
MEMORANDUM

DATE: 18 April 2023

HEARING: Malvern Rezoning Requests

HEARING DATE: 20 April 2023

PREPARED BY: Jon Trewin – Policy Planner

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1. Purpose

- 1.1 The purpose of this memo is to alert the panel to any updates to the Officer report (the 'S42a report'), and any responses from the expert peer reviewers following receipt of the rebuttal evidence.

2. Bealey Spur

- 2.1. A rebuttal statement has been provided by Tony Edney¹. Mr Edney is seeking bespoke provisions for Bealey Spur to govern the bulk and location of buildings and structures. In the S42a report, I recommended a default reversion to the Operative District Plan rules for this location (40m² size limit, 4m height limit). Mr Edney disagrees and proposes other rules and standards. His evidence traverses into landscape planning/design matters, and I am not qualified to offer an opinion on this. I am unsure as to Mr Edney's credentials in this area but, if it may assist the panel, Council could seek expert landscape planning/design advice.

3. Castle Hill Village

- 3.1. Both new evidence and rebuttal evidence has been provided for Castle Hill Adventure Tours Limited (CHAT)². The new evidence concerns landscape and planning. A rebuttal statement from Mr Reid addresses, in part, servicing of the site. Altogether, there were a number of issues identified in the S42a report. How these have been addressed by the submitter through both new and rebuttal evidence are discussed in the below points:

NPS and S32AA

- 3.1.1. In the S42a report I stated that no assessment has been made as to why the new zone is necessary compared to alternatives (Standard 8, Cl.3 of the National Planning Standards) and there has been no assessment of costs under s32AA of the RMA. The submitter has since included a statement by Dan Tremewan, a Development Manager, which addresses this issue. The assessment as to why the new zone is necessary utilises the three criteria (A-C) in Standard 8:

- A. *Significance to the district, regional or country.* Mr Tremewan states that the new zone is likely to be significant due to the facilities that will be on offer. This includes a golf course, international ice-skating rink, gym, spa, walking area and wetland, a retail outlet, conference rooms, restaurant and visitor accommodation³. Taken at face-value, this is a significant development and comparable to some of the activities covered by other special purpose zones in the District including Terrace Downs, Grasmere, Porters Ski Resort and (proposed) Flock Hill. Taking a consistent approach where the nature of this development is similar (perhaps even greater in scale) to these other areas, I agree that this could be considered to be a significant development for the District.
- B. *Impracticality of managing through another zone.* Mr Tremewan states that other zones would not be appropriate for the site as the descriptions and provisions of the GRUZ are not applicable where the majority of descriptions and provisions would need to be changed. He also states that there is no other zone to adequately deal with visitor accommodation proposed at the site and a special purpose zone is the best solution

¹ DPR-0036.001, 002

² DPR-0391.002, 0395.001 and 003.

³ Para 39 of Mr Tremewan's evidence.

based on other special purpose zones in the High Country. I note the previous resource consent granted, suggesting that tourist development is possible at the site. However, this proposal is materially different as it includes large-scale visitor accommodation and there is therefore less certainty this would be compatible with the objectives and policies of GRUZ. Given the specific, almost unique, nature of the proposal, I agree that other zones are not more suitable for managing this activity.

- C. *Impracticality of managing through a combination of spatial layers.* Mr Tremewan states that using other spatial layers available in the Planning Framework is unsuitable because this would result in piecemeal development and the objectives and policies of GRUZ lack the specificity necessary to realise the intended development of the site. I agree that it is unlikely that reliance on the objectives and policies of GRUZ would be appropriate as these fundamentally prioritise primary production activities which is not the intended use of the site.

- 3.1.2. The S32AA evaluation provided by Mr Tremewan is a fairly detailed assessment of the costs and benefits of the proposal and does assess some realistic alternatives. Given that there are still to be addressed effects on landscape, as per Mr Bentley's peer review evidence, I cannot agree fully with the conclusions reached that the proposed rezoning is the most appropriate method for achieving the objectives and policies of the PDP. Mr Tremewan's evidence also suggests the removal of the ONL is still sought as an outcome (which was sought as relief in the original submission) which is at odds from evidence received by Mr Smith where ONL values are not in contention.

Servicing

- 3.1.3. In the S42a report I stated that there are both water and wastewater capacity issues at Castle Hill. Whilst the wastewater and water reticulated network could be upgraded with appropriate development contributions, it is unclear from evidence presented that there is a sufficient water resource. The submitter, through Mr Reid, has provided a rebuttal statement contesting this. This has been assessed by Hugh Blake Manson (**Appendix 1**), on behalf of Council who does indicate that servicing is possible. I understand there have been discussions with Mr Blake-Manson and Bonisch Consultants (for CHAT) in this regard. Mr Blake Manson's conclusions are as follows:

- 3.1.3.1. The applicant has not provided details of the water demand. There is capacity within the existing network to meeting daily and firefighting demand. In the absence of demand data including fire flow information from the applicant, Council could provide a restricted supply (restricted daily volume and instantaneous flow rate) to the property boundary. The volume and rate of water take will need to be agreed subject to information from the applicant. Costs for any infrastructure works to achieve a water connection will be fully covered by the applicant. Works should be undertaken in accordance with Councils Engineering Code of Practice requirements. Water service ownership including operations, maintenance and renewal of infrastructure within the applicant's property will fall to it unless otherwise noted and agreed e.g. water sample test points.

- 3.1.3.2. Costs for any infrastructure works to achieve connection to the inlet to the gravity wastewater network will be fully covered by the applicant. Works should be undertaken in accordance with Councils Engineering Code of Practice requirements. Wastewater service ownership including operations, maintenance and renewal of infrastructure within the applicant's property will fall to it unless otherwise noted and agreed. The composition of caravan waste including chemical loads and flows should be provided by the applicant. It should also provide an assessment from an appropriately

qualified person/s regarding its impact on the oxidation pond treatment system and how this will be mitigated to ensure consent compliance.

- 3.1.3.3. The applicant will be responsible for designing, obtaining consent, constructing and commissioning the stormwater system. Stormwater consent and service ownership including operations, maintenance and renewal of infrastructure within the applicant's property will fall to it unless otherwise noted and agreed.

Landscape

- 3.2. In the S42a report, I stated that the submitter has not provided enough evidence that the level of development enabled by the rezoning request is compatible with the values of the ONL through appropriate assessment and minimisation of any effects that will impact on those values.
- 3.3. Landscape evidence was provided, dated 24 March 2023, from Paul Smith of Rough Milne Mitchell Landscape Architects. Mr Smith also provided some suggested amendments to the suite of provisions that were provided in the original submission by CHAT. Mr Smith concluded that, subject to the amendments that he proposes to the provisions, the Castle Hill Recreation and Visitor Zone (CHRVZ) will provide for additional development in a way which will protect the landscape values of the surrounding ONL.
- 3.4. James Bentley from Boffa Miskell has peer reviewed Mr Smith's evidence (**Appendix 2**). Essentially, he concludes that further work is needed to refine the proposal. He agrees in principle that a bespoke CHRVZ is appropriate but that there are too many uncertainties to the proposal that do not give adequate assurance that landscape values will be protected. His peer review evidence provides detailed areas of concern including viewshafts. I do note however that he is supportive of a change to the provisions proposed by Mr Smith for a comprehensive landscape mitigation plan, but this is not enough to mitigate the effects of the rezoning on landscape values.

Plan integration

- 3.5. In the S42a report I stated that it is unclear how the proposed zone will function with other Chapters of the PDP (for example NFL), creating a plan integration issue. Mr Smith has now proposed that the CHRVZ is excluded from the application of NFL-R1 and NFL-R2 (and accompanying rule requirements). This is consistent with how other special purpose zones located in ONL (SKIZ/PORTZ, GRAZ) and proposed special purpose zones (i.e. Flock Hill) are treated in the NFL Chapter. However, I have concerns that there are no standards for earthworks and seek further clarity on what requirements will apply.

Transport

- 3.6. Mat Collins and Andy Carr have arrived at a Joint Witness Statement (JWS) (**Appendix 3**) concerning the upgrade of the intersection at the entrance the CHAT site. Simply put, both Mr Collins and Mr Carr agree that:
 - 3.6.1. If the proposed intersection improvement scheme (attached to the JWS) is in place by the time of the hearing, the rezoning request can be approved without any trigger rule or any further provision in respect of an intersection upgrade.
 - 3.6.2. If the proposed intersection improvement scheme is *not* in place by the time of the hearing, then some form of rule is required to ensure the intersection is upgraded.

Conclusion

- 3.7. Whilst some areas of concern expressed in the S42a report have been addressed, the potential for adverse effects on landscape values still exist as determined by Mr Bentley. Additionally, it is unclear what earthwork requirements will apply to the site as the proposed zone is to be exempted from NFL-R2. Until these issues are resolved, I cannot recommend that the rezoning request is accepted.

4. Coalgate

- 4.1. Both new evidence and rebuttal evidence has been provided for Peter and Christine Bond⁴. The rebuttal evidence relates to planning matters and the new evidence relates to geotechnical and site contamination matters.
- 4.2. In the S42a report, I raised the following matters. How these have been addressed by the submitter through both new and rebuttal evidence are included in the below points in *italics*.
- 4.2.1. The potential for 10-12 sites to be established and the need to assess the proposal as if that quantum of development could be established. *Mr Johnson has commented that Mr Bond, the landowner, has agreed that the ODP should include a notation in the narrative that only four sites will be developed. Possibly as an oversight, no such notation is included. As there seems to be agreement on this point, I consider that this could be resolved with the inclusion of the wording 'there will be no more than four allotments formed where a residential unit is to be established', (or similar wording). This still allows access and servicing lots to be formed without counting towards the four residential lots.*
- 4.2.2. Primary access should be on Bridge Street and an indicative pedestrian link should be shown on an outline development plan (ODP). Bridge Street is a more appropriate access point than SH77 to the north and given the road speeds of Bridge Street currently outside of the site (being a maximum of 100km/hr), the access point will need to be appropriately located away from the SH77/Bridge Street intersection. *The submitter agrees to this and an ODP is included with these features (see below).*
- 4.2.3. Confirmation that there are not likely to be any geotechnical or site contamination issues as this was unclear from the initial evidence provided. *Mr Johnson comments that reports addressing these issues will be made available before the Hearing. A Preliminary Site Assessment (PSI) and Geotechnical report were provided on 3rd April 2023. Due to the timing, it has not been possible to have these reports peer reviewed. The PSI report concludes that no issues have been identified on the site that preclude future residential development. The Geotechnical report makes a similar finding, that residential development can be accommodated providing the appropriate inspection and design of foundations in accordance with the relevant Codes of Practice and the Geotechnical report.*

⁴ DPR-0180.001

Bond, Bridge Street, Coalgate: ODP and Narrative



Context

This area is a triangular block located on the eastern edge of the Coalgate township. It is bordered by Homebush Road/ SH77 to the north, and Bridge Street to the south-east. The Coalgate Tavern and a residential dwelling lies to the west of the site.

It adjoins rural open pasture to the north and east. There is a GIZ zone about 70m to the south-east shielded by trees.

Land Use

The design and layout of subdivision development is dictated by the triangular shape of the block and the need for on-site wastewater treatment and disposal, and possible on-site potable water from private wells.

The land is mostly flat with no dominant natural features.

Access and Transport

The Site will be accessed from Bridge Street. No access is to be provided to the State Highway on Homebush Road.

Provision is made for an extension of the footpath near the Tavern to the access in to the site.

Open Space, Recreation, and Community Facilities

No green spaces are proposed within the Site as it is a large lot development with ample room for on-site open space, and it is close to the amenities and facilities of Coalgate.

Servicing

The underlying soils are relatively free-draining, and generally support the discharge of stormwater via infiltration to ground. There are a range of options available for the collection, treatment, and disposal of stormwater. Detailed stormwater solutions are to be determined by the developer in collaboration with Council at subdivision stage and in accordance with Environment Canterbury requirements.

The public water supply will be provided from the Malvern Hills Rural Water Supply at the developer's cost and may be supplemented by on-site wells.

Sewage will be disposed to ground on each lot to specific designs to be approved by the Council at building consent stage.

5. Darfield

Kainga Ora

- 5.1. Rebuttal evidence has been provided by Kainga Ora⁵. The rebuttal evidence from Joe Jefferies relates to planning matters and addresses a submission point seeking a Medium Density Residential Zone (MRZ) in Darfield.
- 5.2. In the S42a report, I stated that the rezoning of Darfield into MRZ within a 400m walkable catchment is in my view premature and any application of MRZ in Darfield in future should be conducted with a high degree of community consultation through a spatial planning exercise to determine the appropriate tool to promote intensification. In the interim, it is possible to develop medium density housing typologies through small and comprehensive site development rules in the GRZ/LRZ. This mechanism allows consideration of design in the context of the locality, whereas this is less clear with blanket application of MRZ, especially if the Medium Density Residential Standards are to be applied.
- 5.3. Whilst I acknowledge Mr Jefferies rebuttal evidence, my concern is how MRZ would manifest in Darfield and what standards would apply (Medium Density Residential Development) or otherwise and how this would be incorporated into the character and amenity of the township. Darfield has also only recently been given the capacity to provide reticulated wastewater and the town is also not infrastructure ready to support intensification (with trunk wastewater pipes not yet being in place to support lateral connections). I also maintain my point that multi-unit

⁵ DPR-0414.432

dwellings are provided for through the proposed Low Density/General Density Residential Zoning in the PDP. I therefore maintain my recommendation that the submission point be rejected.

Alistair John Dugald Cameron

- 5.4. Rebuttal evidence had been provided by the submitter⁶ on planning and transport matters.
- 5.5. In the S42a report, I stated that the proposal, whilst in part consistent with the Malvern Area Plan, by itself does not form concentric and compact urban development because the land to the east will remain as Large Lot Residential Zone (LLRZ). The rezoning does not appear to be required as there is a sufficient supply of sites to develop this typology of housing based on foreseeable demand in locations that are more compact and consolidated. It could be considered that the proposal is therefore out of sequence and comprehensive development of the area would be better achieved through a spatial planning exercise to ensure a concentric and compact urban form is achieved.
- 5.6. Thomas Coughlan (planning evidence) has commented on the central issue I had which was that the rezoning does not provide a compact urban form given the majority of the surrounding land will remain as a LLRZ. My concern relates to the fact that the site will essentially be a peninsular of more intense development, opposite Low Density Residential (LRZ) development on Oakden Drive with Darfield High School to the southeast. I acknowledge that there is the potential for inconsistency with advice I have given for the site subject to PC61 (in this case being the 'Boyes' submission).
- 5.7. I do not agree with Mr Coughlan that the development at the site will form a compact and consolidated urban form. I also acknowledge however that this is also true to some extent with the site subject to PC61, where an earlier precedent was set for part of the site to be zoned Living 1, albeit at lower densities (1950m²) than envisaged by that zoning category⁷ (partially due to the need to provide space for on-site wastewater disposal but also representing the developer's preference at the time). In both cases, neither the quantum of allotments that would result from the Boyes submission or the Cameron submission is required to meet Darfield's short-medium or long-term housing needs. There is a case to be made for Mr Boyes submission to intensify however as it would support the integrity of the underlying zone (being Living 1 in the ODP and either LRZ/GRZ in the PDP⁸), whilst being able to be supported by transport upgrades and the recent arrival of reticulated wastewater. Kersey Park (Mr Boyes) site will integrate into the Darfield township pattern through a planned connection with Ascot Park to the southwest. Ascot Park is already partially zoned as LRZ in the PDP connecting to Kersey Park.
- 5.8. I agree that Mr Cameron's site can be serviced and now transport impacts have been addressed (see below). In addition, the site is relatively close to Darfield town centre being under 1km. I do however retain some specific concerns with this rezoning request. As stated, the submitter's site is LLRZ on all sides except to the south across SH77 via Oakden Drive, which is a cul de sac. I also note that there may be future reverse sensitivity issues should land to the east of the submitter's site be eventually rezoned and intensified, with the neighbouring Mitchell Brothers sawmill in close proximity. DEV-DA6 suggests that a 60m buffer may be required (based on the interface with the western side of the mill). This could limit intensification and the eventual incorporation of Mr Cameron's site into the more compact Darfield township pattern.
- 5.9. Ultimately, I do not consider the submitter's proposal to be needed to meet Darfield's housing needs and there are sites that better integrate with Darfield's existing urban form. I also

⁶ DPR-0416.001

⁷ Living 1 in Darfield is 650m², average minimum lot size.

⁸ GRZ as per Kainga Ora's submission. The more easterly section of the PC61 site would more naturally convert to LLRZ, being comprised of significantly larger sites.

acknowledge that the site subject to PC61 and now Mr Boyes submission also does not fully achieve this objective however has, through a previous Council process, already achieved a zoning status equivalent to low density residential and therefore this existing zoning would seem to support intensification of this site. I therefore maintain that I cannot recommend that the submission point is accepted.

- 5.10. The submitter has also provided evidence from Andy Carr on transport matters. Mr Carr states that he considers that the rezoning request to LRZ can be supported from a traffic and transportation perspective and there are no traffic and transportation reasons why the rezoning to LRZ could not be approved.

- 5.11. Mr Collins, peer reviewing Mr Carr's evidence (**Appendix 4**) states that:

- 5.11.1. In general, I consider that the transport effects of the proposed rezoning can be adequately managed through the future resource consent process. However, to ensure integrated land use and transport outcomes, I recommend that the sites be incorporated within DEV-DA6 along with the following amendments:

5.11.1.1. DEV-DA6 plan includes an indicative road between Bangor Road and Cridges Road

5.11.1.2. DEV-DA6 "Access and Transport" section includes the following additions:

A primary connection shall run from State Highway 73 and connect to the development area to the northwest. A Two secondary connections shall run through the area to Cridges Road and Bangor Road. A safe pedestrian crossing facility shall be provided on Bangor Road, near Oaken Drive. Cridges Road shall be upgraded to comply with Council's Engineering Code of Practice. Roading is to integrate with the ODP, or any approved subdivision plan, for the adjoining development area.

Murray Boyes

- 5.12. Rebuttal evidence has been provided by Murray Boyes⁹ on transport and economics matters.
- 5.13. In the S42a report I noted that, consequential to Kainga Ora's relief seeking the rezoning of LRZ to GRZ 'at large' in Darfield, part of Murray Boyes site had the potential to be rezoned as GRZ. I did query whether this would have any impact on the performance of the (proposed) Creyke Road/SH73 intersection. Andy Carr, acting for Mr Boyes, suggests that the addition of 20 residences would have no impact. Mr Collins agrees with this assessment (**Appendix 4**). The assumption may be based on the entire residential portion of the site being zoned GRZ however in my view, GRZ would not apply to the larger lots zoned to the east of the PC61 site. LLRZ would be a more appropriate zoning category here, as the size of these sites are larger and align with more closely with the minimum site sizes of LLRZ. Regardless, both experts agree that the effect of this change on the intersection would be minimal.
- 5.14. Mr Collins also notes that the proposed Development Area for Ascot Park (DEV-DA1) does not include a connection through to neighbouring PC61/Kersey Park site. He notes approved subdivision consent RC225353 for Ascot Park which includes such a connection on the subdivision layout and recommends, if there is scope to do so, DEV-DA1 be updated to indicate this connection. I agree with Mr Collins that it is important that there is consistency and connectivity between both development areas and that creating this connectivity appears to be the intention of both developers. Thus DEV-DA1 should be updated accordingly.

⁹ DPR-0476.001

5.15. In terms of economic evidence, Mr Foy has commented on Shamubeel Eaqub's rebuttal evidence (**Appendix 5**). Mr Foy's essential conclusions are that:

- 5.15.1. He confirms that his demand estimates include the required competitiveness margins prescribed by the NPS-UD. He maintains there is little economic downside in the requested zone change.
- 5.15.2. He agrees with Mr Eaqub that house prices could be lower in Darfield, based on proximity to Christchurch, which would add to housing choice and agrees that Darfield residents will be able to work in Selwyn including in the rapidly growing Rolleston industrial area. Mr Foy has not undertaken an overall efficiency assessment, although acknowledges the site being serviced by infrastructure could make the site more efficient than other development closer to Christchurch that cannot be serviced. He disagrees with Mr Eaqub that there is no direction in the NPS-UD about the appropriate location for growth as this is indicated in cl 3.11.
- 5.15.3. He notes Mr Eaqub's observations about inconsistencies between the estimates provided by Mr Baird and his peer review. Mr Baird's analysis does not include the industrial land that was rezoned as part of PC61. Mr Baird's analysis indicates only 7ha of vacant industrial land in Darfield now. He comments that:
 - 5.15.3.1. If the rezoning request by Mr Boyes is approved, the Boyes/Kersey Park site would have around 12ha of industrial land, together with the 7ha of vacant industrial land, for a total of 19ha. If then, 3ha of the 7ha is changed to residential zone as requested by the Ascot Park submission, that would then leave 12ha at Boyes and Kersey Park, plus 4ha elsewhere in Darfield, for 16ha vacant industrial land.
 - 5.15.3.2. If the 12ha area within the Boyes and Kersey Park site is not approved to become industrial zone as requested, there would be only 7ha of vacant industrial land in Darfield, or 4ha if Ascot Park's requested rezoning is approved. That means that without the industrial zoning requested in the Boyes/Kersey Park submission, there would be a shortfall of industrial land in Darfield within the medium term (7ha or 4ha of industrial land vs 12ha of demand).

6. Flock Hill

- 6.1. Rebuttal evidence has been provided by Flock Hill Holdings¹⁰. The rebuttal evidence relates to landscape, geotechnical, contamination and planning matters.
- 6.2. In the S42a report, I raised the following matters. How these have been addressed by the submitter through rebuttal evidence is included in the below points in *italics*:
 - 6.2.1. Site contamination information gaps are addressed by way of further information provided either before or at the Hearing. *A Joint Witness Statement (JWS) between parties is available showing broad agreement between parties (**Appendix 6**).*
 - 6.2.2. Given the potential for building platforms to be established in the eastern portion of the site, further information is provided on site suitability in this area. *The submitter has provided an additional statement by a geotechnical engineer that site conditions are likely to be similar across the site and further investigations can appropriately be undertaken at the building consent stage. Mr McCahon has reviewed this (**Appendix 7**) and whilst his assumption was*

¹⁰ DPR-0097.001 and 004

that buildings were not to be established on the eastern portion of the site, he largely agrees with the conclusions reached by the submitter's engineer.

6.2.3. A site coverage threshold being applies to buildings and structures of 5% of another suitably agreed threshold. *A JWS has been drafted between parties which has recommends a site coverage cap of 8,000m² and amendments to provisions that seek to avoid the over-concentration of buildings in particular areas of the site. There were no matters of disagreement in the JWS. (Appendix 8)*

6.2.4. A rule and rule requirement managing helicopter movements based on that at Terrace Downs is included. *Under the above JWS, it was agreed that the GRUZ rules on helicopter movements would apply to the site (4 movements per day and up to 20 per week).*

7. Kirwee

7.1. Rebuttal evidence has been provided by Bealey Developments Limited¹¹. The rebuttal evidence relates to transport and planning (which also covers servicing and natural hazards issues).

7.2. In the S42a report, I recommended that in overall terms the submission be accepted subject to the following matters being addressed (listed below). How these matters have been addressed by the submitter through rebuttal evidence is included alongside the below points in *italics*:

7.2.1. The ODP being amended to show walking and cycling connections internally and to the rest of Kirwee township and the presence of a noise control overlay from SH73. *In the rebuttal evidence provided by Julie Comfort, a revised ODP has been provided that shows walking and cycling connections, revised roading connections and both the noise control overlay boundaries for SH73 and the Rail Line.*

¹¹ DPR-0449.001 and 002.

[illegible]

Kirwee 1 Development Area

Context

This Development Area comprises 33.70ha and is bounded by Hoskyns Road to the north and State Highway 73 to the south. This area immediately adjoins the Kirwee township on its eastern boundary. The DP has road access onto Hoskyns Road, State Highway 73 and Suffolk Drive.

Access and Transport

Access to the site is provided from Hoskyns Road, State Highway 73 and Suffolk Drive. There shall be no direct access from individual lots to State Highway 73.

Consultation shall be undertaken with Waka Kotahi regarding the detailed design of the intersection with State Highway 73, and whether a pedestrian or shared path is required along the frontage to connect with the existing path further west.

A 1.5m wide footpath is to be provided along the full length of the Hoskyns Road frontage of the site, to tie into the existing footpath along Hoskyns Road.

Shared pedestrian and cycle routes are to be provided along the main roads within the area that connect to Hoskyns Road, Suffolk Drive. A pedestrian or shared path shall only be provided to State Highway 73 if such a path is to be provided along that road frontage.

An indicative road connection is shown to the east to ensure future long-term connectivity is available. If this connection is required a shared pedestrian and cycle link shall also be provided.

Servicing

Prior to the approval of a subdivision for residential purposes, the availability of a potable groundwater source capable of servicing the whole of this Development Area shall be confirmed with the Council.

Amended ODP, provided in rebuttal evidence supplied by Julie Comfort.

- 7.2.2. In addition, rebuttal evidence was provided by Mr de Verteuil that addressed points raised by Council's transport peer review by Mat Collins. Mr Collins has responded (**Appendix 4**):
- 7.2.2.1. Mr de Verteuil disagrees with the need to provide walking and cycling facilities on SH73 and disagrees with providing a shared use path on Hoskyn's Road. Mr Collins, on reflection, states that he considers Mr de Verteuil's concerns regarding the need for pedestrian and cyclist facilities on SH73 are valid as the current property boundary of 2490 West Coast Road would likely prevent any connection to the existing footpath further west. He recommends that the ODP narrative identify that the submitter should consider walking and cycling facilities on SH73 during subdivision, in consultation with Waka Kotahi.
 - 7.2.2.2. Mr Collins though does maintain the need for a shared path along the site frontage at Hoskyn's Road to future proof a possible future cycleway link between Darfield and West Melton.
 - 7.2.2.3. Mr Collins agrees with Mr de Verteuil's response to Waka Kotahi's submission that the submitter will be required to develop an appropriate design for any new intersection with SH73, in consultation with Waka Kotahi. He considers this can be addressed at the time of subdivision.

- 7.2.2.4. Mr Collins maintains that the rezoning be delayed if there is adequate capacity for residential growth in more accessible locations. This due to the lack of accessibility and need for car dependent development. As I state in the S42a report, this is a finally balanced argument. Future demand in Kirwee appears to be able to be met from existing capacity however the land is already zoned for residential purposes, would represent intensification is adjacent to PC60 (larger lot residential to smaller lot residential) and may increase the viability of additional services being available in Kirwee which could reduce the need to travel for some trips.
- 7.3. Insert a requirement into the ODP that, prior to subdivision being approved, a suitable groundwater source that is capable of servicing the site is vested to Council. *The submitter is proposing to include this in the narrative of the ODP.*
- 7.4. Confirmation that there are no other natural hazards that would impact on the site. *Ms Comfort states that the matter was considered with the planning assessment included with the original submission, where it identifies that as a generally flat sites with no adjoining waterways there are no erosion, subsidence or slippage hazards associated with the site.*

8. Waddington

- 8.1. Rebuttal evidence has been provided by Keith Jenkins¹². The rebuttal evidence relates to transport, natural hazards and planning (covering servicing issues).
- 8.2. In the S42a report, I recommended that in overall terms the submission be accepted subject to the following matters being addressed (listed below). How these matters have been addressed by the submitter through rebuttal evidence is included alongside the below points in *italics*:
- 8.2.1. Confirmation that no other natural hazards are present on site, as per Mr McCahon's advice. *Mr Reed, the submitter's geotechnical expert, has confirmed that the geotechnical report included in submission evidence will appropriately avoid, remedy or mitigate potential geotechnical hazards on site. Mr McCahon comments (Appendix 7) that he is willing to accept this given the context and knowledge surrounding the site and area. A flood hazard report has also been included by way of rebuttal. The report found that no area of the property is defined as 'high hazard' and that buildings can be appropriately located away from overland flow paths and setting floor levels at the appropriate freeboard height. As the flood hazard report was received on 29 March 2023, it has not been peer reviewed in time for the Hearing.*
- 8.2.2. A water race buffer be indicated on the ODP to ensure an appropriate setback is considered at the subdivision consent stage. *The ODP has been amended to include this on the plan for the site and the accompanying narrative.*
- 8.2.3. Inserting a requirement into the ODP that no subdivision is allowed, where supply is proposed to be from the reticulated water network, until an upgrade is undertaken to the water supply network for the Sheffield/Waddington township. *The ODP has been amended to include this on the accompanying narrative.*

¹² DPR-0140.001

Context

This area is a triangular block located on the eastern edge of the Waddington township. It is bordered by Curve Road to the north, Waddington Road to the west and Waimakariri Gorge Road to the east. It adjoins rural open pasture to the north and east.

Waddington School sits at the junction of Curve and Waddington Roads.

A Council water race runs northwest/ southeast through the site.

Land Use

The design and layout of development is dictated by the triangular shape of the block. The dominant views are to the north and north west to the foothills of the Southern Alps. The land is mostly flat with no dominant natural features.

Access and Transport

The Site will be accessed by local roads coming in from Waddington and Waimakariri Gorge Roads. A cul de sac will serve the eastern lots. No access is to be provided to the State Highway on Curve Road.

The local road connecting to Waddington Road, including for pedestrian and cyclist access, is the best point of connection in to the Waddington township.

Open Space, Recreation, and Community Facilities

No green spaces are proposed within the Site as it is a large lot development with ample room for on-site open space, and it is close to the amenities and facilities of Waddington and Sheffield.

Servicing

The underlying soils are relatively free-draining, and generally support the discharge of stormwater via infiltration to ground. There are a range of options available for the collection, treatment, and disposal of stormwater. Detailed stormwater solutions are to be determined by the developer in collaboration with Council at subdivision stage and in accordance with Environment Canterbury requirements. Systems will be designed to integrate into the road networks where practicable.

The public stormwater system will only be required to manage runoff generated from within the road reserve.

The standard of public water supply will be determined by the number of lots created unless an alternative arrangement is made by the landowner/developer and approved by Council.

No subdivision consent will be granted where the water supply is proposed to be from the reticulated water network, until an upgrade is undertaken to the water supply network for the Sheffield/Waddington township.

Sewage will be disposed to ground on each lot to specific designs to be approved by the Council at building consent stage.

A buffer or setback to the water race bisecting the Site will be provided at subdivision consent stage to provide access for maintenance activities.