------------|----------------------------|--|
| 41.30 | Fulton Hogan | SUB-O1 | Amend SUB-O1: "Subdivision design achieves an integrated pattern of land use, development, and urban form, that: ... 3. supports protection of cultural and heritage values, conservation values; and 4. supports community resilience to climate change and risk from natural | Rural subdivision s42A | | | |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|--|-----------|--|--|--------------------------|---|--|
| | | | hazards; <u>and</u> 5. avoids reverse sensitivity effects." | | | | |
| 159.8 | Dean and Victoria Caseley | SUB-O1 | Retain as notified the minimum allotment size for the General Rural Zone of 20ha in Table SUB-1 and SUB-R10 which makes subdivision below 20ha a non-complying activity, and SUB-O1, SUB-P1 and SUB-P2. | 3.4 | Accept | Agree with Submitter. | No |
| 111.19 | CA and GJ McKeever | SUB-O1 | Retain SUB-O1 as notified. | 3.4 | Accept | Agree with Submitter. | No |
| 162.18 | John Stevenson | SUB-O1 | Retain SUB-O1 as notified. | 3.4 | Accept | Agree with Submitter. | No |
| 183.6 | Richard and Geoff Spark | SUB-O1 | Amend SUB-O1: "... 2. consolidates urban development and maintains rural character except where required for, and identified by, the District Council for urban development;... " | 3.4 | Reject | Deletion of the clause would therefore not give effect to Canterbury Regional Policy Statement. | No |
| FS85 | Bellgrove Rangiora Ltd | | <i>Oppose</i> | 3.4 | <i>Accept</i> | | |
| 192.79 | Royal Forest and Bird protection Society of New Zealand Inc. | SUB-O1 | Amend SUB-O1: "... 3. supports protection of cultural and heritage values, conservation values, <u>indigenous biodiversity values</u> ; and ..." | 3.4 | Reject | Disagree as conservation values are a relevant Purpose of esplanade reserves and esplanade strips as specified in s229 of the RMA. If a site includes an SNA, then the objective and policies of the ECO chapter are a relevant consideration. I consider that there is no need to replicate this in the SUB chapter. | No |
| 120.17 | Judith Roper-Lindsay | SUB-O1 | Amend SUB-O1 to add: "... <u>5. meets high standards of urban design, and creates positive outcomes socially, environmentally, economically and culturally.</u> " | 3.4 | Reject | No reason was provided in the submission for the amendments sought. It is unclear how the 'high standard' or 'positive outcome' would be assessed. On the basis of the information provided, I do not consider this clause would add clarity or certainty to SUB-O1. | No |
| 169.14 | NZPork | SUB-O1 | Amend SUB-O1: "Subdivision design achieves an integrated pattern of land use, development, and urban form, that: ... <u>Ensures that reverse sensitivity effects of subdivision on permitted and existing lawfully established activities are avoided where practicable, or mitigated where avoidance is not practicable.</u> " | Rural subdivision s42A | | | |
| 223.7 | John and Coral Broughton | SUB-O1 | Amend SUB-O1: "Subdivision design achieves an integrated pattern of land use, development, and urban form, that: 1. provides for anticipated land use and density that achieve the identified future character, form or function of zones; 2. consolidates urban development and maintains rural character except where required for, and identified by, the District Council for urban development; 3. supports protection of cultural and heritage values, conservation values; | 3.4 | Reject | Deletion of the clause would therefore not give effect to Canterbury Regional Policy Statement. | No |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|--------------------------------|-----------|--|--|--------------------------|--|--|
| | | | and 4. supports community resilience to climate change and risk from natural hazards." | | | | |
| FS91 | R J Paterson Family Trust | | Oppose in Part | 3.4 | Accept | | |
| 224.3 | Mark and Melissa Prosser | SUB-O1 | Support SUB-O1 in general but seek minor amendment to recognize that rural residential is a desirable housing choice and part of a flexible and diverse housing market, and which should be included in the subdivision design objectives: "... 2. Consolidates urban <u>and rural residential</u> development and maintains rural character except where required for, and identified by the District Council, for urban <u>or rural residential</u> development. ..." | 3.4 | Reject | Rural Residential is a term not highly used by the PDP as the PDP has moved to replace this with Large Lot Residential Zone (LLRZ) to align with the New Zealand Planning Standards (NPS) Zone framework. Guidance for subdivision design within the LLRZ is provided through clause 1 which directs that <i>subdivision design provides for anticipated land use and density that achieve the identified future character, form or function of zones.</i> | No |
| 211.3 | B & A Stokes | SUB-O1 | Amend SUB-O1: "... 2. Consolidates urban <u>and rural residential</u> development and maintains rural character except where required for, and identified by the District Council, for urban <u>or rural residential</u> development. ..." | 3.4 | Reject | Rural Residential is a term not highly used by the PDP as the PDP has moved to replace this with Large Lot Residential Zone (LLRZ) to align with the New Zealand Planning Standards (NPS) Zone framework. Guidance for subdivision design within the LLRZ is provided through clause 1 which directs that <i>subdivision design provides for anticipated land use and density that achieve the identified future character, form or function of zones.</i> | No |
| 236.9 | Rick Allaway and Lionel Larsen | SUB-O1 | Amend SUB-O1: "... 1. provides for anticipated land use and density that achieve the identified future character, form or function of zones; 2. consolidates urban development and maintains rural character except where required for, and identified by, the District Council for urban development; 3. supports protection of cultural and heritage values, conservation values; and 4. supports community resilience to climate change and risk from natural hazards." | 3.4 | Reject | Deletion of the clause would therefore not give effect to Canterbury Regional Policy Statement. | No |
| FS4 | Malcolm Dartnell | | Support | 3.4 | Reject | | |
| FS28 | Damian & Sarah Elley | | Support | 3.4 | Reject | | |
| FS29 | JP Bailey Family Trust | | Support | 3.4 | Reject | | |
| FS30 | Kim Manson & Neinana Kuru | | Support | 3.4 | Reject | | |
| FS31 | Ross Fraser | | Support | 3.4 | Reject | | |
| FS32 | L N R deLacy | | Support | 3.4 | Reject | | |
| FS33 | Louise Marriott | | Support | 3.4 | Reject | | |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|--|-----------|--|--|--------------------------|--|--|
| 242.6 | Dalkeith Holdings Ltd | SUB-O1 | Amend SUB-O1: "Subdivision design achieves an integrated pattern of land use, development, and urban form, that: 1. provides for anticipated land use and density that achieve the identified future character, form or function of zones; 2. consolidates urban development and maintains rural character except where required for, and identified by, the District Council for urban development; ..." | 3.4 | Reject | Deletion of the clause would therefore not give effect to Canterbury Regional Policy Statement. | No |
| 246.7 | Miranda Hales | SUB-O1 | Amend SUB-O1: "Subdivision design achieves an integrated pattern of land use, development, and urban form, that: 1. provides for anticipated land use and density that achieve the identified future character, form or function of zones; 2. consolidates urban development and maintains rural character except where required for, and identified by, the District Council for urban development; ..." | 3.4 | Reject | Deletion of the clause would therefore not give effect to Canterbury Regional Policy Statement. | No |
| 254.43 | Christchurch International Airport Limited | SUB-O1 | Amend SUB-O1: "Subdivision design achieves an integrated pattern of land use, development, and urban form that: ... 3. supports protection of cultural and heritage values, conservation values; and 4. supports community resilience to climate change and risk from natural hazards; and 5. does not give rise to adverse effects on strategic infrastructure." | 3.4 | Reject | The Strategic Directions, Energy and Infrastructure, Transport and Noise chapters already contain objectives and policies that recognise, provide for and manage adverse reverse sensitivity issues on; critical infrastructure, strategic infrastructure, and regionally significant infrastructure in the District (including the Airport). More detailed provisions specific to the Airport are unnecessary | No |
| FS92 | Transpower New Zealand Limited | | Support | 3.4 | Reject | | |
| FS99 | KiwiRail Holdings Limited | | Support | 3.4 | Reject | | |
| FS110 | Waka Kotahi NZ Transport Agency | | Support | 3.4 | Reject | | |
| 256.19 | Chloe Chai and Mark McKitterick | SUB-O1 | Retain SUB-O1 as notified. | 3.4 | Accept | Agree with Submitter. | No |
| FS2 | Mark McKitterick | | Oppose | 3.4 | Reject | | |
| 284.200 | Clampett Investments Limited | SUB-O1 | Retain SUB-O1 as notified. | 3.4 | Accept | Agree with Submitter. | No |
| 303.38 | Fire and Emergency New Zealand | SUB-O1 | Retain SUB-O1 as notified. | 3.4 | Accept | Agree with Submitter. | No |
| 316.124 | Environment Canterbury Regional Council | SUB-O1 | Amend SUB-O1(3): "... 3. supports protection of cultural and heritage values, conservation <u>and</u> | 3.4 | Reject | Disagree that introducing the new term 'environmental values' will provide greater consistency with the CRPS. Neither | No |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|--|-----------|--|--|--------------------------|---|--|
| | | | <u>environmental</u> values; and ..." | | | Objective 5.2.1 nor Policy 5.3.1 of the CRPS use the term 'environmental values'. | |
| FS80 | Christchurch International Airport Limited | | Support | 3.4 | Reject | | |
| FS37 | Richard & Geoff Spark | | Oppose | 3.4 | Accept | | |
| FS41 | David Cowley | | Oppose in part | 3.4 | Accept | | |
| 325.151 | Kainga Ora - Homes and Communities | SUB-O1 | Retain SUB-O1 as notified. | 3.4 | Accept | Agree with Submitter. | No |
| FS37 | Richard & Geoff Spark | | Oppose | 3.4 | Reject | | |
| FS41 | David Cowley | | Oppose in part | 3.4 | Reject | | |
| FS46 | Miranda Hales | | Oppose in part | 3.4 | Reject | | |
| FS91 | R J Paterson Family Trust | | Oppose in part | 3.4 | Reject | | |
| 326.337 | Rolleston Industrial Developments Limited | SUB-O1 | Retain SUB-O1 as notified. | 3.4 | Accept | Agree with Submitter. | No |
| FS137 | Ohoka Residents Association | | Oppose | 3.4 | Reject | | |
| 414.206 | Federated Farmers of New Zealand Inc. | SUB-O1 | Amend SUB-O1(3): "3. supports protection of cultural and heritage values, <u>high class soils</u> and conservation values, and ..." | Rural subdivision s42A | | | |
| FS37 | Richard & Geoff Spark | | Oppose | | | | |
| FS46 | Miranda Hales | | Oppose | | | | |
| FS89 | M & J Schluter | | Oppose | | | | |
| 418.19 | Keith Godwin | SUB-O1 | Retain SUB-O1 as notified. | 3.4 | Accept | Agree with Submitter. | No |

Table B3: Recommended responses to submissions and further submissions on SUB-O2 Infrastructure and transport

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|---|-----------|---|--|--------------------------|---|--|
| 111.20 | CA and GJ McKeever | SUB-O2 | Retain SUB-O2 as notified. | 3.5 | Accept in Part | Subject to amendments made in response to other submissions. | No |
| 162.19 | John Stevenson | SUB-O2 | Retain SUB-O2 as notified. | 3.5 | Accept in Part | Subject to amendments made in response to other submissions. | No |
| 249.204 | MainPower New Zealand Limited | SUB-O2 | Amend SUB-O2: "Subdivision is designed and located in a way that supports the Efficient and sustainable provision, use and maintenance of infrastructure; and a legible, accessible, well connected transport system for all transport modes." | 3.5 | Accept in Part | The s32 report states that this Objective is implemented by Policy SUB-P6 and SUB-P8, as well as policies in the Transport, and Energy and infrastructure Chapters: Policies T-P1, T-P2, T-P14 and EI-P1-P6. The s32 further states that these policies seek a range of different outcomes in relation to infrastructure, which includes road and transport infrastructure, as well as stormwater and wastewater infrastructure. The policies seek to ensure there is adequate provision, design, resilience and sustainability of infrastructure, including requirements for connection to reticulated systems where available. Consideration is given to the adverse effects of activities on infrastructure, and provision for appropriate roading, transport and access as part of subdivision design. Therefore, I recommend the amendments as sought be accepted. Subject to amendments made in response to other submissions. | Yes |
| 256.20 | Chloe Chai and Mark McKitterick | SUB-O2 | Retain SUB-O2 as notified. | 3.5 | Accept in Part | Subject to amendments made in response to other submissions. | No |
| 275.28 | Waka Kotahi NZ Transport Agency | SUB-O2 | Amend SUB-O2: "Efficient and sustainable provision, use and maintenance of infrastructure; and a legible, accessible, <u>safe</u> , well connected transport system for all transport modes." | 3.5 | Accept in Part | Agree that this objective should include consideration of transport safety. Subject to amendments made in response to other submissions. | Yes |
| FS99 | KiwiRail Holdings Limited | | Support | 3.5 | Accept in Part | | |
| 277.30 | Ministry of Education Te Tāhuhu o Te Mātauranga | SUB-O2 | Retain SUB-O2 as notified. | 3.5 | Accept in Part | Subject to amendments made in response to other submissions. | No |
| 303.39 | Fire and Emergency New Zealand | SUB-O2 | Retain SUB-O2 as notified. | 3.5 | Accept in Part | Subject to amendments made in response to other submissions. | No |

| | | | | | | | |
|---------|------------------------------------|--------|----------------------------|-----|----------------|--|----|
| 325.152 | Kainga Ora – Homes and Communities | SUB-O2 | Retain SUB-O2 as notified. | 3.5 | Accept in Part | Subject to amendments made in response to other submissions. | No |
| FS37 | Richard & Geoff Spark | | Oppose | 3.5 | Reject in Part | | |
| FS41 | David Cowley | | Oppose in part | 3.5 | Reject in Part | | |
| FS46 | Miranda Hales | | Oppose in part | 3.5 | Reject in Part | | |
| FS91 | R J Paterson Family Trust | | Oppose in part | 3.5 | Reject in Part | | |
| 373.57 | KiwiRail Holdings Limited | SUB-O2 | Retain SUB-O2 as notified. | 3.5 | Accept in Part | Subject to amendments made in response to other submissions. | No |
| 418.20 | Keith Godwin | SUB-O2 | Retain SUB-O2 as notified. | 3.5 | Accept in Part | Subject to amendments made in response to other submissions. | No |

Table B4: Recommended responses to submissions and further submissions on SUB-O3 Esplanade reserves and esplanade strips

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|--|-----------|--|--|--------------------------|---|--|
| 111.21 | CA and GJ McKeever | SUB-O3 | Neutral on SUB-O3. | 3.6 | Accept | Agree with Submitter. | No |
| 120.18 | Judith Roper-Lindsay | SUB-O3 | Amend SUB-O3 to add: "... <u>4. climate change resilience through design and planting</u> ". | 3.6 | Reject | The purpose of esplanade reserves and esplanade strips are stated in section 229 of the RMA. This limits the purposes of esplanade reserves and strips to the matters listed in section 229, specifically; contributing to the protection of conservation values, enabling public access, or enabling recreational use where it is compatible with conservation values. | |
| 162.20 | John Stevenson | SUB-O3 | Neutral on SUB-O3. | 3.6 | Accept | Agree with Submitter. | No |
| 192.80 | Royal Forest and Bird protection Society of New Zealand Inc. | SUB-O3 | Amend SUB-O3: "... 1. the protection of conservation values and <u>indigenous biodiversity values</u> ; ... 3. enable public recreational use where it is compatible with conservation values <u>and indigenous biodiversity values.</u> " | 3.6 | Reject | The purpose of esplanade reserves and esplanade strips are stated in section 229 of the RMA. This limits the purposes of esplanade reserves and strips to the matters listed in section 229, specifically; contributing to the protection of conservation values, enabling public access, or enabling recreational use where it is compatible with conservation values. | |
| 256.21 | Chloe Chai and Mark McKitterick | SUB-O3 | Neutral on SUB-O3. | 3.6 | Accept | Agree with Submitter. | No |
| FS2 | Mark McKitterick | | Oppose | 3.6 | Reject | | |
| 284.201 | Clampett Investments Limited | SUB-O3 | Retain SUB-O3 as notified. | 3.6 | Accept | Agree with Submitter. | No |
| 316.125 | Environment Canterbury Regional Council | SUB-O3 | Retain SUB-O3 as notified or retain the original intent. | 3.6 | Accept | Agree with Submitter. | No |
| 325.153 | Kainga Ora – Homes and Communities | SUB-O3 | Retain SUB-O3 as notified. | 3.6 | Accept | Agree with Submitter. | No |
| FS37 | Richard & Geoff Spark | | Oppose | 3.6 | Reject | | |
| FS41 | David Cowley | | Oppose in part | 3.6 | Reject | | |

| | | | | | | | |
|---------|---|--------|----------------------------|-----|--------|-----------------------|----|
| FS46 | Miranda Hales | | Oppose in part | 3.6 | Reject | | |
| FS91 | R J Paterson Family Trust | | Oppose in part | 3.6 | Reject | | |
| 326.338 | Rolleston Industrial Developments Limited | SUB-O3 | Retain SUB-O3 as notified. | 3.6 | Accept | Agree with Submitter. | No |
| FS137 | Ohoka Residents Association | | Oppose | 3.6 | Reject | | |
| 418.21 | Keith Godwin | SUB-O3 | Neutral on SUB-O3. | 3.6 | Accept | Agree with Submitter. | No |

Table B5: Recommended responses to submissions and further submissions on SUB-P1 Design and amenity

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|--------------------------------|-----------|--|--|--------------------------|---|--|
| 41.31 | Fulton Hogan | SUB-P1 | Amend SUB-P1(2): "... 2. <u>Minimises avoids</u> reverse sensitivity effects on infrastructure including through the use of setbacks; ..." | Rural Subdivision s42A report | | | |
| FS99 | KiwiRail Holdings Limited | | Support | | | | |
| 111.22 | CA and GJ McKeever | SUB-P1 | Retain SUB-P1 as notified. | 3.8 | Accept in part | Subject to amendments made in response to other submissions. | No |
| 145.21 | Daiken New Zealand Limited | SUB-P1 | Amend SUB-P1: "Enable subdivision that: 1. within Residential Zones, incorporates best practice urban design, access to open space, and CPTED principles; 2. minimises reverse sensitivity effects on infrastructure <u>and existing heavy industrial activities</u> including through the use of setbacks; 3. avoids subdivision that restricts the operation, maintenance, upgrading and development of the National Grid; 4. recognises and provides for the expression of cultural values of mana whenua and their connections in subdivision design; and 5. supports the character, amenity values, form and function for the relevant zone." | Rural Subdivision s42A report | | | |
| 162.21 | John Stevenson | SUB-P1 | Retain SUB-P1 as notified. | 3.8 | Accept in part | Subject to amendments made in response to other submissions. | No |
| 169.15 | NZPork | SUB-P1 | Amend SUB-P1: "Enable subdivision that: ... <u>Avoids where practicable, or otherwise mitigates, potential reverse sensitivity effects of sensitive activities (particularly residential and lifestyle development) establishing near primary production including intensive primary production activities.</u> " | Rural subdivision s42A report | | | |
| 195.94 | Transpower New Zealand Limited | SUB-P1 | Amend SUB-P1: "SUB-P1 Design and amenity | 3.8 | Accept in part | Agree with the submitter that the wording of clause 3 is awkward and can be improved. However, clause 3 can be redrafted to | Yes |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|---|-----------|---|--|--------------------------|--|--|
| | | | <p>Enable subdivision that:</p> <ol style="list-style-type: none"> 1. <u>Enable subdivision</u> within Residential Zones, that incorporates best practice urban design, access to open space, and CPTED principles; 2. <u>Enable subdivision that</u> minimises reverse sensitivity effects on infrastructure including through the use of setbacks; 3. <u>Avoids</u> subdivision that restricts the operation, maintenance, upgrading and development of the National Grid; 4. <u>Enable subdivision that</u> recognises and provides for the expression of cultural values of mana whenua and their connections in subdivision design; and 5. <u>Enable subdivision that</u> supports the character, amenity values, form and function for the relevant zone." | | | provide the relief sought without the need to delete the chapeau and amend every clause in SUB-P1. | |
| 230.7 | Concept Services | SUB-P1 | <p>Amend SUB-P1(3):</p> <p>"Avoids <u>Manages</u> subdivision that <u>has the potential to</u> restrict the operation ... of the National Grid."</p> | 3.8 | Accept in part | Agree with the sentiment of the relief sought but consider alternative wording will provide for better alignment with CRPS Policy 16.3.4 (particularly 16.3.4(2)) and resolve the awkward connection to the chapeau. | Yes |
| FS92 | Transpower New Zealand Limited | | <i>Oppose</i> | 3.8 | <i>Accept in part</i> | | |
| 249.205 | MainPower New Zealand Limited | SUB-P1 | Retain SUB-P1 as notified. | 3.8 | Accept in part | Subject to amendments made in response to other submissions. | No |
| 256.22 | Chloe Chai and Mark McKitterick | SUB-P1 | Retain SUB-P1 as notified. | 3.8 | Accept in part | Subject to amendments made in response to other submissions. | No |
| FS2 | Mark McKitterick | | <i>Oppose</i> | 3.8 | <i>Accept in part</i> | | |
| 284.202 | Clampett Investments Limited | SUB-P1 | Retain SUB-P1 as notified. | 3.8 | Accept in part | Subject to amendments made in response to other submissions. | No |
| 316.126 | Environment Canterbury Regional Council | SUB-P1 | <p>Amend SUB-P1:</p> <p>"... <u>6. Recognises and provides the ability to adapt and respond to the effects of climate change and environmental pressures.</u>"</p> | 3.8 | Accept in part | This would give effect to Section 7(i) of the RMA and CRSP Policy 11.3.8 and be consistent with SUB-O1. | Yes |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|---|-----------|---|--|--------------------------|--|--|
| 325.154 | Kainga Ora – Homes and Communities | SUB-P1 | Amend SUB-P1: "Enable subdivision that: ... 2. minimises reverse sensitivity effects on infrastructure including through the use of setbacks; 3. manage avoids subdivision that restricts or compromises the operation, maintenance, upgrading and development of the National Grid; 4. where appropriate , recognises and provides for the expression of cultural values of mana whenua and their connections in subdivision design; and 5. supports the character, amenity values, anticipated form and function for the relevant zone." | 3.8 | Accept in part | Clause 2 – disagree with restricting method to setbacks only. Clause 3 – recommend alternative wording that provides better alignment with NPSE and CRPS policy 16.3.4, and resolve the awkward connection to the chapeau. Clause 4 – disagree the amendment is needed when reading SUB-P1(4) together with SUB-MCD8(2) and SUBMCD13(3). Clause 5 – disagree. Deleting character and amenity values for clause 5 would be inconsistent with many objectives and policies across the PDP and section 7(c) and 7(f) of the RMA. | Yes |
| FS92 | Transpower New Zealand Limited | | Oppose | 3.8 | Reject in part | | |
| FS99 | Kiwirail Holdings Limited | | Oppose | 3.8 | Reject in part | | |
| FS37 | Richard & Geoff Spark | | Oppose | 3.8 | Reject in part | | |
| FS41 | David Cowley | | Oppose in part | 3.8 | Reject in part | | |
| FS46 | Miranda Hales | | Oppose in part | 3.8 | Reject in part | | |
| FS91 | R J Paterson Family Trust | | Oppose in part | 3.8 | Reject in part | | |
| 326.339 | Rolleston Industrial Developments Limited | SUB-P1 | Retain SUB-P1 as notified. | 3.8 | Accept in part | Subject to amendments made in response to other submissions. | No |
| FS137 | Ohoka Residents Association | | Oppose | 3.8 | Reject in part | | |
| 373.58 | KiwiRail Holdings Limited | SUB-P1 | Retain SUB-P1 as notified. | 3.8 | Accept in part | Subject to amendments made in response to other submissions. | No |
| 414.207 | Federated Farmers of New Zealand Inc. | SUB-P1 | Retain SUB-P1 as notified. | 3.8 | Accept in part | Subject to amendments made in response to other submissions. | No |
| 418.22 | Keith Godwin | SUB-P1 | Retain SUB-P1 as notified. | 3.8 | Accept in part | Subject to amendments made in response to other submissions. | No |
| 159.9 | Dean and Victoria Caseley | SUB-P1 | Retain as notified the minimum allotment size for the General Rural Zone of 20ha in Table SUB-1 and SUB-R10 which makes subdivision below 20ha a non-complying activity, and SUB-O1, SUB-P1 and SUB-P2. | 3.8 | Accept in part | Subject to amendments made in response to other submissions. | No |

Table B6: Recommended responses to submissions and further submissions SUB-P2 Allotment layout, size and dimension

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|-------------------------------|-----------|-------------------------------|--|--------------------------|--|--|
| 41.32 | Fulton Hogan | SUB-P2 | Retain SUB-P2(2) as notified. | 3.9 | Accept in part | Subject to amendments made in response to other submissions. | No |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|--|-----------|---|--|--------------------------|--|--|
| FS103 | Survus Consultants | | Oppose | 3.9 | Accept in part | | |
| 169.16 | NZPork | SUB-P2 | Retain SUB-P2 as notified. | 3.9 | Accept in part | Subject to amendments made in response to other submissions. | No |
| 162.22 | John Stevenson | SUB-P2 | Retain SUB-P2 as notified. | 3.9 | Accept in part | Subject to amendments made in response to other submissions. | No |
| 202.1 | Nicholas Hoogeveen | SUB-P2 | Amend SUB-P2: "Ensure that allotment layout, size and dimensions: ... 2. in Rural Zones: a. retains the ability for rural land to be used for primary production activities; <u>b. provides for rural residential development;</u> and ..." | Rural subdivisions 42A | | | |
| 254.45 | Christchurch International Airport Limited | SUB-P2 | Retain SUB-P2 as notified. | 3.9 | Accept in part | Subject to amendments made in response to other submissions. | No |
| FS88 | Kainga Ora - Homes and Communities | | Oppose | 3.9 | Reject in part | | |
| 256.23 | Chloe Chai and Mark McKitterick | SUB-P2 | Retain SUB-P2 as notified. | 3.9 | Accept in part | Subject to amendments made in response to other submissions. | No |
| FS2 | Mark McKitterick | | oppose | 3.9 | Reject in part | | |
| 284.203 | Clampett Investments Limited | SUB-P2 | Retain SUB-P2 as notified. | 3.9 | Accept in part | Subject to amendments made in response to other submissions. | No |
| 300.12 | Eyrewell Dairy Ltd | SUB-P2 | No direct wording amendments sought. | 3.9 | Accept in part | Subject to amendments made in response to other submissions. | No |
| FS103 | Survus Consultants | | Support | 3.9 | Accept in part | | |
| 325.155 | Kainga Ora - Homes and Communities | SUB-P2 | Amend SUB-P2: "Ensure that allotment layout, size and dimensions: 1. in Residential Zones: a. enables a variety of allotment sizes to cater for different housing types and densities to meet housing needs; b. supports the achievement of high quality urban design principles for multi-unit residential development; ..." | 3.9 | Reject | Disagree with submitter. SUB-P1 aligns with the policy and rule framework for residential development, particularly MRZ-R18 and MRZ-P1(3). The reference to densities is appropriate given the range of residential zones and varying minimum densities provided for in the PDP. | No |
| FS37 | Richard & Geoff Spark | | Oppose | 3.9 | Accept | | |
| FS41 | David Cowley | | Oppose in part | 3.9 | Accept | | |
| FS46 | Miranda Hales | | Oppose in part | 3.9 | Accept | | |
| FS91 | R J Paterson Family Trust | | Oppose in part | 3.9 | Accept | | |
| 326.340 | Rolleston Industrial Developments Limited | SUB-P2 | Retain SUB-P2 as notified. | 3.9 | Accept in part | Subject to amendments made in response to other submissions. | No |
| FS137 | Ohoka Residents Association | | Oppose | 3.9 | Reject in part | | |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|---------------------------------------|-----------|---|--|--------------------------|---|--|
| 347.11 | Ravenswood Developments Limited | SUB-P2 | Insert new clause to SUB-P2: "... 4. in Commercial and Industrial zones: a. <u>provides for the design and operational requirements of activities that are anticipated within the relevant zones.</u> " | 3.9 | Accept | Agree with submitter that this policy should also include Commercial and Industrial zones clause. | Yes |
| 414.208 | Federated Farmers of New Zealand Inc. | SUB-P2 | Retain SUB-P2 as notified. | 3.9 | Accept in part | Subject to amendments made in response to other submissions. | No |
| FS103 | Survus Consultants | | <i>Oppose in Part</i> | 3.9 | <i>Reject in part</i> | | |
| 418.23 | Keith Godwin | SUB-P2 | Retain SUB-P2 as notified. | 3.9 | Accept in part | Subject to amendments made in response to other submissions. | No |
| 159.10 | Dean and Victoria Caseley | SUB-P2 | Retain as notified the minimum allotment size for the General Rural Zone of 20ha in Table SUB-1 and SUB-R10 which makes subdivision below 20ha a non-complying activity, and Objective SUB-O1 and Policies SUB-P1 and SUB-P2. | 3.9 | Accept in part | Subject to amendments made in response to other submissions. | No |

Table B7: Recommended responses to submissions and further submissions SUB-P3 Sustainable Design

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|---|-----------|---|--|--------------------------|--|--|
| 111.24 | CA and GJ McKeever | SUB-P3 | Retain SUB-P3 as notified. | 3.10 | Accept in part | Subject to amendments made in response to other submissions. | No |
| 162.23 | John Stevenson | SUB-P3 | Retain SUB-P3 as notified. | 3.10 | Accept in part | Subject to amendments made in response to other submissions. | No |
| 249.206 | MainPower New Zealand Limited | SUB-P3 | Amend SUB-P3 by adding new clause: "... 5. <u>Recognises the need to integrate with electricity distribution network infrastructure to ensure new development is adequately serviced.</u> " | 3.10 | Reject | This submission point is not addressing a specific sustainable design consideration. Providing infrastructure for electricity transmission is an integral part of subdivision generally. It is not necessary for SUB-P3 to address integration with the electricity network, as this is addressed in SUB-P8 (e). | No |
| 256.24 | Chloe Chai and Mark McKitterick | SUB-P3 | Retain SUB-P3 as notified. | 3.10 | Accept in part | Subject to amendments made in response to other submissions. | No |
| FS2 | Mark McKitterick | | <i>Oppose</i> | 3.10 | <i>Reject in part</i> | | |
| 284.204 | Clampett Investments Limited | SUB-P3 | Retain SUB-P3 as notified. | 3.10 | Accept in part | Subject to amendments made in response to other submissions. | No |
| 303.40 | Fire and Emergency New Zealand | SUB-P3 | Retain SUB-P3 as notified. | 3.10 | Accept in part | Subject to amendments made in response to other submissions. | No |
| 316.127 | Environment Canterbury Regional Council | SUB-P3 | Retain SUB-P3 as notified or retain the original intent. | 3.10 | Accept in part | Subject to amendments made in response to other submissions. | No |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|--|-----------|--|--|--------------------------|--|--|
| FS80 | Christchurch International Airport Limited | | Support | 3.10 | Accept in part | | |
| 325.157 | Kainga Ora – Homes and Communities | SUB-P3 | Amend SUB-P3: "Ensure that subdivision design that seeks to: 1. maximises solar gain, including through: ... 3. <u>Where appropriate, promotes:...</u> " | 3.10 | Accept in part | The amendments to the chapeau are unnecessary to address the reasons stated for the submission and would create and inconsistency with the drafting of other SUB-policies. Agree with amendments sought to SUB-P3(3) as SUB-P3(3) is seeking to address the effects of climate change and will be implemented through methods outside the PDP. | Yes |
| FS37 | Richard & Geoff Spark | | Oppose | 3.10 | Reject in Part | | |
| FS41 | David Cowley | | Oppose in part | 3.10 | Reject in Part | | |
| FS46 | Miranda Hales | | Oppose in part | 3.10 | Reject in Part | | |
| FS91 | R J Paterson Family Trust | | Oppose in part | 3.10 | Reject in Part | | |
| 326.341 | Rolleston Industrial Developments Limited | SUB-P3 | Retain SUB-P3 as notified. | 3.10 | Accept in part | Subject to amendments made in response to other submissions. | No |
| FS137 | Ohoka Residents Association | | Oppose | 3.10 | Reject in Part | | |
| 373.59 | KiwiRail Holdings Limited | SUB-P3 | Retain SUB-P3 as notified. | 3.10 | Accept in part | Subject to amendments made in response to other submissions. | No |
| 414.209 | Federated Farmers of New Zealand Inc. | SUB-P3 | Amend SUB-P3(3) to add (e): "e. the treatment and/or attenuation of human sewage where the site size and characteristics permit it." | Rural subdivision s42A | | | |
| 418.24 | Keith Godwin | SUB-P3 | Retain SUB-P3 as notified. | 3.10 | Accept in part | Subject to amendments made in response to other submissions. | No |
| 419.114 | Department of Conservation | SUB-P3 | Retain SUB-P3 as notified. | 3.10 | Accept in part | Subject to amendments made in response to other submissions. | No |
| FS78 | Royal Forest and Bird protection Society of New Zealand Inc. | | Support | 3.10 | Accept in part | | |

Table B8: Recommended responses to submissions and further submissions SUB-P4 Integration and connectivity

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|-------------------------------|-----------|----------------------------|--|--------------------------|---|--|
| 111.25 | CA and GJ McKeever | SUB-P4 | Retain SUB-P4 as notified. | N/A | Accept | Agree with submitter that SUB-P4 should be retained as notified | No |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|--------------|---|-----------|--|--|--------------------------|---|--|
| 162.24 | John Stevenson | SUB-P4 | Retain SUB-P4 as notified. | N/A | Accept | Agree with submitter that SUB-P4 should be retained as notified | No |
| 256.25 | Chloe Chai and Mark McKitterick | SUB-P4 | Retain SUB-P4 as notified. | N/A | Accept | Agree with submitter that SUB-P4 should be retained as notified | No |
| <i>FS2</i> | <i>Mark McKitterick</i> | | <i>Oppose</i> | <i>N/A</i> | <i>Reject</i> | | <i>No</i> |
| 275.29 | Waka Kotahi NZ Transport Agency | SUB-P4 | Retain SUB-P4 as notified. | N/A | Accept | Agree with submitter that SUB-P4 should be retained as notified | No |
| 277.31 | Ministry of Education heritage | SUB-P4 | Retain SUB-P4 as notified. | N/A | Accept | Agree with submitter that SUB-P4 should be retained as notified | No |
| 284.205 | Clampett Investments Limited | SUB-P4 | Retain SUB-P4 as notified. | N/A | Accept | Agree with submitter that SUB-P4 should be retained as notified | No |
| 316.128 | Environment Canterbury Regional Council | SUB-P4 | Retain SUB-P4 as notified or retain the original intent. | N/A | Accept | Agree with submitter that SUB-P4 should be retained as notified | No |
| <i>FS80</i> | <i>Christchurch International Airport Limited</i> | | <i>Support</i> | <i>N/A</i> | <i>Reject</i> | | <i>No</i> |
| 325.158 | Kainga Ora – Homes and Communities | SUB-P4 | Retain SUB-P4 as notified. | N/A | Accept | Agree with submitter that SUB-P4 should be retained as notified | No |
| <i>FS37</i> | <i>Richard & Geoff Spark</i> | | <i>Oppose</i> | <i>N/A</i> | <i>Reject</i> | | <i>No</i> |
| <i>FS41</i> | <i>David Cowley</i> | | <i>Oppose in part</i> | <i>N/A</i> | <i>Reject</i> | | <i>No</i> |
| <i>FS46</i> | <i>Miranda Hales</i> | | <i>Oppose in part</i> | <i>N/A</i> | <i>Reject</i> | | <i>No</i> |
| <i>FS91</i> | <i>R J Paterson Family Trust</i> | | <i>Oppose in part</i> | <i>N/A</i> | <i>Reject</i> | | <i>No</i> |
| 326.342 | Rolleston Industrial Developments Limited | SUB-P4 | Retain SUB-P4 as notified. | N/A | Accept | Agree with submitter that SUB-P4 should be retained as notified | No |
| <i>FS137</i> | <i>Ohoka Residents Association</i> | | <i>Oppose</i> | <i>N/A</i> | <i>Reject</i> | | |
| 373.61 | KiwiRail Holdings Limited | SUB-P4 | Retain SUB-P4 as notified. | N/A | Accept | Agree with submitter that SUB-P4 should be retained as notified | No |
| 418.25 | Keith Godwin | SUB-P4 | Retain SUB-P4 as notified. | N/A | Accept | Agree with submitter that SUB-P4 should be retained as notified | No |

Table B9: Recommended responses to submissions and further submissions SUB-P5 Density in Residential Zones

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|-------------------------------|-----------|--|--|--------------------------|--|--|
| 111.26 | CA and GJ McKeever | SUB-P5 | Retain SUB- P5 as notified. | 3.11 | Accept | Agree with submitter | No |
| 162.25 | John Stevenson | SUB-P5 | Retain SUB-P5 as notified. | 3.11 | Accept | Agree with submitter | No |
| 240.1 | Malcolm Dartnell | SUB-P5 | Retain SUB-P5 and RESZ-O5 Housing choice and allow for a variety of section sizes and housing types in existing townships. | 3.11 | Accept | Agree with submitter that SUB-P5 should be retained as notified. | No |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|--------------|--|-----------|----------------------------|--|--------------------------|--|--|
| 254.46 | Christchurch International Airport Limited | SUB-P5 | Retain SUB-P5 as notified. | 3.11 | Accept | Agree with submitter | No |
| <i>FS88</i> | <i>Kainga Ora – Homes and Communities</i> | | <i>Oppose</i> | <i>3.11</i> | <i>Reject</i> | | <i>No</i> |
| 256.26 | Chloe Chai and Mark McKitterick | SUB-P5 | Retain SUB-P5 as notified. | 3.11 | Accept | Agree with submitter | No |
| <i>FS2</i> | <i>Mark McKitterick</i> | | <i>Oppose</i> | <i>3.11</i> | <i>Reject</i> | | <i>No</i> |
| 284.206 | Clampett Investments Limited | SUB-P5 | Retain SUB-P5 as notified. | 3.11 | Accept | Agree with submitter | No |
| 325.159 | Kainga Ora – Homes and Communities | SUB-P5 | Delete SUB-P5. | 3.11 | Reject | Disagree with submitter. A key feature distinguishing residential zones is their density. SUB-P5 should be retained. | No |
| <i>FS37</i> | <i>Richard & Geoff Spark</i> | | <i>Oppose</i> | <i>3.11</i> | <i>Accept</i> | | <i>No</i> |
| <i>FS41</i> | <i>David Cowley</i> | | <i>Oppose in part</i> | <i>3.11</i> | <i>Accept</i> | | <i>No</i> |
| <i>FS46</i> | <i>Miranda Hales</i> | | <i>Oppose in part</i> | <i>3.11</i> | <i>Accept</i> | | <i>No</i> |
| <i>FS91</i> | <i>R J Paterson Family Trust</i> | | <i>Oppose in part</i> | <i>3.11</i> | <i>Accept</i> | | <i>No</i> |
| 326.343 | Rolleston Industrial Developments Limited | SUB-P5 | Retain SUB-P5 as notified. | 3.11 | Accept | Agree with submitter | No |
| <i>FS137</i> | <i>Ohoka Residents Association</i> | | <i>Oppose</i> | <i>3.11</i> | <i>Reject</i> | | |
| 408.22 | Bellgrove Rangiora Ltd | SUB-P5 | Retain SUB-P5 as notified. | 3.11 | Accept | Agree with submitter | No |
| <i>FS37</i> | <i>Richard & Geoff Spark</i> | | <i>Oppose in Part</i> | <i>3.11</i> | <i>Reject</i> | | |
| 418.26 | Keith Godwin | SUB-P5 | Retain SUB-P5 as notified. | 3.11 | Accept | Agree with submitter | No |

Table B10: Recommended responses to submissions and further submissions SUB-P6 Criteria for Outline Development Plans

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|---|-----------|--|--|--------------------------|--|--|
| 111.27 | CA and GJ McKeever | SUB-P6 | Neutral on SUB-P6. | 3.12 | Accept in part | Subject to amendments made in response to other submissions. | No |
| 160.5 | Rolleston Industrial Developments Limited | SUB-P6 | Amend SUB-P6(2)(c): "... 2. be prepared in accordance with the following: c. for new Residential Development Areas demonstrate how each ODP area will achieve a minimum net density of at least 15 lots or households per ha, unless there are demonstrated constraints <u>or the ODP is for the Ohoka area</u> , then no less than 12 households per ha; ..." | Rural subdivision s42A | | | |
| 162.26 | John Stevenson | SUB-P6 | Neutral on SUB-P6. | 3.12 | Accept in part | Subject to amendments made in response to other submissions. | No |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|--|-----------|--|--|--------------------------|---|--|
| 169.17 | NZPork | SUB-P6 | Amend SUB-P6 to add new criteria: " <u>Any methods or boundary treatments required to avoid or mitigate reverse sensitivity effects and promote compatible land use activities and encourage the use of generous setbacks, public roads and reserves as buffers between urban and rural land uses.</u> " | Rural subdivision s42A | | | |
| 183.7 | Richard and Geoff Spark | SUB-P6 | Amend SUB-P6: "... c. for new Residential Development Areas demonstrate how each ODP area will achieve a minimum net density of at least 15 lots or households per ha, unless there are demonstrated constraints then no less than 12 households per ha a reduced density standard or density exemption shall apply;" | 3.12 | Reject | Density minimums are required to meet anticipated growth demands. | No |
| FS85 | Bellgrove Rangiora Ltd | | Oppose | 3.12 | Accept | | |
| FS110 | Waka Kotahi NZ Transport Agency | | Oppose | 3.12 | Accept | | |
| 192.81 | Royal Forest and Bird protection Society of New Zealand Inc. | SUB-P6 | Amend SUB-P6: " <u>x. identify indigenous biodiversity values and show how they will be protected and maintained</u> " | 3.12 | Reject | SUB-P6(2)(b)(vi) provides for consideration of land to be set aside for development of environmental or landscape protection or enhancement, and SUB-P6(2)(b)(i) provides for consideration of land to be set aside from development for any other reason, and the reasons for its protection. Furthermore, the PDP specifically addresses indigenous biodiversity values in the ECO chapter. | No |
| 202.2 | Nicholas Hoogeveen | SUB-P6 | Amend SUB-P6 to include provision of new Outline Development Plans in the Rural Lifestyle Zone. Alternative relief: "Residential Development Area", as referred to in SUB-P6, should be defined. This may then apply to any zone that provides for residential purposes. | Rural subdivision s42A | | | |
| 211.4 | B & A Stokes | SUB-P6 | Support the approach in SUB-P6 to the preparation and use of Outline Development Plans. | 3.12 | Accept in part | Subject to amendments made in response to other submissions. | No |
| 214.2 | B & A Stokes | SUB-P6 | Support the approach, preparation, and use of Outline Development Plans, specifically SUB-P6. | 3.12 | Accept in part | Subject to amendments made in response to other submissions. | No |
| 223.8 | John and Coral Broughton | SUB-P6 | Amend SUB-P6: "Ensure 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: ... 2. be prepared in accordance with the following: ... c. for new Residential Development Areas demonstrate how each ODP area will achieve a minimum net density of at least 15 lots or households per ha, unless there are demonstrated constraints then no less than 12 households per ha | 3.12 | Reject | Density minimums are required to meet anticipated growth demands. | No |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|---------------------------------|-----------|---|--|--------------------------|---|--|
| | | | <u>reduced density standard or density exemption shall apply; ..."</u> | | | | |
| FS91 | R J Paterson Family Trust | | Oppose | 3.12 | Accept | | |
| FS110 | Waka Kotahi NZ Transport Agency | | Oppose | 3.12 | Accept | | |
| 224.4 | Mark and Melissa Prosser | SUB-P6 | Retain SUB-P6 as notified. | 3.12 | Accept in part | Subject to amendments made in response to other submissions. | No |
| 236.10 | Rick Allaway and Lionel Larsen | SUB-P6 | Amend SUB-P6: "... c. for new Residential Development Areas demonstrate how each ODP area will achieve a minimum net density of at least 15 lots or households per ha, unless there are demonstrated constraints then no less than 12 households per ha <u>a reduced density standard or density exemption shall apply;</u> ..." | 3.12 | Reject | Density minimums are required to meet anticipated growth demands. | No |
| FS4 | Malcolm Dartnell | | Support | 3.12 | Reject | | |
| FS28 | Damian & Sarah Elley | | Support | 3.12 | Reject | | |
| FS29 | JP Bailey Family Trust | | Support | 3.12 | Reject | | |
| FS30 | Kim Manson & Neinana Kuru | | Support | 3.12 | Reject | | |
| FS31 | Ross Fraser | | Support | 3.12 | Reject | | |
| FS32 | L N R deLacy | | Support | 3.12 | Reject | | |
| FS33 | Louise Marriott | | Support | 3.12 | Reject | | |
| FS92 | Transpower New Zealand Limited | | Neutral | 3.12 | Reject | | |
| FS110 | Waka Kotahi NZ Transport Agency | | Oppose | 3.12 | Reject | | |
| 242.7 | Dalkeith Holdings Ltd | SUB-P6 | Amend SUB-P6: "Ensure 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: ... 2. be prepared in accordance with the following: ... c. for new Residential Development Areas, demonstrate how each ODP area will achieve a minimum net density of at least 15 lots or households per ha, unless there are demonstrated constraints then no less than 12 households per ha <u>a reduced density standard or density exemption shall apply.</u> ..." | 3.12 | Reject | Density minimums are required to meet anticipated growth demands. | No |
| FS110 | Waka Kotahi NZ Transport Agency | | Oppose | 3.12 | Accept | | |
| 246.8 | Miranda Hales | SUB-P6 | Amend SUB-P6: "Ensure that new Residential Development Areas, new Large Lot Residential | 3.12 | Reject | Density minimums are required to meet anticipated growth demands. | No |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|--|-----------|--|--|--------------------------|--|--|
| | | | 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: ... 2. be prepared in accordance with the following: ... c. for new Residential Development Areas, demonstrate how each ODP area will achieve a minimum net density of at least 15 lots or households per ha, unless there are demonstrated constraints then no less than 12 households per ha <u>a reduced density standard or density exemption shall apply.</u> ..." | | | | |
| FS110 | Waka Kotahi NZ Transport Agency | | Oppose | 3.12 | Accept | | |
| 249.207 | MainPower New Zealand Limited | SUB-P6 | Retain SUB-P6 as notified | 3.12 | Accept in part | Subject to amendments made in response to other submissions. | No |
| FS88 | Kainga Ora – Homes and Communities | | Oppose | 3.12 | Reject in part | | |
| 254.47 | Christchurch International Airport Limited | SUB-P6 | Amend SUB-P6: "... i. show how other potential adverse effects on and/or from nearby existing or designated strategic infrastructure (including requirements for designations, or planned infrastructure) will be avoided, remedied or mitigated, <u>recognising the functional need for infrastructure to be located in particular places, and the fact that this infrastructure pre-dates the residential development in the area.</u> j. <u>show how more than minor adverse effects on existing or designated strategic infrastructure (including requirements for designations, or planned infrastructure) will be avoided, and other minor or less than minor effects will be managed;</u> ..." | 3.12 | Reject | The Strategic Directions, Energy and Infrastructure, Transport and Noise chapters already contain objectives and policies that recognise, provide for and manage adverse reverse sensitivity issues on; critical infrastructure, strategic infrastructure, and regionally significant infrastructure in the District (including the Airport). Therefore, more detailed provisions specific to the Airport are unnecessary. | No |
| FS88 | Kainga Ora – Homes and Communities | | Oppose | 3.12 | Accept | | |
| FS99 | Kiwirail Holdings Limited | | Oppose in part | 3.12 | Accept | | |
| 256.27 | Chloe Chai and Mark McKitterick | SUB-P6 | Neutral on SUB-P6. | 3.12 | Accept in part | Subject to amendments made in response to other submissions. | No |
| FS2 | Mark McKitterick | | Oppose | 3.12 | Reject in Part | | |
| 275.30 | Waka Kotahi NZ Transport Agency | SUB-P6 | Amend SUB-P6: "... 2. be prepared in accordance with the following: ... indicate how required infrastructure will be provided and how it will be funded; ..." | 3.12 | Accept | At the ODP stage there is a degree of uncertainty that would make it difficult for parties to commit to cost sharing arrangements, and that key to the ODP is the acknowledgment of infrastructure requirements, which will be shown on the ODP. Future processes will determine cost sharing, such as development contribution conditions of subdivision consent or cost sharing agreements between parties. | Yes |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|---|-----------|--|--|--------------------------|--|--|
| 277.32 | Ministry of Education Te Tāhuhu o Te Mātauranga | SUB-P6 | Amend SUB-P6: "... 1. be prepared as a single plan; and 2. be prepared in accordance with the following: ... i. for community facilities or schools educational facilities ... m. demonstrate how effective provision is made for educational facilities within the ODP" | 3.12 | Accept in Part | I agree with Ministry of Education that the term school should be replaced, but with the defined term <i>Educational Facility</i> , rather than 'educational facilities' as sought. With respect to the new clause sought, SUB-P6 already provides for land to be identified if it is to be set aside for education facilities through Clause 2b(i). Therefore, the additional clause is not required. | Yes |
| 284.207 | Clampett Investments Limited | SUB-P6 | Retain SUB-P6 as notified. | 3.12 | Accept in part | Subject to amendments made in response to other submissions. | No |
| 303.41 | Fire and Emergency New Zealand | SUB-P6 | Amend SUB-P6: "... m. PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice." | 3.12 | Reject | SUB-P6 (2)(a) requires an ODP to identify relevant infrastructure. The PDP/RMA definition of Infrastructure includes 'a water distribution system'. Therefore, by identifying the water distribution system (such as pump station and new water mains) on the ODP this matter is addressed in an appropriate level of detail for an ODP. | No |
| 316.129 | Environment Canterbury Regional Council | SUB-P6 | Amend SUB-P6 to add a criterion demonstrating that any high hazard areas are avoided and other natural hazards are addressed in accordance with Chapter 11 of the Canterbury Regional Policy Statement. | 3.12 | Accept in part | SUB-P6 as notified does not include a clause to that addresses natural hazards. Given SUB-P6 is giving effect to Policy 6.3.3 of the CRPS, I consider that the exclusion of natural hazards is a gap. However, given the direction within Policy 6.3.12(6) and Policy 11.3.1 of the CRPS, I do not agree with the relief sought by ECan that SUB-P6 should include a new subclause to avoid high hazard areas. No drafting was offered by ECan in their submission. However, I recommend the following new clause: <u>m. Show how the adverse effects associated with natural hazards are to be avoided, remedied or mitigated, as appropriate.</u> I consider this new clause to give effect to the CRPS, particularly Policies 6.3.3, 6.3.12 and 11.3.1, and provide greater alignment with SUB-O1(4). | Yes |
| FS80 | Christchurch International Airport Limited | | Support | 3.12 | Accept in part | | |
| 325.160 | Kainga Ora – Homes and Communities | SUB-P6 | Retain SUB-P6 as notified. | 3.12 | Accept in part | Subject to amendments made in response to other submissions. | No |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|--|-----------|--|--|--------------------------|---|--|
| FS37 | Richard & Geoff Spark | | Oppose | 3.12 | Reject in part | | |
| FS41 | David Cowley | | Oppose in part | 3.12 | Reject in part | | |
| FS46 | Miranda Hales | | Oppose in part | 3.12 | Reject in part | | |
| FS91 | R J Paterson Family Trust | | Oppose in part | 3.12 | Reject in part | | |
| 326.344 | Rolleston Industrial Developments Limited | SUB-P6 | Retain SUB-P6 as notified. | 3.12 | Accept in part | Subject to amendments made in response to other submissions. | No |
| FS137 | Ohoka Residents Association | | Oppose | 3.12 | Reject in part | | |
| 360.2 | Christchurch City Council | SUB-P6 | Retain SUB-P6(2)(c) as notified. | 3.12 | Accept | Agree. Density minimums are required to meet anticipated growth demands. | No |
| FS37 | Richard & Geoff Spark | | Oppose | 3.12 | Reject | | |
| FS46 | Miranda Hales | | Oppose | 3.12 | Reject | | |
| FS80 | Christchurch International Airport Limited | | Support | 3.12 | Accept | | |
| 367.9 | Waimakariri District Council | SUB-P6 | Amend SUB-P6: "Ensure that any additional new Residential Development Areas, new Large Lot Residential Zones, <u>new General Residential Zones</u> , 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: ... " | 3.12 | Accept | Agree. The General Residential Zone Overlay applies across the Large Lot Residential Zone on Chinnery's Road in Woodend and the north end of West Belt in Rangiora. These areas contain multiple land parcels under different ownership. Residential development would be difficult to co-ordinate efficiently or effectively without an ODP. | Yes |
| 373.62 | KiwiRail Holdings Limited | SUB-P6 | Retain SUB-P6 as notified. | 3.12 | Accept in part | Subject to amendments made in response to other submissions. | No |
| 411.31 | Ngai Tahu Property | SUB-P6 | Amend SUB-P6: "... c. for new Residential Development Areas demonstrate how each ODP area will achieve a minimum net density of at least 15 lots or households per ha <u>where possible</u> , unless there are demonstrated constraints then no less than 12 households per ha <u>where possible</u> ; ..." | 3.12 | Reject | Density minimums are required to meet anticipated growth demands. | No |
| FS 110 | Waka Kotahi NZ Transport Agency | | Oppose | 3.12 | Accept | | |
| 412.5 | Templeton Group | SUB-P6 | Amend SUB-P6 to clarify that it only applies to new greenfield areas that have been zoned and not areas zoned for urban development sought to be rezoned, in order to ensure subdivision can occur at Pegasus township and within Local Centre Zone without an Outline Development Plan. Insert definition of 'greenfield' if required. | 3.12 | Reject | This submission point is related to their broader submission where they have sought a rezoning at Pegasus from MRZ to LCZ, and deletion of the Pegasus ODP through the Templeton Group Submission. Both the rezoning and deletion of the ODP are assessed in the Future Development Area s42A and not here. | No |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|-------------------------------|-----------|--------------------|--|--------------------------|---|--|
| | | | | | | If Templeton Group wish to seek a subdivision that does not comply with the relevant ODP, then it would be a discretionary activity (SUB-S4). SUB MCD2 (2) and (9) specifically provide for consideration of this. Therefore, there is an appropriate consenting pathway provided by the PDP. | |
| 418.27 | Keith Godwin | SUB-P6 | Neutral on SUB-P6. | 3.12 | Accept in part | Subject to amendments made in response to other submissions. | No |

Table B11: Recommended responses to submissions and further submissions SUB-P7 Requirements of Outline Development Plans

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|--------------------------------|-----------|---|--|--------------------------|---|--|
| 111.28 | CA and GJ McKeever | SUB-P7 | Neutral on SUB-P7. | 3.13 | Accept in part | Subject to amendments made in response to other submissions. | No |
| 162.27 | John Stevenson | SUB-P7 | Neutral on SUB-P7. | 3.13 | Accept in part | Subject to amendments made in response to other submissions. | No |
| 183.8 | Richard and Geoff Spark | SUB-P7 | Amend SUB-P7: "Ensure that subdivision is in accordance with the fixed or flexible elements of any relevant ODP. Manage subdivision to ensure that the outcomes intended by the Outline Development Plan are met." | 3.13 | Accept in part | Acknowledge that there will be some flexible elements in an ODP that will evolve as design progresses, and it is acceptable to be in 'general accordance' with those elements, but not the fixed element. | Yes |
| 223.9 | John and Coral Broughton | SUB-P7 | Amend SUB-P7: "Ensure that subdivision is in accordance with the fixed or flexible elements of any relevant ODP. Manage subdivision to ensure that the outcomes intended by the Outline Development Plan are met." | 3.13 | Accept in part | Acknowledge that there will be some flexible elements in an ODP that will evolve as design progresses, and it is acceptable to be in 'general accordance' with those elements, but not the fixed element. | Yes |
| FS91 | R J Paterson Family Trust | | Oppose in part | 3.13 | Reject in part | | |
| 236.11 | Rick Allaway and Lionel Larsen | SUB-P7 | Amend SUB-P7: "Ensure that subdivision is in accordance with the fixed or flexible elements of any relevant ODP. Manage subdivision to ensure that the outcomes intended by the Outline Development Plan are met." | 3.13 | Accept in part | Acknowledge that there will be some flexible elements in an ODP that will evolve as design progresses, and it is acceptable to be in 'general accordance' with those elements, but not the fixed element. | Yes |
| FS4 | R J Paterson Family Trust | | Support | 3.13 | Accept in part | | |
| FS28 | Damian & Sarah Elley | | Support | 3.13 | Accept in part | | |
| FS29 | JP Bailey Family Trust | | Support | 3.13 | Accept in part | | |
| FS30 | Kim Manson & Neinana Kuru | | Support | 3.13 | Accept in part | | |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|---|-----------|--|--|--------------------------|---|--|
| FS31 | Ross Fraser | | Support | 3.13 | Accept in part | | |
| FS32 | L N R deLacy | | Support | 3.13 | Accept in part | | |
| FS33 | Louise Marriott | | Support | 3.13 | Accept in part | | |
| 242.8 | Dalkeith Holdings Ltd | SUB-P7 | Amend SUB-P7: "Ensure that subdivision is in accordance with the fixed or flexible elements of any relevant ODP. <u>Manage subdivision to ensure that the outcomes intended by the Outline Development Plan are met.</u> " | 3.13 | Accept in part | Acknowledge that there will be some flexible elements in an ODP that will evolve as design progresses, and it is acceptable to be in 'general accordance' with those elements, but not the fixed element. | Yes |
| 246.9 | Miranda Hales | SUB-P7 | Amend SUB-P7: "Ensure that subdivision is in accordance with the fixed or flexible elements of any relevant ODP. <u>Manage subdivision to ensure that the outcomes intended by the Outline Development Plan are met.</u> " | 3.13 | Accept in part | Acknowledge that there will be some flexible elements in an ODP that will evolve as design progresses, and it is acceptable to be in 'general accordance' with those elements, but not the fixed element. | Yes |
| 256.28 | Chloe Chai and Mark McKitterick | SUB-P7 | Neutral on SUB-P7. | 3.13 | Accept in part | Subject to amendments made in response to other submissions. | No |
| FS2 | Mark McKitterick | | Oppose | 3.13 | Reject in part | | |
| 284.208 | Clampett Investments Limited | SUB-P7 | Retain SUB-P7 as notified. | 3.13 | Accept in part | Subject to amendments made in response to other submissions. | No |
| 325.161 | Kainga Ora – Homes and Communities | SUB-P7 | Retain SUB-P7 as notified. | 3.13 | Accept in part | Subject to amendments made in response to other submissions. | No |
| FS37 | Richard & Geoff Spark | | Oppose | 3.13 | Reject in part | | |
| FS41 | David Cowley | | Oppose in part | 3.13 | Reject in part | | |
| FS46 | Miranda Hales | | Oppose in part | 3.13 | Reject in part | | |
| FS91 | R J Paterson Family Trust | | Oppose in part | 3.13 | Reject in part | | |
| 326.345 | Rolleston Industrial Developments Limited | SUB-P7 | Retain SUB-P7 as notified. | 3.13 | Accept in part | Subject to amendments made in response to other submissions. | No |
| FS137 | Ohoka Residents Association | | Oppose | 3.13 | Reject in part | | |
| 373.63 | KiwiRail Holdings Limited | SUB-P7 | Retain SUB-P7 as notified. | 3.13 | Accept in part | Subject to amendments made in response to other submissions. | No |
| 408.23 | Bellgrove Rangiora Ltd | SUB-P7 | Amend SUB-P7: "Ensure that subdivision is in <u>general</u> accordance with the fixed or flexible elements of any relevant ODP." | 3.13 | Accept in part | Acknowledge that there will be some flexible elements in an ODP that will evolve as design progresses, and it is acceptable to be in 'general accordance' with those elements, but not the fixed element. | Yes |
| FS37 | Richard & Geoff Spark | | Oppose in part | 3.13 | Reject in part | | |
| 418.28 | Keith Godwin | SUB-P7 | Neutral on SUB-P7. | 3.13 | Accept in part | Subject to amendments made in response to other submissions. | No |

Table B12: Recommended responses to submissions and further submissions SUB-P8 Infrastructure

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|--------------|---|-----------|--|--|--------------------------|--|--|
| 111.29 | CA and GJ McKeever | SUB-P8 | Retain SUB-P8 as notified. | 3.14 | Accept in part | Subject to amendments made in response to other submissions. | No |
| 142.7 | Te Ngai Tuahuriri Runanga | SUB-P8 | Retain SUB-P8 as notified. | 3.14 | Accept in part | Subject to amendments made in response to other submissions. | No |
| 162.28 | John Stevenson | SUB-P8 | Retain SUB-P8 as notified. | 3.14 | Accept in part | Subject to amendments made in response to other submissions. | No |
| 249.208 | MainPower New Zealand Limited | SUB-P8 | Retain SUB-P8 as notified. | 3.14 | Accept in part | Subject to amendments made in response to other submissions. | No |
| 256.29 | Chloe Chai and Mark McKitterick | SUB-P8 | Retain SUB-P8 as notified. | 3.14 | Accept in part | Subject to amendments made in response to other submissions. | No |
| <i>FS2</i> | <i>Mark McKitterick</i> | | <i>Oppose</i> | <i>3.14</i> | <i>Reject in part</i> | | |
| 275.31 | Waka Kotahi NZ Transport Agency | SUB-P8 | Amend SUB-P8(1): "Achieve integrated and comprehensive infrastructure with subdivision by ensuring: 1. upgrade of existing infrastructure where the benefit is solely for the subdivision and subsequent development, or otherwise provide for cost-sharing or other arrangements for any upgrade, such as financial contributions, that are proportional to the benefit received; ..." | 3.14 | Accept | With respect to clause (1), Waka Kotahi consider that there are risks with imposing cost-sharing arrangements proportional to the benefit received, when it involves an upgrade to the state highway network that cannot be guaranteed by Waka Kotahi. The words of 'such as financial contributions, that are proportional to the benefit received' are not fundamental to the policy clause. They read as an example of cost sharing or other arrangements. As such, they can be removed to avoid the issue raised by Waka Kotahi [275.31] | Yes |
| 284.209 | Clampett Investments Limited | SUB-P8 | Retain SUB-P8 as notified. | 3.14 | Accept in part | Subject to amendments made in response to other submissions. | No |
| 303.42 | Fire and Emergency New Zealand | SUB-P8 | Retain SUB-P8 as notified. | 3.14 | Accept in part | Subject to amendments made in response to other submissions. | No |
| 325.162 | Kainga Ora – Homes and Communities | SUB-P8 | Retain SUB-P8 as notified. | 3.14 | Accept in part | Subject to amendments made in response to other submissions. | No |
| <i>FS37</i> | <i>Richard & Geoff Spark</i> | | <i>Oppose</i> | <i>3.14</i> | <i>Reject in part</i> | | |
| <i>FS41</i> | <i>David Cowley</i> | | <i>Oppose in part</i> | <i>3.14</i> | <i>Reject in part</i> | | |
| <i>FS46</i> | <i>Miranda Hales</i> | | <i>Oppose in part</i> | <i>3.14</i> | <i>Reject in part</i> | | |
| <i>FS91</i> | <i>R J Paterson Family Trust</i> | | <i>Oppose in part</i> | <i>3.14</i> | <i>Reject in part</i> | | |
| 326.346 | Rolleston Industrial Developments Limited | SUB-P8 | Retain SUB-P8 as notified. | 3.14 | Accept in part | Subject to amendments made in response to other submissions. | No |
| <i>FS137</i> | <i>Ohoka Residents Association</i> | | <i>Oppose</i> | <i>3.14</i> | <i>Reject in part</i> | | |
| 408.24 | Bellgrove Rangiora Ltd | SUB-P8 | Retain SUB-P8 as notified. | 3.14 | Accept in part | Subject to amendments made in response to other submissions. | No |
| <i>FS37</i> | <i>Richard & Geoff Spark</i> | | <i>Oppose in part</i> | <i>3.14</i> | <i>Reject in part</i> | | |
| 414.211 | Federated Farmers of New Zealand Inc. | SUB-P8 | Support SUB-P8 contingent on the relief sought for SNA management incentives where land is not subdivided. | Rural subdivision | | | |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|-------------------------------|-----------|----------------------------|--|--------------------------|--|--|
| | | | | s42A | | | |
| 418.29 | Keith Godwin | SUB-P8 | Retain SUB-P8 as notified. | 3.14 | Accept in part | Subject to amendments made in response to other submissions. | No |

Table B13: Recommended responses to submissions and further submissions SUB-P10 Esplanade reserves and esplanade strips

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|--------------|---|-----------|-----------------------------|--|--------------------------|----------------------------|--|
| 111.31 | CA and GJ McKeever | SUB-P10 | Neutral on SUB-P10. | N/A | Accept | Agree with submitter | No |
| 162.30 | John Stevenson | SUB-P10 | Neutral on SUB-P10. | N/A | Accept | Agree with submitter | No |
| 256.31 | Chloe Chai and Mark McKitterick | SUB-P10 | Neutral on SUB-P10. | N/A | Accept | Agree with submitter | No |
| <i>FS2</i> | <i>Mark McKitterick</i> | | <i>Oppose</i> | <i>N/A</i> | <i>Reject</i> | | |
| 284.211 | Clampett Investments Limited | SUB-P10 | Retain SUB-P10 as notified. | N/A | Accept | Agree with submitter | No |
| 325.164 | Kainga Ora – Homes and Communities | SUB-P10 | Retain SUB-P10 as notified. | N/A | Accept | Agree with submitter | No |
| <i>FS37</i> | <i>Richard & Geoff Spark</i> | | <i>Oppose</i> | <i>N/A</i> | <i>Reject</i> | | |
| <i>FS41</i> | <i>David Cowley</i> | | <i>Oppose in part</i> | <i>N/A</i> | <i>Reject</i> | | |
| <i>FS46</i> | <i>Miranda Hales</i> | | <i>Oppose in part</i> | <i>N/A</i> | <i>Reject</i> | | |
| <i>FS91</i> | <i>R J Paterson Family Trust</i> | | <i>Oppose in part</i> | <i>N/A</i> | <i>Reject</i> | | |
| 326.348 | Rolleston Industrial Developments Limited | SUB-P10 | Retain SUB-P10 as notified. | N/A | Accept | Agree with submitter | No |
| <i>FS137</i> | <i>Ohoka Residents Association</i> | | <i>Oppose</i> | <i>N/A</i> | <i>Reject</i> | | |
| 418.31 | Keith Godwin | SUB-P10 | Neutral on SUB-P10. | N/A | Accept | Agree with submitter | No |

Table B14: Recommended responses to submissions and further submissions SUB-R1 Boundary Adjustment

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|---------------------------------|-----------|----------------------------|--|--------------------------|--|--|
| 111.32 | CA and GJ McKeever | SUB-R1 | Retain SUB-R1 as notified. | 3.16 | Accept in part | Subject to amendments made in response to other submissions. | No |
| 162.31 | John Stevenson | SUB-R1 | Retain SUB-R1 as notified. | 3.16 | Accept in part | Subject to amendments made in response to other submissions. | No |
| 256.32 | Chloe Chai and Mark McKitterick | SUB-R1 | Retain SUB-R1 as notified. | 3.16 | Accept in part | Subject to amendments made in response to other submissions. | No |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|---|-----------|--|--|--------------------------|--|--|
| FS2 | Mark McKitterick | | Oppose | 3.16 | Reject in part | | |
| 275.32 | Waka Kotahi NZ Transport Agency | SUB-R1 | Retain SUB-R1 as notified, subject to amendments to SUB-MCD3 and SUB-MCD-10. | 3.16 | Accept in part | Subject to amendments made in response to other submissions. | No |
| 284.212 | Clampett Investments Limited | SUB-R1 | Retain SUB-R1 as notified. | 3.16 | Accept in part | Subject to amendments made in response to other submissions. | No |
| 292.5 | Daniel Hamish Patrick Cosgrove | SUB-R1 | Allow subdivisions and boundary adjustments to at least 4ha, as per the blocks which surround 852 Oxford Road, Rangiora. | Rural subdivision s42A | | | |
| 325.165 | Kainga Ora – Homes and Communities | SUB-R1 | Retain SUB-R1 as notified. | 3.16 | Accept in part | Subject to amendments made in response to other submissions. | No |
| FS37 | Richard & Geoff Spark | | Oppose | 3.16 | Reject in part | | |
| FS41 | David Cowley | | Oppose in part | 3.16 | Reject in part | | |
| FS46 | Miranda Hales | | Oppose in part | 3.16 | Reject in part | | |
| FS91 | R J Paterson Family Trust | | Oppose in part | 3.16 | Reject in part | | |
| 326.349 | Rolleston Industrial Developments Limited | SUB-R1 | Retain SUB-R1 as notified. | 3.16 | Accept in part | Subject to amendments made in response to other submissions. | No |
| FS137 | Ohoka Residents Association | | Oppose | 3.16 | Reject in part | | |
| 367.14 | Waimakariri District Council | SUB-R1 | Amend SUB-R1: "... Where: <u>1. no additional allotment is created, and</u> <u>2. SUB-S2 to SUB-S18 (gavel symbol) are met, and</u> <u>3. the boundary adjustment does not increase the degree of non-compliance, or lead to an allotment that does not comply with the minimum allotment size specified in SUB-S1.</u> " | 3.16 | Accept in part | Disagree that an additional allotment can be created under this rule as notified as if an additional allotment is created then the definition of boundary adjustment would not be met and therefore the rule would not apply. Noting the definition is a National Planning Standard definition. Agree that amendment are required to ensure that a boundary adjustment subdivision does not increase the level of any non-compliance with SUB-S1. | Yes |
| 418.32 | Keith Godwin | SUB-R1 | Retain SUB-R1 as notified. | 3.16 | Accept in part | Subject to amendments made in response to other submissions. | No |

Table B15: Recommended responses to submissions and further submissions SUB-R2 Subdivision

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|--------------------------------|-----------|--|--|--------------------------|---|--|
| 111.33 | CA and GJ McKeever | SUB-R2 | Retain SUB-R2 as notified. | 3.17 | Accept | Agree with submitter | No |
| 162.32 | John Stevenson | SUB-R2 | Retain SUB-R2 as notified. | 3.17 | Accept | Agree with submitter | No |
| 195.95 | Transpower New Zealand Limited | SUB-R2 | Amend subdivision rules to include subdivision for unstaffed infrastructure as a permitted activity. | 3.17 | Reject | Disagree. Not efficient as Certificate of Compliance would still be required pursuant | No |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|--------------|---|-----------|--|--|--------------------------|--|--|
| | | | | | | to s223(1) of the RMA with similar associated costs and timeframes to a controlled activity subdivision. Furthermore, <i>unstaffed infrastructure</i> has a broad definition which creates unintended consequences for a wide range of activities that Council should have consideration of through a subdivision consent. | |
| 249.209 | MainPower New Zealand Limited | SUB-R2 | Retain SUB-R2 as notified. | 3.17 | Accept | Agree with submitter | No |
| 256.33 | Chloe Chai and Mark McKitterick | SUB-R2 | Retain SUB-R2 as notified. | 3.17 | Accept | Agree with submitter | No |
| <i>FS2</i> | <i>M McKitterick</i> | | <i>Oppose</i> | <i>3.17</i> | <i>Reject</i> | | |
| 275.33 | Waka Kotahi NZ Transport Agency | SUB-R2 | Retain SUB-R2 as notified, subject to amendments to SUB-MCD3 and SUB-MCD-10. | 3.17 | Accept | Agree with submitter with respect to SUB-R2 | No |
| 284.213 | Clampett Investments Limited | SUB-R2 | Retain SUB-R2 as notified. | 3.17 | Accept | Agree with submitter | No |
| 303.43 | Fire and Emergency New Zealand | SUB-R2 | Retain SUB-R2 as notified. | 3.17 | Accept | Agree with submitter | No |
| 325.166 | Kainga Ora – Homes and Communities | SUB-R2 | Amend SUB-R2: " <u>Vacant Site</u> Subdivision" | 3.17 | Reject | The relief sought by Kainga Ora [325.166] is already largely provided for by SUB-R2 and Sub-S1. SUB-R2 has a controlled activity status subject to meeting SUB-S1 to SUB-S18. Under SUB-S1 <i>allotment size and dimensions</i> , there is no minimum allotment area for multi-unit residential development where the design statement and land use consent have been submitted and approved in the MDRZ. It is my understanding that Kainga Ora residential developments within the Waimakariri District have been multi-unit development within the MRDZ, and therefore this clause would apply. | No |
| <i>FS37</i> | <i>Richard & Geoff Spark</i> | | <i>Oppose</i> | <i>3.17</i> | <i>Accept</i> | | |
| <i>FS41</i> | <i>David Cowley</i> | | <i>Oppose in part</i> | <i>3.17</i> | <i>Accept</i> | | |
| <i>FS46</i> | <i>Miranda Hales</i> | | <i>Oppose in part</i> | <i>3.17</i> | <i>Accept</i> | | |
| <i>FS91</i> | <i>R J Paterson Family Trust</i> | | <i>Oppose in part</i> | <i>3.17</i> | <i>Accept</i> | | |
| 326.350 | Rolleston Industrial Developments Limited | SUB-R2 | Retain SUB-R2 as notified. | 3.17 | Accept | Agree with submitter | No |
| <i>FS137</i> | <i>Ohoka Residents Association</i> | | <i>Oppose</i> | <i>3.17</i> | <i>Reject</i> | | |
| 373.65 | KiwiRail Holdings Limited | SUB-R2 | Retain SUB-R2 as notified. | 3.17 | Accept | Agree with submitter | No |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|--------------------------------|-----------|--|--|--------------------------|----------------------------|--|
| 292.2 | Daniel Hamish Patrick Cosgrove | SUB-R2 | Allow subdivisions and boundary adjustments to at least 4ha, as per the blocks which surround 852 Oxford Road, Rangiora. | Rural subdivision s42A | | | |
| 418.33 | Keith Godwin | SUB-R2 | Retain SUB-R2 as notified. | 3.17 | Accept | Agree with submitter | No |

Table B16: Recommended responses to submissions and further submissions SUB-R4 Subdivision within flood hazard areas

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|--|-----------|--|--|--------------------------|---|--|
| 111.35 | CA and GJ McKeever | SUB-R4 | Retain SUB-R4 as notified. | 3.18 | Accept | Agree with submitter | No |
| 162.34 | John Stevenson | SUB-R4 | Retain SUB-R4 as notified. | 3.18 | Accept | Agree with submitter | No |
| 202.3 | Nicholas Hoogeveen | SUB-R4 | Amend activity status to discretionary when SUB-R4(1)-(3) cannot be complied with. | 3.18 | Reject | Lowering of the activity status for non-compliance would not be consistent with NH-O1, HN-O3, NH-P2 – NH-P4, NH-P8. The general tenant of these provisions (as recommended by Mr Willis's s42A report and right of reply) is to avoid or mitigate natural hazard risk to ensure that any increased risk to life and property is acceptable. Therefore, SUB-R4 has an appropriate activity status of restricted discretionary to allow consideration of natural hazard risk and mitigations, and if this isn't complied with, then the activity status default to non-complying which aligns with the avoid aspects of the above stated objectives and policies. | No |
| 256.35 | Chloe Chai and Mark McKitterick | SUB-R4 | Retain SUB-R4 as notified. | 3.18 | Accept | Agree with submitter | No |
| FS2 | Mark McKitterick | | Oppose | 3.18 | Reject | | |
| 284.215 | Clampett Investments Limited | SUB-R4 | Retain SUB-R4 as notified. | 3.18 | Accept | Agree with submitter | No |
| 316.130 | Environment Canterbury Regional Council | SUB-R4 | SUB-R4(1) and (2) should state "within" rather than "with". | 3.18 | Accept | This was addressed in the clause 16 (2) minor amendments to the PDP, dated 20 October 2022. | No |
| FS37 | Richard & Geoff Spark | | Oppose | 3.18 | Reject | | |
| FS41 | David Cowley | | Oppose | 3.18 | Reject | | |
| FS80 | Christchurch International Airport Limited | | Support | 3.18 | Reject | | |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|--|-----------|--|--|--------------------------|---|--|
| FS82 | Rolleston Industrial Developments Ltd; Carter Group Property; and CSI property Ltd | | Oppose | 3.18 | Reject | | |
| 325.171 | Kainga Ora – Homes and Communities | SUB-R4 | Amend to align with the relief sought in the submission point on the Planning Maps and general submission point for the Natural Hazards Chapter, which seek to: - Delete Urban Flood Assessment Overlay and Non-Urban Flood Assessment Overlay, and mapped fixed floor level overlays. Include these as non-statutory map layers in the Waimakariri District Natural Hazards Interactive Viewer. - Amend relevant provisions to delete reference to these overlays, instead refer to the specific hazard type that will be identified through a flood assessment. - Recognise that large areas of the urban environment are in High Hazard Areas but as residential and commercial activities are anticipated, sensitive activities should be discretionary rather than noncomplying. | 3.18 | Reject | Kainga Ora [325.101] was assessed by Mr Willis in the Natural Hazards S42A report (para 56) where he considered that the proposed approach provides the best balance of certainty and flexibility and recommended that the submission is rejected. Given this, no consequential amendments to align SUB-R4 are necessary. | No |
| FS37 | Richard & Geoff Spark | | Oppose | 3.18 | Accept | | |
| FS41 | David Cowley | | Oppose in part | 3.18 | Accept | | |
| FS46 | Miranda Hales | | Oppose in part | 3.18 | Accept | | |
| FS91 | R J Paterson Family Trust | | Oppose in part | 3.18 | Accept | | |
| 326.352 | Rolleston Industrial Developments Limited | SUB-R4 | Retain SUB-R4 as notified. | 3.18 | Accept | Agree with submitter | No |
| FS137 | Ohoka Residents Association | | Oppose | 3.18 | Reject | | |
| 408.13 | Bellgrove Rangiora Ltd | SUB-R4 | Amend SUB-R4 such that a non-compliance with this is a controlled or restricted discretionary activity (not noncomplying) with control / discretion restricted to matters relating to the location, siting and layout, design of buildings, services or foundations as they relate to the flooding hazard; earthworks as they relate to the flooding hazard; and any flood hazard remediation methods. | 3.18 | Reject | Lowering of the activity status for non-compliance would not be consistent with NH-O1, HN-O3, NH-P2 – NH-P4, NH-P8. The general tenant of these provisions (as recommended by Mr Willis's s42A report and right of reply) is to avoid or mitigate natural hazard risk to ensure that any increased risk to life and property is acceptable. Therefore, SUB-R4 has an appropriate activity status of restricted discretionary to allow consideration of natural hazard risk and mitigations, and if this isn't complied with, then the activity status default to non-complying which aligns with the avoid aspects of the above stated objectives and policies. | No |
| FS37 | Richard & Geoff Spark | | Oppose in part | 3.18 | Accept | | |
| 418.35 | Keith Godwin | SUB-R4 | Retain SUB-R4 as notified. | 3.18 | Accept | Agree with submitter | No |

Table B17: Recommended responses to submissions and further submissions SUB-R5 Subdivision containing a site or area of significance to Maori

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|---|-----------|----------------------------|--|--------------------------|----------------------------|--|
| 111.36 | CA and GJ McKeever | SUB-R5 | Retain SUB-R5 as notified. | N/A | Accept | Agree with submitter | No |
| 162.35 | John Stevenson | SUB-R5 | Retain SUB-R5 as notified. | N/A | Accept | Agree with submitter | No |
| 256.36 | Chloe Chai and Mark McKitterick | SUB-R5 | Retain SUB-R5 as notified. | N/A | Accept | Agree with submitter | No |
| FS2 | Mark McKitterick | | Oppose | N/A | Reject | | |
| 284.216 | Clampett Investments Limited | SUB-R5 | Retain SUB-R5 as notified. | N/A | Accept | Agree with submitter | No |
| 325.168 | Kainga Ora – Homes and Communities | SUB-R5 | Retain SUB-R5 as notified. | N/A | Accept | Agree with submitter | No |
| FS37 | Richard & Geoff Spark | | Oppose | N/A | Reject | | |
| FS41 | David Cowley | | Oppose in part | N/A | Reject | | |
| FS46 | Miranda Hales | | Oppose in part | N/A | Reject | | |
| FS91 | R J Paterson Family Trust | | Oppose in part | N/A | Reject | | |
| 326.353 | Rolleston Industrial Developments Limited | SUB-R5 | Retain SUB-R5 as notified. | N/A | Accept | Agree with submitter | No |
| FS137 | Ohoka Residents Association | | Oppose | N/A | Reject | | |
| 418.36 | Keith Godwin | SUB-R5 | Retain SUB-R5 as notified. | N/A | Accept | Agree with submitter | No |

Table B18: Recommended responses to submissions and further submissions SUB-R7 Subdivision of a site containing a historic heritage item or heritage setting, or notable tree

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|---|-----------|----------------------------|--|--------------------------|----------------------------|--|
| 111.154 | CA and GJ McKeever | SUB-R7 | Retain SUB-R7 as notified. | N/A | Accept | Agree with submitter | No |
| 162.37 | John Stevenson | SUB-R7 | Retain SUB-R7 as notified. | N/A | Accept | Agree with submitter | No |
| 256.154 | Chloe Chai and Mark McKitterick | SUB-R7 | Retain SUB-R7 as notified. | N/A | Accept | Agree with submitter | No |
| FS2 | Mark McKitterick | | Oppose | N/A | Reject | | |
| 284.218 | Clampett Investments Limited | SUB-R7 | Retain SUB-R7 as notified. | N/A | Accept | Agree with submitter | No |
| 325.170 | Kainga Ora – Homes and Communities | SUB-R7 | Retain SUB-R7 as notified. | N/A | Accept | Agree with submitter | No |
| FS37 | Richard & Geoff Spark | | Oppose | N/A | Reject | | |
| FS41 | David Cowley | | Oppose in part | N/A | Reject | | |
| FS46 | Miranda Hales | | Oppose in part | N/A | Reject | | |
| FS91 | R J Paterson Family Trust | | Oppose in part | N/A | Reject | | |
| 326.355 | Rolleston Industrial Developments Limited | SUB-R7 | Retain SUB-R7 as notified. | N/A | Accept | Agree with submitter | No |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|-------------------------------|-----------|--|--|---|---|--|
| FS137 | Ohoka Residents Association | | Oppose | N/A | Reject | | |
| 408.15 | Bellgrove Rangiora Ltd | SUB-R7 | Subdivision of land involving a site where a heritage resource listed in Appendix 28.1 is also a restricted discretionary under the operative WDP. The difference being that the matters of discretion include (i) 'whether the retention of the heritage features or form of the listed structure, place, or object causes significant additional costs, or reduction in its range of likely uses'. This provision has not been retained in the PWDP and should be included given cost considerations are a major component of land development and subdivision of surrounding land does alter the context of a heritage item (particularly when the planned transition is from rural to residential) and this has the potential to impact its range of likely uses. In addition, the PWDP does not include any criteria focussed on evaluating a scheduled setting or open space around a heritage item. | | Defer to consideration with submissions on SUB-MCD13. | Relief sought is to amend SUB-MCD13 and therefore have deferred consideration of this provision. | N/A |
| FS115 | Heritage NZ Pouhere Toanga | | Oppose | | Defer to consideration with submissions on SUB-MCD13. | Relief sought is to amend SUB-MCD13 and therefore have deferred consideration of this submission point to | N/A |
| FS117 | Oxford Equity Ltd | | Support | | Defer to consideration with submissions on SUB-MCD13. | Relief sought is to amend SUB-MCD13 and therefore have deferred consideration of this submission point to | N/A |
| FS37 | Richard & Geoff Spark | | Oppose in Part | | Defer to consideration with submissions on SUB-MCD13. | Relief sought is to amend SUB-MCD13 and therefore have deferred consideration of this submission point to | N/A |
| 418.38 | Keith Godwin | SUB-R7 | Retain SUB-R7 as notified. | N/A | Accept | Agree with submitter | No |

Table B19: Recommended responses to submissions and further submissions SUB-S1 Allotment Size and dimension

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|-------------------------------|-----------|---|--|--------------------------|---|--|
| 90.1 | Kelvin Ashby | SUB-S1 | In small towns such as Woodend, the minimum section size should stay as 600m ² . | 3.21 | Reject | The GRZ within Woodend has been superseded by MRZ within Variation 1 to the PDP. | No |
| 99.1 | Ken Fletcher | SUB-S1 | Increase minimum lot size in existing Oxford residential area to 600m ² and allow Oxford growth with lot sizes between 800m ² and 2000-2500m ² . Current Large Lot Residential Zones at Oxford north and east and Large Lot Residential Overlay should allow minimum 2000m ² to maximum 5000m ² lots, with the 5000m ² average deleted. | 3.21 | Reject | The 500m ² minimum for the GRZ is a reduction from the existing 600m ² for the Residential 2 zone in the Operative Plan. The smaller site side provides some additional development potential in the GRZ, which will assist with providing additional capacity. | No |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|--|-----------|---|--|--------------------------|--|--|
| | | | Alternatively, provide for 2000m ² to 5000m ² lots with average of less than 5000m ² to be a restricted discretionary activity. | | | Subdivision less than the average of 5000m ² in the LLRZ will not give effect to the CRPS. | |
| 108.1 | Stephen Davison | SUB-S1 | Retain SUB-S1 as notified to assist intensification in existing rural and urban developments and mitigate development of Greenfield sites. | 3.21 | Accept in part | Subject to amendments made in response to other submissions. | No |
| 111.37 | CA and GJ McKeever | SUB-S1 | Retain SUB-S1 as notified. | 3.21 | Accept in part | Subject to amendments made in response to other submissions. | No |
| 119.9 | Steve Higgs | SUB-S1 | The 500m ² minimum subdivision standard for the Special Purpose Zone - Kaiapoi Regeneration is too intensive for land affected by earthquakes. Seek clarification on Council's intention to retain or sell land to private interests. | 3.21 | Reject | The 500m ² minimum allotment area is applicable to any site within the SPZ(KR) that is listed as having the GRZ as the 'Alternate Zone' in Appendix APP1 - Regeneration Area Remaining Private Residences and Alternate Zone. The alternate zone approach carries through residential zoning rules and standards specifically for those remaining private residences. Given the history associated these remaining private residences and the limited application of the 500m ² allotment area I consider this approach to be appropriate. | No |
| 150.1 | Lennard Pope | SUB-S1 | Amend Table SUB-1 minimum allotment area average for the Large Lot Residential Zone from 5000m ² to 4000m ² . | 3.21 | Reject | Subdivision less than the average of 5000m ² in the LLRZ will not give effect to the CRPS. | No |
| 158.4 | A Carr | SUB-S1 | Amend SUB-S1 non-compliance with Large Lot Residential Zone standards from Non-Complying to Restricted Discretionary, with SUB-MCD1 to MCD13 applying; Amend objectives, policies and other provisions to enable efficient residential subdivision and development. | 3.21 | Reject | Subdivision less than the average of 5000m ² in the LLRZ will not give effect to the CRPS. | No |
| 162.42 | John Stevenson | SUB-S1 | Retain SUB-S1 as notified. | 3.21 | Accept in part | Subject to amendments made in response to other submissions. | No |
| 167.1 | Beach Road Estates Limited | SUB-S1 | Retain SUB-S1 as notified. | 3.21 | Accept in part | Subject to amendments made in response to other submissions. | No |
| 249.211 | MainPower New Zealand Limited | SUB-S1 | Retain SUB-S1 as notified. | 3.21 | Accept in part | Subject to amendments made in response to other submissions. | No |
| 256.37 | Chloe Chai and Mark McKitterick | SUB-S1 | Retain SUB-S1 as notified. | 3.21 | Accept in part | Subject to amendments made in response to other submissions. | No |
| FS2 | Mark McKitterick | | Oppose | 3.21 | Reject in part | | |
| 266.8 | 199 Johns Road Ltd, Carolina Homes Ltd, Carolina Rental Homes Ltd, Allan Downs Ltd | SUB-S1 | Retain minimum allotment sizes and dimensions for General Residential Zone and Medium Density Zone in SUB-S1 as notified. | 3.21 | Accept in part | The aspects of SUB-Table 1 that relate to Medium Density Residential zone have been superseded by Variation 1 to the proposed plan and were considered within the Variation s42a report with Stream 07. | No |
| 284.223 | Clampett Investments Limited | SUB-S1 | Retain SUB-S1 as notified. | 3.21 | Accept in part | Subject to amendments made in response to other submissions. | No |
| 325.174 | Kainga Ora – Homes and Communities | SUB-S1 | Amend Table SUB-S1: | 3.21 | Reject | GRZ only applies to Oxford, the residential zones located within the townships of | |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|------------------------------------|-----------|---|--|--------------------------|---|--|
| | | | <p>"Zone General Residential Zone Minimum allotment area 300m2500m² Internal square 15m x 15m10m x 15m Frontage (excluding rear lots) 15m10m Zone Medium density residential zone< Minimum allotment area 200m² (vacant lot only) No minimum for multi-unit residential development where the design statement and land use consent have been submitted and approved"</p> | | | Rangiora, Kaiapoi, Pegasus and Woodend (including Ravenswood) have been re-zoned Medium Density Residential Zone within Variation 1. Variation 1 to the Proposed Plan provides for urban intensification giving effect to the NPS-UD. I consider the site density of one residential unit per 500m ² in the GRZ will maintain the character and amenity anticipated within the GRZ-P1. | |
| FS37 | Richard & Geoff Spark | | Oppose | 3.21 | Accept | | |
| FS41 | David Cowley | | Oppose in part | 3.21 | Accept | | |
| FS46 | Miranda Hales | | Oppose in part | 3.21 | Accept | | |
| FS91 | R J Paterson Family Trust | | Oppose in part | 3.21 | Accept | | |
| 325.175 | Kainga Ora – Homes and Communities | SUB-S1 | <p>Amend SUB-S1:</p> <p>"Activity status when compliance not achieved: 1. In the Medium Density Residential Zone: <u>RDIS</u> 2. aAny Industrial Zone and Special Purpose Zone (Kaiapoi Regeneration): <u>DIS</u> 3. In any other zone: <u>NC</u></p> <p>Matters of control/discretion are restricted to: <u>SUB-MCD1 - Allotment area and dimensions</u> <u>SUB-MCD2 - Subdivision design</u> <u>SUB-MCD3 - Property access</u> <u>SUB-MCD4 - Esplanade provision</u> <u>SUB-MCD6 - Infrastructure</u> <u>SUB-MCD7 - Mana whenua</u> <u>SUB-MCD8 - Archaeological sites</u> <u>SUB-MCD10 - Reverse sensitivity</u> <u>SUB-MCD13 - Historic heritage, culture and notable trees</u></p> <p><u>Notification</u> An application for a restricted discretionary activity under this rule is precluded from being publicly or limited notified."</p> | 3.21 | Reject | The aspects of SUB-Table 1 that relate to Medium Density Residential zone have been superseded by Variation 1 to the proposed plan and were considered within the Variation s42a report with Stream 07. | No |
| FS37 | Richard & Geoff Spark | | Oppose | 3.21 | Accept | | |
| FS41 | David Cowley | | Oppose in part | 3.21 | Accept | | |
| FS46 | Miranda Hales | | Oppose in part | 3.21 | Accept | | |
| FS91 | R J Paterson Family Trust | | Oppose in part | 3.21 | Accept | | |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|--------------------|---|-----------|--|--|--------------------------|--|--|
| 326.360 | Rolleston Industrial Developments Limited | SUB-S1 | Retain SUB-S1 as notified. | 3.21 | Accept in part | Subject to amendments made in response to other submissions. | No |
| FS137 | Ohoka Residents Association | | Oppose | 3.21 | Reject in part | | |
| 418.43 | Keith Godwin | SUB-S1 | Retain SUB-S1 as notified. | 3.21 | Accept in part | Subject to amendments made in response to other submissions. | No |
| 4.1 | Heather Woods | SUB-S1 | Change the lot size in Rural Lifestyle Zone nearest to Silverstream to be 10,000m ² , because there are already some active lots of this size in the area, the rural amenity would not be lost, and being so close to the Silverstream Development it makes sense to have this size lot close to this settlement. | Rural subdivision s42A | | | |
| 78.1 | Nicola Anne Watherston | SUB-S1 | Zone 2 Riverside Road as Rural Lifestyle Zone – 4ha. | Rural subdivision s42A | | | |
| 201.11 | Rainer and Ursula Hack | SUB-S1 | Amend SUB-S1 to reduce minimum lot size to 2ha for Rural Lifestyle Zone adjoining main towns, particularly Woodend. | Rural subdivision s42A | | | |
| 202.4 | Nicholas Hoogeveen | SUB-S1 | Amend the minimum allotment size in the Rural Lifestyle Zone (RLZ) from 4ha to 2ha. Alternative relief: Provide for the provision of Outline Development Plan's in the RLZ to reduce the allotment size from 4ha to 2ha. | Rural subdivision s42A | | | |
| 292.3 | Daniel Hamish Patrick Cosgrove | SUB-S1 | Allow subdivisions and boundary adjustments to at least 4ha, as per the blocks which surround 852 Oxford Road, Rangiora. | Rural subdivision s42A | | | |
| 306.3 | Robert Kimber | SUB-S1 | Reduce the minimum lot size within the Rural Lifestyle Zone to 1ha. | Rural subdivision s42A | | | |
| 322.1 | Roger James Willett Ensor | SUB-S1 | Not specified. | Rural subdivision s42A | | | |
| 339.1 | Wayne and Emma Taylor | SUB-S1 | Amend the 20ha minimum subdivision standards to enable submitter to subdivide off 1 or 2ha from existing acreage. | Rural subdivision s42A | | | |
| 19.1 | David Kettle | SUB-S1 | Amend SUB-S1 average section size for Large Lot Residential Zone to 4000m ² and that Canterbury Regional Council change the Canterbury Regional Policy Statement to allow 1-2 houses per 8000m ² , as smaller subdivision of former Residential 4B land has not affected the environment. | Rural subdivision s42A | | | |
| 281.1 ¹ | Maurice Newell | SUB-S1 | Allow applications that were lodged before notification. Map and protect good soils and allow subdivision of poorer soils. Provide large residential areas near similar zones. Price of land may mean people will buy larger blocks who know nothing about farming. | Rural subdivision s42A | | | |
| FS103 | Survus Consultants | | Support | | | | |

¹ Survus Consultants FS103 Support

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|----------------------------------|----------------------|--|--|--------------------------|---|--|
| 348.1 | Morris Edward Harris | SUB-S1 | Amend subdivision rules to allow lifestyle sections of 0.5-1ha close to towns where they can be connected to services and encourage walking and biking into town. | 3.21 | Reject | Subdivision less than the average of 5000m ² in the LLRZ will not give effect to the CRPS. | No |
| 361.1 | Duncan John Lundy | SUB-S1 | To overturn the proposed shift from 4ha to 20ha minimum. | Rural subdivision s42A | | | |
| 21.1 | Michael Peter Ermerins | Table SUB-1: Minimum | Amend Large Lot Residential Zone subdivision to minimum average of 4000m ² for allotments within the subdivision. | 3.21 | Reject | Subdivision less than the average of 5000m ² in the LLRZ will not give effect to the CRPS. | No |
| 60.1 | John Norton | Table SUB-1: Minimum | Retain the 600m ² area minimum allotment size for the Settlement Zone. | 3.21 | Accept | Agree with submitter | No |
| 241.2 | Malcolm Dartnell | Table SUB-1: Minimum | Delete the minimum average requirement for the Large Lot Residential Zone in Table SUB-1. | 3.21 | Reject | Subdivision less than the average of 5000m ² in the LLRZ will not give effect to the CRPS. | No |
| 367.7 | Waimakariri District Council | Table SUB-1: Minimum | Retain GRUZ-R3 and GRUZ-R4, together with 20ha minimum allotment area in Table SUB-1 for the General Rural Zone. | Rural subdivision s42A | | | |
| 68.13 | Canterbury District Health Board | Table SUB-1: Minimum | Retain the provisions in Table SUB-1 for the Special Purpose Zone (Hospital). | 3.21 | Accept | Agree with submitter | No |
| 133.6 | Sarbaz Estates Limited | Table SUB-1: Minimum | Amend SUB-S1 (1) as follows when compliance not achieved: "1. In the <u>General Residential Zone</u> , Medium Density Residential Zone, any Industrial Zone and Special Purpose Zone (Kaiapoi Regeneration): DIS Zone Minimum allotment area Internal square Frontage (excluding rear lots) General Residential Zone 500m² 200m ² 15m x 15m n/a 15m n/a" | 3.21 | Reject | GRZ only applies to Oxford, the residential zones located within the townships of Rangiora, Kaiapoi, Pegasus and Woodend (including Ravenswood) have been re-zoned Medium Density Residential Zone within Variation 1. Variation 1 to the Proposed Plan provides for urban intensification giving effect to the NPS-UD. I consider the site density of one residential unit per 500m ² in the GRZ will maintain the character and amenity anticipated within the GRZ-P1. | No |
| 240.4 | Malcolm Dartnell | Table SUB-1: Minimum | More flexibility is required to encourage a range of section sizes and housing types to comply with SUB-P5 and RESZ-O5. Options could include: Amend the minimum section size in the General Residential Zone to 350m ² with a shape factor of 13m x 13m. This could be combined with amendment to RESZ-P14 to yield 10 dwellings per ha. | 3.21 | Reject | GRZ only applies to Oxford, the residential zones located within the townships of Rangiora, Kaiapoi, Pegasus and Woodend (including Ravenswood) have been re-zoned Medium Density Residential Zone within Variation 1. Variation 1 to the Proposed Plan provides for urban intensification giving effect to the NPS-UD. I consider the site density of one residential unit per 500m ² in the GRZ will maintain the character and amenity anticipated within the GRZ-P1. | No |
| 273.2 | Sarah Gale | Table SUB-1: Minimum | Retain Table SUB-1 as notified for Medium Density Residential Zone. | 3.21 | Accept in part | The aspects of SUB-Table 1 that relate to Medium Density Residential zone have been superseded by Variation 1 to the proposed | No |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|------------------------------------|----------------------|--|--|--------------------------|---|--|
| | | | | | | plan and were considered within the Variation s42a report with Stream 07. | |
| 307.1 | Malcolm Hanrahan | Table SUB-1: Minimum | Consider and amend, as required: - Consider how subdivision rules work in specific situations. - Provide a definition for 'rear allotments'. - Consider changing frontage requirements to allow allotments to be better designed around cul-de-sac heads. | 3.21 | Accept in part | Disagree that definition for 'rear allotment' is required. Agree that non-complying activity status for allotments that do not meet the minimum frontage requirements within a cul-de-sac is too stringent. This is unsupported within the relevant objectives and policies. Recommend amendment to Table-SUB1 to exclude lots fronting a cul-de-sac from the minimum frontage requirement. Minimum allotment size and internal square requirements will still apply. | Yes |
| 307.2 | Malcolm Hanrahan | Table SUB-1: Minimum | Further consider how the subdivision rules work in specific situations. Delete all references to net site areas in the rural allotments. | Rural subdivision s42A | | | |
| 325.173 | Kainga Ora – Homes and Communities | Table SUB-1: Minimum | Amend Table SUB-1: "The following shall apply: - For unit title or cross-lease allotments, the allotment area shall be calculated per allotment over the area of the parent site. ... <u>- The standards in Table Sub-1 do not apply to residential development where land use consent has been approved for more than one residential unit on a site.</u> " | 3.21 | Reject | The aspects of SUB-Table 1 that relate to Medium Density Residential zone have been superseded by Variation 1 to the proposed plan and were considered within the Variation s42a report with Stream 07. | No |
| FS37 | Richard & Geoff Spark | | Oppose | 3.21 | Accept | | |
| FS41 | David Cowley | | Oppose in part | 3.21 | Accept | | |
| FS46 | Miranda Hales | | Oppose in part | 3.21 | Accept | | |
| FS91 | R J Paterson Family Trust | | Oppose in part | 3.21 | Accept | | |
| 347.12 | Ravenswood Developments Limited | Table SUB-1: Minimum | Amend Table SUB-1 General Residential Zone: Minimum allotment area: 500m² 400m ² Internal square: 15m x 15m Frontage (excluding rear lots): 15m 12m | 3.21 | Reject | GRZ only applies to Oxford, the residential zones located within the townships of Rangiora, Kaiapoi, Pegasus and Woodend (including Ravenswood) have been re-zoned Medium Density Residential Zone within Variation 1. Variation 1 to the Proposed Plan provides for urban intensification giving effect to the NPS-UD. I consider the site density of one residential unit per 500m ² in the GRZ will maintain the character and amenity anticipated within the GRZ-P1. | No |
| 159.6 | Dean and Victoria Caseley | Table SUB-1: Minimum | Retain Table SUB-1 minimum allotment sizes for General Rural Zone and supporting SUB-R10, SUB-O1, SUB-P1 and SUB-P2 as notified. | Rural subdivision s42A | | | |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|--|----------------------|--|--|--------------------------|----------------------------|--|
| 192.82 | Royal Forest and Bird protection Society of New Zealand Inc. | Table SUB-1: Minimum | Amend Table Sub 1 - Minimum Allotment Sizes: Raise the minimum lot size in Rural Lifestyle Zone or create smaller zones for smaller subdivisions such as the Rural Rangiora Zone or Rural Kaiapoi Zone etc., and increase size of General Rural Zone. | Rural subdivision s42A | | | |
| 414.212 | Federated Farmers of New Zealand Inc. | Table SUB-1: Minimum | Amend Table SUB-1: "General rural zone where Land Use Capability class is 4-7 – 4ha General rural zone where Land Use Capability class is 1-3 – 20ha" | Rural subdivision s42A | | | |
| FS103 | Survus Consultants | | Oppose in part | | | | |

Table B20: Recommended responses to submissions and further submissions SUB-S3 Residential Yields

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|---|-----------|---|--|--------------------------|----------------------------|--|
| 111.39 | CA and GJ McKeever | SUB-S3 | Neutral on SUB-S3. | 3.22 | Accept | Agree with submitter | No |
| 160.6 | Rolleston Industrial Developments Limited | SUB-S3 | Amend SUB-S3: "1. Residential subdivision of any area subject to an ODP, except in the Large Lot Residential Zone, shall provide for a minimum net density of 15 households per ha, unless there are demonstrated constraints or the ODP is for the Ohoka area, then no less than 12 households per ha." | Rural subdivision s42A | | | |
| FS36 | J W & CE Docherty | | Oppose | | | | |
| FS48 | Waimakariri District Council | | Oppose | | | | |
| FS51 | Phillip & Michelle Driver | | Oppose | | | | |
| FS56 | Elizabeth Liddell | | Oppose | | | | |
| FS59 | Mervin Percy Emms | | Oppose | | | | |
| FS61 | Catherine Mullins | | Oppose | | | | |
| FS62 | Oxford Ohoka Community Board | | Oppose | | | | |
| FS65 | James Armstrong | | Oppose | | | | |
| FS69 | Sarah Maria Brantley | | Oppose | | | | |
| FS70 | Beverley Gail Brantley | | Oppose | | | | |
| FS71 | Albert George Brantley | | Oppose | | | | |
| FS98 | Mary Koh | | Oppose | | | | |
| FS108 | J W & CE Docherty | | Oppose | | | | |
| FS112 | Gordon Charles Alexander | | Oppose | | | | |
| FS38 | Ian Warren and Lindsay Muncaster Bisman | | Oppose | | | | |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|--------------------------------|-----------|---|--|--------------------------|--|--|
| FS41 | David Cowley | | Support | | | | |
| FS60 | Martin Hewitt | | Oppose | | | | |
| FS72 | Steven Holland | | Oppose | | | | |
| FS73 | Michelle Holland | | Oppose | | | | |
| FS74 | Val & Ray Robb | | Oppose | | | | |
| FS75 | Edward & Justine Hamilton | | Oppose | | | | |
| FS130 | David & Elaine Brady | | Oppose | | | | |
| FS132 | Jan Hadfield | | Oppose | | | | |
| FS136 | Emma Wood | | Oppose | | | | |
| 162.44 | John Stevenson | SUB-S3 | Neutral on SUB-S3. | 3.22 | Accept | Agree with submitter | No |
| 183.9 | Richard and Geoff Spark | SUB-S3 | Amend SUB-S3: "1. Residential subdivision of any area subject to an ODP, except in the Large Lot Residential Zone, shall provide for a minimum net density of 15 households per ha, <u>or the minimum density specified in the applicable Outline Development Plan, whichever is the lesser, or if there are demonstrated constraints then a density exemption shall apply. no less than 12 households per ha.</u> " | 3.22 | Reject | Density minimums are required to meet anticipated growth demands. | No |
| FS85 | Bellgrove Rangiora Ltd | | Oppose | 3.22 | Accept | | |
| 202.5 | Nicholas Hoogeveen | SUB-S3 | Outline Development Plans in the Rural Lifestyle Zone should have a minimum net density of 1 household per 2ha. Amend SUB-S3 non-complying activity status when compliance not met to discretionary. | 3.22 | Reject | SUB-S3 related to residential subdivision. Residential zones include: Large Lot Residential Zone, Medium Density Residential Zone, General Residential Zone and Settlement Zone, but not Rural Lifestyle Zone. | No |
| 223.10 | John and Coral Broughton | SUB-S3 | Amend SUB-S3: "1. Residential subdivision of any area subject to an ODP, except in the Large Lot Residential Zone, shall provide for a minimum net density of 15 households per ha, <u>or the minimum density specified in the applicable Outline Development Plan, whichever is the lesser, or if there are demonstrated constraints then a density exemption shall apply. no less than 12 households per ha.</u> Activity status when compliance not achieved: NC" "Residential subdivision of any area subject to an ODP, except in the Large Lot Residential Zone, shall provide for a minimum net density of 15 households per ha, unless there are demonstrated constraints then no less than 12 households per ha <u>then a density exemption shall apply.</u> " | 3.22 | Reject | Density minimums are required to meet anticipated growth demands. | No |
| FS91 | R J Paterson Family Trust | | Oppose in part | 3.22 | Accept | | |
| 236.12 | Rick Allaway and Lionel Larsen | SUB-S3 | Amend SUB-S3: "Residential subdivision of any area subject to an Outline Development Plan, except in the Large Lot Residential Zone shall provide for a minimum net density of 15 households per ha, <u>or the minimum density specified in the applicable Outline Development Plan, whichever is the lesser, or if there are demonstrated</u> | 3.22 | Reject | Density minimums are required to meet anticipated growth demands. | No |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|-------------------------------|-----------|--|--|--------------------------|--|--|
| | | | constraints then <u>a density exemption shall apply. no less than 12 households per ha.</u> Activity status when compliance not achieved: NC" Amend SUB-S3: "Residential subdivision of any area subject to an Outline Development Plan, except in the Large Lot Residential Zone, shall provide for a minimum net density of 15 households per ha, unless there are demonstrated constraints then no less than 12 households per ha <u>a density exemption shall apply.</u> " | | | | |
| FS4 | Malcolm Dartnell | | Support | 3.22 | Accept | | |
| FS28 | Damian & Sarah Elley | | Support | 3.22 | Accept | | |
| FS29 | JP Bailey Family Trust | | Support | 3.22 | Accept | | |
| FS30 | Kim Manson & Neihana Kuru | | Support | 3.22 | Accept | | |
| FS31 | Ross Fraser | | Support | 3.22 | Accept | | |
| FS32 | L N R deLacy | | Support | 3.22 | Accept | | |
| FS33 | Louise Marriott | | Support | 3.22 | Accept | | |
| 242.9 | Dalkeith Holdings Ltd | SUB-S3 | Amend SUB-S3: "Residential subdivision of any area subject to an ODP, except in the Large Lot Residential shall provide for a minimum net density of 15 households per ha, <u>or the minimum density specified in the applicable Outline Development Plan, whichever is the lesser, or if there are demonstrated constraints then a density exemption shall apply. no less than 12 households per ha.</u> " | 3.22 | Reject | Density minimums are required to meet anticipated growth demands. | No |
| 246.10 | Miranda Hales | SUB-S3 | Amend SUB-S3: "Residential subdivision of any area subject to an ODP, except in the Large Lot Residential shall provide for a minimum net density of 15 households per ha, <u>or the minimum density specified in the applicable Outline Development Plan, whichever is the lesser, or if there are demonstrated constraints then a density exemption shall apply. no less than 12 households per ha.</u> Activity status when compliance not achieved: NC" | 3.22 | Reject | Density minimums are required to meet anticipated growth demands. | No |
| 249.214 | MainPower New Zealand Limited | SUB-S3 | Insert exemptions to SUB-S2-S18 as required. | 3.2 | Reject | Mainpower's submission states that they 'seek appropriate exemptions for network utility sites as required, but no specific wording for the relief that is sought was provided within the submission. This generic submission point relates to SUB-S2 to SUB-S18. SUB-R2 provides an exemption for SUB-S1 to SUB-S18 where the allotment is for any unstaffed infrastructure, accessway or road. Therefore, no further exemption is required. | No |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|--------------|---|-----------|--|--|--------------------------|---|--|
| 256.39 | Chloe Chai and Mark McKitterick | SUB-S3 | Neutral on SUB-S3. | 3.22 | Accept | Agree with submitter | No |
| <i>FS2</i> | <i>Mark McKitterick</i> | | <i>Oppose</i> | <i>3.22</i> | <i>Reject</i> | | |
| 284.225 | Clampett Investments Limited | SUB-S3 | Retain SUB-S3 as notified. | 3.22 | Accept | Agree with submitter | No |
| 326.362 | Rolleston Industrial Developments Limited | SUB-S3 | Retain SUB-S3 as notified. | 3.22 | Accept | Agree with submitter | No |
| <i>FS137</i> | <i>Ohoka Residents Association</i> | | <i>Oppose</i> | <i>3.22</i> | <i>Reject</i> | | |
| 347.13 | Ravenswood Developments Limited (RDL) | SUB-S3 | Retain SUB-S3 as notified. | 3.22 | Accept | Agree with submitter | No |
| 408.26 | Bellgrove Rangiora Ltd | SUB-S3 | Amend SUB-S3: "1. Residential subdivision of any area subject to an ODP, except in the Large Lot Residential Zone, shall provide for a minimum net density of 15 households per ha, unless: a: an alternative minimum net density outcome is specified within an approved ODP; and/or b. there are demonstrated constraints then no less than 12 households per ha. <u>OR</u> " Alternatively reword SUB-S3 to read: "1. Residential subdivision of any area subject to an ODP, except in the Large Lot Residential Zone, shall provide for a minimum net density of <u>12</u> 15 households per ha." | 3.22 | Reject | Density minimums are required to meet anticipated growth demands. | No |
| <i>FS37</i> | <i>Richard & Geoff Spark</i> | | <i>Support</i> | <i>3.22</i> | <i>Accept</i> | | |
| 411.33 | Ngai Tahu Property | SUB-S3 | Amend SUB-S3: "1. Residential subdivision of any area subject to an ODP, except in the Large Lot Residential Zone, shall provide for a minimum net density of 15 households per ha <u>where possible</u> , unless there are demonstrated constraints then no less than 12 households per ha <u>where possible</u> ." Amend activity status from Non-Complying to Discretionary. | 3.22 | Reject | Density minimums are required to meet anticipated growth demands. | No |
| 418.45 | Keith Godwin | SUB-S3 | Neutral on SUB-S3. | 3.22 | Accept | Agree with submitter | No |

Table B21: Recommended responses to submissions and further submissions SUB-S4 Areas subject to an ODP

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|-------------------------------|-----------|--------------------|--|--------------------------|----------------------------|--|
| 111.40 | CA and GJ McKeever | SUB-S4 | Neutral on SUB-S4. | 3.23 | Accept | Agree with Submitter | No |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|---|-----------|--|--|--------------------------|---|--|
| 162.45 | John Stevenson | SUB-S4 | Neutral on SUB-S4. | 3.23 | Accept | Agree with Submitter | No |
| 183.10 | Richard and Geoff Spark | SUB-S4 | Retain SUB-S4 as notified. | 3.23 | Accept | Agree with Submitter | No |
| 223.11 | John and Coral Broughton | SUB-S4 | Retain SUB-S4 as notified. | 3.23 | Accept | Agree with Submitter | No |
| FS91 | R J Paterson Family Trust | | Oppose | 3.23 | Reject | | |
| 236.13 | Rick Allaway and Lionel Larsen | SUB-S4 | Retain SUB-S4 as notified. | 3.23 | Accept | Agree with Submitter | No |
| FS4 | Malcolm Dartnell | | Support | 3.23 | Accept | | |
| FS28 | Damian & Sarah Elley | | Support | 3.23 | Accept | | |
| FS29 | JP Bailey Family Trust | | Support | 3.23 | Accept | | |
| FS30 | Kim Manson & Neinana Kuru | | Support | 3.23 | Accept | | |
| FS31 | Ross Fraser | | Support | 3.23 | Accept | | |
| FS32 | L N R deLacy | | Support | 3.23 | Accept | | |
| FS33 | Louise Marriott | | Support | 3.23 | Accept | | |
| 242.10 | Dalkeith Holdings Ltd | SUB-S4 | Retain SUB-S4 as notified. | 3.23 | Accept | Agree with Submitter | No |
| 246.11 | Miranda Hales | SUB-S4 | Retain SUB-S4 as notified. | 3.23 | Accept | Agree with Submitter | No |
| 249.215 | MainPower New Zealand Limited | SUB-S4 | Insert appropriate exemptions to SUB-S4 as required. | 3.20 | Reject | <p>Mainpower's submission states that they 'seek appropriate exemptions for network utility sites as required, but no specific wording for the relief that is sought was provided within the submission. This generic submission point relates to SUB-S2 to SUB-S18.</p> <p>SUB-R2 provides an exemption for SUB-S1 to SUB-S18 where the allotment is for any unstaffed infrastructure, accessway or road. Therefore, no further exemption is required.</p> | No |
| 256.40 | Chloe Chai and Mark McKitterick | SUB-S4 | Neutral on SUB-S4. | 3.23 | Accept | Agree with Submitter | No |
| FS2 | Mark McKitterick | | Oppose | 3.23 | Reject | | |
| 284.226 | Clampett Investments Limited | SUB-S4 | Retain SUB-S4 as notified. | 3.23 | Accept | Agree with Submitter | No |
| 326.363 | Rolleston Industrial Developments Limited | SUB-S4 | Retain SUB-S4 as notified. | 3.23 | Accept | Agree with Submitter | No |
| FS137 | Ohoka Residents Association | | Oppose | 3.23 | Reject | | |
| 347.14 | Ravenswood Developments Limited (RDL) | SUB-S4 | Delete the outdated North Woodend Outline Development Plan 158 and replace with alternative provisions to guide the development of Ravenswood Town Centre and Key Activity Centre. | 3.23 | Accept in part | Agree with aspects of the submission that support the intent of SUB-S4. The ODP matters will be addressed in the rezoning hearing. | No |
| 373.64 | KiwiRail Holdings Limited | SUB-S4 | Retain SUB-S4 as notified. | 3.23 | Accept | Agree with Submitter | No |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|-------------------------------|-----------|--------------------|--|--------------------------|----------------------------|--|
| 418.46 | Keith Godwin | SUB-S4 | Neutral on SUB-S4. | 3.23 | Accept | Agree with Submitter | No |

Table B22: Recommended responses to submissions and further submissions SUB-S5 Legal and physical access

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|---|-----------|--|--|--------------------------|--|--|
| 111.41 | CA and GJ McKeever | SUB-S5 | Neutral on SUB-S5. | N/A | Accept | Agree with submitter | No |
| 162.46 | John Stevenson | SUB-S5 | Neutral on SUB-S5. | N/A | Accept | Agree with submitter | No |
| 249.216 | MainPower New Zealand Limited | SUB-S5 | Insert appropriate exemptions to SUB-S5 as required. | 3.20 | Reject | As assessed previously, Mainpowers submission states that they 'seek appropriate exemptions for network utility sites as required', but no specific wording for the relief that is sought was provided within the submission. This generic submission point relates to SUB-S2 to SUB-S18. SUB-R2 provides an exemption for SUB-S1 to SUB-S18 where the allotment is for any unstaffed infrastructure, accessway or road. Therefore, no further exemption is required. | No |
| 256.41 | Chloe Chai and Mark McKitterick | SUB-S5 | Neutral on SUB-S5. | N/A | Accept | Agree with submitter | No |
| FS2 | Mark McKitterick | | Oppose | N/A | Reject | | |
| 284.227 | Clampett Investments Limited | SUB-S5 | Retain SUB-S5 as notified. | N/A | Accept | Agree with submitter | No |
| 326.364 | Rolleston Industrial Developments Limited | SUB-S5 | Retain SUB-S5 as notified. | N/A | Accept | Agree with submitter | No |
| FS137 | Ohoka Residents Association | | Oppose | N/A | Reject | | |
| 418.47 | Keith Godwin | SUB-S5 | Neutral on SUB-S5. | N/A | Accept | Agree with submitter | No |

Table B23: Recommended responses to submissions and further submissions SUB-S7 Corner sites on road intersections in Residential Zones, Commercial and Mixed Use Zones, Special Purpose Zones, or Industrial Zones

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|-------------------------------|-----------|----------------------------|--|--------------------------|----------------------------|--|
| 111.43 | CA and GJ McKeever | SUB-S7 | Retain SUB-S7 as notified. | N/A | Accept | Agree with submitter | No |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|---|-----------|--|--|--------------------------|---|--|
| 162.48 | John Stevenson | SUB-S7 | Retain SUB-S7 as notified. | N/A | Accept | Agree with submitter | No |
| 249.218 | MainPower New Zealand Limited | SUB-S7 | Insert appropriate exemptions to SUB-S7 as required. | 3.20 | Accept | As assessed previously, Mainpowers submission states that they 'seek appropriate exemptions for network utility sites as required, but no specific wording for the relief that is sought was provided within the submission. This generic submission point relates to SUB-S2 to SUB-S18. SUB-R2 provides an exemption for SUB-S1 to SUB-S18 where the allotment is for any unstaffed infrastructure, accessway or road. Therefore, no further exemption is required. | No |
| 256.43 | Chloe Chai and Mark McKitterick | SUB-S7 | Retain SUB-S7 as notified. | N/A | Accept | Agree with submitter | No |
| FS2 | Mark McKitterick | | Oppose | N/A | Reject | | |
| 284.229 | Clampett Investments Limited | SUB-S7 | Retain SUB-S7 as notified. | N/A | Accept | Agree with submitter | No |
| 326.366 | Rolleston Industrial Developments Limited | SUB-S7 | Retain SUB-S7 as notified. | N/A | Accept | Agree with submitter | No |
| FS137 | Ohoka Residents Association | | Oppose | N/A | Reject | | |
| 418.49 | Keith Godwin | SUB-S7 | Retain SUB-S7 as notified. | N/A | Accept | Agree with submitter | No |

Table B24: Recommended responses to submissions and further submissions SUB-S9 Potable water in Residential Zones, Commercial and Mixed Use Zones, Special Purpose Zones or Industrial Zones

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|-------------------------------|-----------|--|--|--------------------------|---|--|
| 111.45 | CA and GJ McKeever | SUB-S9 | Retain SUB-S9 as notified. | N/A | Accept | Agree with submitter | No |
| 162.50 | John Stevenson | SUB-S9 | Retain SUB-S9 as notified. | N/A | Accept | Agree with submitter | No |
| 249.220 | MainPower New Zealand Limited | SUB-S9 | Insert appropriate exemptions to SUB-S9 as required. | 3.20 | Reject | As assessed previously, Mainpowers submission states that they 'seek appropriate exemptions for network utility sites as required, but no specific wording for the relief that is sought was provided within the submission. This generic submission point relates to SUB-S2 to SUB-S18. SUB-R2 provides an exemption for SUB-S1 to SUB-S18 where the allotment is for any | No |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|--------------|---|-----------|----------------------------|--|--------------------------|---|--|
| | | | | | | unstaffed infrastructure, accessway or road. Therefore, no further exemption is required. | |
| 256.45 | Chloe Chai and Mark McKitterick | SUB-S9 | Retain SUB-S9 as notified. | N/A | Accept | Agree with submitter | No |
| <i>FS2</i> | <i>Mark McKitterick</i> | | <i>Oppose</i> | <i>N/A</i> | <i>Reject</i> | | |
| 284.231 | Clampett Investments Limited | SUB-S9 | Retain SUB-S9 as notified. | N/A | Accept | Agree with submitter | No |
| 326.368 | Rolleston Industrial Developments Limited | SUB-S9 | Retain SUB-S9 as notified. | N/A | Accept | Agree with submitter | No |
| <i>FS137</i> | <i>Ohoka Residents Association</i> | | <i>Oppose</i> | <i>N/A</i> | <i>Reject</i> | | |
| 418.51 | Keith Godwin | SUB-S9 | Retain SUB-S9 as notified. | N/A | Accept | Agree with submitter | No |

Table B25: Recommended responses to submissions and further submissions SUB-S11 Water Supply for fire fighting

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|------------|---------------------------------|-----------|---|--|--------------------------|---|--|
| 111.47 | CA and GJ McKeever | SUB-S11 | Neutral on SUB-S11. | N/A | Accept | Agree with submitter | No |
| 162.52 | John Stevenson | SUB-S11 | Neutral on SUB-S11. | N/A | Accept | Agree with submitter | No |
| 249.222 | MainPower New Zealand Limited | SUB-S11 | Insert appropriate exemptions to SUB-S11 as required. | 3.20 | Reject | <p>Mainpowers submission states that they 'seek appropriate exemptions for network utility sites as required', but specific wording for the relief that is sought is not provided within the submission.</p> <p>SUB-S11 relates to Water Supply for firefighting and only relates to new allotments intended for residential use. Therefore, this standard would not be relevant to a utility site.</p> <p>Furthermore, SUB-R2 provides an exemption for SUB-S1 to SUB-S18 where the allotment is for any unstaffed infrastructure, accessway or road. Therefore, no further exemption is required.</p> | No |
| 256.47 | Chloe Chai and Mark McKitterick | SUB-S11 | Neutral on SUB-S11. | N/A | Accept | Agree with submitter | No |
| <i>FS2</i> | <i>Mark McKitterick</i> | | <i>Oppose</i> | <i>N/A</i> | <i>Reject</i> | | |
| 284.233 | Clampett Investments Limited | SUB-S11 | Retain SUB-S11 as notified. | N/A | Accept | Agree with submitter | No |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|---|-----------|-----------------------------|--|--------------------------|----------------------------|--|
| 303.45 | Fire and Emergency New Zealand | SUB-S11 | Retain SUB-S11 as notified. | N/A | Accept | Agree with submitter | No |
| 326.370 | Rolleston Industrial Developments Limited | SUB-S11 | Retain SUB-S11 as notified. | N/A | Accept | Agree with submitter | No |
| FS137 | Ohoka Residents Association | | Oppose | N/A | Reject | | |
| 418.53 | Keith Godwin | SUB-S11 | Neutral on SUB-S11. | N/A | Accept | Agree with submitter | No |

Table B 26: Recommended responses to submissions and further submissions SUB-S12 Reticulated wastewater disposal in Residential Zones, Commercial and Mixed Use Zones, Special Purpose Zones or Industrial Zones

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|---|-----------|---|--|--------------------------|---|--|
| 111.48 | CA and GJ McKeever | SUB-S12 | Retain SUB-S12 as notified. | N/A | Accept | Agree with submitter | No |
| 162.53 | John Stevenson | SUB-S12 | Retain SUB-S12 as notified. | N/A | Accept | Agree with submitter | No |
| 249.223 | MainPower New Zealand Limited | SUB-S12 | Insert appropriate exemptions to SUB-S12 as required. | 3.20 | Reject | As assessed previously, Mainpowers submission states that they 'seek appropriate exemptions for network utility sites as required, but no specific wording for the relief that is sought was provided within the submission. This generic submission point relates to SUB-S2 to SUB-S18. SUB-R2 provides an exemption for SUB-S1 to SUB-S18 where the allotment is for any unstaffed infrastructure, accessway or road. Therefore, no further exemption is required. | No |
| 256.48 | Chloe Chai and Mark McKitterick | SUB-S12 | Retain SUB-S12 as notified. | N/A | Accept | Agree with submitter | No |
| FS2 | Mark McKitterick | | Oppose | N/A | Reject | | |
| 284.234 | Clampett Investments Limited | SUB-S12 | Retain SUB-S12 as notified. | N/A | Accept | Agree with submitter | No |
| 316.132 | Environment Canterbury Regional Council | SUB-S12 | Retain SUB-S12 as notified or retain the original intent. | N/A | Accept | Agree with submitter | No |
| FS41 | D Cowley | | Oppose | N/A | Reject | | |
| 325.176 | Kainga Ora – Homes and Communities | SUB-S12 | Retain SUB-S12 as notified. | N/A | Accept | Agree with submitter | No |
| FS37 | Richard & Geoff Spark | | Oppose | N/A | Reject | | |
| FS41 | David Cowley | | Oppose in part | N/A | Reject | | |
| FS46 | Miranda Hales | | Oppose in part | N/A | Reject | | |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|---|-----------|-----------------------------|--|--------------------------|----------------------------|--|
| FS91 | R J Paterson Family Trust | | Oppose in part | N/A | Reject | | |
| 326.371 | Rolleston Industrial Developments Limited | SUB-S12 | Retain SUB-S12 as notified. | N/A | Accept | Agree with submitter | No |
| FS137 | Ohoka Residents Association | | Oppose | N/A | Reject | | |
| 418.54 | Keith Godwin | SUB-S12 | Retain SUB-S12 as notified. | N/A | Accept | Agree with submitter | No |

Table B27: Recommended responses to submissions and further submissions SUB-S15 Stormwater disposal in Residential Zones, Commercial and Mixed Use Zones, Special Purpose Zones, or Industrial Zones

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|---|-----------|---|--|--------------------------|---|--|
| 111.51 | CA and GJ McKeever | SUB-S15 | Neutral on SUB-S15. | N/A | Accept | Agree with submitter | No |
| 162.56 | John Stevenson | SUB-S15 | Neutral on SUB-S15. | N/A | Accept | Agree with submitter | No |
| 249.226 | MainPower New Zealand Limited | SUB-S15 | Insert appropriate exemptions to SUB-S15 as required. | 3.20 | Reject | As assessed previously, Mainpowers submission states that they 'seek appropriate exemptions for network utility sites as required, but no specific wording for the relief that is sought was provided within the submission. This generic submission point relates to SUB-S2 to SUB-S18. SUB-R2 provides an exemption for SUB-S1 to SUB-S18 where the allotment is for any unstaffed infrastructure, accessway or road. Therefore, no further exemption is required. | No |
| 256.51 | Chloe Chai and Mark McKitterick | SUB-S15 | Neutral on SUB-S15. | N/A | Accept | Agree with submitter | No |
| FS2 | Mark McKitterick | | Oppose | N/A | Reject | | |
| 284.237 | Clampett Investments Limited | SUB-S15 | Retain SUB-S15 as notified. | N/A | Accept | Agree with submitter | No |
| 326.374 | Rolleston Industrial Developments Limited | SUB-S15 | Retain SUB-S15 as notified. | N/A | Accept | Agree with submitter | No |
| FS137 | Ohoka Residents Association | | Oppose | N/A | Reject | | |
| 373.60 | KiwiRail Holdings Limited | SUB-S15 | Retain SUB-S15 as notified. | N/A | Accept | Agree with submitter | No |
| 418.57 | Keith Godwin | SUB-S15 | Neutral on SUB-S15. | N/A | Accept | Agree with submitter | No |

Table B28: Recommended responses to submissions and further submissions SUB-S17 Esplanade reserves or strips

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-------------|---------------------------------|-----------|--|--|--------------------------|--|--|
| 111.53 | CA and GJ McKeever | SUB-S17 | Neutral on SUB-S17. | 3.24 | Accept in part | Subject to amendments made in response to other submissions. | No |
| 155.4 | Woodend-Sefton Community Board | SUB-S17 | Table Sub-2 Add in Pegasus Lake to table or an easement to provide an open space zone along the lakefront at 64, 66 and 70 Pegasus Main Street (from Bob's Bridge to existing commercial area) to allow public access around the entire lakefront. | 3.24 | Reject | The purpose of esplanade reserves or strips can include enabling public access to or along a lake (s229(b)). However, access to and along Lake Pegasus is currently achieved largely through the Open Space Zoning of the lake margin. While direct access to the lake frontage is not provided for a relatively short stretch, there is the option to walk along Pegasus Main Street and then reconnect with the lake frontage. | No |
| <i>FS81</i> | <i>Templeton Group</i> | | <i>Oppose</i> | <i>3.24</i> | <i>Accept</i> | | |
| 162.57 | John Stevenson | SUB-S17 | Neutral on SUB-S17. | 3.24 | Accept in part | Subject to amendments made in response to other submissions. | No |
| 249.228 | MainPower New Zealand Limited | SUB-S17 | Insert appropriate exemptions to SUB-S17 as required. | 3.20 | Reject | Mainpowers submission states that they 'seek appropriate exemptions for network utility sites as required, but no specific wording for the relief that is sought was provided within the submission. This generic submission point relates to SUB-S2 to SUB-S18. SUB-R2 provides an exemption for SUB-S1 to SUB-S18 where the allotment is for any unstaffed infrastructure, accessway or road. Therefore, no further exemption is required. | No |
| 256.53 | Chloe Chai and Mark McKitterick | SUB-S17 | Neutral on SUB-S17. | 3.24 | Accept in part | Subject to amendments made in response to other submissions. | No |
| <i>FS2</i> | <i>Mark McKitterick</i> | | <i>Oppose</i> | <i>3.24</i> | <i>Reject in part</i> | | |
| 273.6 | Sarah Gale | SUB-S17 | Delete Northbrook Stream from the esplanade Table SUB-2 for the urban reaches, or: Undertake a fine grained analysis of where esplanade provisions can be effected to provide for the specific esplanade purpose, and list specific widths for urban stream reaches, preferably in line with setback provisions where public access is not sought, in order to provide certainty and constrain unnecessary cost to growth, but exempt urban drains from the provisions. | 3.24 | Accept in part | The non-complying activity status when compliance with SUB-S17 is not achieved is too onerous and unsupported by the relevant objective and policy. Reducing the activity status to a restricted discretionary activity would enable a pathway for a finer grained analysis to be provided with a subdivision consent. This would enable the creation of future esplanade reserves and strips that meet the purpose of s230 of the RMA and that are consisted with SUB-O3 and SUB-P10. | Yes |
| 284.239 | Clampett Investments Limited | SUB-S17 | Retain SUB-S17 as notified. | 3.24 | Accept in part | Subject to amendments made in response to other submissions. | No |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|---|-----------|---|--|--------------------------|--|--|
| 326.376 | Rolleston Industrial Developments Limited | SUB-S17 | Retain SUB-S17 as notified. | 3.24 | Accept in part | Subject to amendments made in response to other submissions. | No |
| FS137 | Ohoka Residents Association | | Oppose | 3.24 | Reject in part | | |
| 418.59 | Keith Godwin | SUB-S17 | Neutral on SUB-S17. | 3.24 | Accept in part | Subject to amendments made in response to other submissions. | No |
| 408.25 | Bellgrove Rangiora Ltd | SUB-S17 | Table SUB-2 includes 52 Kippenberger Avenue as requiring an esplanade reserve for conservation and natural hazard mitigation purposes, but the overlay shown on the GIS mapping stops before extending north of Kippenberger Avenue. The inclusion of 52 Kippenberger Avenue (Part RS 267) within Table SUB-2 as requiring a 20m wide esplanade reserve (in accordance with proposed SUB-S17) is not ecologically appropriate or required. Ecological investigations have determined that "there is no permanent aquatic habitat other the ornamental pond north of the Bellgrove Homestead. Therefore, the buffer strip will not provide an ecological link to aquatic habitats in the near vicinity, regardless of width. Nor does the water temperature moderating effect have to be considered, as no water is present." Modify Table SUB-2 to exclude 52 Kippenber Avenue (Part RS 267). | 3.24 | Accept in part | The non-complying activity status when compliance with SUB-S17 is not achieved is too onerous and unsupported by the relevant objective and policy. Reducing the activity status to a restricted discretionary activity would enable a pathway for a finer grained analysis to be provided with a subdivision consent. This would enable the creation of future esplanade reserves and strips that meet the purpose of s230 of the RMA and that are consisted with SUB-O3 and SUB-P10. | Yes |

Table B29: Recommended responses to submissions and further submissions SUB-Advice Notes

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|---------------------------------|-------------|---|--|--------------------------|---|--|
| 275.36 | Waka Kotahi NZ Transport Agency | New SUB-AN3 | Include a new advice note stating that <u>Limited Access Roads must be considered to ensure the properties have frontage to legal road.</u> | 3.25 | Accept | Agree with Submitter. The advice note will be of assistance to those reading the District Plan in the future. | Yes |

Table B30: Recommended responses to submissions and further submissions SUB-MCD1 Allotment area and dimensions

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|------------------------------------|-----------|------------------------------|--|--------------------------|----------------------------|--|
| 249.230 | MainPower New Zealand Limited | SUB-MCD1 | Retain SUB-MCD1 as notified. | N/A | Accept | Agree with submitter | No |
| 284.240 | Clampett Investments Limited | SUB-MCD1 | Retain SUB-MCD1 as notified. | N/A | Accept | Agree with submitter | No |
| 325.178 | Kainga Ora – Homes and Communities | SUB-MCD1 | Retain SUB-MCD1 as notified. | N/A | Accept | Agree with submitter | No |
| FS37 | Richard & Geoff Spark | | Oppose | N/A | Reject | | |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|---|-----------|------------------------------|--|--------------------------|----------------------------|--|
| FS41 | David Cowley | | Oppose in part | N/A | Reject | | |
| FS46 | Miranda Hales | | Oppose in part | N/A | Reject | | |
| FS91 | R J Paterson Family Trust | | Oppose in part | N/A | Reject | | |
| 326.377 | Rolleston Industrial Developments Limited | SUB-MCD1 | Retain SUB-MCD1 as notified. | N/A | Accept | Agree with submitter | No |
| FS137 | Ohoka Residents Association | | Oppose | N/A | Reject | | |

Table B31: Recommended responses to submissions and further submissions SUB-MCD2 Subdivision Design

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|---|-----------|---|--|--------------------------|---|--|
| 178.47 | Heritage New Zealand Pouhere Taonga (HNZPT) | SUB-MCD2 | Retain SUB-MCD2 as notified. | 3.27 | Accept | Agree with submitter | No |
| 249.231 | MainPower New Zealand Limited | SUB-MCD2 | Retain SUB-MCD2 as notified. | 3.27 | Accept | Agree with submitter | No |
| 284.241 | Clampett Investments Limited | SUB-MCD2 | Retain SUB-MCD2 as notified. | 3.27 | Accept | Agree with submitter | No |
| 325.179 | Kainga Ora – Homes and Communities | SUB-MCD2 | Retain SUB-MCD2 as notified. | 3.27 | Accept | Agree with submitter | No |
| FS37 | Richard & Geoff Spark | | Oppose | 3.27 | Reject | | |
| FS41 | David Cowley | | Oppose in part | 3.27 | Reject | | |
| FS46 | Miranda Hales | | Oppose in part | 3.27 | Reject | | |
| FS91 | R J Paterson Family Trust | | Oppose in part | 3.27 | Reject | | |
| 326.378 | Rolleston Industrial Developments Limited | SUB-MCD2 | Retain SUB-MCD2 as notified. | 3.27 | Accept | Agree with submitter | No |
| FS137 | Ohoka Residents Association | | Oppose | 3.27 | Reject | | |
| 169.19 | NZPork | SUB-MCD2 | Amend to include subdivision design criteria for subdivision design effects on the productive potential of rural resources. | 3.27 | Reject | SUB-MDC10 provides for consideration of potential reverse sensitivity effects on existing activities, including lawfully established rural activities. Therefore, no amendments are required. | No |
| FS41 | David Cowley | | Oppose | 3.27 | Accept | | |
| 373.66 | KiwiRail Holdings Limited | SUB-MCD2 | Retain SUB-MCD2 as notified. | 3.27 | Accept | Agree with submitter | No |

Table B32: Recommended responses to submissions and further submissions SUB-MCD3 Property access

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|---|-----------|---|--|--------------------------|---|--|
| 275.37 | Waka Kotahi NZ Transport Agency | SUB-MCD3 | Amend SUB-MCD3: " 1. The extent to which the subdivision makes provision for: ... b. the provision of access, <u>including consideration of the need for any upgrades to existing accesses</u> ; ..." | 3.28 | Accept in part | Agree with the submitter. The suggested additional wording makes it clear that the matters of control and discretion allow for the consideration of the appropriateness of any existing vehicle crossing. However, consider that it should be stated that upgrades are required as a result of increased effects on the environment as a result of subdivision. Subject to amendments made in response to other submissions. | Yes |
| 284.242 | Clampett Investments Limited | SUB-MCD3 | Retain SUB-MCD3 as notified. | 3.28 | Accept in part | No changes recommended on the basis of this submission. Subject to amendments made in response to other submissions. | No |
| 325.180 | Kainga Ora – Homes and Communities | SUB-MCD3 | Retain SUB-MCD3 as notified. | 3.28 | Accept in part | No changes recommended on the basis of this submission. Subject to amendments made in response to other submissions. | No |
| FS37 | Richard & Geoff Spark | | Oppose | 3.28 | Reject in part | | |
| FS41 | David Cowley | | Oppose in part | 3.28 | Reject in part | | |
| FS46 | Miranda Hales | | Oppose in part | 3.28 | Reject in part | | |
| FS91 | R J Paterson Family Trust | | Oppose in part | 3.28 | Reject in part | | |
| 326.379 | Rolleston Industrial Developments Limited | SUB-MCD3 | Retain SUB-MCD3 as notified. | 3.28 | Accept in part | No changes recommended on the basis of this submission. Subject to amendments made in response to other submissions. | No |
| FS137 | Ohoka Residents Association | | Oppose | 3.28 | Reject in part | | |
| 367.64 | Waimakariri District Council | SUB-MCD3 | Amend SUB-MCD3(1)(c): "... c. the location, design, and provision of vehicle crossings in particular, taking into account infrastructure, <u>transport safety</u> and street trees in the roading corridor; ..." | 3.28 | Accept in part | Agree that this matter of discretion should include consideration of transport safety. Subject to amendments made in response to other submissions. | Yes |
| FS110 | Waka Kotahi NZ Transport Agency | | Support | 3.28 | Accept in part | | |
| 373.67 | KiwiRail Holdings Limited | SUB-MCD3 | Retain SUB-MCD3 as notified. | 3.28 | Accept in part | No changes recommended on the basis of this submission. Subject to amendments made in response to other submissions. | No |

Table B33: Recommended responses to submissions and further submissions SUB-MCD4 Esplanade provisions

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|---|-----------|------------------------------|--|--------------------------|----------------------------|--|
| 284.243 | Clampett Investments Limited | SUB-MCD4 | Retain SUB-MCD4 as notified. | N/A | Accept | Agree with submitter | No |
| 325.181 | Kainga Ora – Homes and Communities | SUB-MCD4 | Retain SUB-MCD4 as notified. | N/A | Accept | Agree with submitter | No |
| FS37 | Richard & Geoff Spark | | Oppose | N/A | Reject | | |
| FS41 | David Cowley | | Oppose in part | N/A | Reject | | |
| FS46 | Miranda Hales | | Oppose in part | N/A | Reject | | |
| FS91 | R J Paterson Family Trust | | Oppose in part | N/A | Reject | | |
| 326.380 | Rolleston Industrial Developments Limited | SUB-MCD4 | Retain SUB-MCD4 as notified. | N/A | Accept | Agree with submitter | No |
| FS137 | Ohoka Residents Association | | Oppose | N/A | Reject | | |

Table B34: Recommended responses to submissions and further submissions SUB-MCD7 Mana Whenua

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|---|-----------|------------------------------|--|--------------------------|----------------------------|--|
| 284.246 | Clampett Investments Limited | SUB-MCD7 | Retain SUB-MCD7 as notified. | N/A | Accept | Agree with submitter | No |
| 325.184 | Kainga Ora – Homes and Communities | SUB-MCD7 | Retain SUB-MCD7 as notified. | N/A | Accept | Agree with submitter | No |
| FS37 | Richard & Geoff Spark | | Oppose | N/A | Reject | | |
| FS41 | David Cowley | | Oppose in part | N/A | Reject | | |
| FS46 | Miranda Hales | | Oppose in part | N/A | Reject | | |
| FS91 | R J Paterson Family Trust | | Oppose in part | N/A | Reject | | |
| 326.383 | Rolleston Industrial Developments Limited | SUB-MCD7 | Retain SUB-MCD7 as notified. | N/A | Accept | Agree with submitter | No |
| FS137 | Ohoka Residents Association | | Oppose | N/A | Reject | | |

Table B35: Recommended responses to submissions and further submissions SUB-MCD8 Archaeological sites

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|---|-----------|------------------------------|--|--------------------------|----------------------------|--|
| 284.247 | Clampett Investments Limited | SUB-MCD8 | Retain SUB-MCD8 as notified. | N/A | Accept | Agree with submitter | No |
| 325.185 | Kainga Ora – Homes and Communities | SUB-MCD8 | Retain SUB-MCD8 as notified. | N/A | Accept | Agree with submitter | No |
| FS37 | Richard & Geoff Spark | | Oppose | N/A | Reject | | |
| FS41 | David Cowley | | Oppose in part | N/A | Reject | | |
| FS46 | Miranda Hales | | Oppose in part | N/A | Reject | | |
| FS91 | R J Paterson Family Trust | | Oppose in part | N/A | Reject | | |
| 326.384 | Rolleston Industrial Developments Limited | SUB-MCD8 | Retain SUB-MCD8 as notified. | N/A | Accept | Agree with submitter | No |
| FS137 | Ohoka Residents Association | | Oppose | N/A | Reject | | |
| 178.48 | Heritage New Zealand Pouhere Taonga (HNZPT) | SUB-MCD8 | Retain SUB-MCD8 as notified. | N/A | Accept | Agree with submitter | No |

Table B36: Recommended responses to submissions and further submissions SUB-MCD13 Historic heritage, culture and notable trees

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|---|-----------|--|--|--------------------------|--|--|
| 178.49 | Heritage New Zealand Pouhere Taonga (HNZPT) | SUB-MCD13 | Retain SUB-MCD13 as notified. | 3.29 | Accept | Agree with submitter | No |
| 284.252 | Clampett Investments Limited | SUB-MCD13 | Retain SUB-MCD13 as notified. | 3.29 | Accept | Agree with submitter | No |
| 325.190 | Kainga Ora – Homes and Communities | SUB-MCD13 | Retain SUB-MCD13 as notified. | 3.29 | Accept | Agree with submitter | No |
| FS37 | Richard & Geoff Spark | | Oppose | 3.29 | Reject | | |
| FS41 | David Cowley | | Oppose in part | 3.29 | Reject | | |
| FS46 | Miranda Hales | | Oppose in part | 3.29 | Reject | | |
| FS91 | R J Paterson Family Trust | | Oppose in part | 3.29 | Reject | | |
| 326.389 | Rolleston Industrial Developments Limited | SUB-MCD13 | Retain SUB-MCD13 as notified. | 3.29 | Accept | Agree with submitter | No |
| FS137 | Ohoka Residents Association | | Oppose | 3.29 | Reject | | |
| 408.15 | Bellgrove Rangiora Ltd | SUB-R7 | (Note –submission point that has been deferred from Table B19 above) | 3.29 | Reject | The term 'significant additional costs' could be open to interpretation and be difficult to assess. The protection of historic heritage is | No |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|-------------------------------|-----------|--|--|--------------------------|--|--|
| | | | Subdivision of land involving a site where a heritage resource listed in Appendix 28.1 is also a restricted discretionary under the operative WDP. The difference being that the matters of discretion include (i) 'whether the retention of the heritage features or form of the listed structure, place, or object causes significant additional costs, or reduction in its range of likely uses'. This provision has not been retained in the PWDP and should be included given cost considerations are a major component of land development and subdivision of surrounding land does alter the context of a heritage item (particularly when the planned transition is from rural to residential) and this has the potential to impact its range of likely uses. In addition, the PWDP does not include any criteria focussed on evaluating a scheduled setting or open space around a heritage item. | | | a matter of national importance (s6f) and given the loss of historic heritage items in Canterbury post the 2010/2011 earthquakes, it is important to protect what remains. The matters of discretion in the notified SUB-MCD13 are well balanced in enabling subdivision whilst ensuring the district's important heritage resources are protected. SUB-MCD1(3) and SUB-MCD13(1) provide for evaluating the heritage setting, including open space. | |
| FS115 | Heritage NZ Pouhere Toanga | | Oppose | 3.29 | Accept | | |
| FS117 | Oxford Equity Ltd | | Support | 3.29 | Reject | | |
| FS37 | Richard & Geoff Spark | | Oppose in Part | 3.29 | Accept | | |

Table B37: Recommended responses to submissions and further submissions SUB-General

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|---|-----------|---|--|--------------------------|--|--|
| 108.2 | Stephen Davison | General | Support intensification of residential development on brownfield sites to protect or limit greenfield areas. Retain the plan as notified. | 3.30 | Accept in part | The recommendations with this report retain the ability intensify residential development, in particular this intent is retained within SUB-1 for the Medium Density Residential Zone. | No |
| 133.2 | Sarbaz Estates Limited | General | Give effect to Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill. Merge General Residential Zone (GRZ) and Medium Density Residential Zone (MRZ) provisions to reflect the MRZ provisions. Amend planning map and provisions to merge Rangiora and Kaiapoi's GRZ into the MRZ. | 3.30 | Accept in part | The Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 is being addressed through Variation 1 to the PDP and as no change is recommended here. | No |
| 316.136 | Environment Canterbury Regional Council | General | Consider aligning terminology for consistency. | 3.30 | Reject | ECan specifically comment that the rules reference 'building platforms', while the matters for control and discretion reference 'identified building platforms' and say that it is uncertain whether this is intentional or an oversight. The rules are requiring the identification of a building platform and the matter of control and discretion are then requiring consideration of where the identified | No |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|--|-----------|---|--|--------------------------|---|--|
| | | | | | | building platform has been located in relation to specific matter. I do not consider this drafting approach to be uncertain or unclear as interpreted by ECan. | |
| FS41 | David Cowley | | Oppose | 3.30 | Accept | | |
| FS80 | Christchurch International Airport Limited | | Support | 3.30 | Reject | | |
| 233.1 | Eliot Sinclair | General | <p>Amend to include the following new rules:</p> <p><u>"SUB-R12 Subdivision to Create Unit Titles in All Zones</u> <u>All Zones</u> Activity Status: CON <u>Where:</u> <u>1. Land use consent is approved for a multi unit commercial or residential development, and a unit title or leasehold (including cross lease) subdivision is subsequently undertaken in accordance with the approved land use consent, provided:</u> <u>a. all buildings are in accordance with an approved land use resource consent;</u> <u>b. all areas to be set aside for the exclusive use of each building or unit must be shown on the survey plan, in addition to any areas to be used for common access, parking, or other such purpose;</u> <u>c. all service connections and on-site infrastructure must be located within the boundary of the site they serve or have access provided by an appropriate legal mechanism;</u> <u>d. parking spaces must be created as accessory units or common areas rather than as principal units when associated with an approved use or activity, unless otherwise provided for by a resource consent.</u> Matters of control/discretion are related to: <u>1. SUB-MCD1 - Allotment area and dimensions</u> <u>2. SUB-MCD3 - Property access</u> <u>3. SUB-MCD6 - Infrastructure</u> <u>This rule does not apply to a subdivision of land creating a separate fee simple title.</u> <u>The intent is that it applies to subdivision of lot containing an approved land use consent in order to create titles in accordance with that consent.</u> Notification: <u>An application for a controlled activity under this rule is precluded from being publicly or limited notified.</u> <u>Activity Status when compliance not achieved: as set out in the relevant subdivision standards"</u></p> <p><u>"SUB-R13 Subdivision to Update or Convert Cross Leases, Company Leases, and Unit Titles in All Zones</u> <u>All Zones</u> Activity Status: CON</p> | 3.30 | Accept in part | <p>Disagree that a separate rule is required for cross-lease or unit title subdivision as all subdivision rules in the PDP provide for potential unit title and cross-lease subdivision given the definition of Subdivision in the Interpretation section (which is the National Planning Standards definition).</p> <p>Agree that a new rule that provides a clear consenting pathway for updating cross leases, company leases and unit title plans would be helpful for plan administration. The drafting as proposed does not entirely fit with the structure of the plan, particularly the inclusion of a bespoke assessment matter within the rule. I have therefore recommended this assessment matter be included in SUB-MCD1 and included reference to that MCD within the rule.</p> | Yes |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|--|-----------|---|--|--------------------------|--|--|
| | | | <p><u>Where:</u></p> <p><u>1. Every title has legal access to a road, and that access is not obtained by crossing a railway line;</u></p> <p><u>2. Every title or leased area is supplied with a potable water supply;</u></p> <p><u>3. Every title or leased area is supplied with a connection to a reticulated wastewater network, where the site is located in a township with a reticulated wastewater network.</u></p> <p><u>Matters of control/discretion are restricted to:</u></p> <p><u>1. SUB-MCD3 - Property access</u></p> <p><u>2. SUB-MCD5 - Natural hazards</u></p> <p><u>3. SUB-MCD6 - Infrastructure</u></p> <p><u>4. SUB-MCD11 - Effects on or from the National Grid</u></p> <p><u>5. Whether any title or leased area would be reduced in area or dimension in a manner that might result in a more than minor reduction in functionality in relation to outdoor living space, outdoor service areas, or outdoor storage areas.</u></p> <p><u>Notification:</u></p> <p><u>An application for a controlled activity under this rule is precluded from being publicly or limited notified.</u></p> <p><u>Activity Status when compliance not achieved: as set out in the relevant subdivision standards"</u></p> | | | | |
| FS80 | Christchurch International Airport Limited | | Neutral | 3.30 | Accept in part | | |
| 325.172 | Kainga Ora – Homes and Communities | General | <p>Insert new rule:</p> <p><u>"Subdivision in the Residential Zones in Accordance with an Approved Land Use Consent or Building Consent</u></p> <p><u>Activity status: CON</u></p> <p><u>Where:</u></p> <p><u>1. Any subdivision relating to an approved land use consent or building consent must comply with that resource consent or building consent.</u></p> <p><u>Matters of control/discretion are restricted to:</u></p> <p><u>SUB-MCD6</u></p> <p><u>Notification:</u></p> <p><u>An application for a controlled activity under this rule is precluded from being publicly or limited notified."</u></p> | 3.18 | Reject | <p>The relief sought by Kainga Ora [325.166] is already largely provided for by SUB-R2 and Sub-S1. SUB-R2 has a controlled activity status subject to meeting SUB-S1 to SUB-S18.</p> <p>Under SUB-S1 <i>allotment size and dimensions</i>, there is no minimum allotment area for multi-unit residential development where the design statement and land use consent have been submitted and approved in the MDRZ.</p> <p>It is my understanding that Kainga Ora residential developments within the Waimakariri District have been multi-unit development within the MRDZ, and therefore this clause would apply.</p> | No |
| FS37 | Richard & Geoff Spark | | Oppose | 3.30 | Accept | | |
| FS41 | David Cowley | | Oppose in part | 3.30 | Accept | | |
| FS46 | Miranda Hales | | Oppose in part | 3.30 | Accept | | |
| FS91 | R J Paterson Family Trust | | Oppose in part | 3.30 | Accept | | |

Table B38: Recommended responses to submissions and further submissions Definitions

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|---|------------------------------|---|--|--------------------------|----------------------------|--|
| | | ALLOTMENT | | N/A | | No submissions received | No |
| | | BOUNDARY ADJUSTMENT | | N/A | | No submissions received | No |
| | | ESPLANADE RESERVE | | N/A | | No submissions received | No |
| | | ESPLANADE STRIP | | N/A | | No submissions received | No |
| | | IDENTIFIED BUILDING PLATFORM | | N/A | | No submissions received | No |
| 284.15 | Clampett Investments Limited | NET SITE AREA | Retain 'net site area' definition as notified. | N/A | Accept | Agree with submitter | No |
| 326.16 | Rolleston Industrial Developments Limited | NET SITE AREA | Retain definition of 'net site area' as notified. | N/A | Accept | Agree with submitter | No |
| FS137 | Ohoka Residents Association | | Oppose | N/A | Reject | | |
| 284.28 | Clampett Investments Limited | SITE | Retain 'site' definition. | N/A | Accept | Agree with submitter | No |
| 326.29 | Rolleston Industrial Developments Limited | SITE | Retain definition of 'site' as notified. | N/A | Accept | Agree with Submitter | No |
| FS137 | Ohoka Residents Association | | Oppose | N/A | Reject | | |
| | | SUBDIVISION | | N/A | | No submissions received | No |

Table B39: Recommended responses to submissions and further submissions - Plan wide submissions

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested (Summary) | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|------------------------------|---|-----------|---|--|--------------------------|----------------------------|--|
| Plan wide submissions | | | | | | | |
| 284.1 | Clampett Investments Limited | General | Amend all controlled and restricted discretionary activity rules: " <u>Applications shall not be limited or publicly notified, on the basis of effects associated specifically with this rule and the associated matters of control or discretion.</u> " | 3.31 | Reject | | No |
| 326.1 | Rolleston Industrial Developments Limited | General | Amend the Proposed District Plan to delete the use of absolutes such as 'avoid', 'maximise' and 'minimise'. | 3.31 | Reject | | No |

| Sub. Ref. | Submitter / Further Submitter | Provision | Decision Requested (Summary) | Section of this Report where Addressed | Officer's Recommendation | Officers' Reasons/Comments | Recommended Amendments to Proposed Plan? |
|-----------|---|-----------|--|--|--------------------------|----------------------------|--|
| FS78 | Royal Forest and Bird Protection Society of New Zealand Inc | | Oppose | 3.31 | Accept | | |
| FS84 | Ohoka Residents Association | | Oppose | 3.31 | Accept | | |
| FS119 | Andrea Marsden | | Oppose | 3.31 | Accept | | |
| FS120 | Christopher Marsden | | Oppose | 3.31 | Accept | | |
| FS137 | Ohoka Residents Association | | Oppose | 3.31 | Accept | | |
| 326.2 | Rolleston Industrial Developments Limited | General | Amend so that all controlled and restricted discretionary activity rules include the following wording, or words to like effect: <u>"Applications shall not be limited or publicly notified, on the basis of effects associated specifically with this rule and the associated matters of control or discretion."</u> | 3.31 | Reject | | No |
| FS137 | Ohoka Residents Association | | Oppose | 3.31 | Accept | | |
| FS78 | Royal Forest and Bird Protection Society of New Zealand Inc | | Oppose | 3.31 | Accept | | |
| FS119 | Andrea Marsden | | Oppose | 3.31 | Accept | | |
| FS120 | Christopher Marsden | | Oppose | 3.31 | Accept | | |
| 326.3 | Rolleston Industrial Developments Limited | General | Amend controlled and restricted discretionary activity rules to provide direction regarding non-notification. | 3.31 | Reject | | No |
| FS137 | Ohoka Residents Association | | Oppose | 3.31 | Accept | | |
| FS78 | Royal Forest and Bird Protection Society of New Zealand Inc | | Oppose | 3.31 | Accept | | |

Appendix C. Section 32AA Evaluation

C1. Overview and purpose

This evaluation is undertaken in accordance with section 32AA of the RMA. It examines the appropriateness of the recommended amendments to the objectives, policies and rules for the Subdivision Chapter following the consideration of submissions received on the Proposed Plan and assessed within this report.

This further evaluation should be read in conjunction with Part A – Overview and Part B Subdivision chapter of the Section 32 Report prepared for the development of the Proposed Plan.

C2. Recommended amendments

The recommended amendments include:

- SUB-O2 – Additional wording to more clearly relate the objective to subdivision;
- SUB-P1 – Amendment to clause 3 to improve readability;
- SUB-P2 – New Clause 4 for commercial and industrial zones;
- SUB-P3 – Additional words ‘where appropriate’ in clause 3, and a new clause 5 to address climate change resilience and natural hazard risk;
- SUB-P6 – Amendments to include ‘new General Residential Zones’ in the chapeau, replace ‘school’ with ‘educational facility’ in clause 2(b)(i), remove ‘and how it will be funded’ from clause 2(b)(e), new clause 2(b)(m) for natural hazards;
- SUB-P7 – Additional words ‘general accordance with’ flexible elements;
- SUB-P8 – remove example ‘such as financial contributions that are proportional to the benefit received’ from policy;
- SUB-R1 – Amend to require compliance with SUB-S1 to ensure no additional allotment is created by a boundary adjustment and that a boundary adjustment does not increase the degree of non-compliance with the minimum allotment size;
- New SUB-R3a – new rule for subdivision to update cross lease, company leases and unit title plans;
- SUB-S1 – reduce activity status from non-complying to controlled when compliance with minimum frontage within a cul-de-sac turning head is not achieved by adding ‘lots fronting cul-de-sac turning heads’ as an exclusion to the frontage requirements in Table 1;
- SUB-S17 – reduce activity status from non-complying to restricted discretionary when compliance not achieved with minimum width;
- New SUB-AN3 – New advice note for consideration of limited access road to ensure properties have frontage to legal road;
- SUB-MCD1 – new clause 5 for updates to cross lease plans, company plans or unit title plans; and

- SUB-MCD3 – Amendments to clause b to include consideration of any upgrades required to existing accesses as a result of subdivision, and to clause c to include transport safety.

C3. Statutory Tests

The District Council must ensure that prior to adopting an objective, policy, rule or other method in a district plan, that the proposed provisions meet the requirements of the RMA through an evaluation of matters outlined in Section 32.

In achieving the purpose of the RMA, the District Council must carry out a further evaluation under section 32AA if changes are made to a proposal as a result of the submissions and hearings process. This evaluation must cover all the matters in sections 32(1)-(4).

Objectives

The objectives are to be examined in relation to the extent to which they are the most appropriate way to achieve the purpose of the RMA.¹¹⁶ For the purposes of evaluation under section 32AA the following criteria form the basis for assessing the appropriateness of the proposed objectives:

- Relevance;
- Usefulness;
- Reasonableness; and
- Achievability.

Provisions

Each provision is to be examined as to whether it is the most appropriate method for achieving the objectives. For a proposed plan, the provisions are defined as the policies, rules, or other methods that implement, or give effect to, the objectives of the proposed plan.¹¹⁷

The examination must include assessing the efficiency and effectiveness (including costs and benefits of the environmental, economic, social, and cultural effects, quantified if practicable, and the risk of acting or not acting) and a summary of the reasons for deciding the provisions.

C4. Evaluation of Recommended Amendments to Objectives

Objective SUB-O2 is recommended to be amended as set out in Appendix A. The changes seek to more clearly relate the objective to subdivision.

The following tables provide an evaluation of the recommended amendments to the objectives.

¹¹⁶ RMA s32(1)(a)

¹¹⁷ RMS s32(6)(a)

Table C 2: Recommended Amendments to Objectives – SUB-O2

| | |
|----------------|--|
| Relevance | <p>Addresses a relevant resource management issue</p> <p>The proposed amendments to SUB-O2 seek more clearly relate the objective to subdivision.</p> |
| | <p>Assists the District Council to undertake its functions under s31</p> <p>The proposed amendments are within the Council's functions under s31.</p> |
| | <p>Gives effect to higher level documents</p> <p>The proposed amendments provide greater alignment with the following CRPS provisions:</p> <ul style="list-style-type: none"> • Objective 5.2.1 – Location, Design and Function of Development (Entire Region) • Policy 5.3.5 – Servicing Development (Entire Region) • Policy 5.3.6 – Sewerage, Stormwater and Potable Water Infrastructure (Wider Region) • Objective 6.2.2 (4) – Urban Form and Settlement Pattern • Policy 6.3.1(1) – Development within the Greater Christchurch Area |
| Usefulness | <p>Guides decision-making</p> <p>The proposed amendments provide greater clarity on the outcomes sought for subdivision and therefore provide more guidance for decision making.</p> |
| | <p>Meets best practice for objectives</p> <p>The proposed amendments provide greater clarity and direction and therefore better meet best practice requirements.</p> |
| Reasonableness | <p>Will not impose unjustifiably high costs on the community / parts of the community</p> <p>The proposed changes will not impose additional costs on the community / parts of the community as they provide greater clarity and direction for subdivision.</p> |
| | <p>Acceptable level of uncertainty and risk</p> <p>There is no change in the uncertainty and risk with the proposed amendments.</p> |
| Achievability | <p>Consistent with identified tangata whenua and community outcomes</p> <p>There is no change for this criterion between the notified and proposed amended objectives.</p> |
| | <p>Realistically able to be achieved within the District Council's powers, skills and resources</p> |

| | |
|-------------------|---|
| | There is no change for this criterion between the notified and proposed amended objectives. |
| Conclusion | The recommended amended objectives are the most appropriate way to achieve the purpose of the RMA by providing a coherent package of desired outcomes consistent with sustainable management. |

Overall, the recommended amendments proposed to the objectives provide greater consistency with the CRPS and greater clarity that SUB-O2 relates to Subdivision. For the purposes of sections 32 and 32AA, I consider that the revised objectives are the most appropriate way of achieving the purpose of the RMA.

C5. Evaluation of Policies and Rules

I have assessed how the recommended changes to the policies, rules and other methods are the most appropriate to implement the objectives below. In undertaking this assessment, I have evaluated the recommended amendments against the provisions as notified.

Efficiency and Effectiveness of the Provisions

I have assessed the efficiency and effectiveness of the recommended amended provisions in achieving the objectives, including identification and assessment of the costs and benefits anticipated from the implementation of the provisions in Table C and

Table C below.

Table C 2: Assessment of efficiency and effectiveness – SUB-P1, SUB- P2, SUB-P3, SUB-P6, SUB-P7 and Sub-P8

| Recommended Amendments to Provisions: | |
|--|--|
| SUB-P1 – Amendment to clause 3 to improve readability; SUB-P2 – New Clause 4 for commercial and industrial zones; SUB-P3 – Additional words ' <i>where appropriate</i> ' in clause 3, and a new clause 5 to address climate change resilience and natural hazard risk; SUB-P6 – Amendments to include ' <i>new General Residential Zones</i> ' in the chapeau, replace ' <i>school</i> ' with ' <i>educational facility</i> ' in clause 2(b)(i), remove ' <i>and how it will be funded</i> ' from clause 2(b)(e), new clause 2(b)(m) for natural hazards; SUB-P7 – Additional words ' <i>general accordance with</i> ' for flexible elements; SUB-P8 – remove example ' <i>such as financial contributions that are proportional to the benefit received</i> ' from policy; | |
| Costs | Benefits |
| The recommended changes requires an ODP for new General Residential Zones, and requires ODP's to show natural hazard avoidance or mitigations (such as stormwater retention basins) where relevant, which was a gap in the District Plan (SUB-P6). | The recommended changes respond to submitted requests. They improve readability, (SUB-P1), provide for consideration of allotment layout, size and design in commercial and Industrial Zones (SUB-P2), provide an appropriate degree of flexibility with respect to sustainable water design and for consideration of climate change resilience and natural hazard risk in subdivision design (SUB-P3), provide an |

| | |
|--|--|
| | appropriate degree of flexibility with respect to compliance with ODP's, better align with the NPS definitions, and ensures co-ordinated development within new General Residential Zones via an ODP, requires ODP to show natural hazard avoidance or mitigations (SUB-P6) and removes unjustified references to funding arrangements (SUB-P8). |
| EFFICIENCY | Overall, the recommended changes provide greater certainty and clarity for plan administration. |
| Effectiveness | The amended provisions better align with the NPS with respect to the definition of Educational Facility. The amended provisions better align with CRPS for managing natural hazard risk and ODPs. They also provide greater certainty and clarity for plan administration. |
| Summary | |
| The recommended changes respond to submitter requests, improve the management of subdivision and are therefore more effective and better achieve the District Plans objectives, the CRPS, NPS and RMA. | |

Table C 3: Assessment of efficiency and effectiveness – SUB-R1, new SUB-R3a, SUB-S1, SUB-S17, new SUB-MCD3 and SUB-MCD1

| Recommended Amendments to Provisions: | |
|--|---|
| SUB-R1 – Amend to require compliance with SUB-S1 to ensure no additional allotment is created by a boundary adjustment and that a boundary adjustment does not increase the degree of non-compliance with the minimum allotment size; | |
| New SUB-R3a – new rule for subdivision to update cross lease, company leases and unit title plans; | |
| SUB-S1 – reduce activity status from non-complying to controlled when compliance with minimum frontage within a cul-de-sac tuning head is not achieved by adding 'lots fronting cul-de-sac turning heads' as an exclusion to the frontage requirements in Table 1; | |
| SUB-S17 – reduce activity status from non-complying to restricted discretionary when compliance not achieved with minimum width; | |
| New SUB-AN3 – New advice note for consideration of limited access road to ensure properties have frontage to legal road; | |
| SUB-MCD1 – new clause 5 for updates to cross lease plans, company plans or unit title plans; and | |
| Costs | Benefits |
| There are no identified costs. | The recommended provisions will provide a more comprehensive framework for managing subdivision. They will also provide greater clarity as to the outcome intended and be easier to interpret and implement, and therefore will be more effective. The outcomes for boundary adjustments will be clearer (SUB-R1). Allotments within a cul-de-sac tuning head are excluded from minimum frontage requirements (SUB-S1). There will be a clear |

| | |
|--|---|
| | consenting pathway for updating cross lease, company leases and unity title plans (SUB-R3a and SUB-MCD1). Subdivision within urban environments with esplanade requirements are encouraged more (SUB-S17). Transport safety will be improved (SUB-MCD3). |
| Efficiency | Subdivision efficiency should be improved through more enabling provisions to update cross lease, company leases and unity title plans, for subdivision with cul-de-sacs and esplanade reserves or strips that cannot meet the minimum width requirements. Clarity is also provided with respect to boundary adjustments not being able to result in undersized or additional allotments. |
| Effectiveness | The recommended changes respond to submitter requests and provide clarity. |
| Summary | |
| The recommended changes respond to submitter requests, improve the management of subdivision and are therefore more effective and better achieve the District Plans objectives, policies, and the CRPS, NPS and RMA. | |

Overall, taking into account the assessment above, I consider the recommended amendments to the policies and rules to be more efficient and effective in achieving the objectives than the notified provisions.

Adequacy of Information and Risk of Acting or Not Acting

Section 32(2)(c) of the RMA requires an assessment of the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.

Submissions have raised a number of matters that need to be addressed to provide certainty, clarity and flexibility to the subdivision provisions of the Proposed Plan. If no action is taken and the District Plan is retained as notified, it could cause confusion and may result in a lack of consistent interpretation of the District Plan and increased costs in terms of time and money required by District Council staff to process resource consents.

Submissions also seek to amend the District Plan so it better aligns with the NPS and CRPS and better achieves the purpose of the RMA. The recommended amendments address this matter assist in making the provisions efficient and effective in achieving the objectives. The risk in not acting is that the provisions do not effectively or efficiently achieve the objectives.

After reviewing the urban Subdivision provisions of the District Plan and considering the submissions on these provisions and matters raised in mediation, I consider there is sufficient information on which to base the recommended revised objectives, policies, rules, standards, and matters of control and direction.

C6. Conclusion

I have evaluated the recommended amendments to objectives to determine the extent to which they are the most appropriate way of achieving the purpose of the RMA where there is necessary, and otherwise to give effect to higher order planning documents. I have also evaluated the recommended amendments to the proposed provisions, including their efficiency and effectiveness of the provisions in achieving the proposed objective(s). I consider the proposed objectives as recommended to be

amended are an appropriate way of achieving the purpose of the RMA and the recommended changes to provisions are the most appropriate means of achieving the objectives.

Appendix D. Report Author's Qualifications and Experience

My full name is Rachel Sarah McClung. I have been employed by the Waimakariri District Council since June 2022 as a Principal Policy Planner within the Development Planning Unit Team.

I hold the following qualifications: Bachelor of Science from Canterbury University (2000) and a Master of Science in Resource Management (Honours) from Lincoln University (2002). I am a full member of the New Zealand Planning Institute (2010).

I have over 20 years' post-graduate experience working as a resource management planner in various positions for local government, consultancies and a non-government organisation in both New Zealand and the United Kingdom. My work experience includes, amongst other matters, processing resource consent (including subdivision consents), preparing resource consent applications (including subdivision consent applications), policy research and reporting for plan changes to district plans, for both councils and private clients.

My role as part of the District Plan Review Team includes preparation of s42A reports and supporting other team members. I was not involved in the preparation of the Proposed Plan and did not author any of the Section 32 Evaluation Reports or supporting documentation. I was not involved in summarising the submissions to the proposed Waimakariri District Plan. I was involved in Variation 1: Housing Intensification that responded to the direction for the RMA – EHS (Enabling Housing Supply). My involvement included contributions to the Overall s32 report and reviewing the summary of submissions prior to notification.

Appendix E. S42A Reports Considered

The following s42A reports were considered in undertaking the evaluations within this s42A report:

- Overarching and Part 1 matters – Mr Peter Wilson
- Rautaki ahunga - Strategic Directions – Mr Mark Buckley
- Āhuatanga auaha ā tāone - Urban Form and Development – Mr Mark Buckley
- Ngā whenua tapu o ngā iwi - Sites and Areas of Significance to Māori – Mr Alan Matheson
- Matū mōrearea - Hazardous Substances and Whenua paitini - Contaminated Land – Mrs Jessica Manhire
- Matepā māhorahora - Natural Hazards Chapter – Mr Andrew Willis
- Tomonga mārea - Public Access – Ms Bryony Steven
- Ngā momo tākaro ki runga i te wai - Activities on the Surface of Water – Ms Bryony Steven
- Āhuatanga o te whenua - Natural Features and Landscapes – Mrs Shelley Milosavljevic
- Te taiao o te takutai moana - Coastal Environment – Mr Peter Wilson
- Āhuatanga o te awa - Natural character of freshwater bodies – Mr Peter Wilson
- Te orooro – Noise – Mrs Jessica Manhire
- Rākau hirahira – Notable Trees – Ms Bryony Steven
- Taonga o onamata/ Historic Heritage – Ms Bryony Steven
- Ngā tohu - Signs – Mrs Shelley Milosavljevic
- Tūramarama - Light – Mrs Jessica Manhire
- Pūngao me te hanganga hapori - Energy and Infrastructure – Mr Andrew MacLennan
- Ranga waka - Transport – Mr Andrew MacLennan
- Ketuketu whenua - Earthworks – Mr Peter Wilson
- Whaitua Tākaro - Open Space and Recreation Zones – Mr Neil Sheerin
- Whatitua Taiwhenua - Rural Zones – Mr Mark Buckley
- Whaitua Arumoni Whaitua Ahumahi – Commercial and Mixed Use – Mr Andrew Willis
- Whautua Motuhake - Special Purpose Zone – Kaiapoi Regeneration – Mrs Shelley Milosavljevic
- Whautua Motuhake - Special Purpose Zone – The Pines Beach and Kairaki – Ms Bryony Steven

- Whautua Motuhake - Special Purpose Zone – Pegasus Resort – Mrs Jessica Manhire
- Whautua Motuhake - Special Purpose Zone – Museum and Conference – Mr Peter Wilson
- Whautua Motuhake - Special Purpose Zone – Hospital – Ms Bryony Steven
- Wāhanga Waihanga - Development Areas – Mr Peter Wilson
- Tautapa - Designations (District Council) – Mr Garry Blay
- Tautapa - Designations (Requiring authorities other than the District Council) – Mr Neil Sheerin
- Wāwāhia whenua - Subdivision – Rural – Mr Mark Buckley