Fast-track Approvals Act 2024

Christchurch City Council

Comments by the Christchurch City Council

(Section 53(2)(a))

Application:	Ryans Road Industrial Development [FTAA-2504-1054]
CCC Reference:	RMA/2025/1208
Applicant:	Carter Group Limited
Site address:	104 Ryans Road & 20 Grays Road
Legal Description:	Lot 4 DP 22679, Pt Lot 3 DP 22679, Pt Lot 1 DP 2837
Proposal:	126 lot fee simple subdivision and land use consent enabling industrial activity
Zoning:	Rural Urban Fringe Zone
Overlays and map notations:	33kV Electricity Distribution Lines 50 dB Ldn On-Aircraft Engine Testing Noise Contour 55 dB Ldn Air Noise Contour Air Noise Boundary Christchurch International Airport Protection Surfaces Designation (D1 – Christchurch International Airport)

Activity status

Land use:	Non-complying
Subdivision:	Non-complying
NES-CS	Restricted discretionary

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Preamble

1. These are the comments by the Christchurch City Council on the application under the Fast-track Approvals Act 2024 by Ryans Road Industrial Development [FTAA-2504-1054] (the application). The Council's comments are in the form of expert reports on the applications. Those expect reports are consolidated and assessed in an overarching planning assessment. This document is that planning assessment, with expert reports relied on attached to it.

2. My name is Francis William Drake White. I am employed as a Senior Planner and based in the Civic Offices of the Christchurch City Council (CCC or Council). I have been employed by the Christchurch City Council since July 2022. I hold a Master of Planning degree from Lincoln University, obtained in 2023, and a Bachelor of Arts degree from The Open Polytechnic of New Zealand, obtained in 2019. I am an Intermediate member of the New Zealand Planning Institute and have three years of experience working in the planning and resource management field.

3. This report has been prepared with advice from the Council staff and external consultants, detailed below. A copy of their reports has been attached in the appendices.

Appendix	Author	Position
2.	Aimee Martin	Senior Research Analyst
3.	Rodney Yeoman and Derek Foy	Economist (Consultant - Formative)
4.	Ian Millner	Principal Consultant (Consultant - Landvision)
5.	Michele McDonald	Team Leader Asset Planning Water and Wastewater
6.	Brian Norton	Senior Stormwater Planning Engineer
7.	Yvonne McDonald	Senior Subdivision Officer
8.	Andrew Milne	Team Leader Asset Planning Transport
9.	William Field	Senior Urban Designer
10.	Katie Kerr	Principal Waterways Ecologist
11.	Andrew Crossland	Ecologist (Ornithologist)
12.	Christine McClure	Ecologist (Herpetologist)
13.	Nicholas Head	Senior Ecologist (Botany)
14.	Kirsten Rayne	Senior Environmental Health Officer
15.	Cedric Carranceja	Lawyer providing a legal opinion (Consultant – Buddle Findlay)

3. This report reviews the application for resource consent and addresses the relevant information and issues raised.

Proposed activity

4. Carter Group Limited has applied for subdivision and land use consent under the Fast-track Approvals Act 2024 (FTAA), to subdivide 55.5ha of land at 104 Ryans Road and 20 Grays Road creating 126 allotments providing for industrial activities generally permitted within the Industrial General zone, subject to specified exceptions.

5. Consents relating to functions of the Canterbury Regional Council are also sought, being a water permit, discharge permit, and land use consent. Relating to the function of the Department of Conservation, a wildlife permit is also sought. This report does not consider the effects relating to these approvals.

6. The proposal is outlined in detail in paragraphs 62-107 of the Assessment of Environmental Effects (AEE). In brief, the main features include:

a. The subdivision of 55.5ha of land creating 126 fee simple allotments in two stages;
b. The formation and vesting of roads;
c. The creation of stormwater basins to manage runoff from roads to vest in Council, to be contained within Local Purpose (Utility) Reserves;
d. Earthworks to install services and form roads.

7. The application was amended on the 15th of August 2025, as described in the Memorandum of Counsel for Carter Group. In brief, the changes include:

a. Retention of an open water race forming part of the Selwyn District Council's Paparua Water Race Scheme, that was initially proposed to be piped;
b. Revision of the location and sizing of the stormwater basins;
c. Addition of a lot providing for the relocation of lizards on the site, to remain in private ownership;
d. Amendments to conditions proposed, including additional limitations on building heights in proximity to Christchurch International Airport.

Scope of Industrial Activity

8. In Minute 3 of the Expert Panel requesting comments, the Panel requested that CCC provide comment on:

> *Identification of the industries that are potentially enabled by the consent and conditions that are sought, and any further restrictions on the scope of activities that it considers should be imposed.*

9. The permitted activities within the Industrial General zone include many activities that, rather than being a discretely defined activity, have an inclusive definition encompassing a wide range of activities. By way of example, I note:

a. Industrial activity [P2]
means the use of land and/or buildings for manufacturing, fabricating, processing, repairing, assembly, packaging, wholesaling or storage of products. It excludes high technology industrial activity, mining exploration, quarrying activity, aggregates-processing activity and heavy industrial activity.

b. High technology industrial activity [P4]
means the use of land and/or buildings for the research, development and application of advanced technology and applied science. It includes communications technology development, computer and information technology development, scientific research laboratories, and any associated manufacturing, electronic data storage and processing.

c. Service industry [P5]
means the use of land and/or buildings for the transport, storage, maintenance, cleaning or repair of goods and vehicles and the hire of commercial and industrial equipment and machinery.

10. Given the wide range of specific activities captured by these definitions, and noting other permitted activities, it is my view that any list identifying potential activities and industries would not be able to be sufficiently complete as to be useful.

11. Specific restrictions on the scope of activities are described throughout this report, in the specialist comments attached, and the 'CCC Comment on proposed conditions' attached as Appendix 16.

Description of the site and existing environment

12. The application site is located at 104 Ryans Road and 20 Grays Road, as identified in Figures 1 and 2 on page 4 of the AEE.

13. The applicant's Assessment of Environmental Effects (AEE) includes a description of the site and its immediate surroundings in paragraphs 28-61. I consider that this description is accurate, and it should be read in conjunction with this report.

14. I visited the site on the 7th of July 2025.

District Plan and National Environmental Standards – Relevant rules and activity status

Christchurch District Plan

15. The site is zoned Rural Urban Fringe under the District Plan. This zone provides for a range of rural activities as permitted, including farming and supporting activities.

16. The objectives and policies for rural zones generally seek that subdivision, use and development supports and maintains the function, character and amenity of the rural environment, in particular providing for rural productive activities. Some provision for other activities is made, where there is a functional, technical, or operational need for a rural location and the function, character, and amenity of the rural environment is not compromised. Key objectives and policies are discussed in detail in a later section of this report.

17. The proposal requires land use consent under the following rules in the District Plan:

Activity status rule	Standard not met	Reason	Matters of control or discretion
6.1.5.1.5 NC1	6.1.5.1.1 P1	Noise received at the lot boundaries created in the subdivision will exceed the rural zone noise limits.	N/A
6.3.5.3 RD1	6.3.5.1 P1	Lightspill at the lot boundaries within created in the subdivision will exceed the rural light spill standards.	6.3.7.1 - Amenity
6.6.5.3 RD1	-	The proposal involves earthworks within 5m of the bank of a network waterway.	6.6.7.1 Natural hazards 6.6.7.2 Natural values 6.6.7.5 Maintenance access
6.7.4.3.3 RD2	6.7.4.3.1 P3	The area of the stormwater basins will exceed 1000m^2 – an area of 1,156m^2 is proposed.	a. Scale and significance of birdstrike risk likely to be created at the location proposed. b. Mitigation of birdstrike risk including by design measures, operation or management procedures, direct intervention practices and monitoring.
6.8.4.1.3 RD1	6.8.4.2.4 Signs attached to buildings	The maximum total area of and height of signs on the buildings	6.8.5.1 – All signs and ancillary support structures

Activity status rule	Standard not met	Reason	Matters of control or discretion
	6.8.4.2.6 Freestanding signs	will exceed the permitted standard within the Rural Urban Fringe Zone.	
7.4.2.3 RD1	7.4.3.8 Vehicle crossings	The vehicle crossings proposed in relation to Lots 55-60 do not comply with the separation distances required under Appendix 7.5.11.1 under the existing speed limit. The sight distance requirements required in Appendix 7.5.11 Figure 18.	7.4.4.13 - Minimum distance between vehicle crossings 7.4.16 – Sight lines at vehicle crossings
8.9.2.5 NC1	8.9.2.1 P5	Earthworks to a depth of 1m within 5m of a 33kV electricity distribution line are proposed.	N/A
17.5.1.5 NC1	-	Industrial activity is not provided for within the zone as a permitted, controlled, restricted discretionary, or discretionary activity.	N/A

18. The proposal requires subdivision consent under the following rules in the District Plan:

Activity status rule	Standard not met	Reason	Matters of control or discretion
8.5.1.3 RD2	8.6.3 Access	The proposed vehicle access does not comply as the following standards in Chapter 7 are not met: The vehicle crossings proposed in relation to Lots 55-60 do not comply with the separation distances required under Appendix 7.5.11.1 under the existing speed limit. The sight distance requirements required in Appendix 7.5.11 Figure 18.	8.7.4 - General matters 8.8.2 - Property access 7.4.4.13 - Minimum distance between vehicle crossings 7.4.16 – Sight lines at vehicle crossings
8.5.1.5 NC4	-	Subdivision in a rural zone resulting in an allotment with a net site area less than 4ha is proposed.	N/A

19. I note that the non-compliances identified by the applicant in relation to 8.6.4, being number of footpaths and road widths required within Industrial zones, do not apply as the roading proposed meets the standards for rural roads classified as local, including Ryans Road, Grays Road, and all internal roads proposed in the subdivision.

20. Overall, the proposal is a **non-complying activity** under the District Plan.

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

21. These standards seek to ensure that land affected by contaminants in soil is appropriately identified and assessed before it is developed and if necessary the land is remediated or contaminants contained to make the land safe for human use.

22. The NESCS controls soil disturbance on land where an activity on the Hazardous Activities and Industries List (HAIL) is being carried out, has been carried out, or is more likely than not to have been carried out. The application site is identified as HAIL land as a Detailed Site Investigation has been undertaken, within which soil contamination exceeding the applicable standard in Regulation 7 has been identified. Therefore, the provisions of the NES apply.

23. The proposal requires consent under the NESCS as it breaches the following regulations:

- **Regulation 8(3)(c)** – the volume of soil disturbance will exceed 25m³ per 500m².

24. Pursuant to Regulation 10(2) the proposal is a restricted discretionary activity under the NESCS as:

- A Detailed Site Investigation (DSI) of the piece of land exists; and
- The report on the DSI states that the soil contamination exceeds the applicable standard in Regulation 7, and the report has been provided to the Council.

25. Regulation 10(3) limits the matters over which discretion is restricted to:

(a) the adequacy of the detailed site investigation, including site sampling, laboratory analysis and risk assessment;
(b) the suitability of the piece of land for the proposed activity, given the amount and kind of soil contamination;
(c) the approach to the remediation or ongoing management of the piece of land, including the remediation or management methods to address the risk posed by the contaminants to human health, timing of the remediation, the standard of the remediation on completion, mitigation methods to address the risk posed by the contaminants to human health, and the mitigation measures for the piece of land, including the frequency and location of monitoring of specified contaminants;
(d) the adequacy of the site management plan or the site validation report;
(e) the transport, disposal, and tracking of soil and other materials taken away in the course of the activity;
(f) the requirement for and conditions of a financial bond;
(g) the timing and nature of the review of the conditions in the resource consent; and
(h) the duration of the resource consent.

Fast-track Approvals Act 2024

26. When considering an application for resource consent under Section 81 of the FTAA, the Expert Panel must consider the substantive application, and any advice, report, comment or other information as specified in that section, and apply clauses 17 to 22 of Schedule 5.

27. Schedule 5 clause 17(1) requires:

> *(1) For the purposes of section 81, when considering a consent application, including conditions in accordance with clauses 18 and 19, the panel must take into account, giving the greatest weight to paragraph (a),—*
> *(a) the purpose of this Act; and*
> *(b) the provisions of Parts 2, 3, 6, and 8 to 10 of the Resource Management Act 1991 that direct decision making on an application for a resource consent (but excluding section 104D of that Act); and*
> *(c) the relevant provisions of any other legislation that directs decision making under the Resource Management Act 1991.*

28. Accordingly, the following assessment includes references to the relevant portions of both the FTAA and the Resource Management Act 1991 (RMA).

Actual and Potential Effects on the Environment (Schedule 5 Clause 17)

29. As a non-complying activity, the Expert Panel's assessment of this proposal is unrestricted and all actual and potential effects must be considered. Guidance as to the effects that require consideration is contained in the relevant objectives and policies, and any associated matters of discretion or control.

30. I have considered the relevant issues and it is my view that they fall broadly into the following categories:

- Economic effects and industrial land demand
- Productive capacity
- Infrastructure and servicing
- Earthworks
- Transport effects
- Rural character and visual amenity
- Subdivision and urban design
- Effects on infrastructure
- Ecological effects
- Health effects
- Industrial activity
- Cultural effects

Economic effects and industrial land demand

31. The Applicant has provided an assessment of economic effects undertaken by Market Economics, alongside two assessments detailing the industrial land demand within the Greater Christchurch area, prepared by Colliers and Bayleys.

32. These assessments have been considered by the relevant Council experts, who do not entirely agree with the quantitative conclusions reached in terms of economic benefits, however agree that the proposal will have a significant net economic benefit. Relying on this advice, I conclude that there will likely be a significant net economic benefit from allowing the development (positive economic effects) and that the development will make a positive contribution to the supply of industrial land.

Modelling

33. In relation to the discussion[1] of the Council's growth model within the Market Economics assessment Aimee Martin, Senior Research Analyst at the Council, has provided a memorandum detailing how the model

[1] Hong, M. & Akehurst, G. *Appendix 20 – Economic Assessment – 104 Ryans Road Industrial Development* (Market Economics, 2025) at section 4.4

functions, attached as Appendix 2. A peer review of the model undertaken by Dr Kirdan Lees, Partner at Sense Partners is attached to Aimee Martin's memorandum.

34. Aimee Martin's memorandum considers that Market Economics may have misinterpreted how the model functions, with the model deriving land demand from employee growth projections to estimate land requirements. Accordingly, rather than missing a step in the conversion from GFA to land demand in hectares, as identified by Market Economics, to apply the conversion rate from gross floor area in square metres to land demand in hectares would result in a 'double counting'.

35. Aimee Martin's memorandum on the functioning of the growth model was provided to Formative prior to their peer review of the Market Economics' assessment, with Formative commenting on the appropriateness of the interpretation of the growth model by Market Economics.

Economic benefits

36. Council has engaged Formative to peer review the material provided with the application relating to economics and land demand. This review is attached as Appendix 3. I note that Formative have identified that the Bayleys report authored by Nick O'Styke is solely qualitative in nature and does not contain supporting evidence or data enabling review, and no comment on the Bayleys assessment is made by Formative.

37. In relation to the Market Economics assessment, Formative[2]:

    a. Note inconsistency between the activities described in the application, being predominantly warehousing and distribution typically requiring large lots, and the size of the lots proposed, of which 63% have an area of less than 2,000m^2 and 28% have an area of 2,000-3,000m^2. Formative consider that this has the potential to attract businesses that do not normally establish in proximity to the Airport.
    b. Disagree with the catchment for market assessment in terms of what constitutes 'industrial' and 'surrounding' in the context of the site. In particular, Formative consider industrial land markets operate at a wider regional level than suggested by Market Economics, with accordingly more available land in proximity, and Formative highlight that a number of business zones not relevant to the industrial market have been included in the catchment, inflating the apparent demand for smaller lot sizes.
    c. Agree with the discussion around lot sizes and the type of businesses that will be attracted, though notes likely demand from outside the catchment area identified by Market Economics.
    d. Agree that there is limited vacant industrial land around the airport available freehold, with the proposal providing alternatives that may attract more businesses to the area that would otherwise be the case.
    e. Agree with the adoption of the Greater Christchurch Partnership's (GCP) Business Capacity Assessment (BCA) to inform demand projections while identifying that they are conservative, relating to development during Covid-19 uncertainty in 2020-2021. Formative refer to more recent CCC projections, with short-medium term demand ranging from 72-122ha of industrial land (7-12ha per annum), compared with 33ha or 3ha per annum identified in the GCP BCA.
    f. Note in relation to the sufficiency of supply of land for warehousing and logistics, that:
        i. Most warehousing and logistics activities require lot sizes larger than 1ha, which does not align with the lot sizes proposed in the development, of which 90% have an area less than 1ha.
        ii. The warehousing and logistics market operates across a wide area, including other industrial areas in Christchurch, Selwyn, and Waimakariri, and the Market Economics assessment provides no basis to support the conclusion that the vast majority of warehousing and logistics activities will locate in proximity to the airport.
        iii. The Market Economics assessment adopts the long-term (3.5:1) rather than short-medium term (1.3:1) demand ratio for warehousing and logistics to other industrial activities. Noting that the

[2] Appendix 3, at section 3.

Ryans Road development is proposed to occur within the short-medium term, Formative considers it appropriate to focus on the short-medium term.

iv. The Market Economics assessment adopts the data from the CCC vacant land register, rather than the more recent Colliers assessment, which identifies 90.2ha of vacant land within the Specific Purpose Airport Zone, compared to 19ha of wholly vacant land identified in the CCC vacant land register.

v. Taking into account the demand within the short-medium term for warehousing and logistics (20.5ha), identified in the material provided with the application, the development could accommodate the land demand in proximity to the airport in a smaller area, or alternatively could accommodate twice the total warehousing and logistics demand for all of Christchurch over the next ten years.

vi. If the more recent CCC projections are adopted, the demand for land is greater, though the development could accommodate most of the warehousing and logistics land demand over the next 10 years.

g. Highlight that a range of economic benefits are identified with the conclusions reached generally accepted in qualitative terms, however the value of these benefits is not quantified in most cases, with limited information even on the general scale of the benefits. Where economic benefits are quantified the approach is broadly accepted, albeit with some reservations, in particular:

i. The mismatch between activity described, being warehousing and logistics requiring large lots, and pattern of subdivision proposed, predominantly providing for smaller lots.

ii. Inconsistency in the total direct expenditure estimated in the body of the assessment ($361m) and the final tables ($588m), affecting the regional GDP impact ($574m), with a further discrepancy between those figures and that in the 2024 Economic Memo provided at the listing stage ($220m GDP impact). Formative note that the value of $361m is closer to their expectation for direct expenditure, with the economic impact closer to the value stated in the 2024 Economic Memo ($220m).

iii. That transfer effects have not been accounted for, with Formative considering that some of the activity would have been accommodated elsewhere in the region were the development not to go ahead.

h. Agree in general terms that the construction and operation impacts would represent positive economic benefits, and are likely to be significant.

i. Note that the only cost identified by Market Economics is the loss of agricultural land and production associated. In relation to this cost, Formative:

i. Agree with the estimated profit margin (of $83,250-$222,000 per year) identified.

ii. Highlight that not all value associated with the production has been recorded, including direct labour and other costs, and indirect and induced activity in the wider economy.

iii. The development will result in a loss of highly productive land (LUC2) that would not occur if development was accommodated in other industrial areas.

j. Consider that a range of other costs could be assessed, including infrastructure costs and transport outcomes.

38. Having regard to all of the above factors, overall, Formative agree with the conclusions reached by Market Economics that the development will have significant economic benefits at a regional level, though consider that the value of those benefits will be lower than estimated. Additionally, a range of benefits are not well quantified, nor are all economic costs discussed.

39. Formative identify that the Market Economics Assessment does not state conclusions in terms of the adverse impacts in proportion to the economic benefit, or in terms of the need for the development to meet the sufficiency test that would apply under clause 3.6(1)(a) of the NPS-HPL, albeit noting that the proposal is for a resource consent and not an urban rezoning. For clarity, I consider that Clause 3.6 of the NPS-HPL is not relevant to this application, relying on the opinion of Cedric Carranceja attached as Appendix 14. Formative note that a Cost Benefit Analysis would assist in verifying that the economic benefits outweigh the costs, and quantifying the extent of any net benefit.

Industrial land supply

40. Formative have reviewed[3] the report prepared by Colliers detailing the industrial land market in Greater Christchurch, including the availability of vacant industrial land and 'take-up' of land over a 20-year period.

41. In relation to the concept of take-up identified in the report, Formative note an error in the take-up identified in the report, with the value of take-up not being consistently calculated, overstating take-up in the years 2020 and 2021. Additionally, the take-up does not factor in changes to the zoning of land within the district that will influence the vacant land available for industrial use, rather deriving a figure without separating capacity increases from utilisation of vacant land. Accordingly, Formative consider that the use of take-up as a proxy for industrial land demand is not appropriate.

42. In relation to the available industrial land, the Colliers report includes an independent survey of vacant industrial land within Christchurch, noting that the CCC vacant land survey has not been undertaken since 2022 and is now out of date. Formative accept the survey data provided by Colliers, acknowledging that the CCC vacant land survey is out of date. Notably, the survey identifies 90.2ha of vacant land at the airport, with an additional 100-200ha close to the site.

43. Formative accept the assessment of demand discussed by Colliers, though note the lack of information provided to verify this.

44. The suitability of industrial zoned land for different activities, is considered in the Colliers report, though Formative note that the identified likely use of the lots for warehousing and distribution activities does not entirely align with the lot sizes proposed in the development.

45. With regard to the availability of leasehold compared to freehold land in the locality, Formative note that while leasehold and freehold tenure may be attractive to different customers, the potential for leasehold land to support industrial activity cannot be ignored. Additionally, Formative consider that the catchment area identified is artificially small by being constrained to the Harewood market.

46. In terms of the considerations for alternative locations for further industrial rezoning or development, Formative consider that the catchment area identified is narrow, and accordingly not all reasonable alternatives have been considered.

Conclusion

47. Formative conclude that the location of the development is well placed for industrial activity, including for warehousing and logistics activities related to the Airport, though note some limitations in the information and assessment provided. In particular, the lack of a cost-benefit analysis and conclusion on sufficiency of supply.

48. To assist in understanding the requirements for industrial land supply, Formative have compared the most recent CCC projects for warehousing and logistics demand over the entire Christchurch area over the next 10 years, identifying that up to 68% of vacant land in the Airport environs would need to be developed to provide for the upper estimate, including the 20% NPS-UD margin. When this exercise is undertaken at a Christchurch wide level, up to 36% of vacant land may be required for development.

49. Highlighting that the NPS-UD sufficiency requirements in Clause 3.3 are a minimum threshold, and additional capacity could be provided to contribute to a well-functioning urban environment.

[3] Appendix 4, at section 3.2.

50. While noting the net economic benefits attributable to the development are unclear in absence of a cost-benefit analysis, I accept that the proposed development is likely to have beneficial economic effects and will contribute to the supply of available industrial land within Christchurch and the wider area.

51. It is my view that a cost benefit analysis to understand the net economic benefits would be required if significant adverse impacts in relation to the proposal are otherwise identified, to inform the assessment under section 85(3)(b).

52. I further note that while the sufficiency requirements under the NPS-UD are useful to inform the discussion around economic effects, I do not consider that this development is required to engage with the provisions of the NPS-UD applicable to a plan change.

Productive capacity

53. The applicant has provided an assessment of productive land and soil capacity prepared by Victor Mthamo of Reeftide Consulting. Council has commissioned Ian Millner of LandVision to undertake a peer review of Victor Mthamo's assessment. Ian Millner's peer review is attached as Appendix 4.

54. I note that Victor Mthamo and Ian Millner are generally in agreement in relation to the productive capacity of the site and particular constraints that apply, and associated effects including reverse sensitivity.

55. While noting that both the assessment and peer review are generally focused on considerations under the National Policy Statement for Highly Productive Land, effects of the proposal in relation to productive land more generally are considered.

56. Noting the size of the landholding, cross-referenced with records of Highly Productive land held by Landcare Research, Ian Millner considers that the loss of 55.5ha in the context of the Christchurch District, having 16,856ha of highly productive land, is not significant.

57. Highlighting the separation from other rural zoned land by roads and otherwise bounded by the Specific Purpose Airport Zone, Ian Millner considers that the loss of this land will not result in fragmentation of large and geographically cohesive areas of highly productive land.

58. Noting the separation from other rurally zoned land Ian Millner does not consider it likely that reverse sensitivity effects on rural productive land uses will arise.

Infrastructure and servicing

59. The applicant has provided a number of technical reports in support of the infrastructure and servicing aspects of the proposal, including:

    a. A three-waters servicing report and stormwater management technical assessment prepared by Cameron Swales and Eoghan O'Neill at Pattle Delamore Partners (PDP);
    b. Infrastructure Report prepared by Tom Lemon of Capture Land Development.

60. The applicant provided further information relating to infrastructure and servicing on the 15th of August, including summaries of changes made in relation to engineering design, stormwater management, and an updated assessment of groundwater effects. The applicant also proposed a revised condition set at this time, identifying conditions to be amended in response to initial Council comments between lodgement and the 15th of August. At time of comment, the wording of proposed amendments was not available for CCC comment.

61. Based on the assessment below I am satisfied that servicing and infrastructure effects can be managed, however I have made recommendations to change the servicing and infrastructure related conditions referred by the applicant including that:

    a. Councils standard quality assurance/acceptance conditions are adopted;
    b. The conditions of the Water Supply and Wastewater Servicing Report are generally adopted. The Applicant has proposed these conditions.
    c. More effective management of stormwater and flow paths/cross boundary drainage.

62. I have also recommended that further information be provided for some further clarification on the form of site earthworks anticipated in the section below labelled 'Earthworks', to inform the management of nuisance stormwater effects.

Quality Assurance/ Acceptance

63. A key theme from Council engineers is that the development should follow Council's standard quality assurance/acceptance process. The reason for that is addressed by Yvonne McDonald generally in paragraphs 10-12 of her comments attached as Appendix 7. This process helps to ensure that any infrastructure vested in the Council is fit for purpose. Failure of infrastructure (or unvetted variations from Council's engineering standards) can lead to adverse effects on the physical environment; and/or can add to the maintenance burden of Council (economic effect) and/or can create problems for allied processes at Council outside of the consent process which also rely on those same engineering standards.

Water supply and wastewater

64. Michele McDonald, Team Leader Asset Planning Water Supply and Wastewater, has reviewed the material relating to water supply and wastewater. Michele McDonald's comments are attached as Appendix 5, including a Water Supply and Wastewater Servicing report appended to her comments, including a recommended condition set.

65. The Water Supply and Wastewater servicing report was supplied to the Applicant following lodgement, and the proposed condition set supplied by the Applicant on the 15th of August aligning the conditions proposed with those recommended by Michele McDonald.

66. Michele McDonald considers that the water supply and wastewater infrastructure proposed by the applicant is feasible to service the development, able to be accommodated within the wider infrastructure networks, and appropriate to vest in Council, subject to recommended conditions of consent as set out in her Water Supply and Wastewater Servicing report.

67. In reaching this conclusion, Michele McDonald notes that while the proposal can be accommodated within the water supply network, the development will accelerate the need for additional water supply capacity by approximately five years, taking into account demand reductions resulting from water use charges, though not accounting for greenfield or infill development.

68. While Michele McDonald accepts that the infrastructure proposed will be appropriate, she notes in relation to both water supply and wastewater that the level of service provided will differ from that typically expected within industrial zones, limiting the range of industrial activities that can be accommodated. In particular:

    a. With regard to water supply, the fire flow assessment has confirmed that a complying FW3 fire flow can be achieved at the time of subdivision. For future land use activities on individual lots, the required fire flow classification will be assessed on a case by case basis, taking into account the nature of the activity, building, and any mitigation measures in place. Michele McDonald notes that industrial buildings typically require flows exceeding FW3 and thus additional mitigation may be required (or an alternative water supply provided).

b. With regard to wastewater, the outflows will need to be strictly controlled, with an average daily flow not exceeding 0.09 litres per second per hectare, requiring the majority of lots to be serviced by a residential type pressure sewer system with storage capacity that can be remotely managed by Council.

69. Michele McDonald has recommended conditions and consent notices to ensure future occupiers are aware of and fulfill these requirements, alongside other conditions relating to the design of the system in accordance with Council's Infrastructure Design Standards and Construction Specific Standards. I consider that these conditions and consent notices are required to enable connection to Council services while still enabling a range of industrial activities to establish.

70. At paragraph 10, Michele McDonald notes that Council would support a variation of the consent amending the water supply requirements and conditions/consent notices on the title of individual lots, should different design requirements be identified at establishment stage. I highlight that any such variation would follow standard application processes under sections 127 and 221 of the RMA as relevant.

71. I accept and rely on the advice provided to me, and consider that the effects of the proposal relating to water supply and wastewater can be appropriately managed through conditions of consent, which are agreed between the Applicant and Council.

Stormwater

72. Brian Norton, Senior Stormwater Planning Engineer at the Council, has reviewed the proposal with regard to stormwater infrastructure proposed and management of stormwater generally. Brian Norton's comments are attached as Appendix 6.

73. While Brian Norton agrees with the overall approach to manage stormwater generated on roads, he has raised some concerns in relation to:

a. The pre-treatment, form and depth of the stormwater basins as proposed, which do not align with the expectations set out in the CCC's Waterways, Wetlands, and Drainage Guide. In particular:
    i. Proposed designs do not include macro-pollutant traps or swales to reduce sediment loading of the soakage systems.
    ii. The preliminary basin design of basins are square 'bath tubs' that are not shaped to merge with the surrounding landscape.
    iii. The first flush basin depth is proposed as 1.5-2.5m, rather than 1m specified in the WWDG, potentially encouraging the build-up of biological matter causing the soakage function of the basin to fail prematurely. Additionally, deep basins are difficult and/or unsafe to clear blockages, and posing a risk of drowning to the public.
b. The establishment of basins while the site remains undeveloped in terms of earthworks presents significant risks to the operation of the adsorption basins which are susceptible to fouling.

74. To address these matters, Brian Norton has recommended conditions:

a. Requiring that the basins be redesigned in accordance with the WWDG, noting that decreasing the depth of the basins would accordingly increase the area and potential attractiveness to birds.
b. Specifying a defects liability period relating to the completion of earthworks across the wider site, requiring that earthworks for development 80% of the development area be completed prior to vesting of the basins, subject to infiltration testing at that time.

75. Noting that the applicant does not propose to undertake earthworks to recontour lots created in the subdivision, Brian Norton has additionally identified:

a. Cross boundary drainage effects are likely to arise as individual lots are contoured.

b. Potential for ponding arising from the formation of roads prior to the contouring of individual lots, interrupting existing flow paths, with an associated risk that birds will be attracted to the site.

76. To understand how these matters will be resolved, Brian Norton has recommended a condition requiring a report to be provided as part of the Engineering Design Report summarising effects of disruption of drainage paths, and measure to avoid, remedy or mitigate those effects.

77. Alternatively, Brian Norton considers that carrying out earthworks over the wider site to contour lots would alleviate these concerns, though has not recommended a condition to this effect.

78. I highlight that Brian Norton has only briefly noted the stormwater disposal proposed on lots to be created, being a private system for which consent from ECan is sought. The maintenance and operation of these systems will be the responsibility of each property owner, and the system to vest will not have sufficient capacity to allow for discharge from these sites to roads.

79. Brian Norton has recommended a number of additional conditions, and changes to the wording and layout of conditions proposed by the applicant. These conditions and changes, along with reasons provided by Brian Norton, are recorded in the 'CCC comment on draft conditions' attached as Appendix 16.

80. I accept the advice provided to me and conclude that the approach proposed for the management of stormwater is appropriate, subject to conditions recommended by Brian Norton.

81. If the conditions recommended by Brian Norton are not included in the decision, Council will not be able to accept the stormwater infrastructure to vest, and an alternative condition set retaining the stormwater infrastructure in private ownership will be required.

Earthworks

82. The applicant has stated an intention to undertake earthworks only to the extent necessary to install services and construct roads, with the recontouring of individual lots being undertaken at the time each lot is developed[4].

83. Earthworks are detailed in the infrastructure report and associated plan set, with the applicant amending the plans on the 15th of August. The applicant has also provided a Construction Management Plan and an Earthworks Management Plan, both prepared by Tom Lemon of Capture Land Development have additionally been provided.

84. Yvonne McDonald, Senior Subdivisions Engineer at the Council, has reviewed the proposal with regard to earthworks. Yvonne McDonald's comments are attached as Appendix 7.

85. The overall approach to the management of effects relating to earthworks is agreed between the Applicant and Council, however a number of matters are not agreed:

a. The inclusion of an acceptance / certification process for management plans that are required by conditions.
b. The sufficiency of information provided to understand the interruption of existing overland flow paths, and the potential effects of this interruption.

86. Yvonne McDonald generally agrees with the approach to the management of earthworks effects, including the implementation of plans detailing construction protocols and the control of erosion and sedimentation, as proposed by the applicant, subject to acceptance criteria.

[4] Philips, J. & Dale, C. *Fast-Track Approval - Resource Consent Applications & Wildlife Act Permit prepared for CARTER GROUP LIMITED 104 Ryans Road and 20 Grays Road, Christchurch* (Novo Group, 2025) at paragraph 91

87. Highlighting the small height differences between existing and design levels, and separation from private property boundaries, Yvonne McDonald has not concerns relating to land stability. For the same reasons, I consider there will not be adverse amenity effects by way of overlooking.

88. While generally considering the conditions proposed to manage nuisance appropriate, Yvonne McDonald supports amendments to introduce expanded measures to manage dust effects and has additionally recommended a condition limiting the area earth worked at any one time to 5ha.

89. Yvonne McDonald has additionally recommended a number of changes to the conditions, recorded in 'CCC comment on draft conditions' attached as Appendix 16.

90. For completeness, I note the recommendation of Brian Norton that earthworks to contour individual lots at the time of subdivision to manage nuisance drainage effects, would increase the area of land to be worked, resulting in the potential for additional effects relating to earthworks. In the absence of information relating to these (potential) works, Yvonne McDonald's assessment has accordingly not considered effects arising in relation to these works.

91. Likewise, with regard to the existing overland flow paths that may be interrupted by the works proposed, Yvonne McDonald notes the absence of information relating to the potential effects of interrupting these paths. Conditions requiring the maintenance of drainage paths have been proposed by the applicant, and clarity on the effects arising would be achieved by Brian Norton's recommended condition, referred to in paragraph 76, however the consequential effects of increases of stormwater to be disposed of remain unknown.

92. Yvonne McDonald notes at paragraph 25 of her comments that concept stage bulk earthworks plans would provide greater clarity around the interface treatment and certainty that the proposed conditions for engineering plan acceptance could address potential ponding, provide for existing drainage paths and related nuisance effects.

93. I accept the advice provided to me in relation to earthworks effects, and consider that conditions are generally appropriate to manage these effects, however note the uncertainty relating to the management of stormwater arising due to the interruption of existing overland flow paths, which could be resolved by the provision of bulk earthworks plans.

Natural Hazards

94. The applicant has provided a flood hazard assessment, prepared by Ben Throssell of PDP, and a geotechnical assessment prepared by Andrew Jordan of Tetra Tech Coffey, including a statement of professional opinion.

95. For completeness, I note that the site is not within any natural hazard overlays in the District Plan.

Flood hazard

96. Brian Norton has reviewed the proposal with regard to flood hazard, alongside his comments given in Appendix 6.

97. Brian Norton has not identified any risks on the site relating to flood hazard, nor any displacement effects caused by the development.

Geotechnical

98. Yvonne McDonald has reviewed the proposal with regard to geotechnical hazard alongside her comments given in relation to earthworks in Appendix 7.

99. Noting the ground characteristics of the site, Yvonne McDonald has no concerns that the site is at risk of geotechnical hazards and accordingly recommends that there is no need for subdivision Condition 41 relating to specific foundation design, and associated consent notice, proposed by the applicant.

Transport effects

100. There is not full agreement between the Applicant and the Council on transport related effects, However I consider that any additional effects can be managed via conditions of consent.

101. The Applicant has provided a transport assessment prepared by Nick Fuller, Principal Transport Engineer at Novo Group, to which is attached modelling undertaken by QTP. The applicant provided an update to this assessment on the 15th of August, alongside revised plans including changes to intersection design and frontage upgrades.

102. Andrew Milne, Team Leader Asset Planning Transport, has reviewed the proposal with regard to transport. Andrew Milne's comments are attached as Appendix 8, including a review of the modelling approach utilised by the Applicant's specialists, prepared by Stantec, and comment on Council's Traffic Management Requirements.

103. With regard to transport matters, the following are generally agreed between the Applicant and Council, except as noted:

    a. Internal road layout, with the exception of footpaths, where the Applicant has proposed a single footpath on each side of the road, while Andrew Milne considers that a footpath should be provided on each side of the internal roads.
    b. Upgrade of the Ryans Road and Grays Road frontage and carriageway, with the exception of a shared path (providing for both pedestrians and cyclists), where the Applicant has not proposed a shared path along the Ryans Road and Grays Road frontages, while Andrew Milne considers that a shared path should be provided.
    c. The provision of vehicle accesses to Ryans Road, subject to a speed limit reduction.

104. The following matters are not agreed or unclear:

    a. The requirement for, and funding of, the Pound Road Ryans Road intersection upgrade and the need for a restriction on the development of the site until such time as the upgrades are completed.
    b. The intentions of the applicant with regard to the speed limit reduction on the Ryans Road and Grays Road frontages adjoining the site, in particular any measures to preclude use prior to the reduction occurring.

105. Andrew Milne's commentary specifically addresses the questions relating to transport raised in the panel's 3rd minute.

106. With regard to vehicles directly accessing Ryans Road, Andrew Milne considers that the vehicle accesses proposed will be acceptable, noting the designed proposed will accommodate standard rural zone requirements, including passing of vehicles turning right into accesses, subject to reduction of the speed limit to 60km/h.

107. Andrew Milne considers that the widths proposed for the upgrades of Ryans Road and Grays Road including intersection design, as shown on the most recent revision of the plans, are appropriate and will enable for safe

access. Andrew Milne notes that the detailed design of the frontage will address the location of on-street parking and similar matters to ensure the safe operation of the accesses.

108. The Applicant's assessment has been undertaken on the basis of a speed limit reduction to 60km/h, rather than the current speed limit of 80km/h. Andrew Milne is supportive of this approach, subject to a condition precedent precluding the industrial use of the site until the speed limit reduction is achieved. Andrew Milne has also provided commentary on the process, noting that it sits outside the resource consent process and will need to be initiated by the Council, following a request by the developer.

109. With regard to the functioning of the Pound Road – Ryans Road Intersection, Andrew Milne notes that the intersection is predicted to operate over capacity, and recent improvements, while contributing to safety, have not provided capacity improvements. Andrew Milne considers that the establishment of a roundabout, as assumed in the Applicant's modelling, would be an appropriate form of mitigation, with approximately 20% of traffic modelled at 2038 attributable to this application.

110. In relation to the potential upgrade of the Pound Road – Ryans Road intersection, including availability of funding, Andrew Milne notes that while the upgrade of this intersection has previously been identified in the Long Term Plan, it was removed following safety upgrades and the withdrawal of funding by the New Zealand Transport Agency. Accordingly, Andrew Milne advises that there are no plans at this time to undertake this work, and no funding is available.

111. Andrew Milne considers that a developer agreement is a potential mechanism through which the developer could contribute a cost share proportion to the upgrade of the Pound Road – Ryans Road intersection. As no provision for a financial contribution under the RMA is specified in the District Plan for this purpose, such an agreement cannot be required as a condition of consent.

112. Andrew Milne has identified a condition precedent as a method to ensure effects on this intersection will be appropriately managed, requiring that the second development stage not proceed until such time as the upgrade occurs , or modelling is provided that demonstrates the upgrade is not required. I have recommended this condition.

113. Andrew Milne has provided a description of Council's role in the traffic management plan process, including attaching a memo detailing the traffic management requirements. In general terms, I highlight that a number of Council approvals may be required under bylaws[5], or in relation to Council's role as landowner and Road Controlling Authority.

114. In relation to other transport matters, Andrew Milne notes:

    a. Council is at an early stage of implementing safety upgrades to Pound Road;
    b. While noting the rural zoning of the site and present disconnection to the wider transport network, Andrew Milne has identified the importance of including provision for all modes of transport, including footpaths and shared paths, and recommended conditions relating to the increased provision of these;
    c. The delegation to approve changes within road corridors sits with the relevant Community Board.

115. Andrew Milne has recommended a number of additional conditions relating to transport matters, as detailed in the 'CCC comment on draft conditions' attached as Appendix 16.

116. I accept the advice provided to me in relation to transport matters, and consider that adverse effects are able to be appropriately managed through conditions of consent.

[5] For example the Traffic and Parking Bylaw 2017, https://ccc.govt.nz/the-council/plans-strategies-policies-and-bylaws/bylaws/traffic-and-parking-bylaw-2017.

117. If the conditions recommended are not included in the decision, it is my view that adverse effects relating to transport will be more than minor taking into account:

    a. Adverse effects on the operation of an intersection of an arterial road, potentially blocking the road.
    b. Adverse safety effects associated with a new intersections that are not designed in accordance with the existing speed environment and large increase in the number of vehicle accesses to higher speed rural roads not aligning with District Plan standards for separation.
    c. Limited options for pedestrians within the development area, for which only a single footpath on each internal road is proposed, and cyclists accessing and within the site, noting that no separate provision for cyclists is made.

Rural character and amenity

118. There is not full agreement between the Applicant and the Council on the rural amenity and character related effects, however I consider that adverse effects can be managed via recommended conditions of consent.

119. The Applicant has provided a Landscape and Visual Impact Assessment prepared by Hannah Bruere, Senior Landscape Architect at DCM Urban, and included an update by way of a memo on the 15th August, including a cross-section of the frontages.

120. I note that the change from a rural pastoral activity to an industrial subdivision will have a wide range of effects on the surrounding area, being of a different character, nature and intensity. In additional to the visual amenity assessment below, I note in particular my assessment in this report under 'Health effects' heading, with regard to noise and lighting.

121. Notwithstanding, I note that rural productive activities themselves can produce noise, odour, dust, and traffic noticeable to residents and visitors in rural areas.

122. With regard to rural character and amenity matters, the following are generally agreed between the Applicant and Council, except as noted:

    a. Provision of a landscape strip extending to a depth of 3m within the site.
    b. Overall building height, and a reduced building height 12m within 15m of the Ryans Road frontage.

123. The following matters are not agreed or unclear:

    a. Reduced building height for lots on Grays Road (Lots 68-70) opposite the existing dwelling at 60 Grays Road.
    b. Limitations on colours of buildings fronting Ryans Road and Grays Road.
    c. Requirements for the screening of outdoor service and storage areas along the Ryans Road and Grays Road frontages.
    d. Limitations on the location of fencing behind the 3m landscaped strip.
    e. Precluding the establishment of signage within the 3m landscaped strip.
    f. Limiting the size of signs attached to buildings facing Ryans Road and Grays Road to align with the permitted standard in the Rural Urban Fringe zone.
    g. Provision of landscaping in relation to the number of car parks between buildings and the Ryans and Grays Road frontages.
    h. Limiting the number of vehicle accesses to the Ryans and Grays Road frontages to one.

124. William Field, Senior Urban Designer at the Council, has reviewed the proposal and assessment on rural character and amenity. William Field's comments are attached as Appendix 9.

125. William Field considers that the existing rural amenity of the area is of low-moderate magnitude, with a mixture of activities reducing the coherence, however the area has a number of positive rural amenity qualities, including open landscapes with views to the Southern Alps, a range of landscaping, and vernacular farm buildings.

126. William Field considers that the proposal should mitigate the loss of these values by providing an alternative landscape amenity value along the site boundaries, that while having a different character, will maintain an appropriate level of amenity.

127. In response to preliminary comments from William Field, the Applicant has introduced additional conditions restricting building heights and provided cross-sections demonstrating landscape mitigation planting in relation to the potential built form, including sight lines from neighbouring properties.

128. With respect to the Ryans Road frontage, William Field notes four residential properties and considers the magnitude of adverse effects on persons occupying these properties is likely to be moderate once planting is established, though highlights the planting proposed is minimal and highly dependent on the owners of each property containing the 3m landscape strip. To ensure effective mitigation on an ongoing basis, William Field considers that a condition requiring a consistent landscape maintenance/management plan for each property owner would be appropriate.

129. William Field has assessed the plant species proposed, and considers that care needs to be taken to ensure species will achieve the heights anticipated, noting the exposed south-facing nature of the site may limit the height achievable. This would accordingly limit the mitigation potential of the landscaping strip.

130. Noting that the moderate magnitude of effects identified by William Field is contingent on the landscaping being established, William Field has suggested a number of options to reduce the visual impact of large buildings and industrial uses along the frontage, otherwise having an initial level of moderate-high adverse effects.

131. In terms of the Grays Road Frontage, William Field notes that a single dwelling is established to the east of the proposed Lots 68-70. Along this frontage, the blanket height limit specified in Condition 5 C., of 20m, is proposed to apply with no lower height limit proposed in proximity to the road frontage. The built form standards of the Industrial General zone, as proposed to apply, do not include a maximum site coverage potentially resulting in a large and dominating built form, including reducing access to sunlight. William Field considers that the mitigation proposed is unlikely to mitigate a potential high magnitude of effects on the occupiers of this property.

132. To address these effects, William Field has recommended that the building height and setback standards applying along the Ryans Road frontage, and conditions additionally recommended by William Field, be applied to the Grays Road frontage of Lots 68-70.

133. William Field has noted that while aesthetically pleasing, the street tree species proposed may not be tolerant to wind and drought exposure. Accordingly, William Field has recommended that an arborist review the trees species proposed to ensure that they are appropriate and will thrive.

134. A recent Environment Court declaration[6] determined that stacks of shipping containers on a site in the Industrial General zone where each container was stored on a temporary basis were not 'structures' as defined in the RMA, or 'buildings' as defined in the Christchurch District Plan, not being affixed to the ground or each other. While that declaration is limited to the site identified, as it deals with the interpretation of legislation and plan provisions in the context of permitted industrial activities, I consider that a similar interpretation could apply in relation to the activities sought to be enabled by this application.

[6] Braeburn Property Limited v Christchurch City Council [2025] NZEnvC 85

135. For clarity and highlighting the potential visual amenity effects if containers were excluded from controls relating to height, I recommend that any conditions relating to building height also refer to stacked containers and materials.

136. I accept the advice provided to me in relation to rural character and amenity, and have recommended the additional conditions recommended by William Field, as recorded in the 'CCC comment on draft conditions' attached as Appendix 16.

137. It is my view that, subject to the conditions recommended being included in the decision, the proposal will have a moderate effect in relation rural character and amenity, taking into account the change from a pastoral land use to developed industrial land, as sought in this application.

138. If the recommended conditions are not included in the decision, it is my view that the rural character and amenity effects of the proposal will be significant on the environment and persons occupying 83, 95, 111, 191, and 211 Ryans Road and 60 Grays Road, taking into account:

    a. The potential establishment of large areas of signage not consistent with the amenity of the rural environment.
    b. Visual effects with an industrial character, including temporary visual effects while the proposed landscape mitigation establishes, with an identified 'high' magnitude by William Field.
    c. The potential loss of sunlight and visual dominance effects on persons occupying 60 Grays Road.
    d. The change in character and intensity of use from a pastoral farming operation to an industrial subdivision.

Subdivision urban design

139. With regard to subdivision design, I highlight that the sizes of the allotments proposed are not of a size that would enable permitted uses within the zone. However, when considered alongside the land use consent sought for industrial activity, they will be of a size and dimension enabling a range of activities provided for by resource consent.

140. There a no matters in dispute relating to subdivision or urban design.

141. The Applicant has provided an Urban Design Assessment prepared by Hannah Bruere, Senior Landscape Architect at DCM Urban.

142. William Field has commented on the proposal with regard to urban design in his comments attached as Appendix 9, and highlights:

    a. The subdivision is well located in proximity to Christchurch Airport;
    b. The footpath linkage along Grays Road to the existing footpath at George Bellew Roard will contribute positively to pedestrian connectivity;
    c. While not currently provided for by the current zoning, the grid layout of the subdivision provides opportunity for future integrated linkages to the surrounding area;
    d. No cycle or public transport provisions are proposed, and while there is currently limited demand for such infrastructure, demand is likely to increase in future at which time these matters could be addressed.

143. Overall, taking into account the land use consent sought enabling the establishment of activities on the lots proposed, and the assessment of William Field, I consider that the design and layout of the subdivision is appropriate.

Effects on infrastructure

144. Noting the proximity of the site to Christchurch International Airport, the industrial development of the site with a much greater density of buildings and intensity of use has the potential to affect the safe and efficient operation of Christchurch International Airport.

Birdstrike

145. The Applicant has provided a memorandum relating to Avifauna Hazard Management, prepared by Lizzie Civil of PDP, which proposes a range of measures to reduce the risk of birdstrike, including the implementation of Wildlife Hazard Management Plans both during and post development.

146. Andrew Crossland, Ecologist (ornithologist) at the Council, has provided comment on the application, with particular regard to the wider context in the vicinity of the airport. Andrew Crossland's comments are attached as Appendix 11.

147. It is accepted that the management of birdstrike risk is an ongoing process that will be managed throughout construction and operation. The fundamental methods by which this risk is managed, being the design of infrastructure and the implementation of a Wildlife Hazard Management Plan are considered to be appropriate, however attention is drawn to:

    a. The range of bird species that may be encountered in the area, and the times at which they are most active.
    b. The additional potential attractants for birds, including ephemeral ponding and additional earthworks.

148. Andrew Crossland considers that Lizzie Civil's assessment has not adequately assessed all potential risks, particularly during the development phase, with Andrew Crossland identifying a larger range of bird species (32 species) than that identified by PDP (14 species).

149. Andrew Crossland highlights the potential for a range of construction activities to attract birds, including earthworks and shallow ephemeral ponding, diminishing as the site is more intensively developed. Andrew Crossland considers that the most effective way of managing risks relating to birdstrike is to reduce the attractiveness of the site to birds.

150. Highlighting the migratory patterns of birds returning from wintering grounds during late winter and spring, Andrew Crossland highlights that birds are searching for both foraging and nesting areas at this time, and attracted to disturbed ground. Accordingly, Andrew Crossland recommends that earthworks be avoided from late July to mid-February, with initial works carried out from late February to the end of June.

151. On an ongoing basis, Andrew Crossland notes that stormwater basins and their margines are attractive to birds, and care needs to be taken in their design and operation.

152. While acknowledging the Applicant's work to redesign the stormwater basins to comply with the permitted activity standard for stormwater basins within the Birdstrike Management Area under Rule 6.7.4.3 P3 as recorded in the Updated Road Reserve Operational Stormwater Management memo dated 11 August 2025, including increasing separation between the basins, it is my view that the permitted standard is not met. In particular:

    a. The applicant has identified a 'Maximum Water Surface Area' of 999m^2 during a 50-year critical storm (2% AEP event), however an area of 1,156m^2 relating to the top of the basins has additionally been identified. I note that Rule 6.7.4.3 P3 does not distinguish between the area of the basin and the area of water surface in specific events, noting that it is not simply the area of surface water that is relevant to the potential for birds to be attracted to the site.
    b. I accept that the basins proposed are more than 0.5km apart, complying with the relevant standard.

c. While the AEE and LVIA refer to plant species being selected from District Plan Appendix 6.11.9, this is not specified on a landscaping plan nor has a condition of consent requiring that plants be limited to those listed Appendix 6.11.9 been proposed, though could readily be addressed by the inclusion of such a condition or provision of a landscape plan.

153. Accordingly, I consider that the basins do not meet the permitted standard under Rule 6.7.4.3 P3.

154. For completeness, it is noted that subdivision matter of control 8.7.4.3 f. (applying as a matter of discretion to restricted discretionary activities) requires assessment of whether any proposed ponding area will be attractive to birdlife that might pose a birdstrike risk to the operation of Christchurch International Airport Limited, for all sites outside the Central City, whether or not the permitted activity standard is met.

155. I additionally note Brian Norton's comments relating to:

a. The acceptability of the stormwater basins to vest, and recommended condition requiring the redesign of the stormwater basin in accordance with 6.5 of the CCC's Waterways, Wetlands and Drainage Guide. As noted in paragraph 74 a reduction in the depth of the basins would accordingly require an increase to the surface area.
b. The drainage issues arising if overland flow paths are interrupted, including potential ephemeral ponding.
c. Should additional earthworks be proposed to mitigate nuisance drainage effects, any Wildlife Hazard Management Plan would need to account for those works.

156. The planning of site works and preparation of a Wildlife Hazard Management Plan require care, and the proposed amendment to the condition requiring the preparation of a Wildlife Hazard Management Plan is supported in principle.

Built form

157. The description of activities and standards for buildings set out in the plans demonstrate compliance with the District Plan standards for the protection of aircraft, while other District Plan rules relating to outdoor lighting will continue to apply.

158. I reiterate my comments under the 'Rural character and amenity' heading, noting that height limits relating buildings or structures would not capture stacks of containers or materials where the component parts were stored on a temporary basis. Such stacks could have adverse effects on the safety of aircraft, including in terms of navigation. Accordingly, I recommend that any conditions limiting the height of buildings or structures also include reference to stacked shipping containers or materials.

159. While acknowledging the Christchurch International Airport Safeguarding Assessment provided on 15th August 2025 the Council does not have the expertise and has not engaged experts to assess and comment on the risks and mitigation measures required to provide for the safe and efficient operation of Christchurch Airport that are not identified in the District Plan.

160. Noting that the Panel has sought comment under s53 of the FTAA from Christchurch International Airport Limited, the Civil Aviation Authority, and Airways, it is my view that the appropriate advice on these matters will be provided to the Panel. Should such advice identify the need for additional conditions relating to the safe and efficient operation of Christchurch International Airport, I consider that there may be scope to incorporate those conditions with those proposed for the subdivision or land use consent, as appropriate.

161. Notwithstanding, I note that conditions requiring specialised technical assessment falling outside the experience of Council officers would necessitate the Council engaging appropriately qualified persons in this regard. Additional monitoring charges may apply.

Ecological effects

Waterbody ecology

162. The Applicant provided an Assessment of waterway and wetland values prepared by Jarred Arthur of PDP with the application.

163. Initially, the proposal included the piping of a water race extending along the Ryans Road frontage. The water race is a lateral of the Selwyn District Council's (SDC) Paparua scheme, and is owned and maintained by the SDC. Following discussions between the applicant, the SDC, ECan, and the Council, the applicant amended the proposal to retain the water race and install culverts providing for vehicle crossings to sites accessed from Ryans Road.

164. The applicant provided information detailing these changes on the 15th of August 2025.

165. Katie Kerr, Council's Principal Waterways Ecologist, has reviewed the proposal with regard to effects on waterbody ecology. Katie Kerr's comments are attached as Appendix 10.

166. Katie Kerr is generally supportive of the changes proposed and proposal overall, though:

    a. Considers the number of culverts should be reduced;
    b. Some details relating to the retention and upgrade are unclear, in particular engineering plans detailing all intrusions into the 5m setback;
    c. Notes that site specific surveys of aquatic ecology values to inform culvert locations have not been undertaken.

167. For these reasons, Katie Kerr considers that the effects of the proposal relating to waterway values, as it currently stands will be more than minor.

168. Katie Kerr notes that these matters could be addressed through the provision of additional information prior to consent being granted or required via conditions prior to work commencing, and has additionally recommended conditions requiring:

    a. Appointment of a freshwater ecologist to oversee design and construction work within 5m of the water race and undertake fish salvage;
    b. That all works in, and within 5m of the banks of, waterways be undertaken according to national guidelines;
    c. That a landscaping plan and waterway design be provided to the CCC Waterways Ecologist prior to works commencing.

169. For clarity, I note that Katie Kerr does not recommend a condition reducing the number of culverts, as the installation of a culvert crossing on a network waterway is a permitted activity under the District Plan.

170. Taking into account Katie Kerr's recommendations, it is my view that the effects of the proposal relating to waterbody ecology can be appropriately managed through the recommended conditions.

171. If conditions recommended by Katie Kerr are not included in the decision it is my view that the effects of the proposal relating to waterbody ecology will be more than minor, noting in particular that in the absence of site specific assessments, the specific values within this section of the water race are not well understood and the installation of culverts may disturb freshwater mussels (kākahi), an at risk species.

Lizards

172. There are no disagreements between CCC and the Applicant in relation to the management of lizards.

173. The Applicant provided a Lizard Habitat Assessment and Lizard Management Plan and Memorandum of Baseline Lizard Survey Results, both prepared by Lachie Davidge and Jarred Arthur of PDP. The Applicant supplied additional information relating to lizards on the 15th of August, consisting of an updated Lizard Management Plan and a general update of ecology advice, including comment on lizard management.

174. In relation to lizards, I note the wildlife permit sought under the Fast-track application will be assessed by the Panel concurrently with the resource consent, and the Department of Conservation (DOC) are advising the Panel in this regard.

175. Notwithstanding, and noting that the Council has a role in the maintenance of indigenous biodiversity, and conditions are proposed relating to the relocation of lizards within the land use consent, I have sought advice from Christine McClure, Ecologist (herpetologist) at the Council. Christine McClure's comments are attached as Appendix 12.

176. While noting that the timing of the relocation may not allow for establishment of the lizard habitat in accordance with the Department of Conservation's key principles, Christine McClure is supportive of the proposed relocation, including the conditions proposed by DOC.

Avifauna

177. The Applicant's Avifauna Hazard Management assessment prepared by Lizzie Civil has identified four endemic bird species in surveys, however did not find any signs of those birds breeding on site. Lizzie Civil has not otherwise impacts on those species.

178. In his comments referred to under the 'Birdstrike' heading, Andrew Crossland notes that birds attracted to the site may be protected native or introduced gamebirds, and the disturbance of these birds while nesting is unlawful, and advised that initial site works should be undertaken outside the breeding season, being late July to mid-February, with the most appropriate time for initial earthworks being mid-February to June.

179. Andrew Crossland has not otherwise identified adverse effects on bird populations arising from the proposal.

180. Noting that the breeding of birds on site has not identified, I consider that the mitigation measures proposed to avoid the attraction of birds to manage birdstrike risk will also reduce the likelihood that indigenous bird species will be affected.

Plants

181. The Applicant supplied additional information relating including comment on plants on the 15th of August, contained within a general update of ecology advice.

182. Nicholas Head, Senior Ecologist (botanist) at the Council has provided comment on the botanical values of the site. Nicholas Head's comments are attached as Appendix 13.

183. There are no disagreements between the CCC and the Applicant in relation to indigenous plants.

184. Nicholas Head notes that the site is highly modified, with only the area in the waterway margins retaining some remnant value.

185. Nicholas Head supports the conditions proposed relating to the salvage and reinstatement of *Geranium retrorsum* proposed in the Ryans Road Fast-Track Updates to Ecology Technical Advice memorandum of 13 August 2025.

186. I note that these conditions have been proposed by the applicant in the condition set relating to the land use consent sought from the Canterbury Regional Council. Noting that both consents will be considered together, I am satisfied that effects relating to indigenous plant species will be appropriately managed, though would support these conditions being included in the CCC consent condition set.

Health effects

187. A range of effects relating to human health have been identified, and specialists reports on these matters provided with the application. This includes:

    a. Acoustic Report prepared by Mark Lewthwaite of Powell Fenwick;
    b. Detailed Site Investigation prepared by Tetra Tech Coffey;
    c. Lighting Assessment prepared by Justin Evans of Pederson Read.

188. Kirsten Rayne, Senior Environmental Health Officer at the Council, has reviewed the material provided in relation to acoustics and contaminated soil and provided comment, contained in Appendix 14.

189. I do not consider that there is any disagreement between Council and the Applicant in relation to human health effects.

190. Kirsten Rayne is satisfied that noise effects have been appropriately assessed, and conditions proposed are appropriate. In particular, Kirsten Rayne has considered the potential generation of reverse sensitivity effect in relation to the operation of Christchurch International Airport, though considers that acoustic insulation requirements will be readily met.

191. In relation to contaminated soil, Kirsten Rayne notes that consent for a restricted discretionary activity under the NES-CS is required due to the discovery of elevated arsenic concentrations in two locations. Kirsten Rayne considers the conditions proposed by the applicant to prepare a remedial action plan and site validation report are appropriate to manage effects.

192. Kirsten Rayne has also noted the Construction Management Plan will manage construction phase nuisance effects relating to dust, noise, vibration and lighting.

193. While the Applicant has identified a non-compliance with the light spill standards relating to rural zones, this is limited to light spill received at the point of measurement within lots created in the subdivision. In the context of this application, and subject to a condition limiting light spill received at the appropriate point to that permitted in industrial zones, I am satisfied that effects will be appropriately managed.

194. I accept the comments provided to me in relation to health effects, and consider that the conditions proposed by the applicant will manage adverse effects.

Industrial activity

195. Industrial activity is proposed to be undertaken in accordance with the permitted activities and built form standards applying within the Industrial General zone, except where specifically limited by consent conditions. I comment on the activities potentially enabled by the conditions sought in paragraphs 8-11.

196. William Field has commented on the appropriateness of adherence to the Industrial General permitted activities in relation to urban design and landscape effects within the site at paragraph 45 of his comments in

Appendix 9. Highlighting the nature of the activity sought, being an industrial subdivision, William Field considers that these provisions will be appropriate to manage effects.

197. I consider that effects relating to industrial activity will largely be contained within the site, with the exception of servicing, transport, visual effects, and the safety of aircraft, assessed under the relevant headings above. I note in particular the conditions recommended limiting the operation and potential viability of some of these activities.

198. Subject to careful boundary treatments along the Ryans Road and Grays Road frontages described under the 'Rural character and amenity' heading, and taking into account the assessment referred to under the 'Health effects' heading, it is my view that effects relating to industrial activity can be appropriately managed.

199. As assessed under the 'Rural character and amenity' heading, should the conditions recommended by William Field not be included in the decision, it is my view that the effects of the proposal relating to rural character and amenity will be significant, in part due to the nature and character of the industrial activity proposed.

Cultural effects

200. While no overlays identifying areas of Ngai Tahu Cultural Significance are present on the site, the Applicant has provided a record of preliminary consultation with Te Taumutu Rūnanga and Te Ngāi Tūāhuriri Rūnanga. I note both Mahaanui Kurataiao Limited and Whitiora Centre Limited have been invited to comment on this application under section 53 and consider that these organisations will be best placed to comment on cultural values.

Conclusion with respect to effects on the environment

201. In summary, it is my opinion that adverse effects are generally able to be managed through conditions of consent such that they are acceptable, as recommended by specialists above.

202. Should the recommended conditions not be included in the decision, a number of adverse effects are likely to arise. In particular:

a. The design proposed for the stormwater basins proposed to vest is not acceptable to Council, and they would not be accepted to vest as proposed. A condition enabling a redesign to accord with Council requirements is recommended, however if this condition is not included an alternative arrangement to retain the stormwater basins would be required.
b. The management of stormwater within the site prior to the contouring of individual lots, and consequential effects arising, including ephemeral ponding, are not well understood. Provision of a concept stage bulk earthworks plan for the remainder of the site would give Council certainty as to the likely effects and management options.
c. Transport, in particular the operation of the site prior to the upgrade of the Pound Road / Ryans Road intersection and the reduction of speed limits along the Ryans Road and Grays Road frontages, and the provision of footpaths and shared paths.
d. Rural character and amenity, in particular relating to the Ryans Road and Grays Road frontage treatments.
e. The potential for adverse effects on the operation of Christchurch International Airport through increased risk of birdstrike.

Relevant Objectives, Policies, and other Provisions of a Plan or a Proposed Plan (RMA s104 (1)(b))

203. Regard must be had to the relevant objectives and policies in the Christchurch District Plan. The applicant has provided an assessment of the proposal with regard to these provisions, prepared by Novo Group, in 'Appendix 32 Assessment of Planning Provisions' provided with the application.

204. I generally agree that the relevant provisions they have identified, and give further comment below on a chapter basis.

205. I have also set out where I rely on some further information or further conditions (or modified conditions) beyond what is proposed by the applicant in order to satisfy those objectives and policies. This information and/or the altered additional conditions align with those set out in the assessment of effects above.

3 - Strategic Directions

206. Noting the general nature of the objectives and the presence of more specific provisions, I generally agree with the Novo Group assessment, with the exception of Objective 3.3.7 *Urban growth, form and design*. Objective 3.3.7 seeks a well-integrated pattern of development, consolidated urban form with urban activities only provided for in existing urban areas, where they are expressly provided for in the Canterbury Regional Policy Statement (CRPS), or on greenfield land in accordance with CRPS Map A.

207. In particular, the proposal not within one of the areas identified for urban development, and is out of sequence with the pattern of development growth anticipated by the Plan, is disconnected from established infrastructure and does not currently integrate with surrounding land uses which are predominantly rural in nature. Accordingly, I consider that the proposal is contrary to this objective.

4 – Hazardous Substances and Contaminated Land

208. Noting the advice provided to me by Kirsten Rayne, consider that effects relating to contaminated land will be managed appropriately, and accordingly agree with the Novo Group assessment.

5 – Natural Hazards

209. While noting that the Objective 3.3.6, has been considered under the Chapter 3 assessment, the Novo Group assessment does not include an assessment of the natural hazard policies contained in 5.2.2. Noting the lack of natural hazard overlays, and the advice provided to me by Brian Norton and Yvonne McDonald, I consider the proposal is consistent with these provisions.

6.1 – Noise

210. Noting the advice provided to me by Kirsten Rayne, I consider that effects relating to noise will be managed appropriately, and accordingly agree with the Novo Group assessment.

6.3 – Outdoor lighting

211. I consider that effects relating to outdoor lighting will be managed appropriately, and accordingly agree with the Novo Group assessment.

6.6 – Water Body Setbacks

212. The Novo Group assessment does not include an assessment of the proposal with regard to the Water Body Setback Objective 6.6.2.1 *Protection of water bodies and their margins* and supporting policies. In particular, these polices seek that activities and development in waterbody margins are managed in a way that provides for a wide range of values, including aquatic ecosystems. This includes ensuring adverse effects of land uses on

waterbodies are managed in accordance with their classification, including creating or enhancing ecological corridors for terrestrial and aquatic animals and plants in relation to network waterways, where feasible.

213. Noting the advice provided to me by Katie Kerr and the additional conditions that she proposes, I am satisfied that effects relating to water bodies will be appropriately managed and consider that the proposal is consistent with these provisions.

214. Should the conditions recommended by Katie Kerr not be included in the decision, it is my view that the proposal will be inconsistent with these provisions in not enhancing the ecological corridor of the waterway.

6.7 – Aircraft Protection

215. In relation to Policies 6.7.2.1.1 *Avoidance of physical obstructions* and 6.7.2.1.3 *Risk minimisation*, I agree with the Novo Group assessment, noting the controls proposed in consent conditions to manage the location of buildings, subject to my recommendation that height limits additionally apply to containers and stacked materials.

216. Policy 6.7.2.1.2 *Avoidance or mitigation of navigational or operational impediments* seeks that activities that could interfere with the safe navigation and control of aircraft including the increased risk of birdstrike, be avoided or mitigated.

217. I note the uncertainties which remain in terms of stormwater management and accordingly likelihood that birds will be attracted to the site, potentially increasing the risk of bird strike. Accordingly, I do not consider there is sufficient information available at this time to conclude whether the proposal is consistent with this policy.

218. If these matters can be managed such that the possibility of birdstrike is not increased, I consider that the proposal would be consistent with the provisions.

219. If the proposal would increase the likelihood of birdstrike that is not otherwise mitigated, I consider that it would be contrary to the provisions.

6.8 – Signs

220. The signage objective 6.8.2.1 *Signage* and supporting policies seek that signage contribute to the vitality and recovery of Christchurch by supporting the needs of business, infrastructure, and community activities while maintaining public safety and enhancing visual amenity values and character of the surrounding area, buildings, or structures.

221. Policy 6.8.2.1.1 *Enabling signage in appropriate locations* seeks to enable signage in commercial and industrial environments, while Policy 6.8.2.1.1 *Controlling signage in sensitive locations* seeks to ensure that the character and amenity values of residential, open space and rural zones are not compromised by large areas or numbers of signs, including off site signs. Polity 6.8.2.1.6 *Managing off-site signage* further specifies the management of off-site signs, in particular that they be limited in sensitive zones, including rural, while enabling off-site signage where it is compatible with the surrounding environment in a commercial or industrial context.

222. Policy 6.8.2.1.3 *Managing the potential effects of signage* seeks to ensure that the size, number, height, location, design, appearance, and maintenance of signs such that they do not detract from, and contribute to the character and visual amenity of the surrounding area in a manner that integrates with building design and are proportion to the scale of buildings and the size of the site.

223. For clarity, I do not consider that Policies 6.8.2.1.4 *Transport safety* and 6.8.2.1.5 *Temporary signage and signage managed by other agencies* are relevant to my assessment, noting that there is no suggestion the signage would cause an obstruction or distraction for road users, and the signs are not temporary or controlled through other legislation or government agencies.

224. Taking into account the conditions recommended by William Field, limiting signage within landscape setback areas to that permitted within the Rural Urban Fringe Zone, I consider that the effects relating to signage can be appropriately managed in terms of their context. Accordingly, I consider that, subject to these conditions, the proposal will be consistent with the signage provisions.

225. If the conditions recommended by William Field do not form part of the decision, it is my view that the proposal will be contrary to the outcomes sought by the policy framework, noting the potential proliferation of large areas of signage in a rural zone.

7 – Transport

226. Objective 7.2.1 *Integrated transport system for Christchurch District* and supporting policies seek an integrated transport system that is safe and efficient for all transport modes, while being responsive to current and future needs, while supporting safe, healthy communities with a reduced dependence on private motor vehicles.

227. For clarity, I do not consider Policies 7.2.1.2 *High trip generating activities*, 7.2.1.4 *Requirements for car parking and loading*, 7.2.1.5 *Design of car parking areas and loading areas*, 7.2.1.7 *Rail level crossings*, or 7.2.1.9 *Pedestrian access* (relating to areas identified as 'Policy 3' on the planning maps) to be relevant to this proposal.

228. Policy 7.2.1.1 *Establishment of a road classification system* seeks to identify a road network connecting people and places, recognising different access and movement functions for all people and transport modes, whilst, in particular, supporting the safe and efficient operation of the transport network, reflecting neighbourhood identity and amenity values, and providing for the efficient and effective functioning of the strategic transport network, including for freight.

229. Similarly, Policy 7.2.1.3 *Vehicle access and manoeuvring* seeks to provide vehicle access and manoeuvring compatible with the road classification and the efficiency of the transport system.

230. Policy 7.2.1.6 *Promote public transport and active transport*, as relevant to this proposal, seeks that the public and active (primarily walking and cycling) transport is promoted by ensuring new road corridors, and upgrades to existing road corridors provide sufficient space and facilities for safe walking, cycling, and public transport in accordance with the road classification system.

231. Policy 7.2.1.8 *Effects from transport infrastructure* seeks that adverse effects from new or changes to existing infrastructure are avoided or mitigated, including in relation to the well-being and safety of users.

232. Objective 7.2.2 *Adverse effects from the transport system* and supporting policies seek to enable Christchurch District's transport system to meet the needs of people and freight while managing adverse effects from the transport system.

233. I highlight the advice provided to me by Andrew Milne, identifying that transport safety effects can be appropriately managed, subject to conditions limiting the operation of the site until the upgrades to the Pound Road – Ryans Road intersection are undertaken and the speed limit reduction is in place, and including additional provision for pedestrians and cyclists.

234. Accordingly, it is my view that the proposal is consistent with the outcomes sought by these provisions, subject to the conditions recommended by Andrew Milne.

235. If conditions recommended by Andrew Milne do not form part of the decision, it is my view that the proposal will be contrary to the provisions, as it will:

a. Reduce the operational efficiency of the Pound Road – Ryans Road intersection, reducing the level of service on an arterial route by increasing the likelihood that blockages will occur.
b. Will include vehicle crossings that do not comply with District Plan standards for high speed rural zones, increasing the likelihood that conflict will arise.
c. While a footpath network will be established within the development on one side of internal roads, with a linkage to an existing footpath outside the site, the proposal does not otherwise include provision for active (particularly cycling in a shard path) or public transport.

8 – Subdivision, Development and Earthworks

236. I note that Objective 8.2.1 refers to the objectives in Chapter 9 *Natural and Cultural Heritage.* The Novo Group assessment does not consider these provisions, however I have assessed them under the heading '9 – *Natural and Cultural Heritage*'.

237. Taking into account the land use consent sought to enable activities on the lots proposed, the provision of a road network, and advice provided to me relating to the availability of services, subject to recommended conditions, I consider that the proposal is generally consistent with the provisions in 8.2.2 and 8.2.3. Notwithstanding, I note some tensions in terms of Policy 8.2.2.6 *Integration and connectivity,* noting the sequence of development ahead of a broader development plan providing high level direction for the wider locality, of the kind contemplated in Policy 8.2.2.9 *Outline development plans.*

238. I refer to the advice provided to me in relation to earthworks, including effects on the safety and health of persons. I consider the proposal to be consistent with Objectives 8.2.4 and 8.2.5, with the exception of 8.2.5.2, assessed below.

239. I note the uncertainties which remain in terms of stormwater management that may arise should existing drainage paths be interrupted, and potential for nuisance drainage effects to arise as a result. Accordingly, I consider the proposal may be inconsistent with Policy 8.2.5.2 *Nuisance*. Should the provision of additional information relating to bulk earthworks may demonstrate that more than minor adverse effects will not arise, I consider the proposal to be otherwise consistent with this policy.

9 – Natural and Cultural Heritage

240. With regard to the provisions in Chapter 9, I consider that Objective 9.1.2.1.2 *Maintenance and enhancement of indigenous biodiversity* is relevant to this proposal. Taking into account the advice provided to me by Katie Kerr, Christine McClure, Nicholas Head, and Andrew Crossland, I am satisfied that the proposal will at least maintain the indigenous biodiversity present on the site.

10 – *Designations*

241. For clarity, I note that there are no objectives and policies relating to designations.

16 – Industrial

242. I acknowledge the assessment of the industrial provisions contained in Chapter 16 of the District Plan provided by the applicant[7], however I do not consider the objectives and policies seeking to enable industrial uses in industrial zones are relevant.

[7] *Appendix 32: Assessment of Relevant Planning Provisions* (Novo Group) at page 66-69.

243. I note in particular that Objective 16.2.1 *Recovery and growth* seeks to support and strengthen economic growth of the District's industry in existing and new greenfield industrial zones, however I site is not within an existing industrial zone and highlight that while consent to use land for industrial uses is sought, the proposal will not rezone the land.

244. Likewise, Policy 16.2.1.1 *Sufficient land supply* seeks that a sufficient supply of industrial zoned land is maintained for the needs of industry, to avoid the need for industrial activities to locate in non-industrial zones. In this case, the proposal will not provide any additional industrial zoned land, while industrial activities are proposed to locate in a non-industrial zone.

245. I do not consider that any other objectives and policies in Chapter 16 are relevant to the proposal, being located in the Rural Urban Fringe Zone.

Rural

246. I agree with the overall assessment of Novo Group that the proposal is contrary to the objectives and policies for Rural zones, which seek that the establishment of industrial activities not dependent or directly related to the rural resource, and the creation of lots under 4ha in area, be avoided.

247. Objective 17.2.1.1 *The rural environment* seeks subdivision, use and development of rural land that supports, maintains, and where appropriate enhances the character and amenity values of the rural environment, in particular the contribution of rural productive activities to the economy and wellbeing of Christchurch District while avoiding significant reverse sensitivities effects, and maintaining a contrast to the urban environment.

248. Policies 17.2.2.1 *Range of activities on rural land,* 17.2.2.2 *Effects of activities utilising the rural resource,* 17.2.2.3 *Contributing elements to rural character and amenity values*, and 17.2.2.4 *Function of rural areas* generally seek:

    a. to provide for a range of rural activities on rural land, where activities have a relationship with the land or necessity for that location;
    b. ensure activities avoid significant effects on rural character and amenity and remedy or mitigate other effects;
    c. recognise that rural character and amenity values vary across the Christchurch District, though include the predominance of an open and vegetated landscape and buildings integrated into a natural setting;
    d. To ensure the nature, scale and intensity of subdivision use and development recognises a range of values referencing location, including the rural productive activities and recreational activities in the rural flat land surrounding Christchurch.

249. The activity proposed is not consistent with any of the outcomes sought by these policies.

250. Policy 17.2.2.5 *Establishment of industrial and commercial activities* seeks to avoid the establishment of industrial and commercial activities that are not dependent on or directly related to the rural resource, unless they:

    a. Have a strategic or operational need to locate on rural land or provide significant benefits through utilisation of existing physical infrastructure; and
    b. Avoid significant, and remedy or mitigate other reverse sensitivity effects on rural productive activities;
    c. Will not result in a proliferation of associated activities not reliant on the rural resource; and
    d. Will not have significant adverse effects on rural character and amenity values of the local environment or cause adverse effects.

251. The activity sought is an industrial activity which is not dependent on, or related to the rural resource, nor does it have a strategic or operational need to locate on rural land, and will not provide significant benefits through utilisation of existing physical infrastructure.

252. For completeness, I do not consider policies 17.2.2.6 *Community activities and community facilities*, 17.2.2.7 *Density and distribution of residential units*, 17.2.2.8 *Rural Banks Peninsula*, 17.2.2.9 *Plantation forestry*, 17.2.2.10 *Separation of incompatible activities*, 17.2.2.11 *Catchment management approach for rural land*, 17.2.2.12 *Location and management of quarrying activity and aggregates-processing activity*, or 17.2.2.13 *Quarry site rehabilitation* to be relevant to this proposal.

Conclusion

253. Fundamentally, the District Plan seeks to avoid the activity sought, being the subdivision of rural land creating lots with a net site area of less than 4ha for industrial activities.

254. While noting that, subject to recommended conditions, the proposal will be consistent with a number of objectives and policies on a discrete basis, if these conditions are not included in the decision, the activity will be inconsistent with and contrary to a number of other provisions.

255. Accordingly, it is my conclusion that in an overall sense, the application is contrary to the objectives and policies of the Christchurch District Plan.

Other relevant Statutory Documents (RMA S.104 (1)(b))

256. A number of higher order statutory documents are relevant to this application. I consider that the District Plan gives effect to most relevant higher order documents, and there is no need to specifically reference them here.

257. **It is my view that the Christchurch District Plan has given effect to the Canterbury Regional Policy Statement (CRPS) through its preparation, including the zoning of the subject site as rural. However, noting that the proposal is identified as contrary to objectives and policies of the District Plan in an overall sense, I consider it useful to note that where the CRPS does anticipate and provide for development of greenfield areas, it seeks that this development occur in a comprehensively integrated and connected manner. As noted under paragraphs 206-207, relating to the Christchurch District Plan objectives and policies, the development is generally out of sequence with surrounding land uses, and not subject to a broader development plan.**

258. I note that the District Plan was prepared prior to the commencement of a number of National Policy Statements of relevance to this application, in particular the:

a. National Policy Statement for Urban Development 2020 (NPS-UD);
b. National Policy Statement for Freshwater Management 2020 (NPS-FM);
c. National Policy Statement for Highly Productive Land 2022 (NPS-HPL);
d. National Policy Statement for Indigenous Biodiversity 2023 (NPS-IB).

National Policy Statement for Urban Development 2020

259. There is not full agreement between the Applicant and Council on how to assess the NPS-UD, however I conclude that the proposal is generally consistent with it.

260. While Council has amended the District Plan via Plan Change 14 to give effect to the NPS-UD, Clause 1.3 specifies that the NPS-UD applies to planning decisions by any local authority that affect an urban environment.

261. I highlight there are no implementation provisions of the NPS-UD relevant to the processing of a resource consent.

262. NPS-UD defines an 'urban environment' as:

> urban environment means any area of land (regardless of size, and irrespective of local authority or statistical boundaries) that:
>
> (a) is, or is intended to be, predominantly urban in character; and
> (b) is, or is intended to be, part of a housing and labour market of at least 10,000 people

263. It is my view that should consent for the proposal be granted, development with an urban character will be enabled and accordingly will be an urban environment, and will otherwise interface with and affect the urban environment of Christchurch.

264. A number of objectives and policies of the NPS-UD apply to planning decisions that are not plan changes, which generally seek well functioning urban environments providing for a variety of housing and business needs.

265. I refer to the assessment above under the headings 'Infrastructure and servicing', 'Natural Hazards', 'Transport', 'Subdivision urban design', and consider that the proposal will be supported by infrastructure and transport linkages, will not be subject to, and will not itself worsen natural hazard risks, and has a design generally suited to its purpose.

266. While I acknowledge the position of the applicant that the entirety of the Greater Christchurch Area is an 'urban environment', however I note there are no objectives and policies of the NPS-UD that either do or do not apply depending on whether the site is within or outside the urban environment. Accordingly, I do not consider it necessary to reach a view in relation to the entirety of the Greater Christchurch Area in giving comment on this application.

267. I consider the proposal to be generally consistent with the NPS-UD.

National Policy Statement for Freshwater Management 2020

268. With regard to the NPS-FM, I note that the water race is not a river and will be retained for much of its extent, with the exception of culverts providing for vehicle crossings. I refer to the assessment above and the advice provided to me by Katie Kerr, including the recommended conditions, and consider that values associated with the water race will be maintained.

National Policy Statement for Highly Productive Land 2022

269. There is not full agreement between the Applicant and Council on how to assess the proposal in relation to NPS-HPL, however I consider that the proposal is allowed by it.

270. The applicant has provided both a legal opinion on the applicability of the NPS-HPL from Jo Appleyard, and an assessment of productive capacity prepared by Victor Mthamo of Reeftide Consulting.

271. Jo Appleyard's legal opinion considers that the nearest equivalent zone to the Rural Urban Fringe Zone under the National Planning Standards is not General Rural or Rural Production, and accordingly the NPS-HPL does not apply, applying clauses 1.3(4)(b) and 3.5(7)(a). I acknowledge the opinion, however in reliance on the opinion of Cedric Carranceja of Buddle Findlay, attached as Appendix 16, I consider that the nearest equivalent zone to the Rural Urban Fringe zone is General Rural, and the NPS-HPL applies.

272. The NPS-HPL provides three exemption pathways for resource consents on highly productive land, under Clauses 3.8-3.10. For clarity, in reliance of Cedric Carranceja's opinion, it is my view that Clauses 3.6 and 3.7 apply to plan change processes, and are not relevant to the processing of a resource consent.

273. Clause 3.8 requires that the subdivision of highly productive land be avoided unless:

    a. the applicant demonstrates the proposed lots will retain the overall productive capacity;
    b. The subdivision is on specified Māori land;
    c. The subdivision is for specified infrastructure or defence facilities.

274. None of these criteria apply to this application, and I conclude that the exemption pathway under Clause 3.8 is not available.

275. Clause 3.9 requires that the inappropriate use or development of highly productive land that is not land-based primary production. Subclause (2) sets out the criteria for activities that are not inappropriate at (a)-(j). I do not consider any of these activities are proposed, and conclude that the exemption pathway under Clause 3.9 does not apply.

276. Victor Mthamo's assessment considers the proposal with regard to the exemption pathway under 3.10.

277. Council has commissioned a peer review of Victor Mthamo's assessment, undertaken by Ian Millner, Principal Consultant at Landvision. Ian Millner's peer review is attached as Appendix 4.

278. Ian Millner has considered the proposal and assessment of Victor Mthamo with particular regard to the matters set out in clause 3.10 of the NPS-HPL.

279. In relation to 3.10 (1)(a), a range of constraints have been identified by Victor Mthamo, including limited availability of water allocations and nutrient budgets, and proximity to Christchurch International Airport, including when considering opportunities for transfers of water rights. Ian Millner agrees that these each represent a degree of constraint, and more so when considered cumulatively, however does not conclude that these constraints alone demonstrate that land-based primary production is not economically viable for the next 30 years.

280. In the absence of an assessment of economic assessment undertaken by Victor Mthamo, Ian Millner has identified that the highest and best use of the is a pasture based operation, and the accordingly the question of economic viability relates to this activity. To this end, Ian Millner has undertaken a high level analysis of the likely income generated by such an activity on the site, and concluded that the operation of a pastoral form on this site is not economically viable.

281. In relation to 3.10(1)(b)(i), noting the size of the landholding, cross-referenced with records of Highly Productive land held by Landcare Research, Ian Millner considers that the loss of 55.5ha in the context of the Christchurch District, having 16,856ha of highly productive land, is not significant.

282. In terms of 3.10(1)(b)(ii), and highlighting the separation from other rural zoned land by roads and otherwise bounded by the Specific Purpose Airport Zone, Ian Millner considers that the loss of this land will not result in fragmentation of large and geographically cohesive areas of highly productive land. Likewise, in relation to 3.10(1)(b)(iii) noting the separation from other rurally zoned land Ian Millner does not consider it likely that reverse sensitivity effects will arise.

283. Clause 3.10(1)(c) requires an assessment of whether the environmental, social, cultural and economic benefits of the subdivision, use, and development outweigh the long-term costs of the same associated with the loss of highly productive land for land based primary production, taking into account tangible and intangible values. I highlight that matters referred to in this clause are broad, and I additionally refer to the assessments under

the '*Economic effects and industrial land demand*', '*Rural character and amenity*', '*Ecological effects*', and '*Effects on infrastructure*' headings. In particular:

a. Formative agree with the conclusion reached by Market Economics that the proposal will have significant regional benefits;
b. William Field has identified that the site has a range of rural values, however those values are subject a range of activities in the surrounding environment characteristic of a peri-urban area. William Field has not identified any unique visual amenity characteristics of the site. Subject to conditions, William Field considers that adverse visual amenity effects on the local area can be mitigated such that they are moderate;
c. While ecological values have been identified in relation to the site, the site has been heavily modified and indigenous vegetation remains primarily on the margins, which will be retained, while the applicant is otherwise proposing to relocate lizards found on the site;
d. Ian Millner's assessment concludes that the land is not economically viable for productive land uses.

284. Accordingly, it is my view that the environmental, social, cultural and economic benefits of the subdivision, use, and development outweigh the long-term environmental, social, cultural and economic costs associated with the loss of highly productive land.

285. I note that Clause 3.10(2) requires that an applicant demonstrate constraints on economic viability cannot otherwise be addressed through other reasonably practicable option that would retain the productive capacity of the land. This is accompanied by a non-exhaustive list of options. Ian Millner has considered each of these options in turn, and accepts the assessment of Victor Mthamo, concluding that none of these options can address the constraints identified. Ian Millner has not otherwise identified any options that are not listed.

286. Clause 3.10(3) requires that consideration of reasonably practicable options be limited to the use of highly productive land for land based primary production, must consider the impact of the loss of highly productive land on the landholding, and consider future productive potential of land-based primary production. In each case, Ian Milner is satisfied that the assessment has:

a. Not taken into account the potential economic benefit of using the highly productive land for purposes other than land based primary production;
b. Considered the impact that the loss of the highly productive land would have on the landholding;
c. Considered the future productive potential of land-based primary production on the highly productive land, not limited by its past or present uses.

287. I accept the advice provided to me and consider that the exemptions in Clause 3.10(1)(a), (b), and (c) are met, and the constraints identified in (1)(a) have been considered in accordance with (2) and (3).

288. I consider that the site is subject to permanent or long-term constraints, and subdivision, use, or development is allowed under Clause 3.10.

National Policy Statement for Indigenous Biodiversity 2023

289. With regard to the National Policy Statement for Indigenous Biodiversity 2023, I note that the application site is not within a Site of Ecological Significance identified in the Christchurch District Plan, and refer to the assessment relating to ecology. Having regard to the advice provided to me and recommended conditions, it is my view that the proposal is consistent with the objectives and policies of the NPS-IB.

Relevant Other Matters (RMA s104 (1)(c))

Relevant Non-statutory Documents

290. The Greater Christchurch Spatial Plan (GCSP) was adopted by the CCC as the Future Development Strategy (FDS), required under the NPS-UD, at the Council meeting 6 March 2024. Neither the policy or implementation provisions of the NPS-UD require or provide for consideration of an FDS in the context of a resource consent, being a 'planning decision'. The GCSP is an 'other matter' that the expert panel must have regard to under RMA s104(1)(c).

291. I note that a 'New / expanded industrial area' is identified on Map 14 of the GCSP, however note footnote 2 on page 37 of the GCSP defining the term 'broad', and conclude that identification of this area on Map 14 is indicative, with further work required to define appropriate location and scale of development.

RMA Section 106

292. I refer to the assessment of effects above with regard to natural hazards, and conclude there are no significant risks from natural hazards.

293. I am satisfied that each lot will be provided with adequate legal and physical access, and do not consider conditions relating to these matters are required.

Part 2 of the RMA

294. The matters outlined in previously are subject to Part 2 of the RMA which outlines its purpose and principles.

295. The use, development and protection of resources is to be sustainably managed in a way that enables people and communities to provide for their social, economic and cultural wellbeing and their health and safety, while avoiding, remedying or mitigating any adverse effects of activities on the environment.

296. Taking guidance from case law[8], the District Plan is considered to be the mechanism by which the purpose and principles of the Act are given effect to in the Christchurch District. It was competently prepared via independent hearing and decision-making processes in a manner that appropriately reflects the provisions of RMA Part 2, except in relation to the NPS-UD, NPS-FM, NPS-HPL, and NPS-IB. I refer to my assessment in the 'Other statutory documents section', and consider the proposal is consistent with RMA Part 2 in relation to these matters.

Decision making framework

Section 81 – Assessment criteria

297. As identified above, when applying Section 81 of the FTAA, the Expert Panel must consider the substantive application, and any advice, report, comment or other information as specified in that section, and apply clauses 17 to 22 of Schedule 5.

298. Clause 17 of Schedule 5 requires that the Panel must take into account, giving the greatest weight to (a):

> *(a) the purpose of this Act; and*
> *(b) the provisions of Parts 2, 3, 6, and 8 to 10 of the Resource Management Act 1991 that direct decision making on an application for a resource consent (but excluding section 104D of that Act); and*
> *(c) the relevant provisions of any other legislation that directs decision making under the Resource Management Act 1991.*

299. The purpose of the FTAA is set out in section 3:

[8] *R J Davidson Family Trust v Marlborough District Council* [2018] NZCA 316

The purpose of this Act is to facilitate the delivery of infrastructure and development projects with significant regional or national benefits.

300. As set out in paragraph 50, while the extent of the net benefit is not well quantified, I am satisfied that the project will result in significant regional benefits.

Section 83 – Conditions

301. Section 83 of the Act requires that when a Panel exercises discretion to impose conditions, any condition imposed must not be "*… more onerous than necessary to address the reason for which it is set …*".

302. Schedule 5 clause 18 clarifies that when setting conditions on a consent, the provisions in Parts 6, 9, and 10 of the RMA relevant to the setting of conditions on a resource consent apply to the Panel with all necessary modifications.

303. Conditions have been proposed by the applicant, with changes and additions recommended by Council specialists where relevant to their area of expertise. There is broad agreement in the general form of conditions proposed by the applicant and recommended by Council specialists, with a number of changes and additional conditions recommended in relation to:

a. Quality assurance, to ensure infrastructure will be suitable to vest.
b. The design and vesting stormwater infrastructure.
c. Acceptance criteria for management plans.
d. Limitations on the operation of activities with prior to upgrades to transport infrastructure and reduction of speed limits.
e. Provision of footpaths and shared paths.
f. Landscaping, building, treatments, and signage along existing road frontages.
g. Waterway ecology.

304. As raised in the comments of Michele McDonald, Brian Norton, Yvonne McDonald, and Andy Milne, and conditions recommended, any infrastructure proposed to vest in Council will be subject to quality assurance conditions including acceptance criteria.

305. The comments of Yvonne McDonald further detail the purpose and necessity for those conditions, and briefly sets out the acceptance process for infrastructure to vest.

306. The conditions recommended by the Council include this acceptance criteria, as identified in Appendix 16.

307. If the Panel is not minded to include the conditions proposed by the Council then the Council is highly unlikely to accept the infrastructure to vest. If infrastructure is not going to vest in the Council, then alternative conditions that achieve appropriate management of infrastructure assets in private ownership will be required.

308. I do not consider the conditions recommended are more onerous than necessary, however note that Council remain open to engaging on conditions following the comment period.

Section 85 – Circumstances in which an approval must or may be declined

309. Section 85 of the FTAA sets out the circumstances in which a panel is required to decline an approval sought and where the panel is afforded discretion to decline an approval sought.

310. In relation to an approval sought for a resource consent, a panel must decline if the approval sought is for an ineligible activity, if granting the approval would breach section 7 (Obligation relating to Treaty settlements and recognised customary rights), or in relation to coastal permit where a panel has made a reservation under schedule 5 clause 20.

311. I do not consider that any of these criteria apply, and accordingly there is no requirement for the panel to decline the approval.

312. Where a panel is not required to decline an approval, discretion to decline an approval is only available if adverse impacts in relation to the approval sought are sufficiently significant to be out of proportion to the project's regional or national benefits, including taking into account conditions imposed by the panel, and conditions or modifications proposed by the applicant.

313. Notably, section 85 (4) precludes a panel forming a view that an adverse impact is sufficiently significant to be out of proportion to the regional or national benefit solely on the basis that the adverse impact is inconsistent with or contrary to a provision of a specified Act or any other document.

314. As set out in the policy assessment above, I generally agree with the assessment of Novo Group that the proposal is contrary to the rural objectives and policies in Chapter 17, however, subject to recommended conditions the proposal is generally consistent with the provisions of chapters applying across the Plan seeking to manage effects.

315. As discussed in the assessment of effects, a range of potential effects in relation to the activity have been identified by Council specialists, which are able to be resolved by way of conditions, in particular:

a. The design proposed for the stormwater basins proposed to vest is not acceptable to Council, and they would not be accepted to vest as proposed. A condition enabling a redesign to accord with Council requirements is recommended, however if this condition is not included an alternative arrangement to retain the stormwater basins would be required.
b. Uncertain management of stormwater within the site prior to the contouring of individual lots, and consequential effects arising, including ephemeral ponding, are not well understood. Provision of a concept stage bulk earthworks plan for the remainder of the site would give Council certainty as to the likely effects and management options.
c. Adverse transport effects, arising in particular from the operation of the site prior to the upgrade of the Pound Road / Ryans Road intersection and the reduction of speed limits along the Ryans Road and Grays Road frontages. Conditions limiting the use of the site and providing for have been recommended.
d. Adverse effects on rural character and amenity, in particular relating to the Ryans Road and Grays Road frontage treatments. Conditions to mitigate adverse effects through a range of measures have been recommended.
e. The potential for adverse effects on the operation of Christchurch International Airport through increased risk of birdstrike. A condition requiring the implementation of a Wildlife Hazard Management Plan is proposed by the applicant. Subject to incorporation of the relevant bird species and construction timeframes, this plan will contribute to the management of birdstrike risk.

Conclusion

316. After considering the actual and potential effects on the environment of the proposal, it is my view that:

a. While the net regional benefits of the proposal are not well quantified, I accept that they will be significant, and granting the approval sought would facilitate the delivery of a development project with regional benefits;
b. Conditions proposed by the Council are no more onerous than necessary, are recommended in accordance with the relevant provisions of the Act;

c. Subject to the implementation of conditions recommended by Council specialists, the adverse effects of the proposal can be appropriately managed.

317. Accordingly, it is my conclusion that, subject to conditions recommended, adverse impacts relating to the approval sought will not to be sufficiently significant so as to be out of proportion to the benefits.

318. If the conditions recommended by Council specialists are not included, I consider that additional economic assessment to determine the net economic benefit will be required to consider the significance of the adverse impacts of the proposal in relation to the benefits.

Francis White
Senior Planner
15 September 2025

Delegated Officer

Paul Lowe
Manager Resource Consents
15 September 2025

Schedule of Appendices

No.	Document	Author	Position
1.	Response to Expert Panel Minute 3 requests	Francis White	Senior Planner
2.	Demand Modelling	Aimee Martin	Senior Research Analyst
3.	Economics	Rodney Yeoman and Derek Foy	Economist (Consultant - Formative)
4.	Productive Capacity	Ian Millner	Principal Consultant (Consultant - Landvision)
5.	Water Supply and Wastewater	Michele McDonald	Team Leader Asset Planning Water and Wastewater
6.	Stormwater	Brian Norton	Senior Stormwater Planning Engineer
7.	Earthworks and geotechnical	Yvonne McDonald	Senior Subdivision Officer
8.	Transport	Andy Milne	Team Leader Asset Planning Transport
9.	Urban Design, Landscape and Visual effects	William Field	Senior Urban Designer
10.	Waterbody Ecology	Katie Kerr	Principal Waterways Ecologist
11.	Avifauna	Andrew Crossland	Ecologist (Ornithologist)
12.	Herpetology	Christine McClure	Ecologist (Herpetologist)
13.	Botany	Nicholas Head	Senior Ecologist (Botanist)
14.	Environmental Health	Kirsten Rayne	Senior Environmental Health Officer
15.	Legal Opinion on applicability of NPS-HPL	Cedric Carranceja	Lawyer providing a legal opinion (Consultant – Buddle Findlay)
16.	CCC Comment on proposed conditions	Francis White	Senior Planner

Appendix 1 – Response to Expert Panel Minute 3 requests

Matter	Response
Economics and land demand	
The Panel understands that CCC has commissioned an independent review of the applicant's Appendix 20 Economic Assessment. The Panel requests that it be provided a copy of that review, as well as comments on the applicant's Appendix 21 Industrial Land Market Assessment and Appendix 22 Industrial Land Demand Assessment.	- An independent review of the applicant's Appendices 21-23, undertaken by Formative Economics is attached as Appendix 3. - Comment on the demand model used by CCC, including a peer review of the model, from Aimee Martin, Senior Research Analyst, is attached as Appendix 2.
National Policy Statement for Highly Productive Land (NPS-HPL)	
The Panel is aware that CCC has commissioned an agronomist to undertake a productive land assessment. The Panel requests that it be provided a copy of that assessment as part of the CCC response to all matters relevant to the NPS-HPL.	- Ian Millner, Principal Consultant at Landvision Consulting has peer reviewed the productive land assessment provided with the application. This review is attached as Appendix 4.
The Panel also requests that CCC provides an opinion on which of the National Planning Standards zones is the nearest equivalent to the Rural Fringe Zone of the Christchurch District Plan.	- An opinion on which of the National Planning Standards zones is the nearest equivalent to the Rural Urban Fringe zone, from Cedric Carranceja, is attached as Appendix 16.
In the event that that opinion is that the equivalent National Planning Standards zone is General Rural or Rural Production, CCC is requested to comment on whether it considers that the proposal can be approved through the various exemption pathways provided for under the NPS-HPL.	- The opinion from Cedric Carranceja concludes that the exemption pathways under 3.6 and 3.7 are not relevant to this proposal. - The exemption pathways under 3.8-3.10 expressly apply to the processing of a resource consent. - I refer to the assessment under of the NPS-HPL under the 'Other relevant Statutory Documents' heading of my planning assessment above,
In the event that CCC considers that none of the NPS-HPL exemptions are available: o CCC is requested to comment on how the 'avoid' provisions in the NPS-HPL are to be approached when deciding this application under the FTAA and o CCC is requested to comment on the significance of any adverse impacts arising from loss of LUC Class 2 soils when deciding this application under the FTAA.	While noting my conclusion that the exemption pathway under 3.10 applies, Cedric Carranceja has provided comment on how the 'avoid' provisions in the NPS-HPL are to be approached when deciding this application under the FTAA.
Activities enabled by the consent	
Identification of the industries that are potentially enabled by the consent and conditions that are sought, and any further restrictions on the scope of activities that it considers should be imposed.	I refer to my comments under the 'Scope of Industrial Activity' of my planning assessment in relation to activities that are enabled, and my planning assessment and recommended conditions in relation to further restrictions.
Transport	

All matters that it considers relevant to the functions of local roads, and including: - access to Lots 57 to 60 directly from Ryans Road; - road upgrade widths of Ryans Road and Grays Road; - traffic speed limits on Ryans Road and Grays Road; - the extent and timing of the upgrade of the Pound Road – Ryans Road intersection, including the availability of funding; - Clarify whether the Council has a role in the Traffic Management Plan process and, is so, what that role would be	The matters set out are addressed by Andy Milne, in Appendix 8, and considered under the 'Transport' heading of my planning assessment.
Conditions	
CCC is requested to provide comment on the full set of conditions proposed by the applicant, including a tracked change version of the conditions that may include comment boxes that explain changes. Within that, the Panel seeks specific comment on the following.	- A full set of conditions including CCC comment, is attached as Appendix 16. - Refer cells below for specific comments to the points raised.
- Whether the documents generally referred to in Condition 1 should be listed in an appendix of the conditions.	I do not consider that the documents generally referred to in Condition 1 are required to be listed in an appendix of the conditions. The conditions should make reference to a final set of plans detailing the particulars of the proposal to be read in association with the conditions.
- Whether it considers that the incorporation by reference to various Christchurch District Plan rules and standards into consent conditions will adequately manage the effects associated with those conditions. This includes, but is not limited to, building height, noise, lighting, and setbacks.	I refer to assessments of: - William Field, in relation to the appropriateness of the Industrial General built form standards to control effects within the site. - Kirsten Rayne, in relation to effects to noise. Neither William Field nor Kirsten Rayne have raised concerns with regard to these matters.
- The need for dust monitoring.	Yes, it is considered that measures to manage and monitor the generation of dust are necessary.
- The appropriate lead in time for notice of commencement of works to be provided by the consent holder.	Comment on the appropriate notice times is contained in Appendix 16.
- Whether Condition 41 is necessary given the need for a building consent, or other conditions such as Condition 12 - Aircraft Protection, given these need to be complied with in any case.	Yvonne McDonald considers that Condition 41 is not necessary, taking into account the ground characteristics of the site.
- Whether CCC should have a certification role in the various management plans required by the proposed consent conditions, and if so, to which plans certification should apply.	The role of CCC in certifying management plans is noted in relation to each of the relevant conditions with commentary in Appendix 16.
- Whether there is a requirement for 'implementation' conditions i.e. conditions that require the various management plans to be implemented.	The requirement for implementation conditions is specified in relation to each of the relevant conditions with commentary in Appendix 16.
Planning assessment	
Does the access to Lots 57 to 60 trigger another reason for consent?	It is not clear which rule this question relates to, however Rule 7.4.3.8 d., further referring to District Plan Appendix 7.5.11, includes standards requiring a minimum spacing between vehicle crossings on the

	same or adjacent sites on the same side of the road, for roads with speed limits of more than 70km/hr. - In this case, a minimum spacing of 50m is required as both Ryans Road and Grays Road are local roads with a speed limit of 80km/hr. - 7.5.11 b. provides an exemption for sites that do not enable a vehicle crossing to be established in accordance with those standards 'in the position which most nearly complies'. - Vehicle crossings on Lots 55-60 are within 50m of crossings on the site or an adjacent site and not located 'in the position which most nearly complies'. - Accordingly, resource consent is required under Rule 7.4.2.3 RD1, as identified in the non-compliance table of my planning assessment.
Is there an additional infringement relating to the minimum lot size of the zone (refer to 8.6.1.5.a Appendix 19 District and Regional Plan Compliance Assessment).	While the applicant has identified a non-compliance with Rule 8.5.1.4 D1, as the lots do not meet the minimum lot sizes in Rule 8.6.1, I note that Rule 8.5.1.5 NC4 applies to any subdivision creating an allotment in a rural zone with a net site area of less than 4ha, as is proposed in this application.
The relevance of CDC Chapter 10 D1 in relation to the designation.	Chapter 10 of the Christchurch District Plan records designations, with D1 relating to Christchurch International Airport, for which Christchurch International Airport Limited is the Requiring Authority. A portion of the application site is within area A2 of the Designation, being a restriction on the use of land and airspace for Runway End Protection Area for the safe and efficient functioning of the Airport.
The relevance of the National Policy Statement for Urban Development 2020 and specifically, whether the site is within an "urban environment"' as defined by the NPS-UD.	I refer to my assessment of the NPS-UD under the 'Other relevant Statutory Documents' heading of my planning assessment.
The relevance of the Greater Christchurch Spatial Plan.	I refer to my comments on the Greater Christchurch Spatial Plan under the 'Relevant other matters' heading of my planning assessment.
Confirmation that the revised size and separation of the proposed stormwater treatment basins now complies with permitted activity Rule 6.7.4.3.1.a.	In relation to the revised stormwater basins, the applicant has identified a 'Maximum Water Surface Area' of 999m^2 during a 50-year critical storm (2% AEP event), however an area of 1,156m^2 relating to the top of the basins has additionally been identified. - Rule 6.7.4.3 P1 does not distinguish between the area of the basin and the area of water surface in specific events, noting that it is not simply the area of surface water that is relevant to the potential for birds to be attracted to the site. - While the AEE and LVIA refer to plant species being selected from Appendix 6.11.9, this is not specified on a landscaping plan nor has a condition of consent requiring that plants be limited to those listed Appendix 6.11.9 been volunteered.

	- Accordingly, I consider that Rule 6.7.4.3 P1 is not met.
The adequacy of Appendix 11 Landscape and Visual Assessment, particularly in relation to properties located along Ryans Road, Grays Road and Pounds Road.	I refer to the William Field's assessment attached as Appendix 9, and my assessment under the 'Rural character and amenity' heading..
Any matters of discretion that would be appropriately considered.	Relevant matters of discretion that could be referred to for guidance are identified in the non-compliance table.

Appendix 2 – Demand Modelling – Aimee **Martin**

Memo

Date: 11 August 2025
From: Aimee Martin, Senior Research Analyst
To: Francis White, Senior Planner
Brent Pizzey, Senior Legal Counsel
Cc: Sarah Oliver, Team Leader City Planning
Kirk Lightbody, Senior Policy Planner
Reference: 25/1595986

Response to growth model aspects of Market Economics economic assessment for RMA/2025/1208 (Ryans Road Industrial Development)

1. Purpose of this Memo Te take o tēnei Pānui

1.1 This memo provides a response to issues raised in the Market Economics economic assessment for RMA/2025/1208, specifically around the Council's business growth model, how demand for industrial and logistics land is assessed, and the conversion of the cumulative space requirement from square metres to hectares.

1.2 The model was peer reviewed by Dr Kirdan Lees (Sense Partners) in 2022 and found to be fit for purpose. The peer review is attached to this memo.

1.3 The information in this memo is not confidential and can be made public.

2. About the Council's Business Growth Model

2.1 The Council's business growth model is really two models. The first model is an employee growth models, that projects future economic activity in terms of the number of employees by industry. The second is a set of models that translates the employee projections into land demand for different activities.

2.2 A vector autoregressive (VAR) technique is used to develop the business growth model and forecast the level of employment for the next thirty (30) years. The land demand model is a collection of five (5) models, each forecasting the demand for land for the various property markets. Each of the land demand models is based on assumptions that are relevant to the activity being modelled, the assumptions for both the industrial and warehousing model are provided below.

2.3 **Industrial**

$$\mathbf{D_{ind} = f\{Ind_{emp}, Ind_{empgr}, Prod_{gr}, Ind_{emprat}, Ind_{int}\}}$$

Where:
D_{ind} = New industrial land demand
Ind_{emp} = Industrial employment
Ind_{empgr} = Industrial employment growth
$Prod_{gr}$ = productivity growth

Ind_{emprat} = Industrial employment space requirement
Ind_{int} = Intensity of use

- Regional industrial output trends reveal increased levels of output, where expansion in output is driven by increased levels of capital utilisation, without a significant change in labour input. This suggests that the marginal rate of technical substitution (MRTS) support higher use of capital than labour during production.
- The short-term productivity growth for the industry averaged 3.3% for Christchurch City, slightly below the long-term average of 4.8%. The short-term growth rate is applied in the model.
- A relationship between industry output (StatsNZ) and new building activity (StatsNZ) is utilised in the model. This relationship allows the model to convert the output into space demand inclusive of services, hard and soft landscaping.
- The level of employment is sourced from the Business Growth Model while the productivity measure is sourced from StatsNZ.
- The land demand requirement assumes all new development is Greenfield. Alternatively, the council land use register/roll reveal that various sections have a low level of use-intensity for industrial. Increasing this use-intensity for properties below a FAR of 0.32 would improve use-intensity and would reduce the amount of land required to support the new demand.

2.4 The model first calculates the associated demand for space (D) based on the output baseline (A), productivity growth (B), and the conversion rate (C). The floor area ratio (E) is then built into the annual new floorspace demand (F). From here, there is a simple conversion of the annual new floorspace demand to hectares. As such, there is no need to apply the ratio again in the conversion of new space demand from square metres to hectares.

Method: Productivity: Baseline												
Industrial & warehousing		B	Productivity growth	3.30%	A	Output base	123,811	C	Conversion rate	0.00003	E	Ratio 0.32

	2020	2021	2022	2023	2024	2025	2026	2031	2036	2041	2046	2051
Employment	25,150	25,111	24,784	24,461	24,157	23,845	23,524	21,896	20,264	18,631	16,998	15,366
Associated demand for space D		96,350	98,232	100,152	102,169	104,180	106,171	112,527	122,492	132,473	142,166	151,161
Annual new floor space demand F			5,880	6,001	6,301	6,285	6,221	19,865	31,140	31,189	30,292	28,109
Cumulative space requirement		-	5,880	11,881	18,182	24,467	30,688	50,553	81,694	112,883	143,174	171,283
Cumulative Land requirement (ha)		-	0.59	1.19	1.82	2.45	3.07	5.06	8.17	11.29	14.32	17.13

These are the assumptions within the model - any updates on these will change the results

2.5 Warehousing & logistics

Dwl = f {WLemp, WLempgr, WLgr, WLemprat, WLint}

Where:
D_{wl} = New warehousing land demand
WL_{emp} = Warehousing employment
WL_{empgr} = Warehousing employment growth
$Prod_{gr}$ = productivity growth
WL_{emprat} = Warehousing employment space requirement
WL_{int} = Intensity of use

- Regional industrial output trends reveal increased levels of output, where expansion in output is driven by increased levels of capital utilisation, without a significant change in labour input. This suggests that the marginal rate of technical substitution (MRTS) support higher use of capital than labour during production.
- The short-term productivity growth for the industry averaged 2.8% for Christchurch City, slightly below the long-term average of 4.4%. The short-term growth rate is applied in the model.
- A relationship between industry output (StatsNZ) and new building activity (StatsNZ) is utilised in the model. This relationship allows the model to convert the output into space demand inclusive of services, hard and soft landscaping.
- The level of employment is sourced from the Business Growth Model while the productivity measure is sourced from StatsNZ.
- The land demand requirement assumes all new development is Greenfield. Alternatively, the council land use register/roll reveal that various sections have a low level of use-intensity for industrial. Increasing this use-intensity for properties below a FAR of 0.43 would improve use-intensity and would reduce the amount of land required to support the new demand.

2.6 The model first calculates the associated demand for space (D) based on the output baseline (A), productivity growth (B), and the conversion rate (C). The floor area ratio (E) is then built into the annual new floorspace demand (F). From here, there is a simple conversion of the annual new floorspace demand to hectares. As such, there is no need to apply the ratio again in the conversion of new space demand from square metres to hectare.

Method 1: Productivity

Industrial & warehousing		B	Productivity	2.80%	A	Output base	190,504	C	Conversion r	0.000034	E	Ratio 0.43

	2020	2021	2022	2023	2024	2025	2026	2031	2036	2041	2046	2051
Employment	24,950	25,287	25,436	25,617	25,797	25,973	26,138	26,951	27,760	28,568	29,377	30,185
Associated demand for space D		167,363	173,061	179,176	185,485	191,983	198,609	228,707	270,447	319,533	377,226	444,998
Annual new floor space demand F			13,252	14,220	14,672	15,112	15,409	69,994	97,071	114,154	134,169	157,610
Cumulative space requirement		-	13,252	27,472	42,144	57,256	72,665	142,660	239,731	353,885	488,054	645,664
Cumulative Land requirement (ha)		-	1.33	2.75	4.21	5.73	7.27	14.27	23.97	35.39	48.81	64.57

These are the assumptions within the model - any updates on these will change the results

4. Council's Response to Market Economics Comments

4.1 4.4 Demand For Industrial and Logistics Land (Page 18)

"Finally, for both Table 4 and Table 5, when converting the cumulative space requirement from square meters GFA (m^2) to the cumulative total land requirement in hectares (ha), it appears that a direct conversion was applied. However, this method differs from the recommended Floor Area Ratio (FAR) of 0.32 for industrial and 0.43 for Logistic and Warehousing, as outlined in Appendix 6 of the same BDCA. By way of example, that would mean the 126,126.1 m2 (Table 4, 2031 cumulative space requirement for industrial land) should be divided by 0.32 to get the total land requirement. This equates to 394,144.1 m2, or 39.41 ha. Then with the competitiveness margin added, that value becomes 47.29 ha. This compares to the 15.14ha as contained in Table 4. The same issue applies for the Warehousing and Logistics, Table 5, where the 171,124m2 of GFA should be divided by 0.43 to give 47.75ha, rather than 20.53ha."

4.2 The ratio represents the space required per worker and has been incorporated into the calculation of annual new floor space demand, as outlined above. This demand is determined by calculating the annual growth in the associated demand for space and dividing it by the ratio. The resulting figure is then used to determine the cumulative space requirement over time, which is subsequently converted to hectares.

4.3 It seems there may have been a misunderstanding in the Market Economics Economic Assessment regarding how the CCC model applies the ratio. To clarify, the ratio is applied before any conversion from square metres to hectares takes place. It had already been factored in prior to the data being presented in the Business Capacity Demand Assessment tables, so applying it again during the conversion would result in "double counting".

4.4 **4.4 Demand For Industrial and Logistics Land (Page 18)**

"For the purposes of this Economic Assessment and notwithstanding our view that the land area calculation is incorrect, we have erred on the side of caution and have conservatively assessed demand on the basis that the amount of GFA space (as reported in the BDCA Tables 9 and 10) are incorrect – but that the land area calculation is correct. Adopting this approach, the amount of land demanded for industrial activities including the competitiveness margin (separate from logistics or warehousing) is 15.14ha in the short to medium term and 26.43ha in the long term. Warehousing and logistics activities required 20.53ha in the short to medium term and 92.76ha in the long term."

4.5 The Council's model is designed to assess land demand. As outlined above, it uses employee growth projections to estimate the associated land requirements. This includes all space needed per employee (such as workspaces, hard and soft landscaping) captured within the ratio applied during the conversion from employees to land demand.

4.6 Similar to the earlier comments, it appears there may have been a misinterpretation in the Market Economics Economic Assessment regarding how the CCC model functions. To clarify, the model does not use Gross Floor Area (GFA) as a basis; rather, it focuses on land demand derived from employment growth.

Attachments Ngā Tāpirihanga

No.	Title	Reference
A	Business Growth Model Peer Review - June 2022	25/1596116

Signatories Ngā Kaiwaitohu

Author	Aimee Martin - Senior Research Analyst
Approved By	Kath Jamieson - Team Leader Monitoring and Research

SENSE PARTNERS

DATA LOGIC ACTION

Friday 10 June 2022

From: Kirdan Lees (Sense Partners)

To: Aimee Martin (Christchurch City Council)

Peer Review: Christchurch City Council Land demand model

Aimee,

Thank you for approaching Sense Partners to provide peer review on the Christchurch City Council land demand model provided by David Dyason. The accompanying note provides detailed comments. At high level, the following points are key:

- The modelling approach is sound and fit-for-purpose. It is robust but also pragmatic – it is relatively easy for the provider to communicate model inputs and outputs.
- I would expect the approach to meet the requirements of the Ministry of Housing and Urban Development on HBAs and Future Development Strategies.
- I am personally familiar with the approach that is essentially extremely similar to the method Sense Partners used to provide forecasts for industrial land for a group of councils in the Wellington region in 2018.
- While this note is a peer review rather than an audit of all the inputs to the model, I did not find obvious errors within the excel spreadsheet.
- There are some minor comments and suggestions that could be explored to provide additional surety on the model outputs and expected demand, but these are second order. The council should have confidence in the output from the model.

I have two recommendations:

1. There is evidence to suggest that Christchurch City Council, Selwyn District Council and Waimakariri District Council operate as one effective labour market area. One modelling approach worth exploring is to identify the land demand needs across the entire labour market area, rather than for Christchurch City Council alone. With land demand identified at a high level through employee demand, this demand can be allocated to each council by estimating very simply share models. Such an approach would capture the real-world decisions firms make to locate or relocate across the region.
2. Modelling industrial land demand across the shared urban area would also have the benefit of providing industrial land demand forecasts for Selwyn District Council and Waimakariri District Council at low cost, lowering costs for councils.

Dr Kirdan Lees

KR Lees

Partner
Sense Partners
[redacted]
[redacted]

Peer review: Christchurch City Council land demand model

Report to Christchurch City Council
Friday 10 June 2022

Context

I have been asked by Christchurch City Council to provide peer review comments on the Christchurch City Council land demand model. I have been provided with the spreadsheet that contains the calculations within the model and a draft report that outlines the technical details of the model

The comments span:

(i) General comments

(ii) Specific comments

(iii) Recommendations

Although I have looked through the model and found no obvious errors, my comments are peer review comments and should not be construed as a full audit of the model.

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General Comments

Transparency of approach

It is refreshing to review a model with a high degree of transparency of approach. Sufficient model transparency should be required so a numerically competent analyst can replicate the forecast process. A transparent approach requires noting key assumptions, analytical methods, how to input data and the operation of source code.

This has been provided by the spreadsheet and model documentation supplied.

Clear and accurate documentation is critical and can help minimise key person risk. Without providing a rating or score of the documentation provided, the documentation meets many of the elements we would look for, including:

- A reference to an archived model package
- High-level description of changes relative to previous models
- A concise model description including forecast generation and critical assumptions
- Mathematical model specification
- Comprehensive model and variable definitions
- Model estimation procedures

Model documentation is critical to help mitigate key person risk so it's good to see a reasonably well documented model for review.[1]

Chris Gray makes the point:

> "Without the ability to understand where the numbers are coming from or how they were developed, people will resist being held accountable."[2]

General model hygiene

But model documentation is only one aspect of many facets of process that fall under the rubric of model hygiene. These include, is the model spreadsheet:

- logical and well-structured?
- readable and easily-understood?
- regularly reviewed?

I am pleased to note the spreadsheet is logical and well structured and easy to understand.

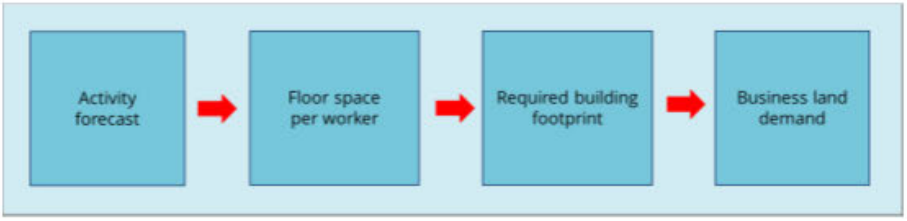
[1] We set out a more detailed checklist of the model documentation in the Appendix that could be used to monitor documentation standards on an ongoing basis.
[2] See Gray 2013.

Overview of model approach

The model is really two models. The first model is a business growth model that predicts future activity in terms of number of employees. Then a second model or second set of models is used to translate activity into demand for different land types.

This set up is very similar to the approach Sense Partners used to estimate industrial land demand for a group of Wellington councils. Essentially, there are four key steps across the two models we show in Figure 1. Effectively, the business activity model provides the activity forecast. Then the second model provides floor space per worker with building footprints and ultimately business land demand.

Figure 1: The model mostly works though a simple four stage process



Source: Sense Partners 2018

Estimating future activity

The Christchurch land demand model uses annual employment data from Statistics New Zealand's business demography dataset. The job data can be split by sector and by local council. Jobs are then put in the forecasting demand model to estimate future activity.

The model used is a Vector-Autoregression or VAR model, a standard workhorse model in macroeconomics that has been used in many contexts over several decades.[3]

One of the decisions that needs to be made when using VAR models is the number of variables or individual sectors to model. Too many sectors and we run out of data to identify how each sector relates to each other sector. Too few sectors and we lose the ability to say very much about differences in sectoral dynamics and future land demand needs by sector.

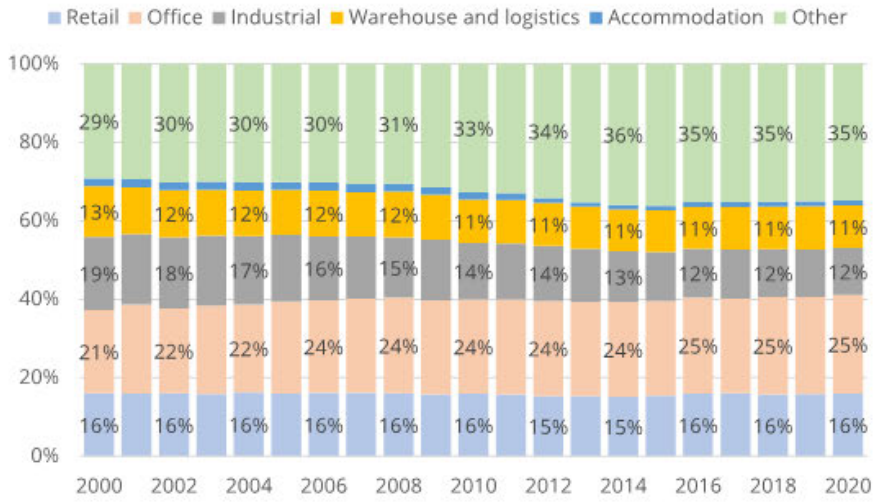
The Christchurch land demand model uses a judicious choice of aiming to model 6 sectors – retail, office, industrial, warehouse and logistics, accommodation, and a catch-all "other" group. This set-up helps captures the major groups and demand for land by sector.

Figure 2 shows the change in the relative size of each sector over time. Retail increases the share of jobs over time and office workers are also increasing. This is part of a general shift across the economy towards services employment and away from goods manufacturing, that has been occurring over decades. Usefully, the model separates out warehousing and logistics – the movement of goods has been increasing over time. Source: Statistics New Zealand

Figure 3 shows the increase in warehousing and logistics employment relative to the declines in industrial employment.

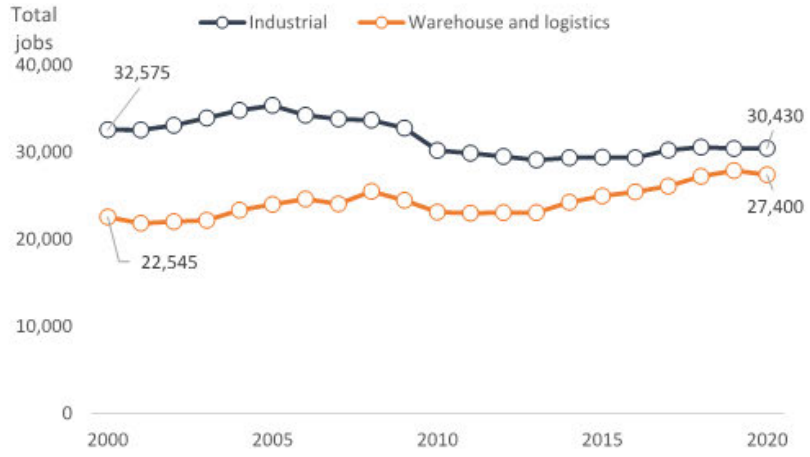
[3] See for example Sims 1980, Blanchard and Quah 1989 and Stock and Watson, 2001.

Figure 2: Each sector shows changes in demand over time



Source: Statistics New Zealand

Figure 3 Warehousing and logistics employment is increasing relative to industrial jobs
Population forecast comparison Statistics New Zealand vs Long-term Plan: Tasman



Source: Statistics New Zealand

The choice of sectors is appropriate, although the "Other" category now forms a large share of all jobs – 35 percent. It may prove possible to align some of the service jobs within "Other", into some of the additional sector categories, including retail and office.

7

The land demand models

The land demand model produces forecasts of land demand for the market within each sector. The retail model is interesting since it usefully allows for consumption – and hence demand for floor area – to be driven by population growth. This approach has been used in other settings and is a relatively standard approach.

For each sector, demand for floor space is translated into land demand through the floor-to-area ratio. This is a critical parameter. As I understand it, this parameter is not estimated but sourced from the population of sites for each sector in Christchurch, removing the need for estimation. One risk is that the floor-to-area ratio changes, possibly increasing over time as demand for land in general increases. Monitoring movement in the floor-to-area ratio could be done every three years as part of the Future Development Strategy process.

With regard to the office land demand model, the results rest heavily on the assumption for floor space per worker. An estimate of 39 square metres is used which might be considered towards the upper end of what might be expected for the Wellington market – even with a broad interpretation of the number of workers for each square metre. I don't know the relevant rate for Christchurch in detail, but it would be worth checking against current norms given the changing environment with respect to the number of people working from home.

The land demand models include a short-stay accommodation model which adds some detail to the forecasts. The profile of the accommodation employment forecast looks very low. This is likely because the accommodation sector was the hardest hit after the earthquakes with lower employment than other sectors. Recent years have shown reasonably growth. It would be sensible to test the robustness of the demand for land forecasts to a forecast profile for the accommodation sector that is flat rather than falling over the forecast horizon.

One of the benefits of the work to date is splitting out warehousing and logistics from industrial activity. However, solid communication is required to make sure how the forecasts are put together is well understood. Many will think that the industrial land demand from the model will include logistics and warehousing. It will be important to be clear about what comprises the industrial activity forecast.

Additional model details

A modest amount of additional summary statistics about the VAR model would be useful. This would naturally include the selection technique for the number of lags in the VAR model (one lag may well be enough with annual data) and some tests for normality of the residuals. Some discussion of whether the model is estimated in levels, growth rates or using the share of total jobs would be helpful.

Testing model performance

Structural models – like the model used to predict land demand by sector – make clear the different drivers of outputs. This offers advantages for black box models.

Since relationships are grounded in well-known historical patterns, theories or identities (that could decompose future expenditure into price and volume effects) richer stories can be conveyed rather than using a statistical model alone.

So, we could simply conduct tests of the extent to which the model provides intuitive stories that resonate with users. These tests include assessing:

- the extent to which the model is well understood; and
- if the model intuitively describes outcomes.

Alternative information sources can also be used as a cross-check on the model outputs. For example, one of the key performance indicators we use is out-of-sample forecasting precision. This could be used to test if the VAR model of economic activity does a good job of predicting future employment by sector. Since some variables are inherently more difficult to forecast than others, we need to compare forecast performance against sensible competitors. Future work might usefully report on the out-of-sample forecast performance of the activity model.

Specific Comments

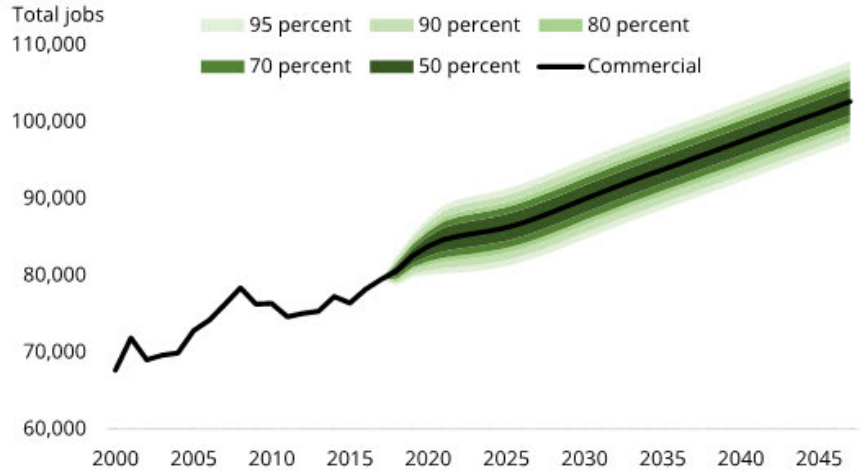
Scenario analysis

One benefit of the model is the clarity and transparency of the set-up. This makes it relatively easy to conduct "what-if" scenario analysis. This might, for instance, test specific assumptions around the growth of retail, or the propensity of sectors to be affected in different ways by a switch to allow more people to work from home.

Testing uncertainty

The model can also be used to show uncertainty. The VAR forecasts provided by the model are not in set in stone. A range of outcomes are possible. For example, Figure 4 presents an example of the uncertainty bands from forecasts of commercial employment in the Wellington region. This uncertainty can be carried over to land demand forecasts.

Figure 4: Future reports could leverage existing model estimates to show uncertainty
Wellington Region, Employees by industry, 2000-2047, Commercial



Source: Sense Partners 2018

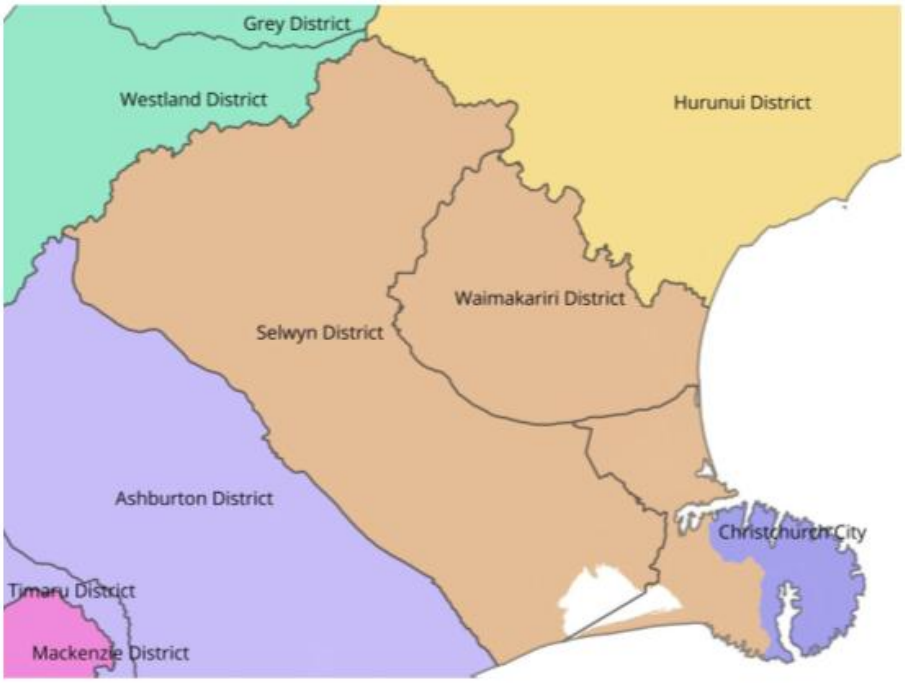
Uncertainty bounds can also be used to place reasonable limits on scenario analysis that might be undertaken. Augmenting the model-based forecasts with scenarios can be particularly valuable when there are well-known events or policies likely to shape future employment, but not yet realised in the jobs data.

Specific recommendations

Other work suggests that the Greater Christchurch region acts as a single labour market. Using the commuting data from the 2018 census shows strong connections between Selwyn District, Waimakariri District and Christchurch City.[4]

This means that firms operating within the Greater Christchurch region connect to workers right across the shared urban area. Future work might usefully use the same framework to build a Greater Christchurch land demand model. For little additional cost, the model could also produce land demand forecasts for Waimakariri District and Selwyn District.

Figure 5 Christchurch, Selwyn and Waimakariri are a single labour market area
Colours shows labour market areas, black borders denote local council boundaries



[4] At least for 2018, there are insufficient commutes between Banks Peninsula and the other suburbs within the other territory authorities.

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Appendix

Our model documentation checklist is a summary of the US Energy Information Administration (2015) model documentation checklist.

Our checklist suggests:

1. A reference to the appropriate archive package.

2. A high-level description of changes from the previous archived version.

3. Model overview: A concise description of the model, its purposes and uses, how it generates forecasts, critical assumptions, and a discussion of any significant departures from accepted theory or practice.

4. Process flow diagram (optional): A flowchart showing the sequencing of the data inputs, calculations (processes), and outputs of the model.

5. Mathematical specifications: The equations representing the computations performed in the model. The relevant equations include those used to transform input data and parameters into model data and parameters, as well as equations that characterize the solutions of algorithms.

6. Variable and parameter definitions: The following should be included for all variables and parameters used in the documentation:

    a. Clear definitions, including data sources for the input variables and parameters.
    b. Units of measurement.
    c. Whether each variable is an input, output, or only used in intermediate calculations. In many cases, this will be clear from the text of the documentation.
    d. Whether data elements are direct inputs to the model or only used in preliminary calculations, e.g., to estimate fixed parameters for input to the model. If data were transformed or manipulated prior to use, an explanation should be provided.

7. Model estimation procedures: The methods and data sources used to estimate parameters and other quantities in the model should be identified.[5]

[5] Enough information about the estimation techniques should be given to allow an expert to exactly reproduce the estimation results. This includes a precise citation of data sources, the data series used, and an exact description of which portions of the data series are used in each calculation. Relative to the US Energy Information Administration (2015) checklist, we drop existence and uniqueness of solutions and score sensitivity analysis elsewhere.

Appendix 3 – Economics – Rodney Yeoman and Derek Foy **(Formative)**

Ryans Road Fast track

Economic review

Prepared for Christchurch City Council

25 August 2025

Formative

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1 Introduction

1.1 Scope

Formative Limited was commissioned by Christchurch City Council ("CCC") to undertake an economic review of the "Ryans Road Industrial Development", resource consent application FTAA-2504-1054 under the Fast-track Approvals Act 2024, lodged by Carter Group Limited ("the applicant" or "CGL"). This report provides our professional opinion on Ryans Road from an economics perspective, including the economic assessment lodged with the application, and other matters we consider are relevant.

1.2 Documents reviewed

We have reviewed the following documents in the course of preparing this review:

- Memo 104 Ryans Road Industrial Development – Fast Track Approvals Bill application, Greg Akehurst, Market Economics, 1 May 2024 (supporting economic assessment for the application, "Economic Memo").
- Economic Assessment – 104 Ryans Rd Industrial Development, Maggie Hong and Greg Akehurst, Market Economics, 11 March 2025 - Appendix 20 Economic Assessment, which is attached to the final application (the "Economic Assessment").
- 104 Ryans Road, Harewood Christchurch Industrial Land Market, Garry Sellars, Colliers, 10 March 2025 - Appendix 21 Industrial Land Market, which is attached to the final application (the "Valuers Assessment")
- Memo 104 Ryans Road Industrial Development – Fast-track Approvals Act Application, Garry Nick O'Styke, Bayleys Realty Group, 7 March 2025 - Appendix 22 Industrial Land Demand, which is attached to the final application (the "Real Estate Assessment")
- Fast-Track Approval - Resource Consent Applications & Wildlife Act Permit, 104 Ryans Road and 20 Grays Road, Christchurch, Novo Group, April 2025 ("the AEE report").
- 104 Ryans Road – Scheme Plans, Capture Land Development, 6 March 2025 – Appendix 3 Drawing Scheme (the "development maps") and 104 Ryans Road – Approval Plan Set, Capture Land Development, 12 August 2025 – Appendix A Ryans Road Plan Set (the "approval maps").
- Christchurch City Council Memo on Growth Model, and recent CCC projections.

2 Ryans Road proposed development

As outlined in the AEE report, the Ryans Road development site ("the Site") is located on the western rural-urban fringe of Christchurch, between Ryans Road to the south, Grays Road to the east, and Christchurch International Airport to the north and west (Figure 2.1 outlined in yellow). The Site is approximately 58ha, and is currently rural pasture and is zoned Rural Urban Fringe in the Operative District Plan. The proposal is for 55.5ha of the site to be used for industrial activities.

The Site is located adjacent to the Christchurch International Airport runway (Specific Purpose (Airport) Zone), but not adjacent to other business land. However, there is significant amount of commercial and industrial activity nearby to the north-east on George Bellew Road and around the terminal at Memorial Avenue.

Also, Kōwhai Park development is underway to the west of the runway, along Ryans Road, which is 230ha of land with New Zealand's largest solar array (168MW). The Greater Christchurch Spatial Plan notes an area of Rural Urban Fringe zone land to east as being a "New/expanded industrial" area in Map 14 Broad locations for future development however it is not noted as a greenfield priority in the Canterbury Regional Policy Statement Map A.

Figure 2.1: Location of the Site

3 Economic review

This section summarises the content and findings of, and responds to, the Market Economics report, the Valuer's Report and the Real estate Assessment, keeping the same structure as those documents.

3.1 Review of the economic assessment

3.1.1 Development proposal overview (Section 3)

The Economic Assessment summarises the nature of the development, in terms of staging and range of lot sizes. We agree that the development will provide a range of development options and there are no issues from an economic perspective with the staging proposed.

However, we note that the new subdivision plan in the Economic Assessment has most of the lots being relatively small in comparison to the existing land use pattern in the Airport environs, with 63% of new lots being under 2,000m^2 and 28% being 2,000-3,000m^2. Potentially having such a large number of small lots sizes might result in businesses that do not normally locate in the Airport environs being attracted to the area.

Moreover, we note the Fast-track application only had 12% of lots below 2,000m^2 (Figure 2 of the Economic Memo), and that this significant change in the application is not discussed or mentioned in the Economic Assessment.

We agree with Market Economics that the 12 lots which are more than 1ha in area would be suitable for "specialised facilities" and "logistics". These types of lots will accommodate activities that are likely to be more similar to the types of activity already locating in the Airport environs. However, these lots are proposed to only represent 10% of the lots provided in the development.

We also note that four of the larger lots (lots 123-126) have building restrictions because of the Airport Designation (Figure 3.1 shown as blue crosshatched area). Those four lots range in size from 3.6-4.8ha, but developable land for these lots ranges from 1.3-2.3ha.

While the AEE report addresses the height restrictions on lots 58-60 associated with the Airport navigation aids and radar, which is shown on page 47 of the AEE report, those restrictions are not recognised in the Economic Assessment. The Economic Assessment does however recognise development restrictions associated with areas under the Airport Designation and the Runway End Protection areas, which limit restrict development on some lots and apply height limits over approximately the western half of the development, as shown in Appendix 3 CIAL runway maps (lots 49-60 and 103-126). However, we understand that the height limits may not impact development

activity as they are mostly over 10 metres from ground level, and the applicant has recently provided new maps of the height limits.[1]

Figure 3.1: Proposed Subdivision – Appendix 3 Development Map

3.1.2 Supply of and demand for industrial land around the airport (Section 4)

The Economic Assessment defines a catchment for the market assessment, which includes the SA2s immediately around the Airport. This section opens with the following statement:

> "*To evaluate the potential impact of the proposed development, it is essential to gain a comprehensive understanding of the existing* ***industrial*** *base* ***surrounding*** *the proposed development site.*" (emphasis added)

[1] Updated plans and documents from the 15 August (approval maps Appendix A).

We agree that the assessment should consider surrounding area and that industrial activity is the market that needs to be assessed. However, we differ from Market Economics as to what constitutes 'surrounding' and 'industrial'.

Airport industrial structure and growth

Market Economics defines the SA2 catchment in a way that excludes major industrial areas which are close to the Site (Figure 3 and 4). Their spatial definition is focused on the Airport environs, which excludes key industrial areas which play an important role within the Christchurch industrial land market. As an example, the study area includes Harewood Industrial Heavy that is 6km (8 minutes) north of the Site, but excludes the Industrial General zones in Islington (only 5km or 6 minutes from the Site), and in Hornby (6km or 9 minutes away). We consider that industrial markets operate at a wider regional level than is suggested in the Economic Assessment, and in our opinion the catchment adopted by Market Economics is too narrow.

Additionally, the assessment of the catchment includes business zones which are not relevant to the industrial market (Commercial and Local Centre). Their inclusion gives the false impression that there is more demand and supply for smaller lots sizes. Furthermore, if one was to accept the narrow catchment approach that focuses on the Airport environs then the Site should be compared to the activity on Airport and Industrial Park land, but it is not. The inclusion of those non-industrial locations will again skew the results of the assessment to overstate demand for smaller lots.

Using the data in Table 2 of the Economic Assessment, if the non-industrial zones[2] are excluded then approximately one-third (32%) of industrial lots in the catchment would be larger than 1ha (i.e. 98 lots are over 1ha and there are 302 lots). If the assessment include the Airport zones[3] then approximately two-thirds (63%) of lots in the catchment would be in larger than 1ha (i.e. 76 lots are over 1ha and there are 120 lots).

The mismatch between the current situation with 32% of industrial lots being larger than 1ha (or 63% if Airport zones are included) and the proposed Ryans Road development with only 10% being large lots over 1ha, is not explained in the Economic Assessment. The implication is that Ryans Road development have a much different size distribution to industrial lots in the catchment, and that in turn indicates that the Airport may well accommodate a different range of activities than are currently located at the Airport and nearby industrial areas.

While the Economic Assessment focusses on the Ryans Road development as accommodating airport-related activity, it is not clearly articulated how the proposed range of lots sizes would achieve that

[2] Exclude 33 lots in the Commercial Office and 1 lot in Local Centre.
[3] Specific Purpose (Airport) has 97 lots, and Industrial Park has 23 lots.

objective, when the proposed size distribution differs so much from the existing distribution in nearby areas. For that reason, it is possible that the proposed lot sizes in the development may not achieve that stated purpose. We consider that allowing more larger lots of over 1ha, and fewer lots under 1ha would mean that the development would better align with the stated purpose.

Vacant industrial land in Christchurch and around the Airport

The Economic Assessment outlines vacant land data from the CCC vacant land register (from 2022) and Valuers Assessment (Appendix 21). The Economic Assessment relies on the Valuers Assessment and notes that there is currently 478.8ha of vacant industrial land in Christchurch, of which 90.2ha is in the Airport special zone. A review of this assessment is provided in the following section (3.2).

The Economic Assessment provides comment on lot sizes shown in CCC's vacant land register. It suggests that "*Lot size is a key factor influencing the type and nature of demand directed towards it*" and that land in close proximity to the airport will attract businesses (logistics, cool stores, export packaging, processing, bulk break, and land transport) which would need larger lots, while smaller lots would be more attractive to businesses with more "human interaction" and "offices".

We agree with this discussion, which reflects our previous point above that subdivision plan appears to be designed to mostly provide for smaller lots and the "key factor" will influence the activity accommodated on the Site to be more oriented towards human facing activities, and less towards Airport-related businesses. Moreover, it would be likely that demand from outside of the Market Economics catchment will be accommodated at the Site, and that confining the assessment to this narrow market is not reasonable.

Land ownership around the airport

The Economic Assessment outlines that most of the vacant industrial land around the Airport is owned by Christchurch International Airport Limited (CIAL), which it leases to businesses and the development of vacant land in the area is lower than in other Christchurch industrial areas as a result. The Economic Assessment also states that there is limited vacant freehold land available in the area.

We accept that there is limited freehold vacant industrial land in the area, and that this may be an aspect behind the development of land around the airport. The Ryans Road development would provide alternatives in this location which could attract more businesses to the area, than would otherwise be the case, which we accept is an economic benefit of the proposed development.

Demand for Industrial and Logistics Land

The Economic Assessment does not provide an independent assessment of industrial land demand. The report discusses and adopts the demand projections from the GCP Business Capacity Assessment,

notwithstanding Market Economics' opinion that the industrial floorspace and land demand in the GCP Business Capacity Assessment are conservative (i.e. low). Market Economics provides no alternative industrial land demand projection.

While it is beyond the scope of this review to assess the GCP projections, we acknowledge that the projections in the BCA were development in 2020-2021, during Covid19 uncertainty. We agree that it is reasonable for the Economic Assessment to adopt these demand projections for the assessment of the application, and for them to note that they are conservative.

We have been provided with the most recent projections from CCC which show a range of scenarios, which have demand for the short-medium term ranging from 72-122ha for industrial land or 7-12ha per annum.[4] This rate of growth is higher than the previous projections in the GCP BCA, which had demand of 33ha for industrial land or 3ha per annum.

Sufficiency of Supply

The Economic Assessment suggests that there is much more demand for land from Warehousing and Logistics than for other types of industrial activities, "roughly 3.5 to 1". Therefore, "it is imperative that land is provided for logistics and warehousing in appropriate locations" which includes the Airport. The report acknowledges that not all warehousing and logistics land demand will be focused on the Airport, but concludes that the "vast majority" will be. The Economic Assessment also states that there is only 16ha of vacant land at the Airport so there is a need for more capacity at this location and that the Ryans Road development would be a good option. We respond to that matter on several fronts.

First, as noted earlier, the Ryans Road development as proposed is predominantly focused on smaller lots, which is not preferred by and is not generally suitable for Warehousing and Logistics activities. While we agree that there is more demand for Warehousing and Logistics land in the GCP demand projections, this demand will mostly be accommodated on large lots of 1ha or larger, due to the space extensive nature of those activities. Most (although admittedly not all) Warehousing and Logistics activities occupy buildings too large to be accommodated on sites smaller than 1ha. The Ryans Road development is proposing 90% of the lots to be less than 1ha and hence not likely to be able to accommodate the demand that Market Economics has evaluated. If the design of the development was changed to 90% being large lots and 10% being smaller lots then this would mean the Site could accommodate Warehousing and Logistics, as it is the intention.

Second, the Warehousing and Logistics market operates across a wider area than just the Airport environs. There is considerable supply around the various industrial areas in Christchurch and within

[4] Dyason D (2024) Christchurch City Council Land Demand Model – Industrial, and Logistics & Warehousing.

the neighbouring areas (Rolleston and to a lesser extent Rangiora). Importantly there are a number of ports (both sea and inland) that will attract a considerable amount of Warehousing and Logistics activity, and we consider that a significant and large share of the demand should appropriately be accommodated elsewhere in the urban area. The Economic Assessment provides no basis to support the conclusion that the "vast majority" will (or should) locate in the Airport environs.

Third, the Economic Assessment applies the long-term ratio of demand (i.e. 3.5 to 1) and ignores the short-medium term. In the short-medium term the ratio demand for land from Warehousing and Logistics compared to other industrial activities is only 1.3 to 1. This ratio is important because the Ryans Road development will occur before the long term, with construction assumed to be completed in a 2-3 year period. Also, the NPS-HPL test under clause 3.6.1(a) for urban zoning relates only to short-medium term needs, and not to long-term development capacity (10–30 years) as this would not meet this test[5], so it is appropriate to focus on the short-medium term.

Fourth, the Economic Assessment acknowledges the Valuers Assessment research on vacant land (Appendix 21) but then adopts the older data from the CCC vacant register. The Colliers research suggests that there is 90.2ha of vacant land at the airport, which is more than 19ha of wholly vacant land in the CCC vacant register.

Therefore, even if one assumes that the "vast majority" of the short-medium term Warehousing and Logistics demand (20.5ha) should be accommodated in the Airport environs, then only a small share of the vacant capacity identified by the applicant's assessment would need to be developed. We acknowledge that much of the land in the Airport environs is leasehold, however only a small share of it is needed in the short-medium term if the old projections are adopted.

Alternatively, if approved the Ryans Road development could accommodate the total Warehousing and Logistics demand in the next 10 years for all of Christchurch twice over even with no other development of Warehousing and Logistics in the rest of Christchurch.

In summary, the Economic Assessment does not provide evidence of a shortfall in the short-medium term for industrial land. We acknowledge that the situation in the long-term could result in the need for more land, however we note that development under the Fast-track legislation and NPS-HPL is meant to address near term demand in the short-medium term (years 0-10) rather than long term (years 11-30).

However, adopting the new projections from CCC suggests that the situation could be tighter. For example the new projections have demand scenarios with Warehousing and Logistics land in the next

[5] Ministry for the Environment. 2023. *National Policy Statement for Highly Productive Land: Guide to implementation.* Wellington: Ministry for the Environment.

10 years ranging from 49-81ha. If the "vast majority" of demand located at the Airport then 41-68% of the vacant land would need to be developed (Figure 4.1). Moreover, in comparison to the Ryans Road development could accommodate most of the Warehousing and Logistics land demand in the coming 10 years.

3.1.3 Economic costs and benefits (Section 5)

The Economic Assessment then outlines the range of economic benefits and costs.

Economic Benefits

The following benefits are noted in the Economic Assessment:

- **Increased land supply**: the development will provide significant benefits because of the shortage of industrial land, particularly for logistics and warehousing.
- **Co-location to Airport**: the accommodation of businesses by the airport translates into increased imports and exports.
- **Competition effects in the land market**: having more land available increase competition and price of land.
- **Construction activity**: the total expenditure is estimated to be $62m for subdivision works and $299m for building. This assumes 40% building coverage, with most buildings being Warehouses (65%) and Storage (20%), along with a small amount of other industrial (16%). The development is estimated to have a total impact on GDP of $574m or 2,205 jobs over a three-year period.
- **Operation Activity**: the new tenants that could be located in the development are assumed to be 20% Wholesaling, 65% Transportation and Storage and other Logistics, and 15% Industrial. The businesses that could locate at the development are estimated to have a total impact on GDP of $330m or 2,770 jobs each year.

The Economic Assessment does not quantify the value of many of the economic benefits (increase land supply, co-location and competition), albeit that we acknowledge that such quantification can be difficult. We agree that the Ryans Road development would likely result in more supply and competition in the industrial market, and agree that there are likely to be benefits from co-location with the Airport, which could positively impact trade. The conclusions in relation to economic benefits provided in the Economic Assessment are generally accepted, in that they provide an adequate qualitative discussion of the benefits.

However, the assessment provides no quantification of these economic benefits, and there is limited information provided within the report of even the general scale of these benefits. The conclusion in the Economic Assessment that these impacts will be significant is not proven.

The Economic Assessment does quantify two of the economic benefits – construction and operational activity. Broadly we agree with the approach adopted (an economic impact assessment - EIA), with the assessment measuring the direct expenditure and the flow on economic activity required to support the direct expenditure and induced spending by households.

However, we note the following points:

- **Mismatch between activity and subdivision pattern**: the EIA assumes that most (85%) of the buildings built and the businesses that choose to operate in the area are mostly warehouse/storage, while only 15% are other types of industrial. This is in direct contrast to the subdivision pattern which is 90% small lots and only 10% large lots. We would expect a closer match between the share of built form/business activities and the land subdivision pattern – i.e. 80-90% large lots and 10-20% being small lots.

  Furthermore, we note that the 2024 Economic Memo (also by Market Economics) applied the same buildings[6] and business[7] shares as the Economic Assessment, despite a much different lot size distribution. At the time the memo was prepared the indicative plan was for 50 lots in the subdivision with most being larger and only 12% of the lots being smaller than 2,000m^2. We consider that the subdivision plan in the fast-track application would be a better match to the activity expected and assessed by Market Economics.

  It is not clear whether or how the new subdivision pattern has been incorporated into the quantification of the Economic Assessment, as it appears to have been ignored, and an assumption made that the activities accommodated within the Site will be the same as they would be if there were more larger lots. This mismatch may impact the values in terms of construction and operational GDP and employment outcomes modelled in the EIA.

- **Inconsistent construction expenditure**: there is an inconsistency between the total direct expenditure estimated in the in the body of the Economic Assessment and the final tables. The text of the report states that the applicant will spend $62m to undertake the subdivision[8] and new owners are estimated to spend $299m for building construction[9], which implies that the total direct expenditure would be $361m (i.e. $62+$299=$361m). We have reviewed the method discussed in the text for subdivision and building construction spend, and consider both the subdivision and building costs are reasonable based on data we have seen for other industrial developments and industrial land values.

[6] Economic Memo Figure 3.
[7] Economic Memo on page 8, paragraph 1.
[8] Economic Assessment on page 24, paragraph 1.
[9] Economic Assessment on page 25, paragraph 1.

However, the Economic Assessment adopts total direct expenditure of $588.2m in Table 8, which is much greater than the $361m expenditure in the body of the report, and greater than we would expect based on indicative metrics used for other industrial developments.[10] There is no discussion of why this higher value was used instead of the value estimated in the body of the assessment. Importantly this direct expenditure feeds through into all the other results in Table 8, and the final estimate of regional GDP impact of $574m. The implication of applying a higher direct expenditure in Table 8 is that the regional GDP impact calculated is greater than it would be if the lower $361m figure had been used.

Moreover, we note that the Economic Memo had an even lower value, with contributions to Canterbury Region's GDP estimated as $220m in that Memo.

A possible reason for the difference between the $361m in the text of the Economic Assessment, and the $588m used in the GDP assessment in Table 8 is that the higher number is included in error. The lower number ($361m) is closer to our understanding of likely direct expenditure based on other developments, and the economic impact of the proposed development is likely closer to the value stated in the Economic Memo. We have compared the data in the Table 8 to our own EIA model and that comparison indicates the issue may be with the "Construc. Services" element which is valued at $316.8m.

- **Transfer effects**: the Economic Assessment assumes that all of the GDP and employment effects from the construction and operation phases are net additional to the region. We consider that some of this activity would have been accommodated within the region elsewhere if the Ryans Road development did not occur. It is common practice to acknowledge this aspect when assessing regional and national effects.

  We accept that at a local level (District or Airport environs) the transfer effect can be less important, especially if there are constraints on supply of land, however at a regional or national level the assumptions that all GDP and employment effects are net additional will tend to overstate the economic impacts.

Notwithstanding our observations as to why we believe the economic impacts as presented in the Economic Assessment are likely to be overstated, we agree in general terms that the construction and operational impacts would represent positive economic benefits, and likely be significant.

[10] As a sense check, the total direct expenditure is $588.2m as shown in Table 8 and the build cost is $299m in Table 7, then this implies that the land development cost would be $289.2m (not $66m noted in the report). The land area of the lots is 49.83ha, which means a cost of $580 per m^2 of land (i.e. $289.2m/49.3ha). This cost is much higher than the existing market price of industrial land, which provides an indication that the total expenditure estimate of $588.2m is incorrect.

Economic costs

The only economic cost noted in the Economic Assessment is the loss of agricultural land and the associated production. This cost was estimated using average profit margin of $1,500 to $4,000 per hectare, which is a range of between $83,250 to $222,000 per year. The report concludes that the loss of primary production from the site will not compromise Canterbury's agricultural economy. We make several observations in relation to the quantification of that economic cost.

First, we consider that the range applied to estimate the margin on the agricultural production is reasonable, and that the profit that the farmer would forgo would likely sit within this range. However, this profit does not record all of the value associated with agricultural production. As with any business, the farming operation will have direct labour and other costs, both of which will not occur if the Site is developed for industrial. Furthermore, there will be indirect and induced activity within the wider economy. This value could be easily quantified using the same method as was adopted in the Economic Assessment for the building construction activity and industrial operational activity.

Second, while we agree that the lost agricultural output will be small compared to the agricultural activity in Canterbury, and more than compensated for by increased activity enabled on the Site, the use of the Site for non-agricultural activities would result in the loss of productive agricultural soils as defined in the NPSHPL (LUC 2).

Also we consider that if this Site was not developed then growth could be accommodated in other industrial areas, via land that is vacant or available for redevelopment. This would mean that the land would not be lost from productive agricultural use.

That loss of rural land may be small given the size of the Site in the context of total agricultural land in Canterbury, however it is a matter that must be taken into account in assessing the overall merits of Ryans Road development, given directions in the NPSHPL. The importance of those productive soils is addressed by other experts.

Finally, the Economic Assessment has provided no quantification or assessment of the other costs. There is no assessment in the Economic Assessment of the amount of:

- infrastructure costs or whether the payments (development contributions, rates, etc) collected from the area will be sufficient to ensure that there is no cross subsidy from the rest of the community.
- Transport outcomes, neither is there any assessment of the travel patterns and whether the accommodation of growth in this area will generate more or less greenhouse emissions or transport costs.

We acknowledge that quantification of those infrastructure costs and transport outcomes and emissions can be difficult, however it is important for those potential costs to at least be recognised, even if their value is not able to be established.

3.1.4 Conclusions (Section 6)

The Economic Assessment concludes that the Ryans Road development will:

- Generate a one-off construction benefit of $574m in GDP for the Canterbury economy.
- Sustained operational benefits of $330m in GDP annually to the Canterbury economy.

The report concludes that the regional economic impacts of this development under the Fast-track Approvals Act are significant. In addition to these regional benefits, the development is expected to generate positive national-level effects, but these are not significant.

While we agree with the conclusion that the quantified economic benefits of construction and operation are likely to be significant at the regional level and not significant at the national level, we consider that the overall value of those benefits is likely to be lower than what is estimated in the Economic Assessment. As discussed above there is a mismatch between the economic activity modelled and the new proposed subdivision pattern and also an inconsistency in the construction expenditure estimates. Furthermore, the conclusion does not cover the other economic benefits which were not quantified (increased land supply, co-location and competition), nor does it provide a discussion of economic costs apart from foregone agricultural production.

We consider that it would have been beneficial to apply Cost Benefit Analysis (CBA) approach to verify that the economic benefits outweigh the costs. The CBA economic framework is standard method applied by Treasury for national level policy assessment[11] and significant infrastructure investments[12]. This approach could have been adopted to provide evidence that the Ryans Road development delivers significant benefits which are not outweighed by the costs.

Ultimately, there Economic Assessment does not state conclusions as to whether the adverse impacts (costs) are out of proportion relative to the economic benefit, which is an important aspect of the test within the Fast track Act 85(3)(b) and would be relevant also to the urban rezoning within the NPSHPL in clause 3.6(1)(c). There is also no conclusion as to whether the development is needed to meet the

[11] Public sector agencies submit Budget bids for programmes and initiatives through the Treasury, where they are assessed using Cost Benefit Analysis.
[12] NZTA applies Cost Benefit Analysis to assess transport network investments.

sufficiency test which is also a key element of the test for urban rezoning within clause 3.6(1)(a) of the NPSHPL.[13]

However, while not stated in the Economic Assessment, we understand that the Fast Track Application process is for a resource consent for industrial activity, and is not urban rezoning pre se. Whether or not NPSHPL 3.6(1) applies we consider that it would have been beneficial if the applicants Economic Assessment had addressed this aspect of the planning framework.

3.2 Review of the valuers assessment

3.2.1 Industrial land data (Section 2)

The report presents historic data from the CCC vacant land survey (2000-2022) which shows that vacant land supply has generally been over 500ha since 2010. There were significant increases in capacity when rezonings occurred in 2013 and 2017. The report presents estimates of industrial land "Take up", which is the difference between the vacant land recorded in each year. It notes that this results in a "confusing pattern".

We agree that the data shows a "confusing pattern". We consider the metric, and the use of the term "take-up" in the report to be incorrect, as it could be misinterpreted as representing industrial land demand, which it does not. We note the following:

- **Incorrect arithmetic for 2020-2022**: the take-up is not consistently calculated in the tables in the Valuers Assessment. For most years in the table (2001-2019) the take-up is calculated as vacant land in the year subtracted from the previous year, e.g. for 2019 the take-up is vacant land in 2018 (879.2ha) minus vacant land in 2019 (851.9ha) which equals 27.3ha. But for the key years 2020-2022 the formula is not applied, and it is not clear how the Valuers Assessment established the take-up in these years. It appears that the assessment erroneously calculated change over three years rather than per annum. As an example, the 'take-up' in 2021 is recorded as 82.7ha, which is the difference between 2021 and 2018 vacant land i.e. 879.2ha – 796.5ha = 82.7ha, substantially overstating take-up in 2021.

  The table below shows the data from the Valuers Assessment, Total Area and Take-up columns, with bold indicating the error. The data in the Change column of the table shows the correct results if the formula had been applied consistently to 2020, 2021, and 2022

[13] It would have been helpful if the Economic Assessment had included a table showing demand and capacity, together with the quantified shortfall (as we have presented in Figures 4.1 and 4.2 of our conclusion). Such a table could then be used to determine the amount of land required, and thereby help ensure that the loss of HPL land to urbanisation is minimised.

i.e. 21ha, 34.4ha and 35.8ha, which is notably consistent across years in the table, as opposed to the 'Take-up' presented where 2020 and 2021 have a large increase.

This is important as a key point of the assessment, which states of this take-up suddenly "in 2020 it increased to 85.3ha and in 2021 82.7ha", which is incorrect. A more accurate assessment is that 'take-up' decreased or levelled off. Also, later in the conclusions the Valuers Assessment relies directly on this data as a basis for estimating future demand, i.e. the average take-up of 58ha per annum is quoted and used to justify future demand projection. The average using their own data is only 31ha, or 46% lower because of their simple arithmetic error.

Date June	Total Area ha	Take-up ha	Change ha
2018	879.2	37	37.0
2019	851.9	27.3	27.3
2020	830.9	**85.3**	21.0
2021	796.5	**82.7**	34.4
2022	760.7	-	35.8
Average		**58**	**31**

- **Vacant Land Changes**: The 'take-up' metric is influenced by changes in industrial land zoning in Christchurch, including both new industrial land being zoned and formerly industrial land being rezoned for other uses (mixed use, commercial, or residential). This means that take-up in the table is for the most part is not in fact take-up. Rezoning over the last 22 years has resulted in considerable increases in vacant land, with almost 40% of the years in the data set showing capacity increases, which will have been caused by zoning of new industrial land being zoned. In these years the true take-up is not able to be established, without first separating out the effects of changes in total industrial zoned area. Conversely, there will be many instances where land is removed from the registry because it is no longer zoned for industrial, which will result in a decrease in vacant land and hence take-up being overstated. The "take-up" metric used in the Valuers Assessment gives the false impression that more land has been taken up for industrial development than has been the case. We consider that the term Change is more accurate, as a large proportion of the variation in the vacant land will be from planning framework changes than development.

We consider the "take-up" metric presented in the Valuers Assessment to be of little value in understanding industrial land demand, because the true take-up cannot be established using the simple method adopted in the report, even if that method had been arithmetically correct. We also note that the attempted 'take-up' proxy for demand is not used in the applicant's Economic Assessment, which we agree is sensible given the misleading nature of this metric.

The Valuers Assessment notes that the CCC vacant land survey has not been updated since 2022 and is now out of date, and that there are yard based activities on some land, which means that practically this land is in use and is not vacant. The Valuers Assessment includes results of an independent survey and found that there is 474.8ha of vacant land in Christchurch, of which most is in the North (285.1ha, 60%) and Southwest (182.9ha, 38.5%). Of this land, there is a large amount in the Airport SPZ (90.2ha, 19%), Harewood (53.1ha, 12%), Russley (22.7ha, 5%), Islington (24.4ha, 5%), and Hornby South (135ha, 28%).

We agree that the CCC vacant land survey is out of date, and accept the new survey data shown in the Valuers Assessment. Furthermore, we also note that the recent reduction in vacant land will be related to Plan Change 14 Intensification that has resulted in rezoning and reduction in industrial land, which will explain some of the difference between the 2022 CCC vacant registry data and the 2024 survey in the Valuers Assessment.[14]

While we have not reviewed the detail of the survey data, it shows that there is a large supply of vacant land in Christchurch and that much of it is on the edge of the city near the Airport and the proposed Ryans Road development.

The reporting area used in this part of the Valuers Assessment (i.e. North and Sout West) has its boundary near to the Ryans Road development, and we consider that the catchment for the Site is likely to extend into both of these areas.

Regardless, we consider that the Valuers Assessment shows that there is at least 90.2ha of vacant land at the Airport and likely 100-200ha more in the land close to the Site. The Economic Assessment notes the Valuers Assessment of vacant land, but ignores this information and instead adopts the out of date 2022 survey which record less wholly vacant land.

3.2.2 Christchurch industrial land market (Section 3)

The Valuers Assessment provides a commentary of land values, transactions and subdivisions in the industrial land market. Key aspects of the discussion are that industrial subdivisions are being developed quickly, that sales prices achieved are increasing, and that there is limited free-hold land available.

We accept this commentary, however acknowledge that the assessment provides limited data or evidence to support this aspect of the report, hence we are unable to verify the findings.

[14] As an example the recent PC14 Intensification rezoning in Central Southeast neighbourhood which has been rezoned from industrial to Central City Mixed Use.

3.2.3 Christchurch city industrial zones (Section 4)

The Valuers Assessment outlines the planning rules for the industrial zones in terms of types of activities enabled (Industrial Heavy, Industrial General, Industrial Park and SPAZ). It then places the proposed Ryans Road development within the framework, and concludes that "Demand for industrial land in this location is likely to be Airport related logistics warehouse activities".[15]

We agree that most of the demand for this area would be Airport related. However, we note that the subdivision plan does not reflect the type of demand that either the Valuers Assessment or Economic Assessment anticipate. This again calls into question whether the lots size distribution proposed is appropriate to supply the demand that is appears is recognised to exist.

3.2.4 Harewood industrial land market (Section 5)

The Valuers Assessment provides an assessment of the land outcomes in the Harewood market, which is "considered to be broadly comparable in terms of location to the Site at Ryans Road".[16] The Harewood North area is all zoned Industrial Heavy, Harewood East is Industrial Park, and Burnside is General Industrial. The assessment states that Harewood North is a "unique industrial land sub market" and is distinguished from the Harewood East. The Burnside General Industrial area is considered to be "further away" and to have limited vacant land.

The Valuers Assessment notes that CIAL land is leasehold and has had limited development: between 2020 and 2024 only 4.5ha was developed from the total of 86.7ha, which is just over 1ha per annum or 5% of the capacity developed in the period. This is compared to other major industrial areas, Hornby, Islington, and Rolleston which have higher shares of vacant land developed over the same period (30%-33%). The assessment suggests that the leasehold aspect of the CIAL land is not market attractive and constrains development, and hence vacant land held by CIAL should excluded from the assessment of capacity.

It also notes that most of the land in Harewood North is owned by Environment Canterbury, and is also leasehold. However, most of this land is used by industrial activity and is not vacant. In the Harewood area the Valuers Assessment states there is 53ha of vacant land, of which 46ha is freehold and 7ha is leasehold. It was beyond the scope of our review assess the detail of vacant land data provided for Harewood area, and we accept that there is 53ha of vacant land in this location.

In terms of a locality or catchment definition, we consider that the location of the Ryans Road site south of the Airport means it is closer to other industrial areas in the south. While we agree that Harewood would be part of the market with which the Ryans Road development would compete, it

[15] Valuers Assessment, page 20
[16] Valuers Assessment, page 24

would also compete for customers that would locate within the industrial areas to south and at the Airport. Therefore, the vacant land supply within the market would be larger than stated in the Valuers Assessment, which limits the vacant land only to that existing in the Harewood market. That is, the catchment definition adopted in the Valuers Assessment understates vacant industrial land supply by applying an artificially small catchment.

Furthermore, we do not agree that CIAL land should be excluded from the assessment simply because it is leasehold. Leasehold land can and will be developable, as is evidenced by the development of the Harewood North leasehold land and the existing development within the Airport. While we accept that there may be a preference for some businesses to have freehold land, this does not mean that CIAL land should be excluded in its entirety.

3.2.5 Alternative industrial rezoning options (Section 6)

The Valuers Assessment outlines the aspects of the NPSHPL and notes that it considers that the "locality and market" for Ryans Road is the Harewood area discussed in Section 5. Based on the definition of the catchment it is considered that Avonhead land would be the only alternative to the Ryans Road Development and that it is also HPL and not a reasonable alternative.

We consider that the Valuers Assessment has applied a narrow definition of catchment, and hence the locality and market applied in the assessment of alternatives does not assess all reasonable alternatives. If a broader catchment was applied then there would be a wider range of alternatives. As an example, the GCP Spatial Plan indicates land that is immediately adjacent to the Ryans Road development for future industrial uses (see our Figure 2.1, area outlined in pink), which could be an alternative that should be assessed, and was not considered in the Valuers Assessment.

3.2.6 Conclusions (Section 7)

The Valuers Assessment applies 'take-up' data to project demand for all of Christchurch (57ha per annum) and compares that to the 2024 vacant land in Christchurch (excluding government land and CIAL) to conclude that there is only enough supply to meet demand in the medium term, with 8.3 years of supply within Christchurch.[17] The Valuers Assessment also considers that there is only 3.6-7 years of capacity available in Harewood Market.

We do not agree with the use of the take-up data to inform a projection of demand. First, the take-up calculations used in the report are incorrect, and if the calculation was corrected then the average would have been 46% lower and hence the point at which an industrial land shortfall would arise as calculated in the Valuers Assessment would move from the medium term to the long term. Moreover, take-up should not be equated to demand as there are other factors that influence the amount of

[17] If a competitiveness margin of 20% is applied then supply will be exhausted within a shorter period.

vacant land, and those are not accounted for in the Valuers Assessment. It is noteworthy that the Economic Assessment neither relies on nor mentions the take-up data or the future demand provided in the Valuers Assessment.

We consider that the exclusion of leasehold land, whether that is government or CIAL land, is not reasonable. Leasehold land can and is used for industrial activity, and it is not practical to remove this land from the assessment.

Therefore, we do not consider that the conclusions in the Valuers Assessment on the need for more land are supported by the evidence.

3.3 Review of the real estate assessment

The real-estate assessment is a short memorandum that provides commentary on market outcomes, but no supporting evidence or data which we could review. Therefore, we have been unable to verify or review the claims made in the Real Estate Assessment.

4 Conclusion

We consider that the Ryans Road development is a good location for industrial activity, assuming that this does not interfere with the operation and safety of the Airport. If developed it would likely be an attractive location for Warehousing and Logistics activities, which would be closely related to the Airport.

We agree with the Economic Assessment's conclusion that the economic benefits of construction and operation are likely to be significant at the regional level but not at the national level, although we consider that the magnitude of those benefits is likely to be lower than what is estimated in the Economic Assessment. From our review it appears that the magnitude of benefits is overstated because there is a mismatch between the economic activity modelled and the new proposed subdivision pattern, also there is an inconsistency in the construction expenditure estimates, and there are likely transfer effects.

Ultimately, there Economic Assessment does not state conclusions as to whether the adverse impacts (costs) are out of proportion relative to the economic benefit, which is an important aspect of the test within the Fast track Act 85(3)(b). We consider that it would have been beneficial to apply Cost Benefit Analysis (CBA) approach to verify that the economic benefits outweigh the costs. The CBA economic framework is standard method applied by Treasury for national level policy assessment[18] and significant infrastructure investments[19]. This approach could have been adopted to provide evidence that the Ryans Road development delivers significant benefits which are not outweighed by the adverse impacts (costs).

We understand that the Fast Track Application process seeks a resource consent for industrial activity and may not constitute urban rezoning per se, and therefore the NPSHPL urban use test under Clause 3.6 may not apply. Notwithstanding, we consider it would have been beneficial for the applicant's Economic Assessment to address this aspect of the planning framework, including both the NPSHPL and NPSUD.

The Economic Assessment does not state conclusions as to whether the proposed development meets two key economics requirements in the NPSHPL. First, the Economics Assessment does not state whether the economic benefits outweigh the economic costs under clause 3.6(1)(c). This is an

[18] Public sector agencies submit Budget bids for programmes and initiatives through the Treasury, where they are assessed using Cost Benefit Analysis.
[19] NZTA applies Cost Benefit Analysis to assess transport network investments.

important aspect of the test for urban rezoning within the NPSHPL when evaluating the merits of the proposed development.

Second, the Economic Assessment does not provide a conclusion on whether the development is needed to meet the sufficiency test under clause 3.6(1)(a) of the NPSHPL, which is a key element of the test for urban rezoning under the NPSHPL. The Valuers Assessment provides some analysis on this sufficiency, however it relies on projections of 'take-up' and a narrow locality and market definition, which are not reasonable and do not reflect how the industrial land market operates in practice. Therefore, we consider that it is not proven that there is a need in the short-medium term which necessitates rezoning of more urban land such as is required to be established under the NPSHPL.

Finally, the Valuers Assessment does provide an assessment of alternatives as required under clause 3.6(1)(b). However, we consider that this assessment of alternative locations did not relate to a broad enough spatial area, and should have assessed a wider set of alternatives.

While we have identified a number of matters that mean the assessment included with the application should be interpreted with some caution, overall we consider that if more industrial land is required that the Ryans Road development would be a good option, from an economic perspective.

We consider that it is helpful for us to present the new CCC demand projections as compared to the new Colliers Vacant land (Figure 4.1 and Figure 4.2). While we have not defined a catchment in this review, we consider that it is likely to be wider than the narrow definition used by the applicant's experts and potentially stretching to include all of Christchurch (or the Christchurch Urban Environment).

First, while we do not agree with the narrow definition of the market catchment used by the applicant's experts, nor do we accept the claim that the "vast majority" of warehousing and logistics land demand will be accommodated solely within that narrow catchment, we have provided a comparison to illustrate the situation (Figure 4.1).

The table presents the most recent CCC projections for total demand for warehousing and logistics land in Christchurch, estimated at 49-81ha over the next 10 years, or 58-97ha including the NPSUD competitiveness margin. We emphasise that these figures represent demand for the entire Christchurch area, and only a portion of this could reasonably be expected to be located within the Airport environs.

The table then presents supply for the Airport environs area, drawn from the Valuer's Assessment, which identifies a vacant land supply of 143.6ha.[20] Most of this land comprises CIAL land (82ha) and

[20] The Harewood Market used in the Valuers Assessment.

Industrial Park (44ha), with the remaining 17ha being in SPAZ Non-CIAL (8ha), Industrial Heavy (7 ha), and Industrial General (2ha).

If all of Christchurch's demand for Warehousing and Logistics land were to be met within the Airport environs, a substantial share of the vacant land, between 41% and 68% would need to be developed. Under the narrow market definition and the updated CCC projections, there is technically sufficient capacity.

Figure 4.1: Airport Environs Situation

Short-medium Term (ha)	Demand		Supply	Sufficiency **	Share developed **
	Warehousing and Logistics	NPSUD 20% Margin	Airport Environs*		
Higher intensity use of land	48.7	58.4	143.6	85.2	41%
Baseline	81.1	97.3		46.3	68%

**Harewood Market - Colliers Vacant Land (Industrial Heavy, Industrial General, Industrial park, SPAZ -CIAL, SPAZ -Non CIAL)*

***Assuming that all of Christchurch demand for Warehousing and logistics is accomodated at the Airport Environs.*

Second, we also consider that it is helpful for us to present the new CCC demand projections as compared to the new Colliers Vacant land data for the entire Christchurch area (Figure 4.2).

The table presents the most recent CCC projections for total demand for industrial, warehousing and logistics land in Christchurch, estimated at 71-122ha over the next 10 years, or 85-147ha including the NPSUD competitiveness margin. The table then presents supply, drawn from the Valuer's Assessment, which identifies a vacant land supply of 404.4ha.[21]

Under the new projections the share of the vacant land that would need to be developed ranges between 21-36%, indicating that there is sufficient capacity to meet the short-medium term needs.

Figure 4.2: Christchurch City Situation

Short-medium Term (ha)	Demand		Supply	Sufficiency	Share developed
	Inudstrial, Warehousing and Logistics	NPSUD 20% Margin	Christchurch*		
Higher intensity use of land	71.5	85.8	404.4	318.6	21%
Baseline	122.3	146.7		257.7	36%

**Christchurch City - Colliers Vacant Land - Adjusted to remove govt held land (HMK, CCC, and ECAN)*

Lastly, it would have been beneficial if the Economic Assessment had provided a discussion of how the Ryans Road development would contribute to the objectives of the NPSUD and the well-functioning urban environment. We note that the NPSUD's requirements for providing sufficient

[21] Excluding land held by government – HMK, CCC and ECan.

capacity are expressed as a minimum threshold, and that councils can (and have) provided more capacity than is strictly required to meet expected demand. Using CCC's most recent demand projections, and what we consider to be a more representative catchment, our assessment indicates there is sufficient industrial land capacity, meaning that NPSHPL requirements may not be met, although because the application is for a resource consent, not a rezoning, those requirements may not apply.

Broadly we agree that the economic benefits are likely to be significant, and that from an economic perspective the development of Ryans Road site would likely be positive. However, we acknowledge that there are other costs that should be considered (i.e. HPL, infrastructure) alongside these benefits.

Appendix A: Qualifications and experience

Rodney Yeoman

Rodney holds a Bachelor of Commerce and a Bachelor of Laws from the University of Auckland (2003). He also has a Postgraduate Honours in Economics from the Australian National University (2005). He has 19 years consulting and project experience, working for commercial and public sector clients. He specialise in policy assessment, industry and markets research, the form and function of urban economies, the preparation of forecasts, and evaluation of outcomes and effects.

He has applied these specialties in studies throughout New Zealand, and in Australia, across most sectors of the economy, notably assessments of district plan policies and rules, industrial and manufacturing production, business land demand, and other local government issues.

Over the past decade, Rodney has carried out business land research for all councils within the Greater Christchurch Partnership. He brings extensive experience in assessing developments under the National Policy Statements on Urban Development and Highly Productive Land.

He is a member of the New Zealand Association of Economists, the Population Association of New Zealand, and the New Zealand Association for Impact Assessment.

Derek Foy

Derek holds the qualifications of a BSc in Geography and an LLB from the University of Auckland. He has 25 years consulting and project experience, working for commercial and public sector clients. He specialise in retail analysis, assessment of demand and markets, the form and function of urban economies, the preparation of forecasts, and evaluation of outcomes and effects.

Derek has applied these specialties in studies throughout New Zealand, across most sectors of the economy, notably assessments of industrial, retail, commercial, and services demand, urban form, housing, tourism and local government.

He has worked for many Councils, assisting them with assessing and reviewing consent and plan change applications and providing input into development planning and policy development. He also has private sector clients include large national retail chains, residential land developers, infrastructure providers and industry bodies.

He has undertaken assessments for plan change requests and District Plan reviews throughout New Zealand, including throughout the high growth environments of Auckland and Greater Christchurch, and have similarly broad experience assessing developments under the national policy statements on urban development and highly productive land. Most relevant is his work on various industrial plan

changes in Selwyn, which includes Plan Change 80, Plan Change 66, and Townsend Stewart Environment Court.

He is a member of the New Zealand Association of Economists, the Population Association of New Zealand, and the New Zealand Association for Impact Assessment.

Appendix 4 – **Productive** Capacity – Ian Millner (Landvision)

Memo

From: Ian Millner, LandVision Ltd

To: Francis White, Christchurch City Council (CCC)

Re: RMA/2025/1208 Ryans Road Industrial Development. NPS - HPL Review

11/08/2025

Carter Group Limited seek subdivision and land use consent (being two of six consents sought) to establish 126 industrial lots on a 55.5 ha site (the Site) at 104 Ryans Road, Christchurch.

Currently the Site is classified within the New Zealand Land Resource Inventory (NZLRI) as class 2 (2s2)

The National Policy Statement for Highly Productive Land 2022 (NPS-HPL) has placed additional restrictions on the development of Land Use Capability (LUC) class 1-3 land for any other use then land based primary production.

This review is to assess the adequacy of the supplied documentation against the NPS-HPL.

Documents supplied.

- Memo: Ryans Road Fast-Track Application Assessment of Potential Loss of Productive Land. Victor Mthamo, Reeftide.
- Fast-Track Approval – Resource Consent Applications & Wildlife Act Permit, Prepared For Carter Group Limited. Novo Group

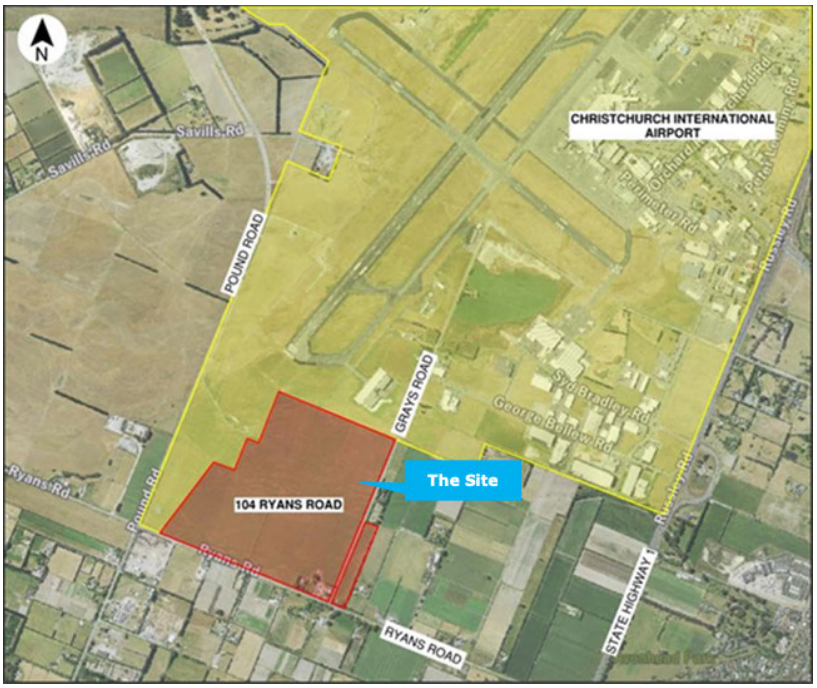
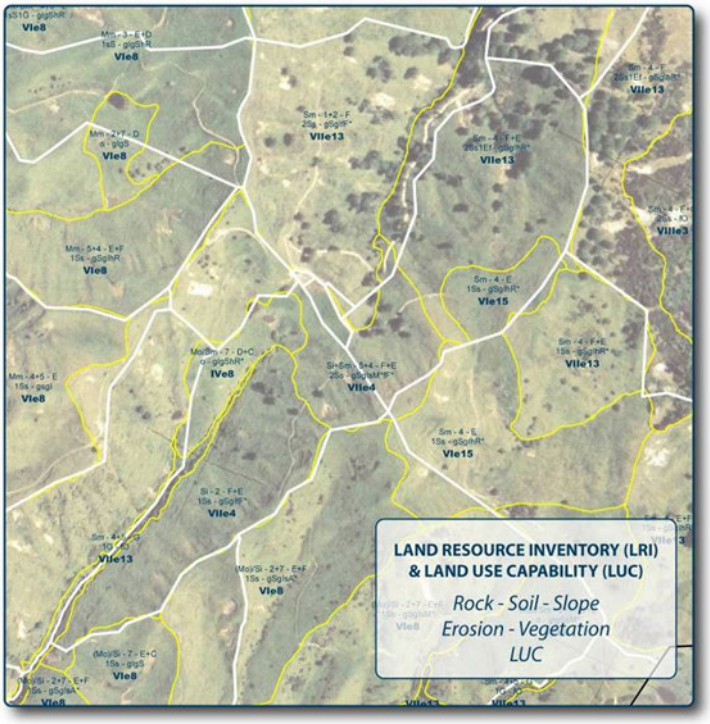


Figure 1: Supplied graphic of proposed development.

1. LUC and Soil

The land resource has been described and evaluated according to the Land Resource Inventory (LRI) and Landuse capability classification system (LUC). The land resources survey was undertaken at a regional 1:50 000 scale.

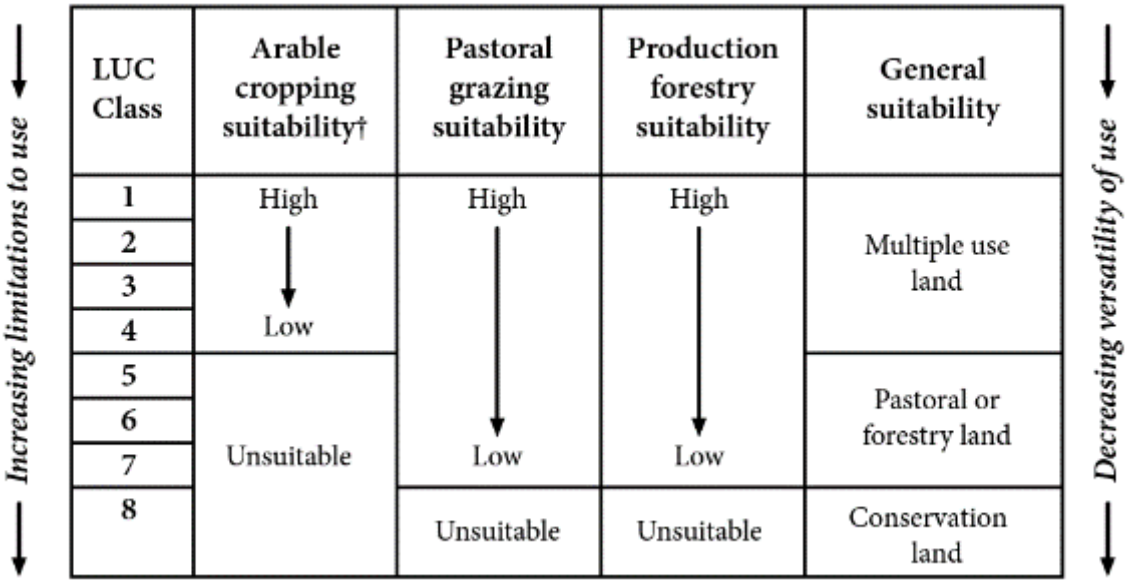


The LRI system involves mapping landscape units according to five inventory factors (rock type, soil unit, slope class, erosion type and severity, and vegetation).

From the LRI assessment, the area was then classified as LUC, which further groups similar units according to their capacity for sustainable production under arable, pastoral, forestry or conservation uses across the region. The LUC code is broken down into three components, which show the general capability (I-VIII classes), the major limitations (four subclass limitations of wetness, erosion, soil, and climate), and the capability unit to link with regional classifications and known best management practices.

The LUC system is composed of two key attributes. The first is a resource inventory that compiles physical factors in a consistent and methodical manner and secondly an LUC classification where land is categorised into classes based on its capability to sustain one or more productive uses.

LUC classification is based on pastoral, arable and forestry use.



The site is currently mapped within the NZLRI as four polygons of unit 2s2. Being class 2 there are only slight limitations to arable and pastoral use. Variations in soil type are the key differences between different polygons of 2s2. Soils vary between Waimakariri fine sandy loam and silt loam.

No alternative mapping has been provided.

The potential land use is listed as suitable for "intensive cropping, orcharding, forage cropping, intensive grazing, production forestry."[1]

[1] The South Island Land Use Capability Extended Legend for the New Zealand Land Resource Inventory.

Figure 2: The site and LUC polygons as held by Land Information New Zealand(LINZ). Note only one polygon of 2s2 is highlighted with other polygons identified by orange lines.

2. NPS – HPL

2.1 Definition of Productive capacity

Productive capacity, in relation to land, is defined in Clause 1.3 of the NPS-HPL as:

> *…the ability of the land to support land-based primary production over the long term, based on an assessment of:*
>
> a. physical characteristics (such as soil type, properties, and versatility); and
> b. *legal constraints (such as consent notices, local authority covenants, and easements); and*
> c. *the size and shape of existing and proposed land parcels.*

2.2 Clause 3.10 NPS HPL

(1) Territorial authorities may only allow highly productive land to be subdivided, used, or developed for activities not otherwise enabled under clauses 3.7, 3.8, or 3.9 if satisfied that:
a) there are permanent or long-term constraints on the land that mean the use of the highly productive land for land-based primary production is not able to be economically viable for at least 30 years; and
The assessment provided traverses a comprehensive list of attributes and uses of the subject land. These include.

- Irrigation requirements: the Reeftide report has identified that irrigation is available (in part) for this site. Water takes are consented for enough water to irrigate 37% of the effective Site. This has been assessed using irricalc (nationally used tool to assess irrigation demand) and assumes 384 615m^3 of water is required to irrigate crops and pasture (the consented activity) while only 142 163m^3 is consented to be taken. A modelled deficit of 242 542m^3 pa.
- Restrictions on the further availability of groundwater within Christchurch West Melton zone: The zone from which irrigation water is allocate is currently fully allocated. Therefore, no new irrigation water is available for extraction. The ability to transfer irrigation water is technically possible even if complex and expensive.
- Limitations of the Canterbury Land and Water Plan (CLWRP): The CWLRP has set out nutrient loss limitations for agriculture in different zones across Canterbury. Where zones have losses above targets for nitrogen and phosphorus they are labelled red zones, and a baseline nutrient loss limitation is applied which is expected to be maintained or reduced from modelled losses between 2009 and 2013. The Reeftide report states that "the Sites productivity has historically been low" but does not go as far as providing any evidence to support this claim. I note the irrigation consent was to irrigate crops and pasture excluding milking dairy cows. Two generic studies are quoted at 6.3.3. of the Refftide report. Both these studies indicate that productivity losses have the potential to reduce profitability.
- Limitations relating to Christchurch airport: The Site is situated within a 3km (from runways at Christchurch International Airport) birdstrike management area. In my view the risk of birdstrike does place some additional operational limitations on the site in that arable land use and horticulture. In particular, the development of irrigation ponds (to store allocated water till later in the season) will be limited by the birdstrike management area.

Summary of constraints.

While several potential constraints have been identified in the Reeftide report none of them clearly lead (when assessed individually) to a defendable conclusion as to the sites' lack of economic viability.
However, when considered cumulatively the potential for a lack of economic viability is greater. For example, if a constraint on the ability to obtain enough water to irrigate the entire site is considered with the birdstrike or the ongoing limitations placed on the site by the CLWRP. I agree that the potential for viable horticulture or arable land uses to be developed across the Site is constrained to some degree.
While the Reeftide report has correctly identified a number of potential constraints that may prevent economic viability the report itself has not provided any analysis of on-site economics as a result of constraints.
I agree that the Site is constrained to the degree of intensification implemented on site during the baseline reference period. The question of viability for this level of activity (or otherwise) has not been clearly demonstrated.
I will return to this issue in my conclusion.

(b) the subdivision, use, or development: (i) avoids any significant loss (either individually or cumulatively) of productive capacity of highly productive land in the district; and

The Reeftide report states that the loss of 55 ha of HPL from the 836 700 ha in Canterbury and 9 330ha in Christchurch City is not significant. These numbers have been derived from the Canterbury Maps Layers.

While I agree with the intent of this statement, I have checked the areas of HPL within the CCC district and found the following.

Class	Area(ha)
1	1 463
2	9 803
3	5 590
Total	16 856

The numbers in the table above are obtained from Landcare Research[2].
Therefore, the correct statement is 55.5ha from 16 856 ha of HPL within CCC area - which equates to 0.32%.
I agree that the loss of this piece of HPL land from the area of HPL within CCC district is not significant.
I think it relevant at this point to note the draft region policy statement prepared by ECAN does not include this Site within maps of highly productive land. This draft policy has been paused and has not been ratified or adopted by council and therefore has no legal status.

(ii) avoids the fragmentation of large and geographically cohesive areas of highly productive land; and

The assessment does not expressly identify any issues relating to fragmentation citing the sites isolation from other areas of highly productive land and therefore not contributing to any additional fragmentation.
I agree with this conclusion.
In my view given the sites relative isolation from other significant areas of highly productive land (by roads and other non productive land use) and constraints as discussed above I do not think the proposal contributes significantly to fragmentation of highly productive land.

(iii) avoids if possible, or otherwise mitigates, any potential reverse sensitivity effects on surrounding land-based production.

The assessment concludes that there is "no direct boundary with other potential productive land". As the site is operationally isolated from other HPL and the discontinuous areas of highly productive land is also limited by airport zones I also consider the potential for reverse sensitivity from this proposal to be insignificant.
Land based production in this area is predominately lifestyle blocks.

(c) the environmental, social, cultural and economic benefits of the subdivision, use, or development outweigh the long-term environmental, social, cultural and economic costs associated with the loss of highly productive land for land-based primary production, taking into account both tangible and intangible values.

My assessment of the individual components of this clause is as below.

- Environmental – the Reeftide report usefully contains an assessment (attachment 2) that outlines the effect of the proposal on bird habitats. In my view this table outlines how the changes to the local landscape as a result of this activity will result in less suitable habitat for birds. The application justifies any potential effect on bird numbers as being a positive effect in that aspects of the proposed development that may attract birds are considered temporary and therefore less risk overall for birdstrike. While it may be true that the risk of birdstrike is reduced it is also true that this will come at the expense of some environmental values (albeit within a very modified landscape) Therefore, I consider the effect on the environment to be slightly negative as environmental values will be lost.

[2] https://ourenvironment.scinfo.org.nz/maps-and-tools/app

- Social and economic– The Reeftide report does not traverse social and economic issues in any depth other than discussing issues relating to birdstrike. issues
- I am not aware of any cultural costs or benefits of the proposed development therefore I consider the cultural aspect to be neutral.

(2) In order to satisfy a territorial authority as required by subclause (1)(a), an applicant must demonstrate that the permanent or long-term constraints on economic viability cannot be addressed through any reasonably practicable options that would retain the productive capacity of the highly productive land, by evaluating options such as (without limitation):

(a) alternate forms of land-based primary production:	A range of alternate forms of primary of primary production have been assessed within the Reeftide report. I am satisfied with the land use chosen and rationale used.
(b) improved land-management strategies:	I am satisfied that the appropriate land management strategies have been discussed. I am satisfied that given the limitations of the site the potential benefit of any land management strategy on this site will be limited to the margins and not fundamentally change the sites viability.
(c) alternative production strategies:	As above
(d) water efficiency or storage methods:	I accept the arguments provided that irrigation on this site, even if it were available (which is unlikely in my view) would not be feasible on a site of this size due to the additional financial overhead's irrigation would introduce.
(e) reallocation or transfer of water and nutrient allocations:	I agree that the CLWRP does create limitations for land use on site. I do not consider it likely that transfers (assuming they were possible) would materially change the viability of this site.
(f) boundary adjustments (including amalgamations):	I have considered the potential for boundary adjustments and leasing to improve the long-term viability of this site. Given the sites operational isolation, I do not consider that amalgamation is an attractive or viable option for this site.
(g) lease arrangements.	As above.

(**3) Any evaluation under subclause (2) of reasonably practicable options:**

(a) must not take into account the potential economic benefit of using the highly productive land for purposes other than land-based primary production; and

(b) must consider the impact that the loss of the highly productive land would have on the landholding in which the highly productive land occurs; and

a) the analysis above only considers the lands suitability for land based primary productivity. The Site's suitability for land-based primary productivity is limited by a lack of financial viability due to long term constraints.

b) the analysis is based on the extent of HPL for the Site. As the HPL on Site is not economic and the proposal involves the Site in its entirety, the overall effects will as outlined at (1) (c) above.

(c) must consider the future productive potential of land-based primary production on the highly productive land, not limited by its past or present uses.
c) The future productive potential of the land has been assessed based on its physical characteristics and legal constraints and not past or present use.

Conclusion

In my opinion the provided agricultural land Use Assessment has adequately demonstrated that the site does have long term constraints to primary production. However as mentioned above the assessment does not adequately address the issue of economic viability as a result of these constraints.

It is clear from the analysis provided that the site is potentially constrained and when constraints are considered cumulatively they effectively prevent the site from being developed into a more intensive land use. The clear question is can the site be economically viable as a pasture based operation (the highest and best use).

To test the Site's economic viability within the defined constraints I have compared the site against publicly available survey data from Beef and Lamb NZs economic service. This data outlines the potential income from a range of production systems including mixed finishing for Marlborough and Canterbury. The capital value of land in this survey is $34 000 ha whereas the land on this site is valued on the Canterbury Maps site at $67 000 ha (approximately double the survey farms). Rates on the Site are $188 ha vs $67 ha for the survey data (this reflects both value per ha and total size with survey farms being 300-400ha average size). The average farm profit before tax across this survey for the last 10 years has been $404 ha

To test the potential for this site to be viable I have simply adjusted the interest and rates paid on a pro rata basis to reflect higher capital value. Currently interest paid across the survey data averages $414 ha. By doubling the interest paid (reflecting land value of the Site being twice that of capital value in the survey and maintaining the same debt to equity ratios) and increasing the rates from $67 to $188 produces an increase in standing charges of $602 on this site compared to industry averages. This amount is $198ha or 49% greater than the 10 year average profit for farm survey data. This is a very simple analysis that indicates the operation of a pastoral farm on this site is not economically viable.

The analysis I have undertaken is deliberately conservative in that it includes arable land use (partially irrigated) across larger farms and has compared land value of the Site versus capital value for survey data. I have not adjusted any of the working expenses or wages of management. I note that even if this Site achieved a farm profit before tax equal to the industry data that would equate to a $22 400 pa income (ignoring any tax obligation). The minimum wage in NZ is currently $48 880pa.

Therefore, I am comfortable that the Site is able to be demonstrated to have permanent and long term constraints that prevent the Site from being used for primary production in an economically viable manner for at least 30 years.

Reviewers Qualifications and Experience

I am a Principal Consultant with LandVision based in Napier. LandVision Ltd is an independent technical agricultural/land and resource management consultancy company with offices in Hawke's Bay, Nelson, Wanganui, and Tauranga. It has a team of multi-skilled staff with extensive experience across farm planning and management, soil and LUC mapping, nutrient budgeting, environmental management, compliance, and policy.

LandVision Ltd is New Zealand's most experienced private soil /LUC mapping specialist with over 1million hectares mapped for various clients, including councils, farmers, and Iwi.

LandVision Ltd offers technical and strategic advice to clients across Aotearoa, serving small farms, large councils, industry groups, Iwi farming trusts, and corporate entities. Its advice ranges from comprehensive farm plans and nutrient budgets, advice on development options and due diligence to full effects assessments to support resource consent applications and high-resolution soil mapping to support land use change and development.

LandVision has supplied productivity assessments for highly productive land (**HPL**) applications across the country and has provided peer reviews of HPL applications to 9 different councils.

I hold a BSc (Zoology) from Massey University (1992), Post Graduate Diploma (Ecology) from Massey University (1993), and a Post Graduate Diploma (Resource Studies) from Lincoln University (1998). I have professional training in the use of land use capability (LUC), professional qualifications in nutrient management (advanced), soil conservation (advanced) and farm planning (advanced) gained from Massey University. I am an independent certified resource management commissioner (having held that certification for 8 years).

I am a member of the New Zealand Grasslands Association, and an associate member of the NZ Institute forestry.

Prior to my current position I was a Senior Land Management Adviser at Rural Directions Advisory Services and between 2008 and 2016 I was employed as a Senior Land Management Adviser with Hawke's Bay Regional Council (**HBRC**). While at HBRC, my general responsibilities included providing advice on land management issues including erosion, drought resilience, nutrient management, and farm planning.

I was directly involved in the development of Plan Change 6 to the Hawke's Bay Regional Resource Management Plan (the Tukituki Catchment Plan) that was considered by a Board of Inquiry between 2013 and 2015. In particular, I co-authored the report which documented the manner in which farm scale nutrient losses in the catchment (historically, currently and in future under the Proposed Ruataniwha Water Storage Scheme) were established and predicted. Those modelled nutrient losses were a key input to the integrated catchment model constructed by Dr Kit Rutherford of NIWA. I gave evidence before the Board of Inquiry.

I have been involved in various development groups at national level pertaining to the development and use of OVERSEER® (Overseer) including the development of data input standards for Overseer.

More recently, I have been involved in on farm economic feasibility studies, consenting, due diligence and review for the Ruataniwha Water Storage Scheme and acted as an expert witness for a range of

clients in the Environment Court and hearings for regional plans and consents in Gisborne, Hawke's Bay, Marlborough, Waikato, Timaru and Masterton.

Appendix 5 – Water Supply and Wastewater – Michele McDonald

BEFORE THE FAST-TRACK EXPERT PANEL

AT CHRISTCHURCH

IN THE MATTER	of the Fast-track Approvals Act 2025
AND	
IN THE MATTER	of applications for Ryans Road Industrial Area [FTAA-2504-1054]

EVIDENCE OF MICHELE ANN MCDONALD FOR COMMENTS BY CHRISTCHURCH CITY COUNCIL

Dated: 15 September 2025

Christchurch City Council
53 Hereford Street, Christchurch, 8011
PO Box 73016, Christchurch, 8154
Solicitor: BK Pizzey
Tel: [redacted]
Email: Brent.Pizzey@ccc.govt.nz

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INTRODUCTION

1. My full name is **Michele Ann McDonald**. I hold a Bachelor of Science degree in Civil Engineering as well as a Bachelor of Science Honours degree in Urban Engineering, both awarded by the University of Pretoria, South Africa. I am currently employed by the Christchurch City Council (Council) as Team Leader: Asset Planning – Water and Wastewater. In this role, I have provided technical advice on the capacity of Council's water and wastewater networks and associated servicing requirements in relation to the Ryans Road Industrial fast track application numbered [FTAA-2504-1054] (the application).

2. I have more than 30 years' experience as a civil engineer with a particular focus on water and wastewater planning and infrastructure delivery. I joined Christchurch City Council in January 2017 as a Senior Planning Engineer within the Asset Planning – Water and Wastewater team. Throughout my career, I have led the development of numerous water and wastewater infrastructure strategies for cities and major metropolitan areas.

3. I am a registered professional engineer in South Africa and a Chartered Member of Engineering New Zealand.

Code of conduct

4. While this is a Council hearing, I have read the Code of Conduct for Expert Witnesses (contained in the Environment Court Practice Note 2023) and agree to comply with it. Except where I state I rely on the evidence of another person, I confirm that the issues addressed in this statement of evidence are within my area of expertise, and I have not omitted to consider material facts known to me that might alter or detract from my expressed opinions.

Documents reviewed

5. In preparing this evidence I have reviewed the following documents:

   5.1 Appendix 12 Three Water Services Report (PDP) including the Council directed wastewater and water supply modelling reports attached as Appendix B and Appendix D thereto.

   5.2 Appendix 14 – Infrastructure Report (Capture Land Development)

   5.3 Appendix 18 – Proposed Consent Conditions

   5.4 Plan Set – Revision C (15 August 2025)

   5.5 RMA/2025/1208 Appendix Conditions Update (15 August 2025)

SUMMARY OF EVIDENCE

6. The information presented herein supports Council's water and wastewater conditions but does not duplicate the technical details provided in the Water and Wastewater Capacity Report (**Appendix 1**). That report outlines the capacity and design considerations that informed the water and wastewater consent conditions.

7. The proposed development at 104 Ryans Road can be serviced by Council's water and wastewater networks; however, it involves infrastructure beyond the standard pipe network, that will require the development of detailed designs for Council's further review and acceptance.

8. Additionally, the proposed pipe network as shown in the water and wastewater servicing plans do not comply with Council's Infrastructure Design Standards (IDS)[1] whilst also lacking the required construction details as set out in the Construction Standard Specifications (CSS)[2]. Design refinement will be needed for further review and acceptance by Council.

[1] IDS-cover-2022
[2] Download the CSS : Christchurch City Council

EVIDENCE

9. A detailed design process that incorporates Council's engineering review and acceptance is necessary to ensure compliance with the Infrastructure Design Standards (IDS) and Construction Standard Specifications (CSS).

10. The infrastructure design process as enabled by the proposed Infrastructure Provision Agreement is targeted at facilitating the optimisation of the infrastructure to be developed. For example, detailed hydraulic calculations during the design phase may demonstrate that a central water booster pump station may not be required and that it would rather be appropriate for individual properties to install private booster pumps if higher water pressure is required. In this case, Council will be able to accept a revised design and support a subsequent consent variation process for consent notices to be registered against individual titles.

11. The Council's water and wastewater conditions are intended to initiate the infrastructure design process that will be necessary to achieve compliance with the IDS and CSS, and to facilitate the detailed design of both the water booster pump station and the odour treatment facility.

CONCLUSION

12. I consider that;

    (a) while the development proposal includes sufficient detail to confirm that connection to Council's network is possible, it does not meet the design standards set out in Council's Infrastructure Design Standards (IDS) and Construction Standard Specifications (CSS).

    (b) the water and wastewater consent conditions imposed by Council are intended to enable a formal engineering design, review, and approval process to achieve compliance with the IDS, CSS, and associated specifications.

    (c) Council will not accept infrastructure that fails to fully comply with its IDS, CSS, and associated specifications.

Dated September 2025

MA McDonald

APPENDIX 1 – Water and Wastewater Services Report

WATER AND WASTEWATER SERVICES REPORT

Ryans Road Industrial Development

INTRODUCTION

Report To (Planner):	Francis White	**Address:**	104 Ryans Road
Report To (Engineering):		**Applicant:**	Carter Group Limited
Date:	08/07/2025	**Consultant:**	Pattle Delamore Partners
Council Nr.:	RMA/2025/1208	**Author:**	Michele McDonald
Record File Nr.:	25/1390763	**Team Leader:**	Michele McDonald
Zoning	Industrial	**# lots**	126 lots (55.5 hectares)
Legal Description			

Version Reference	Changes	Date
0	Drafted	10/07/2025
1	Amendments	25/07/2025
2	Final	04/09/2025

1. BACKGROUND AND SCOPE

1.1 Carter Group Limited submitted a substantive application for the Ryans Road Industrial Development under the Fast-track Approvals Act 2024.

1.2 The Council's Water and Wastewater Asset Planning Team was approached directly by the applicant's due diligence consultants to advise on the water and wastewater network capacity to service the proposed 55-hectare industrial development at 104 Ryans Road.

1.3 It was confirmed from the outset that the applicant intends to establish an industrial development with relatively low water demand and minimal wastewater generation, consistent with the characteristics of an Industrial Park zone. As outlined in the Council's Infrastructure Design Standards (IDS), wastewater generation from an Industrial Park is approximately 60% of that produced by a typical general industrial development, and only 24% of that associated with a typical heavy industrial development.

2. SUMMARY

2.1 Council has confirmed that its Northwest Water Supply Zone can service the water supply demand of the development; however, a booster pump station will be necessary to achieve the required pressure levels. The use of a Council vested and operated inline booster pump station to deliver the level of service is a departure from Council's standard design and operating conditions.

2.2 It is noted that the water infrastructure for the development will be designed to accommodate a maximum fire demand of **50 L/s (FW3)**, in accordance with the NZ Fire Service Fire Fighting Water Supplies Code of Practice **NZS 4509:2008**. This fire demand is lower than

is typically expected in industrial areas. To ensure transparency, Council proposes that future property owners be made aware of this limitation through a **consent notice** registered against each property title.

2.3 It is noted that the selected wastewater servicing option for this development will restrict the wastewater discharge from individual properties and will require the installation of individual pump sets. To ensure transparency, Council proposes that future property owners be made aware of the wastewater limitation and the servicing requirements through a consent notice registered against each property title.

2.4 The expected wastewater discharge flow rate from the industrial development will be higher than advised in the applicant's Three Waters Servicing Report, which bases its maximum flow rate on a residential application, whilst recognizing that dual pumps will be installed for larger lots.

2.5 Due to the location of the proposed discharge point at the upper end of Council's DN225 gravity pipe in Russley Road, the pipe will have capacity to receive the expected maximum flow rate of up to 15 L/s, but noting that this development will utilize the full capacity of the pipe.

2.6 Council advises that careful consideration must be given to the placement and design of the air extraction and odour treatment facility, which is to be located downstream of the wastewater discharge point. Due to the high flow rate within the DN225 gravity pipe, it may not be feasible to extract a sufficient volume of air for effective odour control. As a result, it may be necessary to upsize a portion of the downstream network or to design an alternative discharge arrangement upstream of the DN225 gravity pipe.

2.7 Council will assume responsibility for operating and maintaining new water- and wastewater infrastructure only where it is satisfied that all design, quality assurance, commissioning, and as-built documentation requirements have been fully met.

3. APPRAISAL OF EFFECTS

Water Supply

3.1 As outlined in the Three Waters Servicing Report (PDP) (Record 25/839742: RMA/2025/1208, Appendix 12), the proposed water demand for the development is based on the following assumptions:

a) A maximum development scenario comprising 126 light industrial lots, with a peak design flow of 58 L/s, calculated using a design usage rate of 0.46 L/s per connection in accordance with Chart 2 of the Infrastructure Design Standard (IDS) Part 7. A minimum water pressure of 25 metres is to be maintained at each lot boundary.

b) For FW2 fire demand, a combined flow of 65 L/s is required, comprising 60% of peak demand (35 L/s) plus 25 L/s fire flow, in accordance with SNZ PAS 4509:2008.

c) For FW3 fire demand, a combined flow of 90 L/s is required, comprising 60% of peak demand (35 L/s) plus 50 L/s fire flow, in accordance with SNZ PAS 4509:2008.

3.2 Council proceeded to model the effects of the design demand on the existing water network on behalf of the developer. The modelling report is attached as Appendix D to the applicant's Three Water Servicing Report.

3.3 The recommended service connection for the development is the DN375 asbestos cement (AC) water main on Russley Road. The primary water supply will be sourced from the Avonhead Pump Station, which services the southwest corner of the Northwest zone.

3.4 Water hydraulic modelling was carried out based on current water demand, with no allowance made for future growth. This is due to the Council's growth projections not yet being incorporated into the water model. The modelling report notes the following:

> *"Council's water supply master plan (2023) has identified the need for additional wells and pumps to support future growth based on the existing growth projections. The Northwest and West Zones have limited well/pump capacity to accommodate future growth that has not previously been identified within the master plan."*
>
> *New wells/pumps will be required to service new development areas outside of the current master plan. The increase in household densities and intensification requires detailed assessment to confirm staging of infrastructure to service future growth and meet the timing of new developments."*

3.5 The water hydraulic modelling concluded that additional wells and pumps at pump stations north of the Avonhead Pump Station would need to be activated to meet the development's peak demand. This indicates that the Avonhead Pump Station alone does not have sufficient capacity to service the development.

3.6 Although the Russley Road trunk main has sufficient capacity to meet the development's peak demand, the minimum residual pressure at individual lot boundaries cannot be achieved due to the site's elevation relative to the Northwest Zone pressure. To comply with the Council's infrastructure design standards for industrial sites, a minimum of 25 metres of pressure must be supplied at each lot boundary. The developer has chosen to construct a water supply booster pump station to provide adequate water pressure, and which is a deviation from Council's standard design and operation requirements.

3.7 The fire flow assessment confirmed that an FW3 fire flow (50 L/s) can be achieved using two hydrants, each maintaining a residual pressure of 10 metres, in accordance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice (SNZ PAS 4509:2008).

3.8 Since industrial buildings typically require fire demands exceeding 50 L/s or FW3, **it is essential to notify future property owners of the water network's design limitations.**

3.9 To assess the development's impact on the Northwest Zone's water supply capacity in the context of future growth, the Council evaluated its effect on the instantaneous flow demand across the entire zone, as well as on the pump stations required to service the development.

3.10 **Figure 3.1** below shows that the development will accelerate the need for additional water supply capacity by approximately five years. However, if the Council can maintain the water demand reductions achieved through excess water use charges, there will be sufficient capacity to meet the future projected demand as well as the additional demand introduced by this development. It should however be highlighted that the future growth projected in Figure 3.1 does not align with medium density residential standards nor does it account for additional greenfield development.

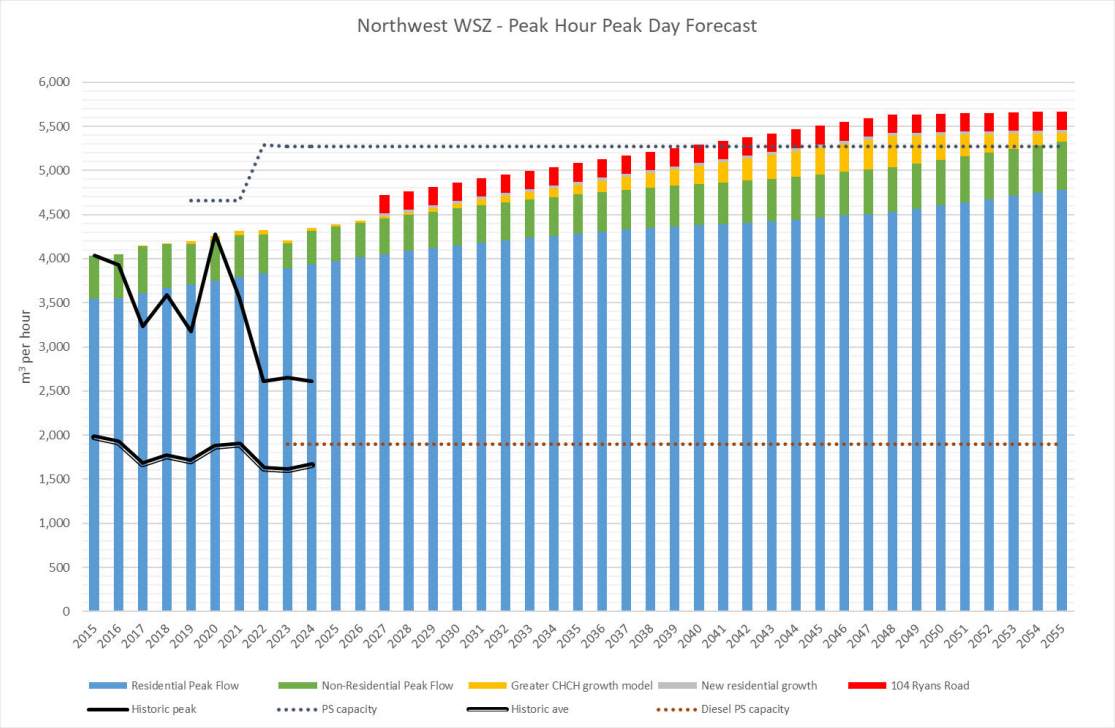

Figure 3.1 – Northwest future water demand projections including 104 Ryans Road

3.11 As illustrated in Figure 3.2, the development's impact on the primary water source and the adjacent pump station is a concern. If the development's peak water demand should coincide with the existing peak demand on these pump stations, there will be no surplus capacity to accommodate future growth. This is corroborated by the water model, which indicates that meeting the development's peak water demand will require activating additional wells and pumps at both the Crosbie and Burnside pump stations.

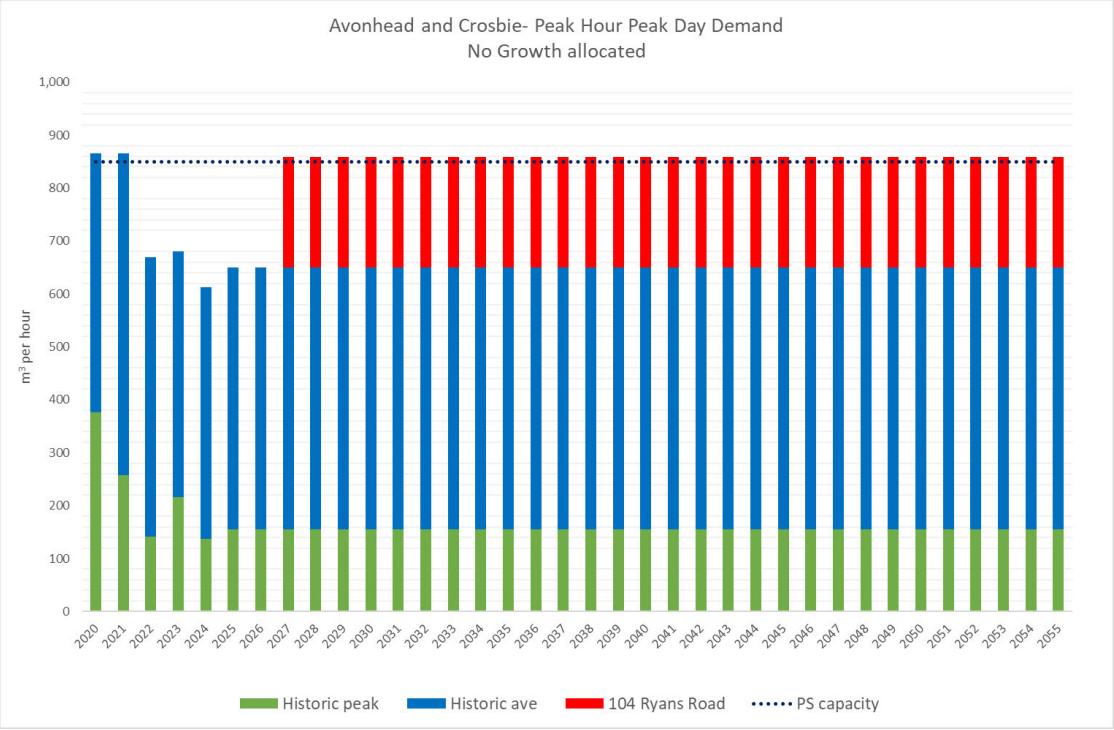

Figure 3.2 – Impact of development on the capacity of the immediate water source (no growth)

3.12 Due to the wastewater discharge limits that would be associated with the selected servicing option as aligned with the demand from an industrial park development, it is unlikely that the peak design water demand of 58 L/s (or 0.46 L/s per lot) will coincide with the actual demand patterns from the predominant residential areas served by the pump stations. While sizing the pipe network based on peak IDS design parameters remains appropriate, the impact on the water source should rather be evaluated using the IDS wastewater discharge rate for industrial warehouse zoning. If only 80% of water consumed will be discharged as wastewater, the estimated peak demand for assessing the water source impact is reduced to approximately 112 m³/hour or 31 L/s.

3.13 **Figure 3.3** presents the peak demand as calculated by the above methodology and which confirms that by limiting the wastewater discharge allowance of each lot, a residual water supply capacity will be available to service an additional 750 to 1,200 residential units, depending on whether the reduced water demand achieved through excess water use charges, can be retained. This aligns with growth projections for the surrounding area but does not cater for intensification aligned to Medium Density Residential Standards.

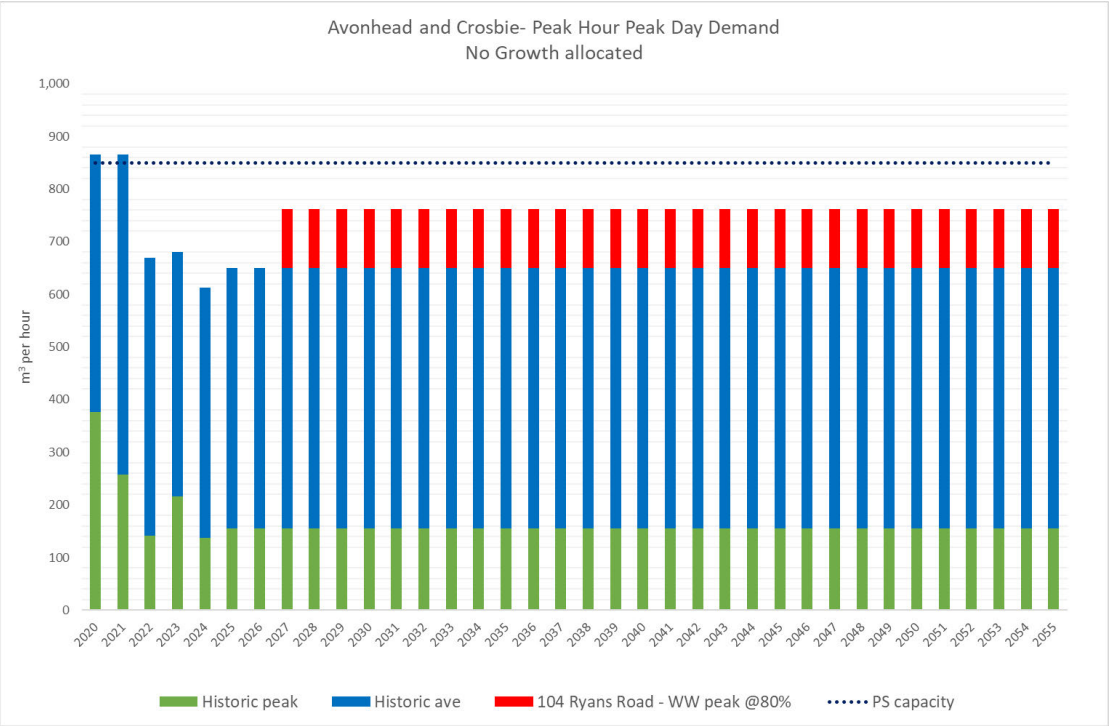

Figure 3.3 – Impact of development on the capacity of the immediate water source (alternative peak, no growth)

Wastewater

3.14 According to the Three Waters Servicing Report (PDP) (Record 25/839742: RMA/2025/1208, Appendix 12), the proposed wastewater demand for the development is based on an industrial park or limited discharge scenario, estimated at **0.09 L/s/ha**. This will be managed via a local pressure sewer system, using individual sewage pumps to accommodate a maximum flow of **9.1 L/s**. The maximum flow has been calculated by assuming that dual E-one pumps, each with a flow rate of **0.7 L/s** will service the industrial demand with a probability that up to **13 pumps** will operate simultaneously.

3.15 Council advises that where dual pumps are proposed to service a property, they are typically configured to operate simultaneously, resulting in a combined flow rate higher than that of a standard single residential pump. If the volume of wastewater to be discharged exceeds the standard residential demand of **597 litres per day**, it is recommended that a commercial-grade pump with a higher flow capacity be installed.

3.16 Based on the proposed discharge limit of **0.09 L/s/ha**, a single residential local pressure pump would be adequate for servicing a lot sized at approximately 768 m². As the development includes several larger lots—and with the applicant's engineer noting that smaller lots may be amalgamated—appropriate pump selection will need to reflect the actual lot sizes and anticipated discharge volumes.

3.17 Based on an industrial peak flow factor ranging between **2.0 and 3.0**, Council advises that the local pressure sewer system must be designed to accommodate flow rates between **10 L/s and 15 L/s**. This design capacity reflects an updated assessment of the likelihood that **up to 9 commercia-grade pumps or dual residential pumps** may operate simultaneously.

3.18 Given the selected service option and the industrial nature of the development, the local pressure mains must be appropriately sized to avoid service disruptions and pumping constraints at individual sites. It also means that the average volume of wastewater that can be discharged from each site must be strictly limited to 0.09 L/s/ha. As a result, Council will need to manage and regulate the types of industrial activities permitted within the development to ensure compliance with these discharge limits.

3.19 The maximum flow rate outlined above does not include allowances for inflow and infiltration. Therefore, strict adherence to Council bylaws will be required. In particular, uncovered wash pads will not be permitted, as they would allow stormwater to enter the wastewater network.

3.20 Council carried out wastewater network modelling on behalf of the developer to assess whether sufficient capacity exists in its downstream network to accommodate the wastewater discharge from this development, both currently and in the foreseeable future. The outcomes of this modelling are detailed in the report provided as **Appendix B** of the applicant's **Three Waters Servicing Report**.

3.21 The wastewater modelling report determined that there is some capacity available to receive wastewater into the Council's DN225 RCRR gravity pipe in Russley Road, but that more capacity is available downstream at the DN375 RCRR gravity pipe in Yaldhurst Road.

3.22 The applicant proposes to discharge wastewater into the closest location being the **DN225 RCRR gravity pipe** in Russley Road and has provided justification in the Three Waters Servicing Report for this approach. The pipe has a **full-flow or surcharged capacity of 20 L/s**, and a **gravity (free-flow) capacity of approximately 14.5 L/s** as aligned to Council's Infrastructure Design Standard (IDS) that limits the depth of flow to 70% of the pipe diameter. Based on this, the applicant considers the pipe to have sufficient capacity to accommodate the proposed **maximum discharge rate 9.1 L**/s (as calculated by the applicant).

3.23 As explained above, Council advises that the pressure mains should be sized to accommodate a maximum discharge rate of at least **15 L/s**. Assuming this represents the peak flow rate and noting that the discharge point is located at the upstream end of the DN225 gravity sewer, it can be concluded that compliance with the Infrastructure Design Standard (IDS) requirements can be achieved.

3.24 A local pressure sewer system attenuates wastewater, which increases septicity due to longer retention times. Therefore, the system must be provided with the ability to extract and treat hydrogen sulfide (H_2S) downstream of the discharge point. Effective odour control requires sufficient air volume to be extracted from a wastewater pipe. Typically, air extraction systems are designed with the wastewater flow depth limited to 50% of the pipe diameter to maintain adequate airflow.

3.25 Hydrogen sulfide (H_2S) released from wastewater is highly corrosive to concrete manholes and pipes, significantly reducing the service life of Council's infrastructure. To mitigate this risk, Council generally requires H_2S extraction and additional protective measures for concrete components. In accordance with the Infrastructure Design Standard (IDS), all manholes within 400 metres of the discharge point must be protected against corrosion.

3.26 In light of the above and recognizing that a discharge rate that exceeds approximately **8 L/s** would result in wastewater flows that exceed **50% of the pipe diameter**, particular care must be taken in the placement and design of the air extraction and odour treatment facility to ensure that sufficient air volume can be effectively extracted downstream of the discharge point. This may require modifications to the downstream network or the construction of dedicated discharge infrastructure upstream of the existing manhole in Russley Road.

4. IMPLEMENTATION REQUIREMENTS

Water

4.1 The following water infrastructure will be required to service this development:

a) DN355 PE100 water main to be connected to Council's existing DN375 asbestos cement water main in Russley Road, including appropriate valves;

b) A new water booster station at the entrance of the development;

c) Water mains and submains to service each lot within the development, including appropriate valves and hydrants.

4.2 Council's requirements for water infrastructure are outlined in the following specifications:

a) Infrastructure Design Standard (IDS)

b) Construction Standard Specifications (CSS)

c) Water Supply Treatment, Pumping Station and Reservoir Design Specification

d) Pumping Station O&M manual (OMM)

e) General electoral and automation specification

4.3 Council will accept the vesting of infrastructure that complies with its design standards, including any applicable local requirements—such as adjustments to the vertical alignment of water mains to avoid existing services. As such, all infrastructure designs intended for vesting and operation by Council must be submitted for Council's review and engineering approval. The Infrastructure Design Standards set out the requirements for quality assurance, commissioning, handover, and project sign-off of infrastructure to be vested in Council.

4.4 While Council's standard water supply conditions (outlined below) are sufficient for the design and construction of water pipes intended for vesting, the design of the new water

booster pump station will require a more complex and multidisciplinary approach. This is due to the involvement of multiple engineering disciplines—including civil, mechanical, electrical, and electronic/SCADA—in the construction of a booster pump station.

4.5 For Council to assume responsibility for the operation and maintenance of a new water booster pump station, its operational and maintenance requirements must be fully addressed. This includes considerations such as access for large maintenance vehicles and ensuring the safety and security of maintenance personnel.

Wastewater

4.6 The following wastewater infrastructure will be required to service this development:

a) Local pressure sewer boundary kits at each individual site connected to local pressure sewer pressure submains and mains, including appropriate valves;

b) Flow meter on the collective pressure discharge main;

c) An air extraction and odour treatment facility that is adequality sized and accessible for Council operations and maintenance, to be placed downstream of the discharge point (as opposed to at the discharge point);

d) Corrosion protection of existing concreate manholes up to 400 metres beyond the discharge point.

4.7 Council's requirements for water infrastructure are outlined in the following specifications:

a) Infrastructure Design Standard (IDS)

b) Construction Standard Specifications (CSS)

c) CCC Odour and Corrosion Management Design Guideline

d) SCIRT Protective Coating for Concrete Wastewater Structures Designers Guideline

4.8 The design of the local pressure sewer pipes will have to consider the wastewater allowance of individual lots (based on the size of each lot) and must allow industries to install commercial pumps as opposed to having to install multiple residential pumps. Commercial pumps have a higher pump rate than residential pumps. Pressure mains will have to be sized adequately to avoid service issues.

4.9 Council will accept the vesting of infrastructure that complies with its design standards, including any applicable local requirements. As such, all infrastructure designs intended for vesting and operation by Council must be submitted for Council's review and engineering approval. The Infrastructure Design Standards set out the requirements for quality assurance, commissioning, handover, and project sign-off of infrastructure to be vested in Council.

4.10 Council requires regular access to the air extraction and odour treatment facility to undertake the operation and maintenance of its various components. The proposed location of the facility on the central island of Russley Road does not provide adequate access for these purposes. Council therefore advises that the odour treatment facility be relocated to a site where safe and unrestricted access can be achieved without the need for traffic management measures.

4.11 The removal of hydrogen sulfide (H_2S) from a local pressure sewer system must occur after the gas has been released at the discharge point. As such, locating the air extraction and odour treatment facility directly at the discharge point is not appropriate and will not achieve effective H_2S release and removal.

4.12 To facilitate the ongoing management of downstream network capacity, the applicant will be required to install a magnetic flow meter on the collective pressure main. The meter must be integrated with Council's SCADA system. It is proposed that the flow meter be located in alignment with the New Water Booster Pump Station to enable shared use of electricity and communications infrastructure.

5. PROPOSED CONDITIONS

Water

5.1 The development can be serviced by the Northwest Water Supply Zone, subject to the establishment of a **New Water Booster Pump Station**. This pump station to be supplied from the existing DN375 asbestos cement water main located in Russley Road.

5.2 The applicant shall enter into an Infrastructure Provision Agreement with the Christchurch City Council (CCC) on the form reasonably required by CCC to be provided by the Council's solicitors for review and comment, for the design and construction of the **New Water Booster Pump Station.** The Infrastructure Provision Agreement will provide (without limitation):

a) that the Design Engineer shall be approved on the Three Waters HDM (hybrid delivery model) Professional Services Panel;

b) that the design shall be in accordance with the design standards and requirements as per the Council Design Guides/Standards Master List and for Council to advise any such further specifications, standards and requirements during each phase of the design;

c) for the Developer to obtain Council Engineering Acceptance for each stage of the design including Concept design, Preliminary design and Detailed design;

a. that the Developer shall complete the necessary investigations and assessments to adequately inform the design including geology, topography, ground contamination, archeological, ecological and visual aspects.

b. that the design shall be comprehensive in terms of civil, mechanical, structural, electrical, SCADA and controls, landscaping, access, security, and water safety disciplines;

c. for incorporation of risk assessments (inclusive of water safety) and safety in design in the design process;

d. that the work shall be carried out by a Council Three Waters HDM (hybrid delivery model) Potable Water Tier One Contractor;

e. for Council participation and review of the Contract Quality Plan, Health and Safety Plan, Environmental Management Plan, Contract Method Statement, Testing & Commissioning Plan including Handover checklist;

f. for the assignment of a Council contracts engineer to audit the construction phase;

g. for specifying any additional As-Built, Testing and Commissioning and Operations and Maintenance Manual requirements;

d) for the Developer to undertake all design and construction work at its sole cost and to meet the reasonable costs of CCC involved including all legal, external and internal consultants.

5.3 The **New Water Booster Pump Station** shall be installed on land to be vested in Council as a Utility Lot. The size and configuration of this Utility Lot, including all associated facilities, must be approved by Council. In making this determination, Council will consider factors such as site accessibility, feasibility of maintenance activities, and the ability to meet service objectives.

The final size and location of the Utility Lot shall be adjusted as necessary to satisfy the requirements of Council. Council's Water Supply and Wastewater Asset Planning Team will confirm the land requirements in accordance with the **New Water Booster Pump Station** Infrastructure Provision Agreement, which will include one of the following outcomes:

a) Confirmation that no changes to the Utility Lot size or configuration are required if the design work demonstrates adequacy for the New Water Booster Pump Station; or

b) Confirmation that the Utility Lot must be increased in size, specifying the additional land necessary to accommodate the New Water Booster Pump Station.

Should additional land be required, the applicant must enlarge the Utility Lot accordingly.

5.4 The water supply network must be designed by a suitably qualified person in accordance with the Infrastructure Design Standard and in general in accordance with the NZ Fire Service Fire Fighting Water Supplies Code of Practice NZS 4509:2008, subject to Council engineering acceptance. Engineering drawings supported by hydraulic model outputs must be sent to the Subdivisions Planning Engineer for Engineering Acceptance by the Water Supply & Wastewater Asset Planning Team prior to the commencement of any physical work.

5.5 All water mains and submains for the subdivision shall be installed in road to be vested in Council. Minimum DN200 water mains shall be extended along the full length of all roads to be vested and terminated with temporary hydrants in accordance with the requirements of the Infrastructure Design Standard.

5.6 All lots shall be provided with water supply connections extending to their boundaries. Submains shall be installed to extend at least 1 metre beyond each lot boundary.

5.7 Construction of water infrastructure to be vested in Council must be performed by a Council-approved water supply installer and undertaken at the applicant's expense.

5.8 The following conditions must be recorded pursuant to Section 221 of the RMA in a consent notice registered on the titles of each **Lot:**

a) The water supply network for this allotment can accommodate a maximum FW3 fire demand (50 L/s), as defined in the NZ Fire Service Fire Fighting Water Supplies Code of Practice NZS 4509:2008.

b) This allotment shall be served by the Christchurch City Council's pressurized water supply network and requires the installation of a high-hazard backflow prevention device. An application for water connection must be submitted to Christchurch City Council either online or by completing a WS1 form (application for water supply), including a water supply site plan. The water connection will not be activated until confirmation is provided that an approved backflow prevention device has been installed. The backflow prevention device must be installed within the property boundary, on private land, as close as practicable to the water meter at the point of supply.

Wastewater

5.9 The development may be serviced by a Local Pressure Sewer System that is designed in accordance with the Council's Infrastructure Design Standards and Construction Standard Specifications and to discharge into the DN225 RCRR gravity main in Russley Road.

5.10 The Local Pressure Sewer System must be designed so that larger industrial lots can be serviced with non-residential local pressure pumps.

5.11 The collective pressure main must be fitted with a magnetic flow meter that complies with Council's standards and specifications and is fully integrated into the Council's SCADA system.

5.12 An odour treatment and corrosion management system shall be provided in accordance with the following requirements:

a) The design shall be in accordance with the CCC Odour and Corrosion Management Design Guideline, the SCIRT Protective Coating for Concrete Wastewater Structures Designers Guideline, the Infrastructure Design Standards, the Construction Standard Specification and such other specifications or operations requirements to be provided / issued by Council as part of the engineering acceptance process.

b) The local pressure sewer system discharge shall be into a new corrosion resistant manhole and corrosion protection shall be provided to downstream manholes withing a distance of 400 metres of the discharge point.

c) The location of the odour treatment facility must be approved by Council. In making its determination, Council will consider factors such as site accessibility, feasibility of maintenance activities and the ability to meet service objectives. The final location of the odour treatment facility shall be adjusted as necessary to satisfy the requirements of Council.

d) The necessary investigations, assessments and tests shall be carried out to inform the design.

e) A concept and preliminary design will be presented to Council for review and acceptance by the Three Waters team prior to embarking upon the detailed design phase.

f) The detailed design complete with engineering drawings shall be sent to the Subdivisions Engineer for Engineering Acceptance by the Three Waters team prior to the commencement of any physical work.

g) Council to review and accept a draft Operations and Maintenance Manual as part of the design.

h) Smoke testing is required during the commissioning of the odour treatment unit to confirm negative pressure is achieved at the design air entry point.

5.13 The applicant must put in place measures to enable the initial operation of the local pressure sewer system within and from the development during the build phase, including (but not limited to) ensuring self-cleansing flow and limiting sewage retention time within the system when the design number of pressure sewer tanks are not yet in operation. These measures must be reported to the Subdivisions Engineer prior to seeking section 224(c) certification.

5.14 Each industrial lot must have an appropriately sized Boundary Kit located within the legal road or Right of Way outside the boundary of the lot. The pressure lateral from the Boundary Kit is to extend at least 600mm into the net site of each lot.

5.15 Installation of the pressure sewer mains and boundary kits must be carried out by a Council Authorised Drainlayer (Pressure Sewer Reticulation).

5.16 The following conditions must be recorded in a consent notice registered on the titles of each Lot:

a. The property is connected to a local pressure sewer system that has been designed to accommodate specific wastewater flow limits. Wastewater discharge from the property shall not exceed an average daily flow of **0.09 litres per second per hectare**.

b. This allotment shall be serviced by a local pressure sewer unit consisting of a pump, remote monitoring control panel and storage chamber capable of accommodating at least 24 hours of wastewater flow. The unit must be supplied by either Aquatec or EcoFlow and installed at the building consent stage by a Council-authorised drainlayer (Pressure Sewer Tanks), in accordance with the requirements for local pressure sewer units as specified under a Building Consent.

c. The owner must enter into a management agreement with the supplier of the local pressure sewer unit. This agreement shall provide Council with the necessary rights to monitor and control (as may be required) the pumping regime to support the operation and maintenance of the local pressure sewer catchment.

d. The owner is responsible for the ongoing operation and maintenance of the local pressure sewer unit and control panel.

Advice Note: This is an on-going condition and a consent notice will be issued under section 221 of the Act at the time of section 224(c) certificate.

Appendix 6 – Stormwater – Brian Norton

BEFORE THE FAST-TRACK EXPERT PANEL

AT CHRISTCHURCH

IN THE MATTER	of the Fast-track Approvals Act 2025
AND	
IN THE MATTER	of applications for Ryans Road Industrial Area [FTAA-2504-1054]

EVIDENCE OF ROBERT BRIAN NORTON FOR COMMENTS BY CHRISTCHURCH CITY COUNCIL

Dated: 15 September 2025

Christchurch City Council
53 Hereford Street, Christchurch, 8011
PO Box 73016, Christchurch, 8154
Solicitor: BK Pizzey
Tel: [redacted]
Email: Brent.Pizzey@ccc.govt.nz

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INTRODUCTION

1. My full name is **Robert Brian Norton**. I hold the position of Senior Stormwater Planning Engineer at Christchurch City Council (**Council**). I have been in this position since April 2010. I have been asked to provide independent expert evidence for the Council's comments on the Ryans Road Industrial Area fast track application numbered [FTAA-2504-1054] (the application).

2. I hold a Bachelor of Science degree in Civil Engineering from the University of Washington in Seattle, USA. I have over 25 years' experience in the field of stormwater drainage, surface water management, flood mitigation and site development. During this time I worked with the local government of King County in Washington State, with private consulting firms, and presently with the Council.

Code of conduct

3. Although this is not an Environment Court hearing, I have read the Code of Conduct for Expert Witnesses (contained in the Environment Court Practice Note 2023) and agree to comply with it. Except where I state I rely on the evidence of another person, I confirm that the issues addressed in this statement of evidence are within my area of expertise, and I have not omitted to consider material facts known to me that might alter or detract from my expressed opinions.

Documents reviewed

4. In preparing this evidence I have reviewed the following documents:

    5.1 Appendix 12 - Three Water Services Report (PDP)

    5.2 Appendix 13 – Stormwater Management Technical Assessment (PDP)

    5.3 Appendix 14 – Infrastructure Report (Capture Land Development)

    5.4 Appendix 18 – Proposed Consent Conditions

    5.5 Plan Set – Revision C (15 August 2025)

5.6 RMA/2025/1208 Appendix Conditions Update (15 August 2025)

SUMMARY OF EVIDENCE

6. I fundamentally agree with the applicant's proposed approach to the mitigation and management of stormwater generated by this development.

7. The proposal involves soil adsorption treatment basins for the roading network to treat the first flush of runoff, followed by rapid soakage systems to dispose of stormwater into land. There will be no connections to watercourses or the existing CCC stormwater network, however during extreme storm events or system blockages, stormwater may spill to Grays Road or the Selwyn Water Race along Ryans Road.

8. Individual industrial development sites will treat and dispose of their own stormwater via private drainage systems. There are inherent risks in relying on individual site operators to manage and maintain private stormwater systems, as this is not their core business. Per WWDG (part 6.5 Soakage Systems), "*The Christchurch City Council strongly favours community soakage systems on public land with local purpose utility reserve status, rather than private facilities on individual properties (with the exception of soakage of roof runoff from commercial zones). The Council can assume responsibility for maintaining community facilities, so that the gradual clogging associated with poorly maintained soakage systems is managed.*" In my view, the arrangement proposed by the applicant presents an overall higher risk to the environment, however the regulatory risks (to Council) by poor onsite stormwater management will be mitigated by the individual industrial sites holding their own resource consent(s) for stormwater discharge with Canterbury Regional Council.

9. The preliminary design of the stormwater basins to vest with Council do not comply with Council's Waterways, Wetlands and Drainage Guide (WWDG, 2003). Design refinement will be needed for further review and final acceptance by Council.

10. The applicant does not propose to undertake bulk earthworks on the future allotments within the proposed subdivision. This presents a number of risks which are addressed in paragraphs 15-18 below. In paragraph 17 I have

described a possible measure to mitigate the particular risk specific to the vesting Council stormwater infrastructure.

EVIDENCE

11. The application proposes to treat and dispose of stormwater into land within individual sites. I have proposed consent notices to be placed on all allotments to ensure minimum treatment and infiltration standards are met, and that any sites that store, transfer or handle hazardous materials generate a Stormwater Quality Management Plan. Further, because individual site activities are unknown and may require specialised treatment systems, I do not recommend listing "pre-approved" stormwater treatment systems as suggested by the applicant (Condition 63) as certain systems may be inadequate or inappropriate to mitigate all types of potential industrial site activities. Individual site operators will either obtain separate resource consents for stormwater discharge from Canterbury Regional Council, or the applicant will obtain a site-wide global consent for the same purpose.

12. Stormwater generated from public roads will discharge into two Local Purpose (Utility) Reserves with stormwater treatment (soil adsorption basins) and rapid soakage disposal systems. These reserves and associated stormwater mitigation infrastructure will vest to Council as public assets.

13. The preliminary designs of these treatment basins do not meet the requirements of the WWDG (Part 6.5 - Soakage Systems and Part 6.5.4 - Design Considerations), in particular:

    - *"High sediment loads in stormwater can preclude the use of soakage systems unless effective pretreatment is included. In all situations where soakage systems are employed pretreatment using MPT's (Macro Pollutant Traps) and swales should be installed."* **(Preliminary designs do not include MPTs or swales to reduce sediment loading of the soakage systems).**
    - *"Basins should be appropriately shaped and landscaped to merge in with the surrounding landscape." "Small utilitarian 'bath tubs' scattered throughout the catchment are…not acceptable".* (**Preliminary basins are a square, "bathtub" shape, and are not shaped to merge with**

surrounding landscape).

- *"Side slopes should not be steeper than 4H:1V and 'first flush' depth not greater than 1m." (***First flush depth in basins is 1.5-2.5 metres deep**). Deep basins will extend the saturation period of the treatment media, potentially encouraging build-up of biological matter, causing the basin's soakage function to fail prematurely. Furthermore, deep basins are difficult/unsafe to access to clear blockages and pose a risk of drowning to the public.
- *"To prevent mixing of the more contaminated first flush stormwater within soakage basins a bypass splitter box or overflow bund shall be installed upstream of the basin to divert the cleaner later stormwater inflow directly to an overflow chamber (Figure 6-13)"*. (**Preliminary basin designs are not shown with an upstream splitter, only an overflow on the opposite side of the basin from the outlet**).

14. As currently designed, the basins will not be accepted as Council infrastructure and will require substantial redesign. I have proposed minor changes to the applicant's Condition 62 requiring that soil adsorption basins are designed in accordance with WWDG Part 6.5 to ensure acceptable design outcomes. Compliant-depth basins will have an increased footprint, potentially triggering birdstrike matters. Splitting the first flush into additional, smaller basins is one potential mitigating option.

15. The applicant proposes bulk earthworks only to form roads at the subdivision phase, with not earthworks shaping proposed for individual allotments. I consider this approach will present significant ongoing risks of sediment damage of stormwater treatment systems in proposed Lots 200 and 201. I also consider that this approach may increase the risk of surface water ponding on the site which may create nuisance effects on some lots and/or may have birdstrike risk implications.

16. The stormwater treatment basins to vest within proposed Lots 200 and 201 rely on infiltration through an engineered sand/soil media to capture urban contaminants. Heavy sediment discharges will foul the surface of these basins, leading to reduced infiltration rates and premature basin failure. The applicant does not propose to conduct bulk earthworks shaping of individual lots at subdivision phase, which means the period of high risk sediment discharges from large scale earthmoving will be ongoing for many

years, as sites are intermittently developed. The stormwater treatment basins will need to be operative to manage road runoff from an early stage, and this extended period of earthworks greatly increases the chances of sediment discharges fouling the treatment surface, resulting in potentially costly remediation works.

17. To mitigate the risk of treatment basin fouling caused by an extended period of bulk earthworks, I have recommend a condition that will require an extended defects liability period where the applicant operate and maintain the stormwater treatment basins until at least 80% of the bulk site area (44.4ha) has been developed and stabilised, at which point the applicant will conduct another round of infiltration testing to verify the basins are within the acceptable operational range to be vested to Council as new assets prior to handover.

18. While the natural slope of the site is from west to east, the ground is undulating and contains local depressions and historic river channels from past Waimakariri River floods. Earthworks for the internal roads will interrupt these existing overland flowpaths and are likely to create ponding areas on the site which, given the lower infiltration rate of topsoil, could create extended areas of surface water ponding after moderate to heavy rainfall. This could cause nuisance ponding between developed and undeveloped allotments and potentially increased birdstrike risks if large areas of extended duration ponding result.

19. I have recommended a number of other conditions be added, or changed from the applicant's proposal along with my comments or reasons for recommending them. These have been supplied to the Council's Senior Planner, Mr. White.

CONCLUSION

20. I consider that;

    (a) while the development proposal includes sufficient detail to confirm that stormwater runoff is able to be appropriately treated and disposed of, the proposed stormwater basins to vest as Council assets do not meet

the design standards of the WWDG.

(b) the proposal to undertake earthworks only within roads increases the risk of damage to the stormwater treatment basins, and may create extended areas of surface water ponding within the site for an indeterminate period of time until sites are fully shaped. I recommend that the applicant undertake bulk earthworks at the subdivision phase to properly shape individual allotments to mitigate potential drainage effects and reduce the risk of damage to the stormwater treatment basins.

(c) Council will not accept vesting infrastructure that fails to fully comply with its design requirements, or that it considers will be at high risk of damage due to ongoing sediment discharges from an indeterminate period of bulk earthworks. I have proposed conditions to mitigate these risks, should the applicant wish to delay bulk earthworks within allotments until building consent phase.

Dated September 2025

R Brian Norton

Appendix 7 – Earthworks and Geotechnical – Yvonne McDonald

BEFORE THE FAST-TRACK EXPERT PANEL

AT CHRISTCHURCH

IN THE MATTER	of the Fast-track Approvals Act 2025
AND	
IN THE MATTER	of applications for Ryans Road Industrial Area [FTAA-2504-1054]

EVIDENCE OF YVONNE DAWN MCDONALD FOR COMMENTS BY CHRISTCHURCH CITY COUNCIL

Dated: 15 September 2025

Christchurch City Council
53 Hereford Street, Christchurch, 8011
PO Box 73016, Christchurch, 8154
Solicitor: BK Pizzey
Tel: [redacted]
Email: Brent.Pizzey@ccc.govt.nz

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INTRODUCTION

1. My full name is Yvonne Dawn McDonald. I am employed as a Senior Subdivisions Engineer by Christchurch City Council (CCC or Council) to provide expert evidence for the Council's comments on the Ryans Road Industrial Area fast track application numbered [FTAA-2504-1054] (the application).

2. I hold the degree of Bachelor of Engineering with First Class Honours (Civil).

3. I have worked at the Council for the past 18 years. My work is centred on: providing specialist advice, expertise, judgement, and assessment for engineering conditions on subdivision consents and earthworks and geotechnical aspects of land-use consents.

4. I have appeared as an expert witness before Resource Consent Hearings Panels for Christchurch City Council.

5. I have been involved in the Fast Track Proposal FTAA-2504-1054 through the Council since December 2024, including pre-application meetings.

CODE OF CONDUCT

6. Although this is not an Environment Court hearing, I have read the Code of Conduct for Expert Witnesses (contained in the Environment Court Practice Note 2023) and agree to comply with it. Except where I state I rely on the evidence of another person, I confirm that the issues addressed in this statement of evidence are within my area of expertise, and I have not omitted to consider material facts known to me that might alter or detract from my expressed opinions.

DOCUMENTS REVIEWED

7. In preparing this evidence I have reviewed the following documents:

   7.1 Appendix 14 Capture Infrastructure Report, Project No 1252, Revision A issued 10 March 2025

   7.2 Appendix 16 Capture Earthworks Management Plant, Project No 1252, Revision A issued 10 March 2025

   7.3 Appendix 17 Capture Construction Management Plan, Project No 1252, Revision A issued 10March 2025

   7.4 Appendix 05 TetraTech Coffey Geotechnical Assessment Report, Reference 773-CHCGE377712, Revision V1, dated 7 February 2025

   7.5 Appendix 18 Proposed Fast-Track Conditions, Updated 15 August 2025;

   7.6 104 Ryans Rd Plan Set, Job No 1252 dated 12 August 2025;

SUMMARY OF EVIDENCE

8. Provided that the constructed works adhere to the intent of the plans presented under this application and the detailed engineering design of the works complies with the Council's plan acceptance process as set out in the IDS, I find that the quality assurance, geotechnical and earthworks aspects of this application can be adequately addressed through the applicant's proposed conditions.

EVIDENCE

9. The development is a 126 industrial lot subdivision including works adjacent to a water

race and within legal road. The site is flat, falling gently to the east and Grays Road. There are remnant surface water channels visible in aerial photographs.

Quality Assurance and Plan Acceptance

10. Due to the size of the development, I recommend the application of quality assurance conditions in conjunction with the applicant's volunteered Construction Management Plan, acknowledging that there are no particular geotechnical complications.

11. The purpose of applying quality assurance is to provide confidence to Council that the works (design or construction) have been carried out by competent persons, using comprehensive processes to verify all required standards have been met in a consistent and verifiable way. The quality assurance process includes methods for highlighting and obtaining acceptance where Council's standards are not achieved. This system ensures Council is fully aware of and confident in the quality of the future vested assets.

12. The initial stage of the quality assurance process is the presentation of the engineering design report and supporting plans and calculations for plan acceptance by Council. Over the plan acceptance process, the design information is circulated simultaneously to the various Council asset representatives, who review the design against higher level constraints eg flood mapping and against operational constraints including maintenance, in addition to Council's published design standards and best practice. This can provide opportunities for synergies, efficiencies and removal of unforeseen redundancies in the application of the design guide.

Existing Road Network

13. The development includes new road connections, underground services and works to upgrade the legal road frontages. I support the applicant's offered condition to require the application of a traffic management plan to address potential issues relating to traffic nuisance.

Earthworks

14. Earthworks comprise an estimated 29790m^3 cut to 6.0m maximum depth for the soakpits and 16070m^3 fill over two stages. These volumes include topsoil.

15. The applicant has discussed the potential earthwork nuisance effects and tabulated proposed mitigation measures. The nuisance effects include erosion, sedimentation and dust.

16. They have expanded on sediment and erosion control, suggesting controls to be utilised and a proposed methodology to reduce nuisance over the construction period. The applicant has provided a draft Earthworks Management Plan (ref doc 7.2). I note in the commentary on the applicants conditions a recommendation that this plan and the Construction Management Plan be expanded to address dust for example. I support this commentary.

17. The applicant has offered that the Construction Management Plan and Earthworks Management Plan be combined into an Environmental Management Plan. Their suggested conditions include monitoring procedures and management.

18. They have discussed dust management mechanisms including restricting disturbed areas, irrigation, stabilisation and dust control barriers. I note in the commentary on the applicants conditions a recommendation that this plan and the Construction Management Plan be expanded, specifically referencing the proximity of the airport. I support this mechanism to strengthen dust control.

19. The applicant has provided in the Earthworks Management Plan a proposed contours plan. This plan indicates that the lots themselves will not be earthworked at this time, with the natural fall being preserved. This will minimise areas disturbed, so reducing potential nuisance effects. I recommend regardless a constraint on the earthworked area of 5ha, to bolster the effectiveness of the Environmental Management Plan.

20. I have no concerns regarding land stability due to the small height differences between existing and design levels, and the separation of the excavations from adjacent private property boundaries.

21. Currently there are natural overland drainage paths crossing into the development area from neighbouring land.

22. The applicant has proposed that the lots not be earthworked at this time. This would require individual lot developers to carry out earthworks as they develop them, to provide the necessary on-site stormwater capture and control.

23. Deferring filling to under individual consents will make maintaining these flowpaths difficult, with adjacent properties potentially experiencing ponding. Conveyance of cross boundary surface water lot by lot has the potential to frustrate the overall stormwater design with substantial increases in stormwater volumes to be disposed of in the basins. This proposal also carries a high risk of nuisance effects including sedimentation.

24. Deferring bulk earthworks does not provide certainty of built ground levels as they interact with gravity laterals for building platforms and with design floor levels. This certainty is needed to provide clear parameters for building consents as detailed in LIM reports.

25. There is not sufficient information provided to allow me to accurately assess the effects of bulk earthworks or how the run-on water will be conveyed or disposed of, from the plans as presented. My conditions are therefore high level and generalised and will require more detailed discussion over the plan acceptance process.

26. If concept stage bulk earthwork plans were provided, the ensuing clarity around the interface treatment and areas requiring specific stormwater drainage would provide Council with greater confidence. I could therefore have certainty that my proposed conditions for engineering plan acceptance could address potential ponding, provision for existing drainage paths and related nuisance effects.

27. Earthworks consent is required from ECan. The combination of the application of an Earthworks Management Plan and the acceptance of an Erosion and Sediment Control Plan prior to works commencing will be sufficient to address dust, erosion and sedimentation, in my opinion.

28. The draft Erosion and Sediment Control Plan addresses the works in legal road/adjacent to the water course, suggesting a diversion. The form of the roading upgrades and the cross section required are being discussed by others and this will confirm whether the water race diversion is required. I am comfortable that the actual extent of works and required control measures can be addressed through the engineering plan acceptance process.

Geotechnical

29. Tetra Tech Coffey have carried out a desktop review and site investigation comprising 27 test pits to between 1.4-5.4m depth and gravel, to support their natural hazard risk assessment. They have located two hand auger tests and four well logs in the vicinity, with records on the New Zealand Geotechnical Data base.

30. Tetra Tech Coffey confirmed subsoils as gravel to beyond 15m bgl, below a sand layer between 1.0-3.5m thick with 0.25-0.3m topsoil at the surface. Groundwater was not encountered in their site investigation and wells indicate it to be between 12-16m bgl. I have not reviewed the soakage testing.

31. Tetra Tech Coffey assume a classification of Class D – Deep or soft soils under NZAS 1170.5.

RMA Section 106

32. Tetra Tech Coffey have assessed the effects of the Proposal with respect to Section 106 of the RMA and natural hazard risks. Their assessment is that the risk from natural hazards at this site is low. They find the site to be effectively classified as Technical Category 1. I agree with their assessment.

33. In my opinion, there are no risks that would preclude development of the Site and there will be no adverse effects on neighbouring properties from this proposal.

CONCLUSION

34. I have reviewed the applicant's suggested conditions of consent relevant to quality assurance, earthworks and geotechnical matters. I support the relevant conditions 12-17 and 19-36, with my comments as appended.

35. I do not believe condition 41 is necessary as there are no geotechnical constraints on this site.

Dated 5 September 2025

Yvonne McDonald
Senior Subdivisions Engineer

Appendix 8 – Transport – Andrew Milne

BEFORE THE FAST-TRACK EXPERT PANEL

AT CHRISTCHURCH

IN THE MATTER	of the Fast-track Approvals Act 2025
AND	
IN THE MATTER	of applications for Ryans Road Industrial Area [FTAA-2504-1054]

EVIDENCE OF ANDREW FARQUHARSON MILNE FOR COMMENTS BY CHRISTCHURCH CITY COUNCIL

Dated: 15 September 2025

Christchurch City Council
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PO Box 73016, Christchurch, 8154
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INTRODUCTION

1. My full name is Andrew Farquharson Milne (Andrew Milne) I hold a Master of Science Degree in Transportation Planning and Management from Westminster University in London and a Bachelor of Engineering Degree (with Honours) in Civil and Transportation Engineering from Napier University, Edinburgh.

2. I am employed as Team Leader Asset Transport Planning at Christchurch City Council and have been invited to provide expert evidence for the Council's comments on the Ryans Road Industrial Area fast track application numbered [FTAA-2504-1054] (the application).

3. I have over 30 years' experience in Transport Planning specializing in Development Planning. I am a Chartered Professional Engineer (CPEng) and registered under the Chartered Professional Engineers New Zealand Act 2002. This qualification means I have been reviewed by the registration authority and deemed competent to practice in my area of expertise. I am also a registered International Professional Engineer.

4. My experience relevant to this evidence includes:

    (a) Providing Expert Evidence to the IHP in relation to Residential and Industrial Chapters of the Christchurch District Plan;
    (b) Scoping briefs for Transport Assessments for Priority Greenfield Areas;
    (c) Reviewing Transport Assessments for proposed Plan Changes; and
    (d) Providing Transport advice on Resource Consent Applications.

Code of conduct

6. Although this is not an Environment Court Hearing, I have read the Code of Conduct for Expert Witnesses (contained in the Environment Court Practice Note 2023) and agree to comply with it. Except where I state I rely on the evidence of another person, I confirm that the issues addressed in this

statement of evidence are within my area of expertise, and I have not omitted to consider material facts known to me that might alter or detract from my expressed opinions.

Documents reviewed

7. In preparing this evidence I have reviewed the following documents:

   7.1 Otautahi Christchurch Future Transport 2024-54
   7.2 Christchurch District Plan
   7.3 Infrastructure Design Standard Christchurch City Council 2022
   7.4 Austroads Guide to Traffic Management Part 6: Intersections, Interchanges and Crossings Management 2020
   7.5 Application Documents and subsequent plan amendments
   7.6 Memorandum of counsel for Carter Group Limited regarding amendments and additional information 15 August 2025
   7.7 Development Contribution Policy 2024/2025
   7.8 Asset Management Plan & Activity Management Plan
   7.9 Land Transport Rule Setting of Speed Limits 2024 As at 15 January 2025

SUMMARY OF EVIDENCE

8. Agreement has been achieved on many transport issues with consent conditions yet to be finalised. The structure of my evidence therefore follows the transport issues listed in Minute 3 of the Expert Panel – Invitation to comment 18 August 2025.

EVIDENCE

9. My statement of evidence generally addresses the following matters:

   (a) access to the site via Ryans Road;
   (b) road upgrade widths of Ryans Road and Grays Road;
   (c) traffic speed limits on Ryans Road and Grays Road;
   (d) The upgrade of Pound Road – Ryans Road intersection, including the availability of funding;

(e) Council role in the Traffic Management Plan Process

(f) Other Transport matters that are considered relevant to the functions of local roads, not covered in the above considerations.

10. I address each of these points in my evidence below.

ACCESS TO THE SITE VIA RYANS ROAD

11. Access to the site via Ryans Road is accurately described in the *Memorandum of amendments and additional information*[1] and as illustrated in the amended road layout plans[2].

12. The access arrangements broadly adopt the Council discussions with the applicant agents and comprise two new T intersections (with proposed Road 1 and proposed Road 2) designed in accordance with road design guidelines[3] and a series of indicative, individual site accesses to proposed lots 55 to 60 which broadly accord with rural vehicle crossing designs as set out in Chapter 7 of the District Plan.

13. Council staff have requested the applicant to explore the potential for access to lots 55 and 56 be taken solely from the internal road (4). This was simply to reduce four vehicle accesses and hence reduce conflict points along Ryans Road. The applicant has sought to maintain these crossings for flexibility of design. This is not Councils' preferred option but recognize that the District Plan allows for vehicle crossing access to Ryans Road and that the vehicle crossings can be further assessed through the resource consenting process.

14. The proposed accesses have been located to reflect a lowered 60kph frontage speed and are accompanied by carriageway widening to allow drivers to pass a right turning vehicle which is a requirement of higher use rural crossings[4].

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[1] Memorandum of counsel for Carter Group Limited regarding amendments and additional information 15 August 2025, pp25-27

[2] Road Layout Plans: RC-RD 301 Rev D, RC-RD 304 Rev D & RC-RD307 Rev A

[3] Austroads Austroads Guide to Traffic Management Part 6: Intersections, Interchanges and Crossings Management 2020

[4] District Plan Appendix 7.5.10 Design of rural vehicle crossings

15. In addition to the new internal road networks, all the access and site frontage works are subject to an engineering design acceptance process and this will provide quality assurance that the accesses will be safely designed to required standards.

16. As is typical, the consent plans that are presented with consent applications are designed to provide an indication of the road changes. Departures from these plans are a likely outcome of the engineering approvals process. Overall, I am satisfied given the road corridor width and the proposed conditions of consent, that a safe and accessible access arrangement can be made to work via Ryans Road and Grays Road.

ROAD UPGRADE WIDTHS OF RYANS ROAD AND GRAYS ROAD

17. The road upgrade widths of Ryans Road and Grays Road are accurately described in the *Memorandum of amendments and additional information*[5] and as illustrated in the amended road layout plans.

18. The Ryans Road frontage is constrained by the existing water course and as such any further widening of Ryans Road to provide for a footway on the southern side will need to come from land on the southern side when such land comes forward for future development.

19. Although parking along the northern side of Ryans Road is proposed and encouraged as a method to support a speed reduction, the combination of the limited extent of road widening together with the need to ensure adequate visibility to and from the numerous vehicle crossing points and intersections would likely limit the ability to provide for extensive parking along the site frontage.

20. The engineering approvals process provides a suitable opportunity to address detailed safety and design issues such as parking and parking restrictions,

[5] Memorandum of counsel for Carter Group Limited regarding amendments and additional information 15 August 2025, pp25-27

removal of non-frangible power poles, location and width of the proposed frontage footpath. However overall, I am satisfied that the upgraded road widths as shown in the plan set are acceptable and provide suitable scope to achieve safe access to and from the public road network.

TRAFFIC SPEED LIMITS ON RYANS ROAD AND GRAYS ROAD

21. The process for amending speed limits is set out in the Land Transport Rule: Setting of Speed Limits 2024. Both Ryans Road and Grays Road (passing the site) have current rural speed limits of 80 kph. The proposals represent a significant step towards urbanisation of the area, including multiple accesses, kerb and channel, street lighting, footway and cycle provision as well as expected parking demands and significant traffic increases.

22. With the changes to the road environment as listed above, these elements point towards a review of the current speed limit towards a lower, more likely appropriate 60 kph environment.

23. Changes to speed limits, including those proposed by developers are required to follow the Land Transport Rule: Setting of Speed Limits 2024's Alternative method Director approval.

24. This means that a speed review of Ryans and Grays Road would be required to determine the appropriate speed limit for the proposed road environment.

25. I understand the Land Transport Rule: Setting of Speed Limits 2024's Alternative method Director approval process to be the most appropriate one (in the absence of a Speed Management Plan) requiring technical analysis, public consultation, report and decision making by the Council and final sign-off by the Director of Land Transport. This process is likely to take up to 12 months.

26. The vehicle crossings and intersections have been designed to a lower speed environment from the existing 80 kph. The is an alternative approach to designing to the existing speed limit and is acceptable on the basis that a condition precedent restricting operation of the industrial activity until such

time as the speed limit is changed. This does not apply to site works.

27. The cost for carrying out that process would fall to Council and I consider it appropriate that such costs should be recovered from the applicant through a cost recovery process in agreement with the applicant.

THE UPGRADE OF POUND ROAD – RYANS ROAD INTERSECTION AND AVAILABILITY OF FUNDING

28. Modelling of the Pound Road/Ryans Road intersection indicates that in its current form, the intersection is predicted to operate over capacity for some low volume movements but that it can accommodate the increase in traffic flows associated with the development. The application goes on to highlight that the proposed solution is the construction of a roundabout.

29. The modelling supporting the application highlights that the Pound Road/Ryans Road intersection should and would be upgraded to a roundabout as assumed in the modelled mitigation network[6] and I agree with this view.

30. A review of the traffic modelling attached as **Appendix 1** was undertaken on behalf of Council and highlights the lack of calibration for the intersection models and some potential uncertainty regarding future traffic growth.

31. The absence of model calibration can have a noticeable effect on the accuracy of the results particularly, as suggested from previous studies of the Pound Road corridor[7], that *an estimated 10% of total traffic on Pound Road is 'truck and trailer' combination. When loaded, these vehicles demand greater distance for stopping and greater time for accelerating / joining traffic flow*.

32. The current operation of the intersection has benefited from recent improvements including road surface resealing on the Pound Road approaches (2024) and a speed reduction from 80kph to 60kph on the Pound Road approaches to the intersection (2020). While these improvements provide a

[6] Integrated Transport Assessment – Novogroup March 2025 Appendix 5 para 5.11
[7] Developing an Investment Strategy for Pound Road corridor, CCC Memo – 25 September 2019

higher level of safety, they do not offer material capacity improvements.

33. The resealing of Pound Road in 2024 provided additional seal width beyond the edge lines on approach to the Ryans intersection. Whilst the edge seal is to provide a safe margin from the unsealed road edge and protect against edge break, this new seal width is being used by northbound Pound Road traffic passing stationary/slowing right turning traffic into Ryans Road.

34. Pound Road is an Arterial Road and accommodates strategic freight traffic. It has been described as a freight bypass and previously identified as a potential strategic freight route. As an arterial road Pound Road has a primary through traffic function. The District Plan requires that such roads are given the highest protection.

35. In this regard, a critical operational aspect of Pound Road relates to the performance of the Ryans/ Pound intersection and its queuing storage distance on Pound Road for right turning traffic into Ryans Road. As the edge seal tapers down there is no ability to safely pass right turning queuing/slowing traffic when the right turn queue exceeds the available storage length. Once this right turning queuing storage length is fully occupied, northbound Pound Road traffic will come to a halt.

36. It is therefore likely that with the intersection in its current form, increased turning traffic from Pound Road to Ryans Road (particularly freight traffic) will affect the number of occasions when blocking of Pound Road will occur. This has implications for the loss of efficiency of this freight route, access to the application site and areas beyond and safety issues associated with the increased potential for crashes caused by failure to slow for right turning traffic from Pound Road.

37. Increases in traffic turning movements from Pound Road to Ryans Road can be attributed to several sources including airport development growth and traffic potentially seeking to avoid delays on the Yaldhurst Road approach to Russley Road SH 1. However, the Transport Assessment indicates a significant volume of traffic (up to 20% at 2038) can be directly attributed to this subject fast track

application[8].

38. Council had previously explored a roundabout upgrade in response to the intersections' poor crash record. However, the land purchase requirements exceeded the budgeted amount allocated to the project. Further, following the effectiveness of the speed reduction introduced in 2020 in addressing the severity of crashes, and the removal of Governments Road to Zero campaign, it was found that an intersection upgrade project did not meet NZTA's criteria for funding assistance for safety improvements and NZTA sponsorship was subsequently removed.

39. Council therefore decided that inclusion of the project in the LTP could not be sustained and was subsequently removed from the LTPs' capital programme. I am not aware of any further steps by Council to acquire land to support the intersection upgrade currently.

40. As Council has not included the intersection upgrade in the LTP, it does not appear as a growth project in the Development Contributions Policy Schedule of capital expenditure for assets[9]. Funding of the intersection upgrade cannot therefore be sourced from development contributions at this time.

41. However, as highlighted in the Development Contribution Policy [10], financial contributions enable the Council to charge a developer for the cost of work required to mitigate the effects of development on the natural and physical environment caused by the new development.

42. As set out in NZTA Integrated Transport Assessment guidelines[11] adverse effects can be managed through a combination of physical works, altering the development proposal or providing funds towards mitigating the effects created by the proposal.

43. As the District Plan does not make provision for financial contributions,

[8] Integrated Transport Assessment – Novogroup March 2025 Appendix 5 QTP Modelling Table 4.1 & Figures 5.3-5.6
[9] Christchurch City Council Development Contributions Policy 2025 Appendix 2
[10] Christchurch City Council Development Contributions Policy 2025, section 1.4
[11] Integrated transport assessment guidelines, NZTA November 2010 pp 76

Council cannot impose a condition to that effect. However, the application does highlight that a financial mechanism would assist with the funding of the roundabout to bring it forward to assist in accommodating the traffic associated with the proposal.

44. A 'developer agreement' can be a mechanism in which funding for infrastructure upgrades occur. Such agreements are common as part of the engineering approvals process. A commitment to enter into such an agreement with a specified cost share proportion could be an option available to Council and the applicant.

45. As well as alignment with Councils strategic directions and community outcomes, LTP projects are currently selected using a multi criteria approach based on a scored assessment against transport pillars[12] of Safety, Access, Environment and an overarching criterion of affordability. Such a funding commitment would assist in aligning with the affordability criteria.

46. A further approach regarding the intersection improvement could be to provide a condition precedent that the development may not proceed beyond a certain stage prior to the intersection upgrade occurring.

47. I recognize that a staging condition goes somewhat against the idea of a fast-track proposal. However, it is my option that land use development and the infrastructure needed to accommodate the effects of such development require to be aligned. Observations of the operation of Pound Road/ Ryans Road suggest that the current arrangement is suboptimal and that it would take only a small change in turning flows to tip the intersection from safe to unsafe and for free flow traffic conditions on Pound Road to break down.

48. Under a typical plan change scenario this would be managed through a District Plan provision identifying an upgrade to occur as a key structural element. Development planning typically relies upon modelling to demonstrate its effects. In this instance there is some uncertainty about

[12] Long Term Plan 2024-34 Activity Plan – Transport _ Section 2

the modelling results and this points towards the appropriateness of staging conditions. Therefore, if the panel were minded to apply such a condition, I offer the following suggestions for possible trigger points as to when the stage restriction kicks in:

A) No further development shall occur after the completion of the first stage of the proposal until the intersection of Pound Road/ Ryans Road is upgraded to a roundabout – see footnote[13]

B) No development shall occur until the modelling has been updated and demonstrated to the satisfaction of Council that the intersection can safety accommodate the additional traffic demands associated with the proposal

C) No further development shall occur where an accepted model demonstrates that the average queue length associated with right turns into Ryans Road extends beyond the available stacking space for the modelled period. This modelling shall be based on an agreed annual turning movement survey of the intersection arranged by the consent holder and provided to Council for input into the agreed model.

49. The alternative approach of leaving the assessment to resource consent stage is that the District Plan only enables such network assessments where the high trip generator rule is triggered. This approach does not effectively address the collective, strategic effects of rezoning as individual resource consents often do not trigger the high trip generator assessment threshold and thus the wider network effects remain unresolved.

COUNCIL ROLE IN THE TRAFFIC MANAGEMENT PLAN PROCESS

50. Council's Traffic Management Team have produced a set of requirements that explain the TMP process and Councils' role in them. I have appended the requirements as **Appendix 2** to this report.

[13] Advantage - this is one of the simplest forms of trigger to administer Disadvantage – the intersection may become problematic well before the first stage is complete.

51. In summary Council, through the Traffic Management Team, are responsible for managing any work sites on or adjacent to legal roads. Councils' Traffic Management team are responsible for reviewing submitted Traffic Management Plans (TMP) and checking the deployment of approved TMPs for assurance.

52. The Health & Safety at Work Act 2015 requires Persons Conducting a Business or Undertaking must, so far as is reasonably practicable, provide and maintain an environment that is without health and safety risks.

53. A TMP, which must be drafted by a trained competent person, must be submitted for review by Council staff to ensure the activity will be undertaken in a way that is safe for all those using the road and those undertaking the works. This would include a strategy for managing any traffic diversions created as a result of temporary road closures.

54. TMPs have minimum submission time frames prior to the planned activity. Where these requirements are not met, or where activities are deemed to be dangerous or not installed as per an agreed TMP, the Council will require all activity varying the normal operating condition of the road to stop and the area made safe. If the area is not made safe Council is obliged to inform Worksafe NZ.

OTHER TRANSPORT MATTERS RELEVANT TO ROADS UNDER COUNCIL CONTROL

55. Council is currently initiating a maintenance project along Pound Road, from Waterloo Road to McLeans Island Road. This excludes the recently improved section between Yaldhurst Road (SH73) and Ryans Road. The project will primarily focus on shoulder widening for safety and resilience of the corridor and strengthening the road pavement in both depth and width to reflect the high impact of freight vehicles on the road surface.

56. The project is in response to growth in heavy vehicle traffic on the corridor and offers a safe separation between heavy, fast-moving traffic and cyclists.

57. The fast track application suggests mitigations to several locations, suggesting that such infrastructure upgrades would be undertaken by the Road Controlling Authorities.

58. I defer to NZTA's response to the panel on this matter however apart from the Pound Road corridor project highlighted above, there are no other committed road and infrastructure improvements at this time that support the suggestion that Council is able to deliver the local road improvements as identified in the application.

59. Footpaths have been proposed only on one side of the internal roads which does not meet District Plan requirements. It is noted that the anticipated use is low however this seems to be a missed opportunity as the road width is available to provide one of each side as is provided elsewhere at fringe located industrial developments. Council have received requests elsewhere by users of older industrial subdivisions to have footway on each side. It is recommended that the internal footpath provision be provided in accordance with the District Plan requirements and that this be secured by conditions of consent.

60. The council can assist in the speed review however this is expected to be initiated by the applicant. Council staff can support a speed review that supports a speed no lower than 60 kph.

61. Community Boards have delegated authority to approve changes to the existing road on behalf of Council. All changes to the existing road that require delegated approvals as set out in Council Delegation Register March 2025 should be factored into the subdivision approvals timelines should consent be granted.

62. I note the nature of the proposal is vehicle dominated and its location close to state highway lends itself well to travel predominately by vehicle. However, the development in fulfilling the planned zoning from a once rural to an urban area brings with it new travel demands and opportunities to influence travel choices.

63. The District Plan includes cycle parking requirements with the expectation that

travel by bicycle is encouraged and enabled. There is an expectation therefore of higher cycle use and this is shared by NZTA in their provision of cycle facilities that run alongside the State highway.

64. The requirement of an ITA as set out in Council's ITA guidelines[14] is that it covers all transport modes and considers whether the proposed development will be accessible by all modes and, if not, what needs to change to ensure that accessibility.

65. The speed limit of the frontage roads of Ryans Road and Grays Road will, as a consequence of this development, be reduced from 80 kph to 60 kph. The frontage road designs have no dedicated space for cyclists to travel safely to and past the site.

66. The development proposals bring with them significant increases in traffic volumes on the frontage roads. Ryans Road in particular would accommodate traffic levels more appropriate to collector roads which require cycle provision. I consider it appropriate that the site frontages provide for shared pedestrian/cycle paths which I am satisfied can be fitted within the road corridors. The provision for shared pedestrian/cycle paths should be secured by a condition of consent.

CONCLUSION AND RECOMENDATIONS

67. I consider that;

(a) In addition to the new internal road networks, all frontage work is subject to an engineering design acceptance process. This process includes quality assurance to ensure that the infrastructure changes will be safely designed to required standards. Overall, I am satisfied that given the road corridor width and the proposed conditions of consent, that a safe and accessible access arrangement can be made to work via Ryans Road and Grays Road.

[14] Integrated Transport Assessment Guidelines, Christchurch City Council, September 2015

(b) The engineering approvals process provides a suitable opportunity to address detailed safety and design issues such as parking and parking restrictions, removal of non-frangible power poles, location and form of the proposed footpath provision. As such, I am satisfied that the upgraded widths of Ryans Road and Grays Road as shown in the plan-set are acceptable and provide suitable scope to achieve safe access to and from the public road network.

(c) In the absence of an operative Speed Management Plan, Council will at the request of the applicant initiate a one-off speed change review of Ryans and Grays Road. It is expected that the applicant will bear the costs associated with any requested speed limit change. A request for a 60 kph can be supported by staff.

(d) The access designs have been based on a lower speed limit than the existing 80kph environment. This is an acceptable approach on the basis that a condition precedent restricting operation of the industrial activity until such time as the speed limit is changed.

(e) The proposals have the potential to affect the safety and efficiency of Pound Road at its intersection with Ryans Road. Mitigation of any adverse effects can be managed through a combination of physical works, altering the development proposal or providing funds towards mitigating the effects created by the proposal. In the absence of a programmed improvement project that would be funded through development contributions, it is recommended that an alternative financial mechanism should be pursued.

(f) Shared pedestrian/cycle paths should be provided to support safe access. This feature should be secured by way of a consent condition.

(g) Council has a role to play in ensuring Traffic Management Plans address health and safety issues. There is a Council approval process that should be followed before works affecting the road may proceed.

Dated 10 September 2025

Andrew Milne

Appendix 9 – Urban Design, Landscape and Visual Effects – William Field

BEFORE THE FAST-TRACK EXPERT PANEL

AT CHRISTCHURCH

IN THE MATTER	of the Fast-track Approvals Act 2025
AND	
IN THE MATTER	of applications for Ryans Road Industrial Area [FTAA-2504-1054]

WILLIAM HEMMING FIELD FOR COMMENTS BY CHRISTCHURCH CITY COUNCIL

Dated: 15 September 2025

Christchurch City Council
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INTRODUCTION

1. My full name is William Hemming Field. I have provided expert urban design and landscape input to the Council's comments on the Ryans Road Industrial Area fast track application numbered [FTAA-2504-1054] (the application).

2. I am a Senior Urban Designer at the Christchurch City Council. I have been in this role for the past 5 years. Prior to this role, I was a Senior Landscape Architect at Regenerate Christchurch for approximately 2 years, and a Principal Landscape Architect at a New Zealand based multi-disciplinary environmental consultancy for 20 years.

3. From 2009-2012, I was a member of the Christchurch Urban Design Panel, providing independent urban design reviews of private and public sector developments.

Qualifications and Experience

4. I hold the qualifications of Bachelor of Landscape Architecture (1st Class Honours) from Lincoln University, and Bachelor of Fine Arts (University of Canterbury School of Fine Arts). I have received accredited advanced training in Crime Prevention Through Environmental Design (CPTED) from the ISMCPI.

5. My current role involves providing urban design advice (including on landscape matters) for resource consent applications, district plan changes, and design input to Council projects. My broad experience includes providing policy advice, spatial and land use structure and outline development planning, plan change assessments of residential developments and industrial rezoning, resource consent preparation and assessment for residential and commercial developments and subdivisions, and infrastructure projects. I also have design experience in urban and rural landscape amenity, historic and natural settings, and ecologically sensitive design projects, and project design development and construction. As part of the above experience, I have contributed to mana whenua cultural co-design integration.

6. I have previously provided expert advice to the Environment Court, the Christchurch Independent Hearings Panel (Christchurch Replacement District Plan and PC14), and at numerous Council hearings.

7. I am a registered member of the New Zealand Institute of Landscape Architects (NZILA), and member of the New Zealand Urban Design Forum. I have used NZILA's 7-point scale to describe the magnitude of effects in these comments.

Code of conduct

8. Although this is not an Environment Court hearing, I have read the Code of Conduct for Expert Witnesses (contained in the Environment Court Practice Note 2023) and agree to comply with it. Except where I state I rely on the evidence of another person, I confirm that the issues addressed in this statement of evidence are within my area of expertise, and I have not omitted to consider material facts known to me that might alter or detract from my expressed opinions.

Documents reviewed

9. In preparing these comments, I have reviewed the following documents:
   - *Appendix 10 Integrated Transport Assessment (Novo Group)*
   - *Appendix 11, Landscape and Visual Assessment (DCM Urban)*
   - *104 Ryans Road Landscape Treatment -15 August 2025 (cross-sections)*
   - *Appendix 15 Lighting Assessment (Pedersen Read)*
   - *Appendix 23, Urban Design Assessment (DCM Urban)*
   - *Approval Plan Set, Prepared by Capture Land Development Consultants, 12/08/2025.*
   - *1252 Ryans Road, RD300-330-B Roading Plans, 17/07/25*
   - *Memorandum of counsel for Carter Group Limited regarding amendments and additional information, 15 August 2025*

SCOPE OF COMMENTS

10. In preparing my response to the application, I:
    (a) have relied on the project descriptions and plans in the application documents,

(b) have briefly described the existing environment with respect to landscape and urban design values and attributes,
(c) have reviewed the urban design outcomes of the proposal,
(d) have review of the likely landscape effects of the proposal,
(e) have recommended additional conditions of consent (and some additional information).

RELEVANT STATUTORY FRAMEWORK - URBAN DESIGN AND LANDSCAPE EFFECTS

National Policy Statement – Urban Development (NPS-UD); Well-Functioning Urban Environments: Ensuring urban areas enable social, economic, and cultural well-being, and provide for health and safety.

Christchurch City Plan

17.2.2.3 Policy - Contributing elements to rural character and amenity values

a. Recognise that rural character and amenity values vary across the Christchurch District resulting from the combination of natural and physical resources present, including the location and extent of established and permitted activities.

b. Recognise that the elements that characterise an area as rural, from which desired amenity is derived, include the predominance of:

i. a landscape dominated by openness and vegetation;

ii. significant visual separation between residential buildings on neighbouring properties;

iii. where appropriate, buildings integrated into a predominantly natural setting; and

iv. natural character elements of waterways, water bodies, indigenous vegetation and natural landforms, including the coastal environment where relevant.

17.2.2.5 Policy - Establishment of industrial and commercial activities

a. Avoid the establishment of industrial and commercial activities that are not dependent on or directly related to the rural resource unless they:

i. have a strategic or operational need to locate on rural land; or

ii. provide significant benefits through utilisation of existing physical infrastructure; and

iii. *avoid significant, and remedy or mitigate other, reverse sensitivity effects on rural productive activities;*

iv. *will not result in a proliferation of associated activities that are not reliant on the rural resource; and*

v. *will not have significant adverse effects on rural character and amenity values of the local environment or will not cause adverse effects that cannot be avoided, remedied or mitigated.*

URBAN DESIGN AND LANDSCAPE COMMENTS

Urban Design-related Comments

11. From an urban design perspective, I consider the proposal at 104 Ryans Road for a 55-hectare industrial subdivision (generally as per Christchurch District Plan's Industrial General Zone), to be well-located in association with Christchurch Airport uses. Currently, the site is somewhat detached from the existing nearby 'Dakota Park' Specific Purpose (Airport) Zone, which is used for mostly warehousing and distribution facilities, but I consider that the site is nonetheless in reasonably close proximity to these activities.

12. The applicant proposes to provide a footpath linkage along Grays Road to help connect these areas, which I consider to be a positive contribution to the area for pedestrian connectivity.

13. The Rural Urban Fringe Zone (RUF) bound by Grays, George Bellow, Ryans Road and State Highway 1, may be proposed as Specific Purpose (Airport) Zone or industrial use in the future. If this occurs, I consider that the grid layout of the application proposal would provide for good potential for future integrated linkages between these areas.

14. No cycle or public transport provisions are proposed as part of the application. The transport assessment identifies that the site is reasonably remote from existing passenger transport routes (closest being Route 86 along Yaldhurst Road) and Major Cycle routes. Cycle lanes are provided on SH1 which could link into the site and surrounding area in the future. The assessment considers that cycle volumes are anticipated to be low in the subdivision given the distance to cycling origins and destinations and the 'barrier' created by SH1. In my opinion, this is likely to be the case currently,

however cycle use is also likely to increase in the future which I consider could be addressed at a later stage.

Landscape-related Comments

15. In response to points of clarification raised in the application completeness check (dated 27 June 2025), and a subsequent meeting with the applicant, DCM and Novo Group on 2 June 2025, I further reviewed parts of the landscape and urban design assessments in relation to establishing a baseline assessment of the existing level of rural amenity of the site and surroundings which I consider is not specifically addressed in the application assessment.

16. I undertook a site visit on 9 July (11.30am) and concluded that the existing rural amenity of the area is of a low-moderate magnitude due largely to the peri-urban and fragmented character of the area. There are a mix of land uses present from rural residential to light industrial, large format warehouses, small-scale haulage operations, frequent traffic movements, and large-scale airport operations nearby. Some of these existing activities I consider could be anticipated, to a limited degree, in a rural context.

17. Positive rural amenity qualities of the area include sections of visually and spatially open pastoral landscapes, roadside shelterbelts, tree planting and informal grass verges, and farm buildings with a vernacular corrugated iron rusticated character. Low level views of the Southern Alps and across the Canterbury Plains are an attractive attribute of the site and surroundings also.

18. Open views of the airport and flights may also provide visual and amenity interest for some residents along Ryans Road and Grays Road.

19. I consider that the proposal should, to a reasonable extent, address mitigating the loss of these positive landscape values through providing an adequate level of alternative landscape amenity along the site boundaries with the RUF Zones. This may be different in character but maintain an appropriate level of landscape amenity quality for this context.

20. After having undertaken the site visit, the applicant resubmitted the application with revised proposed setbacks and heights of any building or structure on the site. These were revised to be proposed as a maximum

height of 20m except within 15m of the Ryans Road road boundary where the maximum height would be 12m. The applicant has also now provided a typical indicative cross-section through Ryans Road and Grays Road showing the proposed building heights and setbacks, proposed planting mitigation, waterway treatment, road profile with kerb and channel, new footpath and a widened carriageway, and an indication of a sightline from the RUF Zone to potential industrial buildings. I consider that this revised building heights and setbacks would reduce the visual impacts of the proposal on neighbouring rural residential properties.

21. It is noted that a site coverage built-form standard does not apply under this proposal and a maximum building height of 20m is proposed. With the potential amalgamation of lots, I consider that very large continuous building frontages could potentially be constructed along Ryans Road and Grays Road under this proposal. These could potentially have a high visual impact.

Ryans Road Frontage

22. Along Ryan Road there are four residential properties facing onto the road - 95, 111, 191, 211 Ryans Road. These properties vary in building location setback distances of approximately 18m to 65m from the road boundary and range in lots sizes from 40,469m^2 to 46,655m^2. These sizes indicate that they are not likely to be subdivided further in the future given the minimum lot size in the RUF Zone is 4 hectares. Some of these properties have existing visual screening in their front gardens with hedge and tree planting. The landscape assessment identifies that the magnitude of effects (adverse) on these properties would be moderate presumably once mitigation has fully established. This assessment was made when no building height limits, or increased setbacks were proposed.

23. In my opinion, without the revised proposed height controls, I consider that the potential adverse effects on the rural residential amenity of these properties could have been of a high magnitude due to the frontages potentially being dominated by very tall and large industrial buildings and associated activities. With the new height and setback controls (and mitigation planting), I consider that the potential adverse effects could be more likely to be moderate once the planting mitigation has established.

24. I consider the proposed 3m wide planting strips to be minimal in size but just adequate for the proposed planting. These would not provide much contingency depth of planting should any plantings fail, or if poor maintenance was to occur.

25. I anticipate that each section of the planting strip is likely to be maintained by 11 different site owners/operators along Ryans Road and 18 along Grays Road with differing degrees of maintenance standards likely to be applied overtime. I consider this to be a risk to the effectiveness of the proposed planting which should be addressed through a condition of consent requiring a consistent landscape maintenance/management plan (coordinated with the adjacent waterway maintenance program along Ryans Road) to be a requirement for each property owner/operator to undertake.

26. Effective mitigation would require the quick and healthy establishment of the proposed mitigation tree planting. In my opinion, the proposed planting of the evergreen tarata/lemonwood (*Pittosporum eugenioides*) and the semi-deciduous lowland ribbonwood (*Plagianthus regius*) would not achieve 12m in height in this exposed south-facing situation. While the 'Southern Woods' (tree nursery) website states that these species can grow to 12m in height, I consider that this would only be achieved in very sheltered locations (such as in native bush), and under ideal conditions. The website estimates that the growth rate would be 3-4m after 5 years. To achieve 12m in height (if possible), approximately 15-20 years of growth would be required on this basis.

27. As an example of planting in a similar situation, along Marshs Road Waste Management site in Hornby, native species including some *Pittosporum eugenioides and Plagianthus regius* were planted approximately 10 years ago. These trees appear to have now established to heights of approximately 4-6m.

301 Marshs Road planting example - Google Earth 2025 March

28. Alternative options to further mitigate the visual impact of potentially large buildings along the RUF Zone boundaries could be:

    1. Add an evergreen tree species capable of growing to taller heights such as tōtara (*Podocarpus totara*), as well as the proposed tarata/lemonwood (*Pittosporum eugenioides*) and deciduous ribbonwoods (*Plagianthus regius*). While tōtara is a relatively slow growing species (approximately 2m after 5 years), I consider that it would achieve a greater degree of visual mitigation in time. The evergreen lowland lacebark (*Hoheria angustifolia*) could also be added to the mix of tree species. According to the NZ Plant Conservation Network website, this can reach up to 18m in height.
    2. Plant a row of exotic *Cupressus x leylandii 'Ferndown'* along the internal edge of the planting strip with native underplanting closer to the water race. This is a fast-growing tree that can achieve approximately 30m in height at a vertical rate of approximately 7m after 5 years and can be trimmed to a desired width and height (ie as a 12m high hedge).
    3. Provide visual mitigation of the appearance of the buildings by requiring recessive colour controls, signage location and scale controls, and service or storage screening, fencing and lighting, car parking, and location controls for unsightly structures such as stacked containers.

29. In my opinion, a combination of options 1 and 3 above would adequately mitigate to an initial level of moderate-high adverse effects due to the potentially open views of large industrial buildings, structures, hardstand areas and industrial activities from the neighbouring RUF zoned residential properties until the boundary planting gradually achieves more effective mitigation.

30. Further application information I consider that should be provided by the applicant, or addressed through conditions of consent, is:
    - A typical buffer strip planting plan (i.e. 10m length) showing the density, locations and proportions of proposed tree to shrub species at the proposed 1m spacings to ensure that an adequate proportional number and spacings of trees would effectively screen the industrial sites in time.

- Confirmation of irrigation to street trees and establishing plants to ensure the successful establishment of young plants through drought periods.

31. The layout of the proposed industrial subdivision would present the lots along Ryans Road and Grays Road as industrial/commercial frontages to the roads (except for Lots 55 and 56 which could alternatively front onto the internal cul-de-sac). I have concern that the impact of the cumulative appearance of industrial buildings (including potential impacts of any brightly coloured buildings or stacked containers), signage, lighting glare, fencing, services and storage areas, car parking locations and treatments, and accessways, on the rural character and amenity along the boundaries has not been fully addressed through mitigation controls, particularly while proposed mitigation planting establishes. To address this, I recommend the following conditions of consent.

Appearance of industrial buildings

- *All building located within lots fronting onto Grays Road and Ryans Road shall be painted an earth-toned, recessive colour with a reflectance value of not greater than 30%.*

32. This recommended condition would reduce the risk of buildings, or parts of, being visually intrusive with brightly coloured or toned finishes.

Signage (for individual buildings and lots)

- *Signs shall not be located within the 3m wide landscape strip or adjacent to the proposed accessways off Ryans Road or Grays Road.*
- *Signs on buildings should be limited to a maximum total area of per building of 4m² and positioned at a maximum height above ground level at top of sign of 4 metres or façade height, whichever is lower.*
- *Any signs along the Ryans Road or Grays Road frontages shall not be illuminated.*

33. These recommended conditions would reduce the risk of the Ryans and Grays Road frontages appearing commercialised with signage visible along the entire site boundary lengths.

Control of Light Spill and Glare

- *All fixed exterior lighting shall be aimed, adjusted and/or screened to direct lighting away from the residential properties in the adjacent Rural*

Urban Fringe Zone so that the obtrusive effects of glare on residents are minimised.

34. This recommended condition would reduce the risk of glare from direct light sources affecting the night amenity of the adjacent rural residential properties.

Fencing

- *All fencing shall be located on the internal boundary of the 3m wide landscape strip with an access gate provided for maintenance if not otherwise accessible.*

35. This recommended condition would avoid fences being installed in front of the frontage proposed 3m wide landscape reducing the amenity benefits of the planting.

Services and Storage

- *Any services and storage areas shall be fully screened by landscaping, fencing or other screening to a minimum of 1.8 metres in height from Ryans Road or Grays Road.*
- *Any stacked containers shall not be located within 20m of Ryans Road or Grays Road road boundaries.*

36. These recommended conditions would help to avoid unsightly storage being obtrusively visible from neighbouring rural residential properties and the public realm of the roads.

Car Parking Treatment

- *Where car parking is located along the Ryans Road and Grays Road lot frontages of a site, 1 tree shall be planted for every 5 car parking spaces (or part thereof) within any car parking area, in accordance with the provisions in Appendix 6.11.6 of Chapter 6.*

37. This recommended condition would help to enhance the appearance of any car parking areas visible from neighbouring rural residential properties and the public realm of the boundary roads while the proposed planting strips were established, and then potentially visible through vehicle accessways.

Vehicle accessways onto Ryans Road and Grays Road

- *Vehicle accessways from lots facing onto Ryans Road and Grays Road shall be limited to one.*

38. This recommended condition would reduce adverse visual impacts on; the proposed planting strip, visibility to industrial activities on the lots and vehicle coming and going from the lots, and the cumulative open appearance and sightlines created by potentially adjacent accessways.

39. In my opinion, these recommended conditions of consent would adequately manage the risk of cumulative visual and landscape adverse effects of the proposed industrial elements and commercial appearance on the RUF Zone across Ryans Road and Grays Road until mitigation planting partly established after a period of approximately 10-15 years.

Grays Road Frontage

40. At 60 Grays Road is an existing dwelling setback approximately 20m from the road boundary on a long rectangular 20,973m^2 lot that extends for the northern half the frontage of the application site.

41. Along Grays Road, the application proposes a 3m wide planting strip and 5m wide setback to 20m high industrial buildings. In my opinion, this level of landscape mitigation is not adequate to mitigate a potentially high magnitude of adverse visual effects from potentially dominating industrial buildings and activities on this rural residential property.

42. The outdoor living area of this property is located on the west side facing directly towards the site. The garden is well-vegetated which would provide some screening of the proposal however some views through this to 20m high buildings are likely to be able to be seen. Furthermore, it is likely that buildings of this scale would reduce access on the residential property to late afternoon western sunlight. To address these adverse effects, I consider that Lots 68-70 should be required to provide the same building height and setback built-form standards as the Ryans Road fronting lots, and recommended mitigation conditions above for buildings along Grays Road.

Internal Site Street Tree Planting

43. I have some concern that the proposed street tree species within the site may struggle to survive well on this initially exposed site. The proposed species are:
    - Upright Red Maple (*Acer rubrum 'bowhall'*)
    - Snakebark Maple (*Acer davidii*)

- Scarlet Oak (*Quercus coccinea*)

44. While the above trees would be attractive species from a design aesthetic perspective, I consider that tree species that are more resilient to wind and drought exposure would be more appropriate on this site and recommend that an arborist review these proposed trees especially if the trees are being vested with the Council as a part of the streets. I recommend a condition of consent requiring that the location and number of trees shown on 'Proposed Landscape Concept Plan', dated 07/03/2025, in the 'Landscape and Visual Impact Assessment' be provided and the species to be approved by the CCC Arborist.

45. In relation to urban design and landscape effects within the site, I consider that the Industrial General standards would be appropriate to manage amenity effects due to the proposed level of street tree planting and the level of amenity generally anticipated within an industrial subdivision (albeit within a RUF zone).

46. I am not aware of outcomes from any consultation undertaken by the applicant with rural residential property owners in the surrounding Rural Urban Fringe Zone.

CONCLUSIONS

47. From an urban design perspective, I consider that the proposed site layout and new footpath connection is likely to function well in this location in the immediate future.

48. I consider that the area currently has a low-moderate level of rural amenity landscape due to the peri urban mixed rural character.

49. As the proposal stands, I consider it would potentially have a high magnitude of adverse landscape effects on the existing surrounding rural residential amenity until mitigation planting effectively establishes. I estimate this could take approximately 10-15 years. After this time, I agree with the application's landscape assessment that the adverse effects are likely to potentially be moderate in magnitude, subject to the boundary planting proposal being

further refined to provide a greater degree of certainty of its effectiveness and healthy establishment.

50. I have recommended a range of conditions of consent to help mitigate the impact of the proposal until planting mitigation establishes. If these are adopted, I consider that the adverse landscape effects of the proposal could be likely to reduce to moderate-high (from high) and diminishing to around a moderate magnitude once the mitigation planting reaches approximately 6-9 metres in height after approximately 10-15 years.

51. Overall, I consider that the proposal could in time adequately mitigate potential adverse landscape effects on the existing low-moderate rural amenity of the surrounding area.

William Field
Senior Urban Designer
Christchurch City Council

15 September 2025

APPENDIX 1

Summary of Recommended Amendments and Conditions of Consent

1. *Add a tree species capable of growing to taller heights such as tōtara (Podocarpus totara) total the proposed tarata/lemonwood (Pittosporum eugenioides) trees.*

2. *Provide the following further landscape information:*
   - *A typical buffer planting strip plan (i.e. 10m length) showing the density, locations and proportions of proposed tree to shrub species at the proposed 1m spacings.*
   - *confirmation of irrigation to street trees and establishing plants.*

Conditions of Consent

1. *All buildings located within lots fronting onto Ryans Road and on Lots 68-70 shall be painted an earth-toned, recessive colour with a reflectance value of not greater than 30%.*

2. *Signs shall not be located within the 3m wide landscape strip or adjacent to the proposed accessways off Ryans Road and Grays Road.*

3. *Signs on buildings facing Ryans Road and on Lots 68-70 shall be limited to a maximum total area of per building of 4m² and positioned at a maximum height above ground level at top of sign of 4 metres or façade height, whichever is lower (as per 6.8.4.2.4 Signs attached to buildings - All rural zones)*

4. *Any signs along the Ryans Road and on Lots 68-70 frontages shall not be illuminated.*

5. *All fixed exterior lighting shall be aimed, adjusted and/or screened to direct lighting away from the residential properties in the adjacent Rural Urban Fringe Zone so that the obtrusive effects of glare on residents are minimised.*

6. *All fencing shall be located on the internal boundary of the 3m wide landscape strips along the Ryans Road or Grays Road with an access gate provided for maintenance if not otherwise accessible.*

7. *Any services and storage areas along Ryans Road or Grays Road shall be fully screened by landscaping, fencing or other screening to a minimum of 1.8 metres in height (as per 16.4.2.5 Outdoor storage of materials).*

8. *Any stacked containers shall not be located within 20m of Ryans Road or Grays Road road boundaries.*

9. *Where car parking is proposed to be located at the front of any lots along the Ryans Road on Lots 68-70, 1 tree shall be planted for every 5 car parking spaces (or part thereof) within any car parking area, in accordance with the provisions in Appendix 6.11.6 of Chapter 6.*

10. *Vehicle accessways from lots facing onto Ryans Road shall be limited to one.*

11. *The Ryans Road building heights and setbacks shall apply to Lots 68-70 along the Grays Road frontage.*

12. *A Landscape Maintenance/Management Plan (coordinated with the adjacent waterway maintenance program along Ryans Road) shall be prepared and a requirement for each property to undertake consistently along Ryans Road and Grays Road.*

13. *The proposed location and number of street trees shall be in general accordance with 'Proposed Landscape Concept Plan', dated 07/03/2025, in the 'Landscape and Visual Impact Assessment' and the tree species shall be approved by the CCC Arborist.*

Appendix 10 – Waterbody Ecology – **Katie** Kerr

BEFORE THE FAST-TRACK EXPERT PANEL

AT CHRISTCHURCH

IN THE MATTER	of the Fast-track Approvals Act 2025
AND	
IN THE MATTER	of applications for Ryans Road Industrial Area [FTAA-2504-1054]

EVIDENCE OF KATIE KERR FOR COMMENTS BY CHRISTCHURCH CITY COUNCIL

Dated: 15 September 2025

Christchurch City Council
53 Hereford Street, Christchurch, 8011
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INTRODUCTION

1. My full name is Katie Louise Kerr. I am the Principal Waterways Ecologist at Christchurch City Council (CCC or Council). I have been requested by the Council to provide expert evidence for the Council's comments on the Ryans Road Industrial Area fast track application numbered [FTAA-2504-1054] (the application).

2. I hold a Bachelor of Science degree (majoring in Earth Science) and a Master's of Science degree in Biology. Both from the University of Waikato. I am a member of the Freshwater Sciences Society.

3. I have 12 years' experience working as an ecologist in consultancies, and regional and local councils, within New Zealand. I have been at CCC for 6 years'. My work is centered on the Council's waterway ecology monitoring and research programme, and providing advice on ecological effects on waterways and how to improve waterbody health.

Code of conduct

6. Although this is not an Environment Court hearing, I have read the Code of Conduct for Expert Witnesses (contained in the Environment Court Practice Note 2023) and agree to comply with it. Except where I state I rely on the evidence of another person, I confirm that the issues addressed in this statement of evidence are within my area of expertise, and I have not omitted to consider material facts known to me that might alter or detract from my expressed opinions.[1]

Documents reviewed

7. In preparing this evidence, I have reviewed the following documents:

    - Waterways and Wetlands Assessment (Appendix 08 of application).

- Paparua Water Race Scheme: 2022 Ecological Surveys (EOS Ecology).
- Landscape and visual assessment (Appendix 11 of the application);
- Updated plans (Provided 27/05/2025); and
- Combined Land Use and Subdivison Consent application (dated 28 April 2025).

EVIDENCE

8. This report addresses the aquatic ecology impacts of a 55 hectare industrial subdivision at 104 Ryans Road, Christchurch under the fast track approval act. This activity potentially affects the Paparua Water Race located along the southern edge of the site and meets the definition of a network waterway under the Christchurch District Plan.

9. Intrusions from individual buildings and works on individual lots into the Paprua Water Race setback may require future resource consent. However, the assessment below is limited to the effects of the subdivision and does not include effects of possible future resource consent applications.

10. To assist the Panel with terms used in my evidence, I refer to the following abbreviations when referencing provisions:

SDC – Selwyn District Council

PDP – Pattle Delamore Partners

11. The applicant proposes to change the land blocks at 104 Ryans Road from rural zoning to industrial subdivision. This assessment covers the potential effects of this proposal on the aquatic ecology values on the Paparua Water Race.

12. A Waterways and Wetland Assessment was undertaken by PDP provided with the application. The assessment covered a desktop assessment of aquatic ecology values at the site. The assessment stated the Paparua Water Race are artificial waterways, however many long-standing race networks have established aquatic ecology values over time. The assessment concluded that

there are no natural surface water features on or within 100m of the site and the channel may contain limited aquatic values which facilities the piping of 840m of the Paparua Water Race. I disagree with this conclusion, as I consider the filling and permanent loss of 840m of waterway will be a significant loss, as the habitat and biota provide ecological value, which is a provision of the Christchurch District Plan.

13. In 2022, Council, along with SDC commissioned EOS Ecology to undertake aquatic ecology surveys of the Paparua Water Race network. This provided both councils with high level information on the values of the Paparua Water Race Network. This is the only known surveys of aquatic ecology values near the 104 Ryans Road site.

14. No site surveys were undertaken to inform the application. Any desktop records are not within the site itself and it is recommended the applicant undertake field surveys within the site. This is discussed below.

15. The Paparua Water Race is owned and operated by Selwyn District Council, however this section of water race is located within the Christchurch District. The Paparua Water Race sources water from the Waimakariri Intake and provides water to the surrounding areas. The Paparua Water Race in this location is a significant source of flow to the headwaters of the Ōtākaro - Avon River. Conversations with SDC have confirmed they have no intention of closing this section of the water race.

16. Based on my own site visit, and desktop information, I consider the section of Paparua Water Race is a perennial waterway, meaning it contains water permanently, and provides a range of habitat features such as earth banks, undercut banks, and native macrophytes that all provide habitat for a range of aquatic fauna such as native fish and invertebrates.

17. I have had discussions with Michele Stevenson (Senior Scientist – Environment Canterbury) around the potential effects of the development on the Paparua Water Race and we both disagree that the piping of 840m would have less than minor effects.

18. After initial feedback to the applicant, the application was updated to keep the Paparua Water Race open throughout the length of the site. This is considered a good outcome. Updated drawings were submitted showing the waterway kept open and indicative locations of proposed culvert crossings into the site. The updated drawings did not contain information on the level of intrusion into the 5m setback. I consider the number of culvert crossings should be reduced, with access to lots being from the internal roads instead of directly off Ryans Road to reduce overall number of culverts. I also consider the plans should be updated to show widths of proposed landscaping.

19. Subsequent meetings with Council staff, SDC staff and the application, detailed the widening and upgrade of Ryans Road will also be required as part of this development. Any intrusion into the 5m setback of the Paparua Water Race needs to be adequality mitigated. I consider that the proposal shall address these intrusions through earthworks and increase in impervious area through providing an adequate level of riparian planting along both banks of the Paparua Water Race.

20. Effective mitigation in the form of landscaping would require a sufficient planted riparian margin. This shall consist of local, eco-sourced native species, appropriate for riparian margin planting and contain a mix of smaller shrubs (such as carex) and larger shrubs and trees to provide adequate shade and habitat. Increased levels of shade will also reduce the macrophyte growth in the channel and over time, reduce the need for frequent channel maintenance. This maintenance is currently undertaken by SDC.

21. The number of culvert crossings should be reduced and any culverts installed need to be in accordance with the New Zealand Fish Passage Guidelines and meet SDC requirements.

22. Further information I consider that should be provided by the applicant, or addressed through conditions of consent include:

    - An updated landscape plan showing sufficient riparian planting;
    - Updated engineering drawings showing level of intrusion within the 5m

setback;

- Site specific surveys of aquatic ecology values, this should also include targeted searches for freshwater mussels (kākahi) to inform locations of culvert crossings. Any culvert crossings shall be designed around any potential freshwater mussel populations as to not disturb or remove these at-risk species.

CONCLUSION

23. From an aquatic ecology perspective, I consider that the Paparua Water Race in this location has value and should be enhanced as part of development. As the proposal currently stands, I consider the effects are more than minor, however, I have recommended a range of conditions below that, in my opinion, will adequately mitigate the effects.

    - The consent holder shall engage a suitable qualified and experienced freshwater ecologist to undertake surveys of aquatic ecology values in the 840m of water race adjacent to the site. This shall included targeted searches for freshwater mussels (kākahi). Results shall be entered into the NZ Freshwater Fish Database and supplied to the Council's Waterways Ecologist Planner by way of email to rcmon@ccc.govt.nz.
    - The Consent Holder shall engage a suitably qualified freshwater ecologist to oversee design and construction of works within 5m of the water race and to undertake fish salvage. This shall include providing guidance on culvert location and installation. Results shall be entered into the NZ Freshwater Fish Database and supplied to the Council's Waterways Ecologist Planner by way of email to rcmon@ccc.govt.nz. Written confirmation of the freshwater ecologist's involvement shall be provided to Christchurch City Council Surface Water and Land Drainage Planner and the Waterways Ecologist, by way of email to rcmon@ccc.govt.nz.
    - Works within waterways and within 5m of the banks, including physical in-stream works, erosion and sediment control measures, and fish salvage requirements, must be in accordance with the National works in waterways guideline: Best practice guide for civil infrastructure works

and maintenance (Ministry for the Environment, 2021) and CCC guidance https://ccc.govt.nz/assets/Documents/Consents-and-Licences/construction-requirements/Construction-Environmental-Management/Fish-Salvage-Guidance-for-Works-in-Waterways.pdf.

- Construction on site shall not commence until a landscape and waterway design plan for the Paparua Water Race is submitted and approved by the Christchurch City Council Waterways Ecologist. The planting plan shall:
    - Provide adequate screening of the development and provide ecological value to the waterway;
    - Be in accordance with the updated Christchurch City Council riparian planting guide provided in the Appendix below;
    - Include a mix of small shrubs and taller trees to provide shading and range of habitat to the waterway;
    - No plastic or other non-biodegradable material shall be used for any landscaping works within the setback; and
    - Consist of native and locally sourced species, and not species that have high leaf fall.

Dated September 2025

Katie Kerr

APPENDIX 1 – Christchurch City Council Waterway Planting Guide

True Riparian - wet edge			
Species	**common name**		**notes**
Apodasmia similis	jointed wire rus/ oioi	rush	saline to freshwater
Astelia grandis	swamp astelia	swamp lily	freshwater
Bolboschoenus caldwellii	marsh clubrush	rush	brackish to freshwater
Carex buchananii	tussock sedge	sedge	freshwater
Carex dissita	tussock sedge	sedge	freshwater
Carex flagellifera	tussock sedge	sedge	freshwater
Carex littorosa	saline tussock sedge	sedge	strictly saline
Carex maorica	tussock sedge	sedge	freshwater
Carex secta	pukio	sedge	brackish to freshwater
Carex sinclarii	sward sedge	sedge	freshwater
Carex virgata	tussock sedge	sedge	freshwater
Cyperus ustulatus	giant umbrela sedge	sedge	freshwater
Eleocharis acuta	spike sedge	rush	freshwater
Juncus distegis	rush/ wiwi	rush	freshwater
Juncus edgariae	common rush/wiwi	rush	brackish to freshwater
Juncus krausii var australiensis	sea rush/wiwi	rush	strictly saline
Juncus pallidus	giant rush/wiwi	rush	freshwater
Juncus sarophorus	rush/wiwi	rush	brackish to freshwater
Machaerina rubiginosa	baumea	rush	freshwater
Parablechnum minus	swamp kiokio	fern	freshwater
Phormium tenax	harakeke/ flax	lily	brackish to freshwater
Schoenoplectus tabernaemontani	lake clubrush	rush	brackish to freshwater
Schoenus pauciflorus	bog rush	rush	freshwater
Thypha orientalis	raupo	rush	brackish to freshwater
Thyridea linearifolia	swamp nettle	vine	brackish to freshwater

Occasionally wet bank/terrace			
Species	**common name**		**notes**
Austoderia richardii	toetoe	grass	
Carex geminata	rautahi	sedge	not shade tolerant
Coprosma propinqua	mingmingi	shrub	
Coprosma robusta	karamu	shrub	
Cordyline australis	tikouka	tree	
Coriaria arborea	tree tutu	shrub	poisonous
Dacrycarpus dacrydioides	kahikatea	tree	
Eleocarpus dentatus	hinau	tree	
Eleocarpus hookerianaus	pokaka	tree	
Histiopteris incisa	water fern/ matata	fern	
Hypolepis ambigua		fern	

Occasionally wet bank/terrace			
Species	**common name**		**notes**
Leptospermum scoparium	manuka	shrub	
Lophomyrtus obcordata	rohutu	shrub	
Paesia scaberula	matata/lace fern	fern	
Phormium tenax	harakeke/ flax	lily	saline to brackish
Plagianthus divaricatus	salt marsh ribbonwood	shrub	saline to brackish
Plagianthus reguis	manatu	tree	
Pteridium esculentum	bracken/rauaruhe	fern	
Schelefera digitata	seven-finger/pate	shrub	frost sensitive
Veronica salicifolia	koromiko	shrub	

Dry bank/terrace			
Species	**common name**		**notes**
Anementhele lessoniana	wind tussock	grass	
Aristotelia serrata	wineberry/makomako	tree	
Asplenium gracillimum	hen and chickens fern/ manamana	fern	under canopy/shelter
Astelia fragrans	bush flax/ kakaha	lily	
Blechnum chambersii	lance fern/nini	fern	under canopy/shelter
Blechnum discolor	crown fern/piupiu	fern	under canopy/shelter
Blechnum fluviatile	kiwakiwa	fern	under canopy/shelter
Blechnum novae-zealandiae	kiokio	fern	under canopy/shelter
Carpodetus serratus	putaputaweta	tree	
Clematis foetida	yellow clematis	vine	
Clematis paniculata	puawhananga	vine	
Coprosma linariifolia	yellow wood	shrub	
Coprosma robusta	karamu	shrub	
Coprosma rotundifolia	round-leaved mikimiki	shrub	
Coprosma virescens	mikimiki	shrub	
Cordyline australis	cabbage tree/tikouka	tree	
Corokia cotoneaster	korokia	shrub	
Cyathea smithii	soft tree fern/katote	fern	frost sensitive
Dacrycarpus dacrydioides	kahikatea	tree	
Eleocarpus hookerianaus	pokaka	tree	
Fuchsia excorticata	kotukutuku/ tree fuchsia	tree	frost sensitive
Griselina littoralis	broadleaf/kapuka	tree	
Hoheria angustifolia	narrow leaved lacebark/houhi	tree	
Hypolepis millefolium	thousand leaved fern	fern	
Hypolepis rufobarbata		fern	
Lophomyrtus obcordata	rohutu	shrub	
Melicope simplex	poataniwha	shrub	
Melicytus ramiflorus	whitey wood/mahoe	tree	frost sensitive
Microlaena avenacea	bush rice grass	grass	under canopy/shelter

Dry bank/terrace			
Species	**common name**		**notes**
Microlaena polynoda	bamboo rice grass	grass	under canopy/shelter
Microsorum pustulatum	hounds tounge	fern	under canopy/shelter
Myrsine australis	red mapou	shrub	
Myrsine divaricata	weeping mapou	shrub	
Neomyrtus pedunculata	shrubby rohutu	shrub	
Parsonsia heterophylla	native jasmine/akakaikiore	vine	
Pennantia corymbosa	kaikamoko	tree	
Piper excelsum	kawakawa/pepper tree	shrub	frost sensitive
Pittosporum eugenoiodes	tarata/ lemonwood	tree	
Pittosporum tenuifolium	kohuhu/ black matipo	tree	
Plagianthus regius	ribbonwood/manatu	tree	
Podocarpus totara	lowland totara	tree	
Polysticum oculatum	hard shield fern/tutoke	fern	under canopy/shelter
Polysticum vestitum	prickly shield fern, tutoke	fern	
Prumnopitys taxifolia	matai	tree	
Pseudowintera colorata	horopito/ pepperwood	shrub	
Pseudopanax arboreus	5 finger	tree	
Pseudopanax crassifolia	horoeka/lancewood	tree	
Rubus cissoides	bush lwayer	vine	
Rubus schmidelioides	bush lwayer	vine	
Schefflera digitata	pate/ seven-finger	tree	frost sensitive
Sophora microphylla	South Island kowhai	tree	
Teucridium parvifolium	native verbena	shrub	
Uncina clavata	hooked sedge	sedge	
Uncina leptostachya	hooked sedge	sedge	
Veronica salicifolia	koromiko	shrub	

Appendix 11 – Avifauna – Andrew Crossland

BEFORE THE FAST-TRACK EXPERT PANEL

AT CHRISTCHURCH

IN THE MATTER	of the Fast-track Approvals Act 2025
AND	
IN THE MATTER	of applications for Ryans Road Industrial Area [FTAA-2504-1054]

EVIDENCE OF ANDREW CHARLES CROSSLAND FOR COMMENTS BY CHRISTCHURCH CITY COUNCIL

Dated: 15 September 2025

Christchurch City Council
53 Hereford Street, Christchurch, 8011
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INTRODUCTION

1. My full name is Andrew Charles Crossland. I hold a first class BA (Hons) degree. I am employed by Christchurch City Council (CCC or Council) as a Professional Ornithologist/Ecologist, and I am engaged to provide expert evidence for the Council's comments on the Ryans Road Industrial Area fast track application numbered [FTAA-2504-1054] (the application).

3. I have 40 years' experience as an ornithologist In Christchurch-Canterbury and 29 years' direct involvement with bird strike issues around Christchurch International Airport. I also have two years' experience monitoring birdlife at Changi International Airport, Singapore.

4. I have appeared as an expert witness on Christchurch Airport bird strike issues on more than five previous occasions since 1998.

5. I have acted as a liaison between Christchurch City Council and the Wildlife Management Team at Christchurch Airport for over 25 years.

Code of conduct

6. Although this is not an Environment Court hearing, I have read the Code of Conduct for Expert Witnesses (contained in the Environment Court Practice Note 2023) and agree to comply with it. Except where I state I rely on the evidence of another person, I confirm that the issues addressed in this statement of evidence are within my area of expertise, and I have not omitted to consider material facts known to me that might alter or detract from my expressed opinions.

Documents reviewed

7. In preparing this evidence I have reviewed the following documents:

   7.1 Avifauna Hazard Management – 104 Ryans Road. Memorandum by L Civil, Pattle Delamore Partners Ltd (PDP). 7 March 2025.

   7.2 Fast-Track Approval – Resource Consent Applications & Wildlife Permit prepared for Carter Group Ltd. Novo Group. April 2025.

7.3 CIAL Wildlife Hazard Management Plan (WHMP)

7.4 CCC Ryans Road and Pound Road bird monitoring data 2024-25.

SUMMARY OF EVIDENCE

8. My evidence addresses the risk of bird strike associated with the proposed Ryans Road Industrial Area development. Bird strike is a significant hazard around Christchurch International Airport. Land clearance and exposure of bare substrates can strongly attract bird species identified as strike risks in the airport's Wildlife Hazard Management Plan. Recent experience at the adjacent airport solar farm demonstrates this risk, with large influxes of such species following site disturbance. Without careful planning, habitat management, and timing controls, the Ryans Road development could create serious bird strike hazards for Christchurch International Airport. Proactive prevention is essential, rather than reactive management once birds arrive.

EVIDENCE

9. My statement of evidence generally addresses the following matters:

(a) Bird Strike Risk

(i) Bird Strike Risk potentially caused by land clearance, vegetation removal, road formation and site levelling.

(ii) Bird Strike Risk potentially caused during construction of buildings and infrastructure.

(iii) Ongoing Bird Strike Risk potentially caused following completion of the development.

(iv) Timing of works in relation to birdlife.

10. I address each of these points in my evidence below.

11. Bird strike - the collision between birds and aircraft in flight - is a well-known hazard around Christchurch International Airport and I expect that the Airport Company (CIAL) will provide detailed evidence on this topic.

12.

13. I wish to reinforce the seriousness with which bird strike risk should be considered in relation to the proposed Ryans Road Industrial Area development. This is because of the location of the development in very close proximity to the airport's runway, and because of the potential for the development to generate movement of birds from other locations in the wider environs to fly to the Ryans Road site. Such movements may involve birds choosing flight lines and altitudes that intersect with aircraft arriving or departing from the airport.

14. I will speak first about the bird strike risk that may potentially be caused by pre-works land clearance, vegetation removal, road formation and site levelling. Although of relatively short duration, my assessment is that these landscape modifications may heighten bird strike risk unless mitigations are carefully planned for. My reading of the Avifauna Hazard Management assessment prepared by PDP is that these risks have been significantly under-assessed and sufficient planning has not been detailed.

15. Both waterbird and land bird species identified as bird strike risk species by CIAL in their Wildlife Hazard Management Plan (WHMP) are attracted to sites where bare substrates occur. This happens when grass or taller vegetation is removed, when ground is dug up, ploughed or scraped, and when material such as top-soil, stones, gravel or mulch is laid down.

16. Large-scale land clearance and exposure of bare substrates has recently occurred across the 300+ ha site of the airport's new solar farm along Pound Road and on other land around the airport. These works commenced in approximately June this year and have continued into September. This land clearance has attracted many bird species identified by CIAL in their Wildlife Hazard Management Plan as imposing potential bird strike threat. My observations at the Pound Road section of the solar farm have included records of Southern Black-backed Gull, Black-billed Gull, Black-fronted Tern, South Island Pied Oystercatcher, Spur-winged Plover, Banded Dotterel, Pied Stilt, Paradise Shelduck, Mallard, Harrier, White-faced Heron, Rock Pigeon, Magpie, Starling, Skylark, and flocks of finches. The majority of these bird strike species (and a notable increase in overall bird abundance) were only detected at this site when the large expanse of bare substrate became available as habitat.

17. The influx of birds to CIAL's solar farm is a highly relevant precedent for what should be anticipated at the Ryans Road site during the land clearance phase. I note that the sites are only 300m apart and birds in the environs of the airport are now habituated to occupying bare open ground.

18. To assist all parties with gathering data on birdlife using the Ryans Road site and environs, I have undertaken bird surveys along Ryans Road, Grays Road and nearby parts of Pound Road between April 2024 and September 2025. This information is publicly available on the eBird website.

19. I have recorded 32 bird species: Southern Black-backed Gull, Black-billed Gull, Black-fronted Tern, Pied Oystercatcher, Spur-winged Plover, Paradise Shelduck, Mallard, Harrier, Pukeko, White-faced Heron, Rock Pigeon, California Quail, Pheasant, Little Owl, NZ Kingfisher, Magpie, Starling, Skylark, Welcome Swallow, Silvereye, Fantail, Grey Warbler, New Zealand Pipit, Dunnock, Blackbird, Song Thrush, Greenfinch, Goldfinch, Redpoll, Chaffinch, House Sparrow and Yellowhammer.

20. I note that PDP ecologists only recorded 14 bird species (probably in fact 13 as their record of an extremely rare Long-tailed Cuckoo is probably an error). This is less than half (40%) the number of species I have recorded (32) and their assessment missed most of the bird-strike species that have now been recorded. This reveals the problem with an avifauna hazard assessment that was based on a desk top review and a few hours on single day (27 November 2024) actually on site and observing birdlife.

21. My assessment is that many of the bird species observed over the site and over adjacent land potentially pose a risk to aircraft, particularly the larger-bodied birds and/or those that fly in flocks. And the movement of birds to the Ryan Road side, from the airport solar farm area and from sources areas to the south, west and north increase the risk.

22. It is highly foreseeable that some of these bird strike species will be attracted to the Ryans Road site and will fly to and from the site along flightlines that intersect with aircraft taking off or landing at the southern end of the main runway.

23. My recommendation is that the developer take measures to limit the extent of open bare substrate, shallow ephemeral ponding and other habitat features

that may attract birds during the construction phase.

24. This needs to involve careful planning around the extent and visibility of habitat available for birds.

25. The developer should consider options for avoiding attracting birds to the site rather than developing measures to deal with them once they arrive. Scaring birds away from the site will put frightened, erratically flying birds into the path of aircraft. Culling birds would be both problematic in its operation and urgent timing, and unlawful (or at least pushing the limits of acceptable of public licence) if it involved protected native birds or protected introduced gamebirds.

26. Turning to Bird Strike Risk potentially caused during construction of buildings and infrastructure. I believe the risk will be lower once there is a lot of construction activity on site and many workers, vehicles and machines. Following on from my recommendations in 23 & 24 above, there would still need to be a careful plan in place to minimize the attractiveness of the site to larger-bodied and flocking birds.

27. With regards ongoing Bird Strike Risk potentially caused following completion of the development. I understand CIAL will have the opportunity to provide guidance on this as part of their comments and their Wildlife Hazard Management Plan (WHMP). I will defer to their expertise on this.

28. I understand that the surface area of water in each basin during a 2% AEP event will be less than 1000m^2 (999m^2), but the overall size of each basin is 1,156m^2 . From my experience, a pond with an area of 300m^2 will attract birds and a pond of 1000m^2 can certainly be expected to do so. Birds will use both the pond itself and the margins. The mere existence of ponded water acts as a magnet for birds to settle, roost and feed. Within the context of this site, I would anticipate that species such as Black-backed Gulls, Black-billed Gulls, Spur-winged Plovers, Paradise Shelduck, Grey Teal, Mallards, Canada Geese, Feral Pigeons, Starlings and many smaller passerine species could be potentially attracted to this site for the advised short duration that it will hold water or have a saturated bed.

29. Finally, I'd like to address timing of works in relation to birdlife. A observation I have made in relation to the development of the Airport's solar farm is that land

clearance and construction have occurred during the late winter and spring periods. This is when many migrant wetland birds are returning from distant wintering grounds and are searching both for foraging areas and for nesting grounds. At that time of year, birds are ranging far and wide and easily attracted to disturbed or scraped ground that resembles either the muddy edges of waterbodies or dry riverbed. My recommendation is that the Ryans Road development should not occur during this time.

30. An additional reason is that many of the bird species involved are legally protected native bird species, some being classified as ‘at-risk’ or ‘threatened’. It is unlawful to disturb the nesting of these species (NZ Wildlife Act 1954, S63(1c). Wildlife permits to allow culling of protected bird species will likely take much longer to process than the urgency of the situation

31. Ground clearance, vegetation removal, ground scraping activities, etc, should therefore occur outside the bird breeding season. The breeding season for birds in this area lasts from late July to mid-February. This means the best time to undertake initial works at the site is from late February to the end of June.

CONCLUSION

32. I consider that:

(a) the concerns as outlined in my evidence require careful consideration as the site is very close to the main runway at Christchurch International airport.

(b) The hazard management plans and associated conditions are revised to address the above assessment including:
i. the wider range of diversity bird species associated with the site;
ii. avoiding works during the breeding season
iii. a greater focus on prevention of birds establishing on the site.
the design of stormwater facilities.

Dated September 2025

A. C Crossland

Appendix 12 – Herpetology – **Christine** McClure

BEFORE THE FAST-TRACK EXPERT PANEL

AT CHRISTCHURCH

IN THE MATTER	of the Fast-track Approvals Act 2025
AND	
IN THE MATTER	of applications for Ryans Road Industrial Area [FTAA-2504-1054]

EVIDENCE OF CHRISTINE JOANNA McCLURE FOR COMMENTS BY CHRISTCHURCH CITY COUNCIL

Dated: 15 September 2025

Christchurch City Council
53 Hereford Street, Christchurch, 8011
PO Box 73016, Christchurch, 8154
Solicitor: BK Pizzey
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INTRODUCTION

1. My full name is **Christine Joanna McClure**. I hold a Bachelor of Science in Ecology and Conservation (First Class Honors) and am currently employed by the Christchurch City Council as an Ecologist/Herpetologist. I have over 16 years of professional experience in the field of herpetology in New Zealand. In my current role, I provide specialist ecological advice on the management of herpetofauna and broader ecosystem functions across Christchurch and Banks Peninsula.
   I have reviewed the Ryans Road Industrial Area fast-track application (Reference: FTAA-2504-1054), and my comments are provided below.

Code of conduct

2. Although this is not an Environment Court hearing, I have read the Code of Conduct for Expert Witnesses (contained in the Environment Court Practice Note 2023) and agree to comply with it. Except where I state I rely on the evidence of another person, I confirm that the issues addressed in this statement of evidence are within my area of expertise, and I have not omitted to consider material facts known to me that might alter or detract from my expressed opinions.

Documents reviewed

3. In preparing this evidence I have reviewed the following documents:
   - 3.1. RMA20251208 Minute 3 – Invite to Comment 18 August 2025
   - 3.2. RMA20251208 – 104 Ryans Road updated Lizard Management Plan (15 August 2025)
   - 3.3. DOC Second Memo to Convener – Ryans Road v0.1
   - 3.4. Appendix 1 – DOC correspondence on release site of lizards – Ryans Road_redacted

EVIDENCE

4. Following a comprehensive review of the herpetological documentation associated with the Ryans Road Industrial Area Fast-track Application (FTAA-2504-1054), and in consideration of relevant statutory and policy frameworks, I provide the following summary of my professional opinion.

5. The Lizard Management Plan (LMP) - 104 Ryans Road, was written and developed by Lachie Davidge of Pattle Delamore Partners Ltd. He stipulates that a number of species need to be considered prior to the development of this site, including McCann's skink (*Oligosoma maccanni*), Waitaha gecko (*Woodworthia cf. brunnea*), and Jewelled gecko (*Naultinus gemmeus*). The LMP also identifies the Northern grass skink (*Oligosoma polychroma*) as potentially present within the project area, this species is not found in Canterbury. This likely occurred due to a misinterpretation of historical database records as this species would likely be the Southern grass skink (*Oligosoma aff. polychroma*, Clade 5). However, the inclusion of a species risk assessments and reference to DOC BioWeb data demonstrate an effort to align with national standards and ecological databases.

6. Furthermore, the likelihood of encountering arboreal or crevice-dwelling species such as Waitaha and Jewelled geckos is low (but should not be excluded in initial survey efforts) due to unsuitable habitat and historical land use at this site.

7. PDP's LMP identifies and documents a salvage and relocation plan for this project, reflecting a good understanding of the need to mitigate ecological impacts. I agree that the proposed release site at Gray's Road Stormwater Management Area (LOT 200) is suitable for the relocation of up to 100 terrestrial skinks, provided grazing has been removed, adequate growth of exotic/rank grass is present, and enhancement works are completed in a timely manner prior to translocation.

8. The plans provided, identify that PDP aim to include appropriately selected native plant species, woody debris, and rock piles that contribute to habitat complexity, food availability and refuge. Once established these features would be expected to support a viable population of terrestrial skinks.

9. As stated in the LMP the applicant's commitment to long-term protection of the site including covenanting in perpetuity is a strong mitigation measure. However, the absence of a clear timeline for enhancement works remains as a concern.

10. The Grays Road lizard release location is referred to in PDP's report as a Stormwater Management Area (LOT 200). I have made the assumption, which would likely need to be confirmed that the land on which the lizard habitat is to be built will be unaffected by flooding. If this is the case I agree that the location is suitable.

11. PDP's proposed salvage and relocation plan incorporates the need for habitat enhancement and refuge creation, which is consistent with DOC's Key Principles. However, unless enhancement works have begun at this location the lack of pre-relocation habitat readiness does not fully align with the Department of Conservation's Key Principles for lizard salvage and transfer. Best practice recommends a minimum of 1–2 years for habitat establishment prior to translocation, which does not appear to have been accounted for in the current plan.

CONCLUSION

12. In conclusion, I consider the following

    a. In the absence of a clearly defined timeframe for habitat enhancement at the proposed lizard release site located at Gray's Road, concerns remain regarding the site's suitability and the likely success of the relocation effort.

    b. For any lizard relocation to be ecologically viable, the receiving site (whether comprising of existing exotic rank grassland or newly established native vegetation) must provide adequate resources and refuge prior to release. Without these essential habitat features, lizards will be highly susceptible to predation and may experience injury or mortality due to insufficient shelter and foraging opportunities. These risks compromised both animal welfare and the overall success of the applicant's proposal. I support the Department of Conservation's (DOC) position outlined in their memorandum dated 22nd July

2025, which states which states that the site would meet their standards for a suitable lizard release location only if all recommended mitigation measures are fully implemented and approved by DOC. These measures include:

i. *Immediate cessation of grazing to allow grass growth and the development of sufficient biomass (i.e., thatching at the base of grass sward).*
ii. *Completion of restoration planting prior to lizard release, to enable habitat establishment and regrowth of exotic grass cover.*
OR
iii. *If lizards are to be released before planting is complete, the release should be staged to ensure the continuous availability of viable, safe habitat.*
iv. *Maintenance of rank grass should be limited to 'releasing' around the base of new native plantings, while retaining large areas of exotic rank grass to preserve viable lizard habitat.*

c. Provided that the proposed release area is not subject to stormwater inundation, the selected site appears suitable. However, as the area is referred to as a "Stormwater Management Area (Lot 200)" in the PDP report, this assumption should be clarified to avoid future uncertainty.

d. The conditions proposed by PDP for safe capture, relocation, and post-salvage reporting align with standard best practice methodology. I consider these to be appropriate and acceptable.

15/09/2025

X Christine McClure

Ecologist - Herpetologist
Signed by: mcclurec

Appendix 13 – Botany – Nicholas Head

BEFORE THE FAST-TRACK EXPERT PANEL

AT CHRISTCHURCH

IN THE MATTER	of the Fast-track Approvals Act 2025
AND	
IN THE MATTER	of applications for Ryans Road Industrial Area [FTAA-2504-1054]

EVIDENCE OF NICHOLAS JOHN HEAD FOR COMMENTS BY CHRISTCHURCH CITY COUNCIL

Dated: 15 September 2025

Christchurch City Council
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Introduction

1. My full name is Nicholas John Head. I am employed as the Senior Ecologist for the Christchurch City Council.

2. I am authorised to provide this evidence on behalf of the Council.

3. I have a Master of Science (Hons) degree in plant ecology from Lincoln University and a BSc with a double major in plant ecology and physical geography from the University of Canterbury. I have over 30 years' experience working as a plant ecologist throughout New Zealand.

4. Since 2017 I have been employed as the Senior Ecologist for the Council. For the previous 23 years I worked as a plant ecologist for the Department of Conservation (DOC), where I was responsible for the eastern South Island. Prior to that I worked for Landcare Research New Zealand Ltd as a botanist for the Rabbit and Land Management Programme and Semi-Arid Lands Programme, based in Alexandra.

5. I am very familiar with the ecological values of the Canterbury Region and those of the Christchurch District. From a practical perspective, I have extensive field experience assessing, researching, recording and reporting on botanical matters throughout New Zealand, with a particular focus on rare and threatened ecosystems and plant species in the eastern South Island. I have undertaken many botanical assessments ranging in size from greater than 40,000 hectares to less than one hectare.

6. I have a thorough understanding of ecological significance and its assessment context. I was part of Environment Canterbury's (ECan) ecologist working party to develop ecological significance criteria for the 2013 CRPS. I was also responsible for, and co-authored, the preparation of DOC's national guidelines for assessing significant ecological values[1].

7. I have been involved in three Protected Natural Area Programme (PNAP) surveys in Canterbury that used a standard scientific approach to assess significant ecological values across large areas. I have surveyed many sites that form the basis of Significant Natural Areas (SNAs) in district plans across the South Island, including many protection proposals that resulted in purchase of areas through successful applications to the Nature Heritage Fund (NHF).

[1] Davis, M.; Head, N. J.; Myers, S. C.; Moore, S. H. 2016. Department of Conservation guidelines for assessing significant ecological values. Department of Conservation, Wellington, 71p.

8. I have presented evidence on ecological matters in numerous hearings in Council hearings and the Environment Court, including for the Crown in the replacement Christchurch District Plan. In addition to my involvement in hearings, I offer a wide range of botanical and ecological advice to colleagues and the public. Over the years, I have published numerous articles on threatened plant species and ecosystems. Some of these articles can be found in the references section of this evidence.

9. I am a member of the Canterbury Botanical Society, NZ Ecological Society, and I am a long serving trustee on the Maurice White Conservation Trust (Hinewai).

Code of conduct

10. Although this is not an Environment Court hearing, I have read the Code of Conduct for Expert Witnesses (contained in the Environment Court Practice Note 2023) and agree to comply with it. Except where I state I rely on the evidence of another person, I confirm that the issues addressed in this statement of evidence are within my area of expertise, and I have not omitted to consider material facts known to me that might alter or detract from my expressed opinions.

Documents reviewed

11. In preparing this evidence I have reviewed the following documents:

12. The combined subdivision and land use consent application, prepared by Novogroup and dated April 2025.

Background

13. New Zealand has evolved a biologically unique flora and fauna owing to long periods of isolation from other land masses. The rate of endemism for New Zealand species (i.e., species that are found only in New Zealand) is remarkably high; 85% of plants, 45% of birds, 100% of land mammals and reptiles, and 90% of invertebrates are endemic to New Zealand[2].

[2] Ministry for the Environment & Department of Conservation 2000. The New Zealand Biodiversity Strategy.

14. Despite this, New Zealand has one of the worst records of indigenous biodiversity loss in the world. Some 22% of the New Zealand flora, 61% of birds, 83% of reptiles, and at least 5% of invertebrates are now directly threatened with extinction[3]. A higher proportion of New Zealand's invertebrate species are currently threatened with extinction than in any other country[4].

15. The loss of indigenous species and habitats has been most pronounced in lowland (sea level to 500m) and montane environments (between 500m and 900m). The dry eastern parts of the South Island, where the topography and climate have been particularly attractive for agricultural development, are among the areas that have been most susceptible to species and habitat loss. Indigenous ecosystems remaining have typically been reduced into small, highly fragmented and modified remnants that are poorly protected on private land, and this is certainly the case in the Christchurch District. On the Canterbury Plains, less than 0.5% of the land area remains in native cover[5].

16. Halting the decline of indigenous biodiversity is a matter of national importance. Councils have a core statutory responsibility to achieve this in managing Council reserve land, and on private land through advocating for indigenous biodiversity generally.

Ecological overview of the Christchurch District

17. The Christchurch District territorial boundary falls within two Ecological Regions (ER)[6] that correspond with the flat alluvial Canterbury Plains ("Plains ER"), and the volcanic hills of Banks Peninsula ("Banks ER"). The Banks ER comprises three Ecological Districts (ED)

Department of Conservation, Wellington, New Zealand.

[3] Hitchmough, R. (Comp.) 2002. New Zealand Threat Classification System Lists - 2002. Threatened species occasional publication 23 210 p. Department Conservation, Wellington.

[4] Bradshaw, C. J., Giam, X., & Sodhi, N. S. (2010). Evaluating the Relative Environmental Impact of Countries. PLoS One, 5(5), e10440, http://journals.plos.org/plosone/article?id=10.1371/journal.pone.0010440.

[5] Meurk, C. D.; Steven, J. 1996. Low and High Plains Ecological District, Plains Ecological Region, Canterbury. Department of Conservation unpublished report, Christchurch. 119 p.

[6] The ecological character of New Zealand is divided into areas of similar ecological character called Ecological Regions ("ER") by a scientific panel. ERs are subdivided into Ecological Districts ("ED") that differentiate finer scale patterns of climate, geology and landforms. There are 85 ERs and 268 EDs in New Zealand (McEwen 1987). The ED scale is the accepted framework that underpins ecological significance assessment criteria used to determine ecologically significant sites, such as the criteria outlined in the Canterbury RPS and the DOC assessment guidelines.

(Akaroa, Herbert and Port Hills ED), as does the Plains ER (Upper Plains, Low Plains and Ellesmere ED). The ED scale reflects the finer scale environmental variation and associated ecological differences that gives the Christchurch district its ecological character.

18. The corresponding land environments (LENZ)[7] broadly relate to the alluvial soils of the Waimakariri floodplain, the loess covered volcanic Banks Peninsula, and to a lesser extent the wetland areas associated with Te Waihora and coastal deposition at Kaitorete. At the broad scale (level I and II), these are classified as follows:

- F3 - Central Hill Country and Volcanic Plateau the volcanic hills of Banks Peninsula - vast majority of Banks Peninsula occurs within this LENZ.
- I3 - Central Poorly Drained recent soils = associated with old wetlands soils around the base of Bank Peninsula and Te Waihora.
- J2 - Central well-drained recent soils, Kaitorete spit, recent flood plain soils of the Waimakariri, Brooklands dunes, alluvial valley floors of major Banks Peninsula valleys
- N1 - Eastern South Island plains –alluvial gravels of the Canterbury Plains
- B3 - Central dry lowlands, small areas

19. Prior to human arrival, much of the Christchurch District supported diverse forest and wetland communities. Banks Peninsula was extensively covered in mostly podocarp (totara, matai, kahikatea) forest associations, with beech forest (red and black beech) dominating the wetter and cooler climate of the south-eastern areas of the Akaroa ED[8]. Shrublands, sub-alpine plant communities made up relatively minor proportions on the driest, highest and most exposed sites. Specialist plant communities occupied volcanic rock bluffs and coastal cliffs that are prominent features of the Peninsula's ecological character.

20. On the plains, prior to the construction of stop-banks in the 1940s, the active flood plain of the Waimakariri River was expansive. Numerous irregularly flooded channels spread gravels across the plains. These areas supported scrub, shrublands, silver and fescue tussock

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7 **Land Environments of New Zealand**. Land Environments ("L.E.") of New Zealand is a tool to provide a quantitative structural framework to help determine areas of similar ecological character throughout New Zealand. Based on national geomorphology and climate information, L.E. can predict the likely pre-human pattern of terrestrial ecosystems (patterns and gradients) and indigenous biodiversity. Four levels of detail are available, i.e., 20 (National-scale), 100, 200 or 500 (Regional to District-scale) environments (levels I, II, III and IV). Leathwick, J.; Wilson, G.; Rutledge, D.; Wardle, P.; Morgan, F.; Johnston, K.; McLeod, M.; Kirkpatrick, R. 2003. Land Environments of New Zealand. David Bateman, Auckland. 184p.

8 Wilson, H. 2013.

grasslands, bracken, and ephemeral riverbed plant communities, depending on age and flood return periods. Light forest (kowhai and kanuka) was the predominant cover where not regularly disturbed by flood events. Kahikatea swamp forest and wetlands occupied the poorly drained eastern fringe between the plain's alluvium and the coast. Coastal lagoons and swamps were also a prominent feature of Christchurch's ecological character, most notably the Avon Heathcote estuary, Brooklands lagoon, Wairewa and Te Waihora, with the latter extending inland to about Lincoln, forming extensive flax swamps that encircled Banks Peninsula.

21. Almost all the original ecosystems and associated native vegetation of the Christchurch District have been cleared for human settlement and agricultural development. Nothing is left of the original alluvial forests of the Canterbury Plains, with only scattered remnants of highly modified seral shrublands, grasslands and herbfields that have survived on the driest stoniest soils[9] typically on public land. Riccarton (Deans') Bush (~6 ha) is the only surviving remnant of the original plains swamp forest in the Christchurch district. The once extensive dunelands of Pegasus Bay are gone except for the immediate coastal edge where they are almost entirely colonized by exotic vegetation including conifer plantations. At Kaitorete Spit, however, remains one of the finest examples of a natural dune ecosystem remaining in New Zealand.

22. On Banks Peninsula, less than 1% of the original old growth forest remains, although the subsequent regeneration of scrub and forest on 'unproductive sites' has increased cover to about 15%[10.] Wetlands have been extensively drained and developed. Even coastal wetlands, internationally significant for wildlife, Brooklands Lagoon, the estuary and Te Waihora/Lake Ellesmere, have been substantially reduced in area and are severely affected by adjoining land use.

23. Up to 21 vascular plant species have become extinct on Banks Peninsula since the arrival of humans[11], with an untold number lost from the Canterbury Plains. A further 137 are listed as either Threatened or At Risk[12].

---

[9] Collectively all remnants on the Canterbury Plains comprise less than 0.5% of its area making it one of the most transformed landforms in the world (Steven and Meurk 1996).

[10] Wilson1992; Landcare Research Ltd 2015

[11] Wilson 1992.

[12] de Lange, P.J.; Gosden, J.; Courtney, S.P.; Fergus, A.J.; Barkla, J.W.; Beadel, S.M.; Champion, P.D.; Hindmarsh-Walls, R.; Makan, T.; Michel, P. 2024: Conservation status of vascular plants in Aotearoa New Zealand, 2023. New Zealand Threat Classification Series 43. Department of Conservation, Wellington. 105 p.

24. Owing to the extent of loss of indigenous species and habitats across the Christchurch District, almost all remaining indigenous ecosystems are significant when assessed in accordance with the criteria in the Canterbury Regional Policy Statement (CRPS)[13]. This is particularly so in lowland environments such as the plains, regardless of typically being modified, degraded, small and fragmented.

Ecological values of the application area

25. The proposed site for development at Ryans Road occurs in the N1 - Eastern South Island plains LENZ, which is associated with the alluvial gravels of the Canterbury Plains. This LENZ is classified as "Acutely Threatened"[14] which reflects the extreme levels of loss that has occurred across the "Low Plains Ecological District"

26. The vegetation of the site comprises almost entirely exotic 'pasture' species because of being highly modified from a long history of farming development. Native plant communities have long been removed through cultivation, over sowing, grazing etc.

27. Residual native plants occur along the Ryans Road boundary associated with the water race. These include relatively intact strips of bracken (*Pteridium esculentum*), several large clumps of water fern (*Blechnum minus*), and pukio (Carex 'secta). These scattered remnants are representative of the 'original' flora of the Low Plains ED[15] and are among those last vestiges of naturally occurring native vegetation remaining on the plain's alluvial soils. Given the context of extreme loss on the Canty Plains and associated N1 LENZ, they are notable remnants.

28. These remnants of native vegetation should be maintained and preferably enhanced, which could be achieved through planting and removing many of the weeds also present. The applicant is proposing to enhance the water race margins through planting appropriate species, which is supported.

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[13] https://www.ecan.govt.nz/document/download?uri=2075337

[14] Walker, S.; Cieraad, E.; Barringer, J. 2015. The Threatened Environment Classification for New Zealand 2012: a guide for users. Landcare Research, 27 p. Landcare Research New Zealand ltd, Dunedin.

[15] The black maps describe much of the area as "fernland" which was bracken.

29. The turnip rooted geranium (*Geranium retrorsum*) has been recorded outside the development site on the Ryans Road berm. This species has a threat rank of nationally vulnerable[16]. The applicant's proposal to remove and translocate this species is supported so long as its survival is ensured post removal and re-planting.

CONCLUSIONS

30. The Christchurch District has experienced severe indigenous biodiversity loss, particularly across the Canterbury Plains where less than 0.5% of native ecosystems remain. Within this context, even small remnants of native vegetation have ecological significance.

31. At the Ryans Road site, residual native species such as bracken, water fern, and pukio, along with the nationally vulnerable turnip-rooted geranium, are representative of the original flora of the Low Plains Ecological District. Their retention and enhancement are important given the wider pattern of loss.

32. The applicant's proposed measures, including riparian planting, and translocation of turnip rooted geranium, is appropriate and supported. The effectiveness of these measures will ultimately determine the extent to which ecological effects are avoided, remedied, or mitigated.

Dated September 2025

[16] de Lange, P.J.; Gosden, J.; Courtney, S.P.; Fergus, A.J.; Barkla, J.W.; Beadel, S.M.; Champion, P.D.; Hindmarsh-Walls, R.; Makan, T.; Michel, P. 2024: Conservation status of vascular plants in Aotearoa New Zealand, 2023. New Zealand Threat Classification Series 43. Department of Conservation, Wellington. 105 p.

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Wilson, H. D. 1992. Banks Ecological Region. Survey report for the New Zealand Protected Natural Areas Programme, Survey Report No 21. Canterbury Conservancy, Department of Conservation, Christchurch, New Zealand

APPENDIX 1

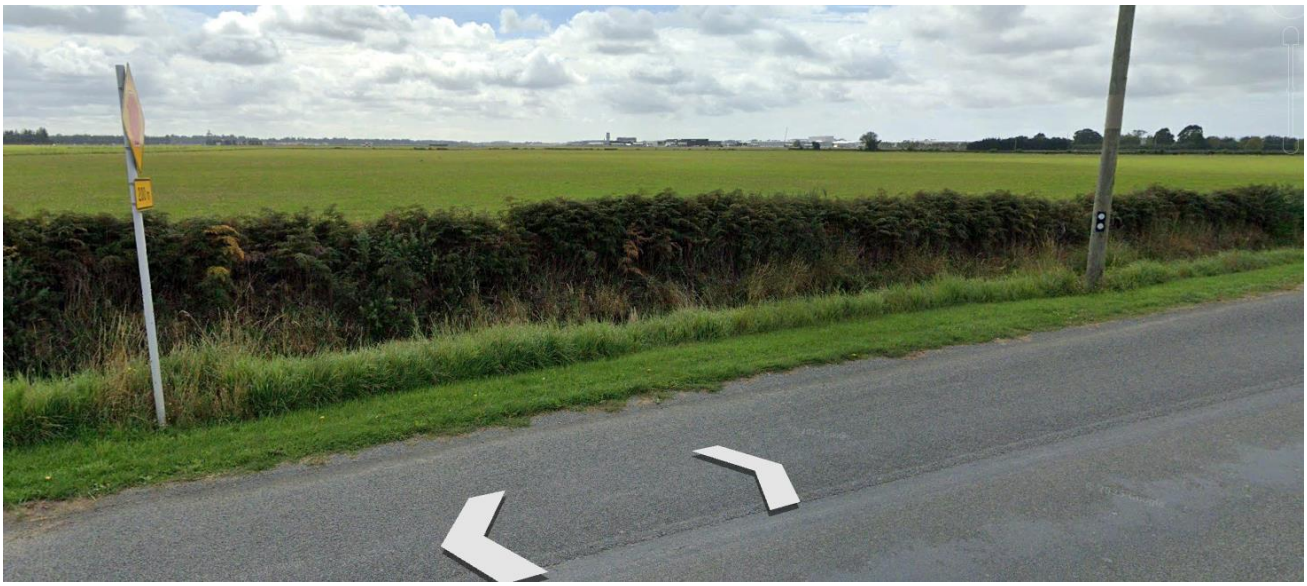

Figure 1: 'intact' strip of bracken along Ryans Road water race

Figure 2: large clumps of water fern (Blechnum minus) along Ryans Road water race

Appendix 14 – Environmental Health – Kirsten Rayne

BEFORE THE FAST-TRACK EXPERT PANEL

AT CHRISTCHURCH

IN THE MATTER	of the Fast-track Approvals Act 2025
AND	
IN THE MATTER	of applications for Ryans Road Industrial Area [FTAA-2504-1054]

EVIDENCE OF KIRSTEN ELIZABETH RAYNE FOR COMMENTS BY CHRISTCHURCH CITY COUNCIL

Dated: 15 September 2025

Christchurch City Council
53 Hereford Street, Christchurch, 8011
PO Box 73016, Christchurch, 8154
Solicitor: BK Pizzey
Tel: [redacted]
Email: Brent.Pizzey@ccc.govt.nz

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INTRODUCTION

1. My full name is **Kirsten Elizabeth Rayne**. I hold a Bachelor of Science degree in Geography from Canterbury University, and a Graduate Diploma in Environmental Health from Massey University. I am currently employed by the Christchurch City Council as a Senior Environmental Health Officer and have more than 13 years of experience in the environmental health field. In this role, I provide specialist planning advice on public health related matters such as noise and soil contamination. I have reviewed the Ryans Road Industrial Area fast track application numbered [FTAA-2504-1054] (the application) and my comments are provided below.

CODE OF CONDUCT

2. Although this is not an Environment Court hearing, I have read the Code of Conduct for Expert Witnesses (contained in the Environment Court Practice Note 2023) and agree to comply with it. Except where I state I rely on the evidence of another person, I confirm that the issues addressed in this statement of evidence are within my area of expertise, and I have not omitted to consider material facts known to me that might alter or detract from my expressed opinions.

DOCUMENTS REVIEWED

3. In preparing this evidence I have reviewed the following documents:

    7.1 The combined subdivision and land use consent application, prepared by Novogroup and dated April 2025, including:

    7.2 Appendix 4: Ryans Road Industrial Land Development Noise Report, prepared by Powell Fenwick and dated 07/03/2025;

    7.3 Appendix 6: Detailed Site Investigation, prepared by Tetra Tech Coffey and dated 07/02/2025, and;

7.4 RMA/2025/1208 Appendix Conditions Update (15 August 2025).

EVIDENCE

8. I have reviewed the application and can confirm I have no concerns about the information provided or conditions proposed.

9. Noise has been assessed by Mark Lewthwaite of Powell Fenwick. He has considered a variety of noise sources as part of his assessment, including noise from activities on site such as industrial activities and traffic, as well as potential noise sources during the construction phase. Acoustic insulation requirements for the proposed development have been considered, along with potential reverse sensitivity issues associated with operations at Christchurch Airport. Powell Fenwick have also spent time understanding the existing ambient noise environment, which unsurprisingly, was found to be uncharacteristically noisy for a rural property due to aircraft operations, local road traffic and more distant sources such as quarries.

10. I agree with Powell Fenwick's assessment in relation to the impact of future operational activities and any associated traffic on nearby rural dwellings. I also agree that the acoustic insulation requirements for new structures will be readily achievable with enhanced lightweight construction elements. I have reviewed the proposed noise conditions and consider them appropriate.

11. Coffey Tetra Tech have completed a detailed site investigation which identified some potential HAIL activities (chemical storage and soil stockpiling). Soil sampling was undertaken in a grid pattern across the site; with results indicating that contaminant concentrations were compliant with commercial/industrial soil contaminant standards except in two locations around existing building where elevated arsenic concentrations were identified. As a result, the application is seeking consent for a restricted discretionary activity pursuant to Regulation 10 of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (the NES-CS).

12. The applicant plans to prepare a Remedial Action Plan to facilitate the removal

(or potential re-use) of these soils, which will be provided to Christchurch City Council no later than 15 working days prior to the commencement of those works. An accidental discovery protocol will be included as part of the Remedial Action Plan, but could also be incorporated as a stand alone condition.

13. A Site Validation Report will be prepared within three months of the completion of earthworks to confirm the remedial works have been carried out successfully, with any surplus soils disposed of off-site to an appropriate facility. Conditions have been drafted to this effect.

14. The Construction Management Plan will also ensure dust, noise, vibration and lighting effects are managed appropriately during the earthworks/construction phase.

CONCLUSION

15. I consider that;

(a) Any risk to human health from exceedances of the commercial/industrial soil contaminant standards identified as part of the Detailed Site Investigation can be successfully mitigated through the preparation and implementation of a Remedial Action Plan.
(b) Any potential adverse effects generated during the earthworks/construction phase can be adequately managed through the implementation of a Construction Management Plan.
(c) Whilst acoustic insulation requirements are likely to be readily achievable with enhanced light-weight construction elements, further assessments will need to be provided as individual lots are developed.

Dated 5 September 2025

Kirsten Rayne

Appendix 15 – Legal Opinion on Applicability of NPS-HPL

BUDDLE FINDLAY

15 September 2025

To
Francis White
Christchurch City Council
Christchurch

Copy to
Brent Pizzey, Christchurch City Council

From
Cedric Carranceja

By Email
francis.white@ccc.govt.nz
brent.pizzey@ccc.govt.nz

Dear Francis

NPS-HPL Queries – 104 Ryans Road Fast-Track Resource Consent Application (Lex26527)

1. Carter Group Limited (**Applicant**) has lodged a Fast-track substantive application for resource consent to subdivide and develop 55.5 hectares of land for industrial use at 104 Ryans Road, Christchurch (**Project**). The Project land is zoned Rural Urban Fringe (**RUF Zone**) in the operative Christchurch District Plan (**District Plan**).

2. The Expert Panel has issued Minute 3 inviting the Council to comment on (amongst other things) specific queries relating to the assessment of the Project under the National Policy Statement for Highly Productive Land 2022 (**NPS-HPL**).[1] To assist you in preparing the Council's comments, you have asked us to advise on the following questions:

   (a) **Question 1**: Which of the zones in the National Planning Standards 2019 (**NPS**) is the nearest equivalent to the RUF Zone of the District Plan?

   (b) **Question 2**: Whether clauses 3.6 and 3.7 of the NPS-HPL apply to the Project?

   (c) **Question 3**: If none of the NPS-HPL exemptions are available, then how are the "avoid" provisions in the NPS-HPL to be approached when deciding the application for the Project under the Fast-track Approvals Act 2024 (**FTAA**)?

3. In summary, we consider that:

   (a) The RUF Zone of the District Plan is nearer, in terms of equivalency under the NPS, to the General Rural Zone rather than the Rural Lifestyle Zone.

   (b) Clauses 3.6 and 3.7 of the NPS-HPL do not apply to the Project as those clauses relate to a change of zones, not an application for resource consent.

[1] Minute 3 of the Expert Panel dated 18 August 202, Appendix 5 under the subheading "*National Policy Statement for Highly Productive Land (NPS-HPL)*.

(c) Although the unavailability of any of the NPS-HPL exemptions for a project would mean the proposal is inconsistent with or contrary to the "avoid" provisions in the NPS-HPL, that in and of itself cannot be deemed (without further assessment) to be an adverse impact that is sufficiently significant to be out of proportion to the project's regional or national benefits under section 85(3)(b) of the FTAA. A proposal that is inconsistent with or contrary to the NPS-HPL "avoid' provisions is still to be considered as an adverse impact, but that adverse impact, together with any other adverse impacts identified, must still be assessed as being sufficiently significant to be out of proportion to the project's regional or national benefits, before the panel has a discretion to decline an approval under section 85(3) of the FTAA.

4. We provide the reasons for our opinion to each of your queries in turn.

Question 1: Which of the zones in the NPS is the nearest equivalent to the RUF Zone of the District Plan?

5. The issue arising is whether the Project land is to be assessed under the NPS-HPL on the basis that it is captured by the interim definition of "highly productive land" under clause 3.5(7) of the NPS-HPL which states:

> "*Until a regional policy statement containing maps of highly productive land in the region is operative, each relevant territorial authority and consent authority must apply this National Policy Statement as if references to highly productive land were references to land that, at the commencement date:*
>
> *(a) is*
>
> *(i) zoned general rural or rural production; and*
>
> *(ii) LUC 1, 2, or 3 land;…*"

6. We understand there is no dispute that the Canterbury Regional Policy Statement (**CRPS**) does not yet have operative maps of highly productive land in the region, and that the Project land contains LUC 1, 2, or 3 land. Accordingly, the NPS-HPL will apply to the Project land if it is "*zoned general rural or rural production*".

7. However, as the Council has not yet implemented the Zone Framework Standard of the NPS to include General Rural or Rural Production Zones in the District Plan, the issue of whether the Project land is to be assessed under the NPS-HPL comes down to whether its RUF Zoning in the District Plan is the "nearest equivalent zone" to a General Rural or Rural Production Zone in the NPS, pursuant to clause 1.3(4) of the NPS-HPL which states:

> "*A reference in this National Policy Statement to a zone is:*
>
> *(a) a reference to a zone as described in Standard 8 (Zone Framework Standard) of the National Planning Standards; or*
>
> *(b) for local authorities that have not yet implemented the Zone Framework Standard of the National Planning Standards, a reference to the nearest equivalent zone."*
>
> [our underlining for emphasis]

8. In providing our opinion, you have asked us to have regard to the following:

(a) an opinion from Barrister David Caldwell dated 11 October 2023 concluding that on balance, the RUF Zone is nearer, in terms of equivalency, to the General Rural Zone than to the Rural

Lifestyle Zone in the NPS (**Caldwell Opinion**). We understand the Council has shared Mr Caldwell's opinion with the Applicant;[2] and

(b) memoranda from Chapman Tripp (**Chapman Tripp memorandum**) and Novo Group (**Novo Group memorandum**) both dated 3 July 2025 which conclude that the nearest equivalent zone to the RUF zone in the NPS is the Rural Lifestyle Zone. These memoranda have a "draft" watermark but are attached to a Memorandum of counsel for the Applicant responding to Minute 3 of the Panel Convener dated 25 July 2025. We note the Chapman Tripp memorandum expands upon an earlier memorandum on the same issue by Chapman Tripp dated 20 February 2025 that was appended to the substantive application for the Project.

9. For ease of reference, copies of Mr Caldwall's opinion and the Chapman Tripp and Novo Group memoranda are **attached** to this opinion.

Approach to interpretation

10. Your query raises issues of both statutory and plan interpretation. Accordingly, we summarise our approach to interpretation below.

Interpreting secondary legislation

11. The NPS-HPL and the NPS are secondary legislation within the meaning of the Legislation Act 2019.[3] As the Legislation Act 2019 defines "legislation" to include secondary legislation,[4] the general legislative interpretation principles in the Legislation Act 2019 apply to the NPS-HPL and the NPS. Accordingly, the meaning of the words used in secondary legislation must be ascertained from the text and in light of its purpose and its context.[5] The established orthodoxy for the Courts when interpreting legislation is that the natural and ordinary meaning of the text must be the starting point, only to be displaced if a less usual meaning is required to better fit the wider context of the legislation,[6] or to better fulfil the purpose or policy of that legislation.[7]

Interpreting plan provisions

12. The Courts generally attempt to give a plain ordinary meaning to a plan provision, having regard to the immediate context. However, where any ambiguity, obscurity or absurdity arises, it becomes necessary to refer to the other sections of the plan (such as the objectives and policies) in order to derive a purposive interpretation.[8]

13. The Court of Appeal's decision in *Powell v Dunedin City Council*[9] contains guidance on the interpretation of district plans as follows:

---

[2] Memorandum of counsel for the Council responding to Minute 3 of the panel convenor dated 24 July 2025, at paragraph 26.
[3] Section 53(3) and 58E of the RMA.
[4] Section 5 Legislation Act 2019
[5] Section 10 of the Legislation Act 2019.
[6] *Agney v Pardington* [2006] 2 NZLR 520 (CA).
[7] *Waitakere City Council v Khouri* [1999] 1 NZLR 415 (CA); *Commissioner of Inland Revenue v Alcan New Zealand Ltd* [1994] 3 NZLR 439 (CA).
[8] *Powell v Dunedin City Council* [2005] NZRMA 174 (CA); *Lower Hutt City Council (Re an Application)* (W46/07); *Nanden v Wellington City Council* [2000] NZRMA 563, 573.
[9] [2005] NZRMA 174 (CA).

> *"In this case, the appellants argued that the Court should look to the plain meaning of the access rule and, having found that there is no ambiguity, interpret that rule without looking beyond the rule to the objectives, plans and methods referred to in the earlier parts of section 20 of the plan. While we accept it is appropriate to seek the plain meaning from the words themselves, it is not appropriate to undertake that exercise in a vacuum. As this court made clear in Rattray, regard must be had to the immediate context (which in this case would include the objectives and policies and methods set out in section 20) and, where any obscurity or ambiguity arises, it may be necessary to refer to the other sections of the plan and the objectives and policies of the plan itself. Interpreting a rule by a rigid adherence to the wording of the particular rule itself would not, in our view, be consistent with a judgment of this Court in Rattray or with the requirements of the Interpretation Act."*

14. Where competing interpretations of a district plan are available, the interpretation ought to:

    (a) avoid absurdity or anomalous outcomes;

    (b) be consistent with the expectation of property owners; and

    (c) promote administrative practicality (e.g. rather than requiring lengthy historical research to assess lawfulness or otherwise).[10]

15. Another relevant factor that can be considered when interpreting a district plan is the history of the plan.[11]

Identifying the nearest equivalent zone

16. The identification of a "nearest equivalent zone" requires the identification of a "zone" in Section 8 (Zone Framework Standard) of the NPS which is the nearest equivalent of the zone in the District Plan.

17. In this case, there are three relevant zone descriptions in Section 8, Table 13 of the NPS to consider as follows:

    (a) **General Rural Zone**:

    > "*Areas used predominantly for primary production activities, including intensive indoor primary production. The zone may also be used for a range of activities that support primary production activities, including associated rural industry, and other activities that require a rural location.*"
    >
    > [our underlining for emphasis]

    (b) **Rural Production Zone**:

    > "*Areas used predominantly for primary production activities that rely on the productive nature of the land and intensive indoor primary production. The zone may also be used for a range of activities that support primary production activities, including associated rural industry, and other activities that require a rural location.*"
    >
    > [our underlining for emphasis]

[10] *Nanden v Wellington City Council* [2000] NZRMA 563; *Mount Field Limited v Queenstown Lakes District Council* 31 October 2008, Heath J, HC Invercargill CIV 2007-425-700.
[11] *Queenstown River Surfing Limited v Central Otago District Council* [2006] NZRMA 1.

(c) **Rural Lifestyle Zone**:

> "*Areas used predominantly for a residential lifestyle within a rural environment on lots smaller than those of the General rural and Rural production zones, while still enabling primary production to occur.*"
>
> [our underlining for emphasis]

18. While all three of the above zones are rural zones, the primary difference between them are that the General Rural and Rural Production Zones are described as being "used predominantly for primary production activities", but the Rural Lifestyle Zone is "used predominantly for a residential lifestyle".

19. The NPS definition of "primary production" is:

> "*means:*
>
> *(a) any aquaculture, agricultural, pastoral, horticultural, mining, quarrying or forestry activities; and*
>
> *(b) includes initial processing, as an ancillary activity, of commodities that result from the listed activities in a);*
>
> *(c) includes any land and buildings used for the production of the commodities from a) and used for the initial processing of the commodities in b); but*
>
> *(d) excludes further processing of those commodities into a different product.*"

20. The Court has confirmed that when interpreting the description of potential zones, the plain and ordinary meaning of "areas used predominantly for" is to be adopted.[12] Thus, “areas” refers to the spatial dimensions of the zone as depicted on the planning maps. “Used” refers to the purpose served by the zone. “Predominantly” means “mainly”. The phrase as a whole refers to what the main purpose of the zone in question is.

21. Case law has confirmed the following further principles that are to be applied in identifying what is the nearest equivalent zone:

(a) The transitional definition for highly productive land in clauses 3.5(7) and 1.3(4) of the NPS-HPL calls for an examination of what the main purpose of the relevant existing district plan zone is to best enable the protective aims of the NPS-HPL to be realised.[13]

(b) Deciding which of the zones is the ‘nearest equivalent zone’ does not involve an evaluation of the extent of rural land use activities taking place within the relevant zone. Rather, the decision requires an evaluation of the district plan's provisions in the round. As the Court in *G M & J Drinnan v Selwyn District Council* (***Drinnan***) observed, evaluating the extent of rural land use activities actually taking place in a zone:[14]

> *"…risks the court inadvertently making new policy rather than interpreting the same. We are reinforced in this view by the MfE guidance on interpreting cl 3.5(7) that notes the assessment is undertaken by referring to the zone description, objectives, policies, activity table and subdivision provisions (in the round)."*

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[12] *Save the Maitai Inc v Nelson City Council* [2024] NZEnvC 281 (***Maitai***) at Appendix 1 paragraph [57], *Wakatipu Equities Limited v Queenstown Lakes District Council* [2023] NZEnvC 188 (***Wakatipu***) at paragraph [18].
[13] *Maitai* at Appendix 1 paragraph [58], *Wakatipu* at paragraph [19].
[14] *G M & J Drinnan v Selwyn District Council* [2023] NZEnvC 180 (***Drinnan***) at [82]. Reference is also made to the MfE Guidance available at https://environment.govt.nz/assets/publications/land/National-Policy-Statement-Highly-Productive-Land-Guide-to-implementation-March-2023.pdf (at page 15).

[our underlining for emphasis]

(c) Reliance on reports prepared under section 32 is not a permissible guide to interpretation and no weight is to be given to interpretations that sought support from these.[15]

22. In evaluating the District Plan's various rural zone provisions in the round, a useful starting point is to note that the Court in *Yaldhurst Quarries Joint Action Group v Christchurch City Council* [2017] NZEnvC 165 observed the following regarding the rural zones in the District Plan:

> *"There are seven rural zones in the District Plan. All rural zones have a common single objective and, with two exceptions, all rural zones have a common set of policies. Thus, the objective and related policies for the seven different zones are capable of being achieved by complying with multiple sets of rules."*

23. In other words, the single rural objective and the rural policies of the District Plan apply (with 2 exceptions) to all rural zones in the District Plan, including the RUF Zone.

24. We consider the common single objective and the common set of policies, when read in the round, better support a conclusion that the main purpose of all rural zones in the District Plan is to provide zones "used predominantly for primary production activities" rather than zones "used predominantly for a residential lifestyle". We have not identified anything in the rural objective or rural policies which indicate that residential lifestyle is to be the predominant use in the RUF Zone, or any or the other rural zones. However, we have identified the following objectives and policies that we consider better support a conclusion that all rural zones provide for use predominantly for primary production activities:

(a) **Objective 17.2.1.1.a.i**:

> *17.2.1.1 Objective – The rural environment*
>
> *a. Subdivision, use and development of rural land that:*
>
> *i. supports, maintains and, where appropriate, enhances the function, character and amenity values of the rural environment and, in particular, the potential contribution of rural productive activities to the economy and wellbeing of the Christchurch District;*
>
> [our underlining for emphasis]

Chapter 2 of the District Plan defines "rural productive activities" as "farming, plantation forestry, intensive farming and quarrying activities", which are activities captured by the NPS definition of "primary production" as provided at paragraph 19 above. Accordingly, the single rural objective has a particular emphasis for subdivision, use and development of rural land that supports, maintains and where appropriate enhances the potential contribution for *primary production activities* to the economy and wellbeing. The objective signals no intent to promote use "predominantly for a residential lifestyle within a rural environment".

[15] *Drinnan* at paragraph [86].

(b) **Policy 17.2.2.1:**

17.2.2.1 Policy – Range of activities in rural land

a. *Provide for the economic development potential of rural land by enabling a range of activities that:*

i. *have a direct relationship with, or are dependent on, the rural resource, rural productive activity or sea-based aquaculture*

ii. *have a functional, technical or operational necessity for a rural location; or*

iii. *recognise the historic and contemporary relationship of Ngai Tahu with land and water resources;*

iv. *provide for commercial film or video production activities and facilities on the rural flat land close to the main Christchurch urban area; and*

v. *represent an efficient use of natural resources.*

[our underlining for emphasis]

Policy 17.2.2.1.a.i specifically seeks to provide for the economic development potential of rural land by enabling a range of activities that have a direct relationship with, or are dependent on, the rural resource and rural productive activity, which is consistent with providing for primary production activities as contemplated by the NPS zone descriptions for the General Rural and Rural Production zones. Other activities are mentioned (e.g. commercial film or video production activities) in policy 17.2.2.1, but not residential lifestyle.

(c) **Policy 17.2.2.3.b.i and ii**:

17.2.2.3 Policy – Contributing elements to rural character and amenity values

b. *Recognise that the elements that characterise an area as rural, from which desired amenity is derived, include the predominance of:*

i. *a landscape dominated by openness and vegetation;*

ii. *significant visual separation between residential buildings on neighbouring properties;*

[our underlining for emphasis]

Policy 17.2.2.3.b.i and ii seeks to recognise the "predominance" of a landscape "dominated" by openness and vegetation, and a "predominance" of "significant" visual separation between residential dwellings. A predominance of "residential lifestyle within a rural environment" is not an element that sits comfortably with policy 17.2.2.3.b.i and ii.

(d) **Policy 17.2.2.7.a.i, v and vi**

17.2.2.4 Policy – Density and distribution of residential units

a. *Ensure a density and distribution of residential units that:*

i. *maintains and enhances the working function of the rural environment;*

ii. *supports a consolidated urban form, including that of small settlements;*

iii. *maintains the predominance of larger sites and abundant open space;*

iv. *supports amalgamation of multiple small sites;*

v. *avoids creating new sites less than 4ha;*

> *vi. avoids the expectation of land use change of rural land to urban activities or for rural residential development;*
>
> *vii. avoids reverse sensitivity effects on strategic infrastructure and rural productive activities; and*
>
> *viii. retains a low density of built form with a high degree of openness appropriate to the surrounding environment.*
>
> [our underlining for emphasis]

Policy 17.2.2.3.b.i, v and vi set out residential density and distribution outcomes that are to be ensured for all rural zones. Subclause (i) is concerned about maintaining and enhancing the working function of the rural environment. Interpreting a RUF zone (or any other rural zone in the District Plan) as providing for a predominance of "a residential lifestyle within a rural environment" does not sit comfortably with a policy ensuring residential density and distribution of residential units maintains and enhances the "working function of the rural environment". By contrast, interpreting a RUF zone (or any other rural zone in the District Plan) as providing for a predominance of primary production activities is consistent with ensuring residential density and distribution of residential units maintains and enhances the "working function of the rural environment".

Subclause (ii) is concerned about avoiding the creation of new sites less than 4 hectares. This is implemented by the minimum allotment size rules for all rural zones in the Christchurch district, which range from 4 hectares (for the RUF Zone, the Rural Templeton Zone and the Rural Quarry (Miners Road and Pound Road) Zone) to 100 hectares (Rural Port Hills Zone).[16] As shall be explained below, the minimum 4 hectare allotment size and the avoidance of creating new sub-4 hectare allotments in any rural zone of the Christchurch district, is intended to avoid both urban and rural residential activities (which is akin to a residential lifestyle) in the rural zones of Christchurch District.

Subclause (iii) is concerned about avoiding the expectation of land use change of rural land to urban activities or for rural residential development. The definition of "urban activities" in Chapter 2 of the District Plan specifically includes "*residential units at a density equivalent to more than one residential unit per 4 hectares of site area*". The policy of avoidance in subclause (iii) is implemented in the RUF zone by permitted activity rule 17.5.1.1 P5 which allows residential units on a minimum net site area of 4 hectares. A breach of the minimum net site area 4 hectare standard requires resource consent as a non-complying under rule 17.5.1.5 NC3. While "rural residential" is not defined in the District Plan, we consider it implicit from the policy context that rural residential densities will be greater (more dense) than the minimum rural density of 1 residential unit per 4 hectares. This interpretation is reinforced by a consideration of the Canterbury Regional Policy Statement (**CRPS**) (discussed below).

25. We consider it is not unexpected that the District Plan rural objective and policies, considered in the round, better support a conclusion that the main purpose of all rural zones (including the RUF zone)

[16] District Plan rule 8.6.1 table 5.

in the District Plan is to be used predominantly for primary production activities rather than zones used predominantly for a residential lifestyle with a rural environment, given the need for the District Plan to give effect to the CRPS pursuant to section 75(3)(c) of the Resource Management Act 1991 (**RMA**). Of particular relevance in the CRPS are the following provisions:

(a) The CRPS defines "Greater Christchurch" as "the area shown of Map A", while Map A shows parts of the districts of Christchurch, Selwyn and Waimakariri. Map A identifies an urban form for Greater Christchurch by reference to existing urban areas, Greenfield Priority Areas and Future Development Areas. Outside of these areas are rural areas.

(b) Within the Greater Christchurch area, the CRPS defines:

(i) "**rural activity**" as including rural land use activities such as agriculture, aquaculture, horticulture, and "residential activity on lots of 4 ha or more";

(ii) "**urban activity**" as including "residential units (except rural residential activities) at a density of more than one household unit per 4 ha of site area";

(iii) "**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".

Accordingly, while the District Plan defines "urban activities" by reference to residential densities greater than 1 per 4 hectares, the CRPS creates an effective subset of "urban activities" by classifying those residential units outside the identified Greenfield Priority Areas and Future Development Areas at an average density of between 1 and 2 households per hectare as "rural residential activities". Both the District Plan and the CRPS treat residential densities lower than (less dense than) 1 residential unit per 4 hectares as rural activity.

(a) CRPS policy 6.3.1.4 is to "ensure new urban activities only occur within existing urban areas or identified greenfield priority areas as shown on Map A, unless they are otherwise expressly provided for in the CRPS" [our underlining for emphasis].

(b) CRPS policy 6.3.9 provides for "rural residential development" within those parts of the Greater Christchurch area that are already zoned for such development as at 1 January 2003, or as provided in accordance with an adopted rural residential development strategy.

(c) However CRPS policy 6.3.9 is subject of a number of important limitations, one of which is in policy 6.3.9.1 which states:

> *"In the case of Christchurch City, no further rural residential development is to be provided for within the Christchurch City Plan area".*
>
> [our underlining for emphasis]

26. Given the strong CRPS policy directives against urban activities in rural areas of Greater Christchurch and against rural residential activities being provided for within the Christchurch City Plan area, it is unsurprising that there are no rural zones within the District Plan for the Christchurch City Plan area enabling urban activities or rural residential activities at densities higher than 1 dwelling per 4 hectares. While CRPS policy 6.3.9 enables other districts within the Canterbury

Region (e.g. Selwyn and Waimakariri) to have rural zones enabling further rural residential development at densities higher than 1 dwelling per 4 hectares, that is not the case for Christchurch City.

27. The Environment Court's decision in *Drinnan* is of particular relevance because it considered the interpretation of rural zones in the Selwyn District Plan for the purposes of identifying the nearest equivalent zone in the NPS. The appellant's land in *Drinnan* was zoned Rural Inner Plains in the Selwyn District Plan.[17] The Rural Inner Plains zoning is virtually identical regarding the density of residential activity provided for by the RUF Zone in the Christchurch District Plan. In particular, the Rural Inner Plains zone also provides for a minimum allotment size of 4 hectares.[18] The Rural Inner Plains zone also permits a single dwelling on a minimum land area of 4 hectares, with proposals to exceed this residential density being non-complying activities.[19]

28. The appellant in *Drinnan* contended that the nearest equivalent zone in the NPS to the Rural Inner Plains zoning of their site under the Selwyn District Plan is the Rural Lifestyle Zone. However, the Court rejected this contention and held that the nearest equivalent zone in the NPS to the Rural Inner Plains zoning is a General Rural Zone.[20] Notably, the Court considered the CRPS and stated:[21]

> The operative RPS which the District Plan is to give effect to, does not support the appellants' interpretation. The RPS provides residential activities on lots 4 ha or more are rural activities and conversely, residential activities on less than 4 ha are urban activities.

29. We consider the Court's conclusion in the *Drinnan* case can also be applied to the RUF Zone of the Christchurch District Plan because:

    (a) Both the Selwyn District Plan and the Christchurch District Plan must give effect to the same CRPS which, as noted by the Court, "provides residential activities on lots 4 hectares or more are rural activities and conversely, residential activities on less than 4 hectares are urban activities".

    (b) The rule framework for minimum lot sizes and residential densities for the Rural Inner Plains zone in the Selwyn District Plan is identical to that for the RUF Zone in the Christchurch District Plan.

    (c) We have not identified any material differences between the provisions of the Selwyn District Plan relating to the Rural Inner Plains zone and the provisions of the Christchurch District Plan relating to the RUF Zone to support a conclusion that the nearest equivalent zone in the NPS to the RUF Zone in the District Plan is a Rural Lifestyle Zone.

30. For the above reasons, we consider the RUF Zone of the District Plan is nearer, in terms of equivalency under the NPS, to the General Rural Zone rather than the Rural Lifestyle Zone.

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[17] *Drinnan* at paragraph [89].
[18] *Drinnan* at paragraph [101].
[19] *Drinnan* at paragraph [103].
[20] *Drinnan* at paragraph [110].
[21] *Drinnan* at paragraph [104].

Comments on Caldwell Opinion

31. While there are some differences in our reasoning to that provided in the Caldwell Opinion, the Caldwell Opinion reaches a similar conclusion that the RUF Zone of the District Plan is nearer, in terms of equivalency under the NPS, to the General Rural Zone rather than the Rural Lifestyle Zone.

Comments on Chapman Tripp and Novo Group memoranda

32. Both the Chapman Tripp and Novo Group memoranda consider that that the nearest equivalent zone in the NPS to the RUF Zone in the District Plan is a Rural Lifestyle Zone. We disagree for reasons given above, and provide the following additional comments in response to the two memoranda.

33. The Chapman Tripp memorandum is informed by a desktop review of the actual activities being undertaken in the RUF Zone and a consideration of elevated demand for rural lifestyle properties in the RUF Zone. However, the Court in *Drinnan* considered these are not relevant considerations (see also paragraph 21(b) above).[22]

34. The Chapman Tripp memorandum refers to a 4 hectare minimum allotment size of the RUF Zone and an excerpt from a 2018 MacFarlane Rural Business assessment which mentions that "*most properties under 10ha have been purchased for lifestyle purposes and the majority of the household income is derived off farm*". However:

    (a) A 4 hectare minimum allotment size for a zone does not make its nearest equivalent zone in the NPS a Rural Lifestyle Zone. As mentioned above, the Court in *Drinnan* considered that for land located in the Rural Inner Plains zone in the Selwyn District Plan with a 4 hectare minimum allotment size and rules making it non-complying for proposals to exceed a residential density of 1 dwelling on a minimum 4 hectare allotment, the nearest equivalent zone in the NPS is the General Rural Zone. The RUF Zone in the District Plan also has a 4 hectare minimum allotment size with rules making it non-complying for proposals to exceed a residential density of 1 dwelling on a minimum 4 hectare allotment.[23]

    (b) A consideration of an excerpt from an assessment of purpose of property purchased within a zone is not a relevant consideration.[24]

35. The Chapman Tripp and Novo Group memoranda place weight on analysing the section 32 report for the rural zones. However, the Court in *Drinnan* considered that reliance on reports prepared under section 32 of the RMA is not a permissible guide to interpretation and no weight can be given to interpretations that seek support from these (see also paragraph 21(c) above).[25]

[22] *GM & J Drinnan v Selwyn District Council* [2023] NZEnvC 180 at [82].
[23] Rule 17.5.1.5 NC3.
[24] *GM & J Drinnan v Selwyn District Council* [2023] NZEnvC 180 at [82].
[25] Ibid at [86].

Question 2: Whether clauses 3.6 and 3.7 of the NPS-HPL apply to the Project?

36. Clause 3.6 of the NPS-HPL sets out restrictions for the "urban rezoning" of highly productive land. In particular, clause 3.6(1) provides that Tier 1 and 2 territorial authorities may only allow "urban rezoning" of highly productive land in circumstances specified in subclauses (1)(a) to (1)(c) as informed by a consideration of the remaining subclauses of clause 3.6.

37. Clause 1.3 of the NPS-HPL defines "urban rezoning" as "changing from a general rural zone or rural production zone to an urban zone".

38. In our opinion, clause 3.6 of the NPS-HPL is neither relevant nor applicable to the Project because the Project does not seek to change any zone in the District Plan. Rather, as noted at paragraph 1 above, the Project seeks a resource consent to subdivide and develop 55.5 hectares of land for industrial use at 104 Ryans Road, Christchurch.

39. Clause 3.7 of the NPS-HPL is for territorial authorities to avoid "rezoning" highly productive land as rural lifestyle (subject to exceptions). We consider clause 3.7 is neither relevant nor applicable to the Project because, as noted above, the Project does not seek a change of zone, but a resource consent to subdivide and develop land.

Question 3: If none of the NPS-HPL exemptions are available, then how are the "avoid" provisions in the NPS-HPL to be approached when deciding the application for the Project under the FTAA?

40. The NPS-HPL "avoid" policies 5 to 7 collectively require that the urban rezoning, the rezoning and development as rural lifestyle, or the subdivision, of highly productive land "*is avoided except as provided in this National Policy Statement*". Policy 8 does not use the word "avoid" but seeks to protect highly productive land from inappropriate use and development.

41. Policies 5 to 8 are reinforced, implemented and supplemented by clauses 3.6 to 3.10 of the NPS-HPL that collectively require that the urban rezoning, the rezoning and development as rural lifestyle, the subdivision, use and development, of highly productive land is to be avoided unless (or alternatively allowed only if) specific exemption criteria in clauses 3.6 to 3.10 are met.

42. If none of the NPS-HPL exemptions are available for a proposal to subdivide and use highly productive land,[26] then the NPS-HPL directive is to "avoid" the subdivision and use of highly productive land. The approach of *King Salmon*[27] and *Port Otago*[28] is that "avoid" should be taken as having its plain ordinary meaning of “not allow” or “prevent the occurrence of”, so the subdivision and use of highly productive land is to be avoided unless one of the exemptions within the NPS-HPL apply.

43. The unavailability of any of the NPS-HPL exemptions for a project on highly productive land would mean the proposal is inconsistent with or contrary to the "avoid" provisions in the NPS-HPL.

[26] For a proposal to subdivide and use highly productive land, the relevant avoidance policy is policy 7 and the associated exemption criteria are in clauses 3.8 to 3.10 of the NPS-HPL.
[27] *Environmental Defence Society Inc v New Zealand King Salmon Co Ltd* [2014] NZSC 38, [2014] 1 NZLR 593.
[28] *Port Otago Limited v Environmental Defence Society Incorporated* [2023] NZSC 112.

However, under the FTAA, a finding that a proposal is inconsistent with or contrary to the NPS-HPL cannot, in and of itself, be deemed to be a reason to decline a proposal.

44. Section 85(3) to 85(5) of the FTAA limits a panel's discretionary ability to decline a proposal in the following terms:

> (3) A panel may decline an approval if, in complying with section 81(2), the panel forms the view that–
>
> (a) there are 1 or more adverse impacts in relation to the approval sought; and
>
> (b) those adverse impacts are sufficiently significant to be out of proportion to the project's regional or national benefits that the panel has considered under section 81(4), even after taking into account–
>
> (i) any conditions that the panel may set in relation to those adverse impacts; and
>
> (ii) any conditions or modifications that the applicant may agree to or propose to avoid, remedy, mitigate, offset, or compensate for those adverse impacts.
>
> (4) To avoid doubt, a panel may not form the view that an adverse impact meets the threshold in subsection (3)(b) solely on the basis that the adverse impact is inconsistent with or contrary to a provision of a specified Act or any other document that a panel must take into account or otherwise consider in complying with section 81(2).
>
> (5) In subsections (3) and (4), **adverse impact** means any matter considered by the panel in complying with section 81(2) that weighs against granting the approval.

45. Section 85(5) confirms an "adverse impact" is any matter considered by the panel under section 81(2) that weights against granting the approval. A finding that the project is inconsistent with or contrary to the NPS-HPL would constitute an "adverse impact".[29]

46. However, the existence of 1 or more "adverse impacts", in and of itself, would not provide the panel with an ability to decline approval. As section 85(3)(b) and its preceding word "and" make clear, the panel may decline a proposal if there are 1 or more "adverse impacts" only if those "adverse impacts" are sufficiently significant to be out of proportion to the project's regional or national benefits that the panel has considered. Accordingly, even if the panel were to conclude that the project is inconsistent with or contrary to the NPS-HPL and is thus an "adverse impact", that cannot provide a reason to decline approval unless that adverse impact (together with any other adverse impacts identified) is/are sufficiently significant to be out of proportion to the project's regional or national benefits.

47. Section 85(4) effectively reiterates sections 85(3) and 85(5) and is provided for the avoidance of doubt. Section 85(4) confirms that:

(a) A panel finding that a proposal is inconsistent with or contrary to the "avoid" provisions in the NPS-HPL cannot be deemed (without further assessment) to be an adverse impact that is sufficiently significant to be out of proportion to the project's regional or national benefits under section 85(3)(b) of FTAA; and

[29] The NPS-HPL is a matter that the panel must consider under section 81(2) of the FTAA which refers to section 81(3)(a) of the FTAA which refers to clause 17 of Schedule 5 of the FTAA which refers to the decision-making provisions of the RMA for an application for resource consent (excluding section 104D of the RMA), but including section 104(1)(b)(iii) of the RMA which refers to national policy statements.

(b) A proposal that is inconsistent with or contrary to the NPS-HPL "avoid' provisions is still to be considered as an adverse impact, but that adverse impact, together with any other adverse impacts identified, must still be assessed as being sufficiently significant to be out of proportion to the project's regional or national benefits, before the panel has a discretion to decline an approval under section 85(3) of the FTAA.

Yours faithfully
Buddle Findlay

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David Caldwell
Barrister

11 October 2023

Christchurch City Council
PO Box 73015
Christchurch 8154

Attention: Jonathan Gregg – Team Leader Planning

By email: Jonathan.Gregg@ccc.govt,nz

Dear Jonathan

RURAL URBAN FRINGE ZONE – NATIONAL PLANNING FRAMEWORK

1. You have requested my advice on the following:

   (a) The process – relevant and irrelevant considerations – for determining the "nearest equivalent zone" to the District Plan Rural Urban Fringe Zone (**RUFZ**) in the National Planning Framework. You have asked that I comment on the approaches taken in the Council memo of 11 August 2023 and letters from Duncan Cotterill dated 31 July 2023 and 28 August 2023. You have asked that I have regard to the Environment Court decision in *Drinnan* (together with anything else that is relevant); and

   (b) To the extent that it is a legal question, rather than a planning assessment, the legal assessment of the nearest equivalent zone to the RUFZ.

Materials Considered

2. I have considered and had regard to the following:

   (a) National Policy Statement for Highly Productive Land (**NPS-HPL**);

   (b) The zone framework standard containing the National Planning Standards (**NPS**) dated November 2019 and in particular the General Rural Zone, Rural Production Zone and Rural Lifestyle Zone descriptions in Table 13;

   (c) The relevant provisions of the Christchurch District Plan (the **Plan**), including the relevant strategic objectives and the relevant objective, policies, rules and standards for the Rural zones;

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3. I have also reviewed the decision of the Independent Hearings Panel dated 12 August 2016, together with the s32 assessment.

4. The relevant cases which I have considered include:

   (a) *Rogers v Christchurch City Council* Decision No [2019] NZEnvC 119;

   (b) *C M & J Drinnan v Selwyn District Council* Decision No [2023] NZEnvC 180;

   (c) *Balmoral Developments (Outram) Limited v Dunedin City Council* Decision No [2023] NZEnvC 59; and

   (d) *Wakatipu Equities Limited v Queenstown Lakes District Council* Decision No [2023] NZEnvC 188.

5. I have also had some regard to the relevant parts of the National Policy Statement for Highly Productive Land – Guide to Implementation dated December 2022 while noting that does not have any formal statutory force for interpretive purposes.

Summary of Relevant/Irrelevant Matters

6. In my opinion, the relevant matters to take into account include the NPS-HPL objective and policies, the relevant NPS, any relevant zone description, the relevant objectives, policies and rules in the Plan, the activity table, and the subdivision provisions.

7. In my opinion, the determination as to the nearest equivalent zone does not involve an evaluation of the extent of rural land use activities currently taking place within the RUFZ. As noted by the Environment Court, such an approach risks the Court inadvertently making new policy rather than interpreting the same.[1]

8. A similar approach is adopted by the Court in *Wakatipu Equities Limited v Queenstown Lakes District Council* which address the objectives and policies for the WBRAZ and the associated rules on enabled activities.

Factual Background

9. The question arises in the context of a resource consent application for a quarry on a site that is situated within the RUFZ. I note that I have not been provided with a copy of the application and in my view that is appropriate. My comments do not address or consider the particular application at all.

10. On 31 July 2023 Duncan Coterill wrote to CCC in relation to the application of the NPS-HPL and concluded that the second criteria is not met on this particular application site *"because of the zoning and the land predominant land uses".*[2]

[1] *C M & J Drinnan v Selwyn District Council* Decision No [2023] NZEnvC 180 at para [82]
[2] Letter Duncan Cotterill to CCC 31 July 2023

11. By Memorandum dated 11 August 2023, Mr Pizzey provided an assessment as to what is the "nearest equivalent zone" to the RUFZ and concluded that after considering the zone descriptions in the NPS and comparing them to the District Plan zone description, objectives, policies, activity table and subdivision provisions (in the round), the General Rural Zone is the nearest equivalent zone to the RUFZ.[3]

12. Following a meeting on Friday 18 August 2023, Duncan Cotterill again wrote to CCC by letter of 28 August 2023 setting out matters where their opinion differs from that of Mr Pizzey and setting out their approach to the statutory interpretation and assessment.[4]

13. Critically, the Plan has not been updated to include the zones referenced in Standard 8 (the Zone Framework Standards) of the NPS. As a result of that, pursuant to clause 1.3(4), a reference in the National Policy Statement to a zone is:

> …
>
> *(b) for local authorities that have not yet implemented the Zone Framework Standard of the National Planning Standards, a reference to the nearest equivalent zone.*

Approach to Interpretation

14. Section 10 of the Legislation Act 2019 directs that the meaning of an enactment is to be ascertained from its text and in light of its purpose and context. Section 10 provides:

> ***10. Ascertaining meaning of legislation***
>
> *(1) The meaning of an enactment must be ascertained from its text and in light of its purpose and its context*
>
> *(2) Subsection (1) applies whether or not the legislation's purpose is stated in the legislation.*
>
> *(3) The text of legislation includes the indications provided in the legislation.*
>
> *(4) Examples of those indications are preambles, a table of contents, headings, diagrams, graphics, examples and explanatory material, and the organisation and format of the legislation.*

15. While s5 of the Interpretation Act 1999 did not include the word 'context', this was routinely considered by the Courts under the earlier Act, particularly in the RMA context[5] and in my view although that case law predates the enactment of s10 it still remains relevant.

16. The interpretive exercise here ultimately requires consideration of how the NPS-HPL, in tandem with the NPS, applies to the consideration of the RUFZ.

[3] Memo 11 August 2023 at para [26]
[4] Letter Duncan Cotterill to CCC 28 August 2023
[5] *Wolf 2008 Ltd v Whangarei District Council* [2021] NZEnvC 190; (2021) 23 ELRNZ 441 at [17] – [19]

The NPS-HPL

17. The NPS-HPL has only one objective. This is:

> ***2.1 Objective***
>
> ***Objective****: Highly productive land is protected for use in land-based primary production, both now and for future generations.*

18. The NPS-HPL contains nine associated policies. For convenience, these are attached as **Appendix A**.

19. As noted by the Environment Court, central to the design of the NPS-HPL are directions for the mapping of highly productive land and, following that, its identification in regional policy statements and identification and protection through district plans. As that response will extend over several years, the NPS-HPL includes a transitional regime in clause 3.5(7).[6]

20. **Highly productive land** is defined as:

> *… land that has been mapped in accordance with clause 3.4 and is included in an operative regional policy statement as required by clause 3.5 (but see clause 3.5(7) for what is treated as highly productive land before the maps are included in an operative regional policy statement and clause 3.5(6) for when land is rezoned and therefore ceases to be highly productive land)*

21. **Land-based primary production** means *"production, from agricultural, pastoral, horticultural, or forestry activities, that is reliant on the soil resource of the land*".

22. Clause 3.5(7) provides (relevantly):

> *(7) Until a regional policy statement containing maps of highly productive land in the region is operative, each relevant territorial authority and consent authority must apply this National Policy Statement as if references to highly productive land were references to land that, at the commencement date:*
>
> *(a) is:*
>
> *(i) zoned general rural or rural production; and*
>
> *(ii) LUC 1, 2, or 3 land; …*

23. I note there is no dispute that the land subject to the application contains land within the classes identified in 3.5(7)(a)(ii). Given that the Council has not yet implemented the Zone Framework Standard the issue is determining what is the nearest equivalent zone (clause 1.3(4)(b)).

24. Three potential zonings are identified. Both Mr Pizzey and Ms Robinson identify the potentially relevant zones as follows:

[6] *Wakatipu Equities Limited v Queenstown Lakes District Council* (Decision No [2023] NZEnvC 188 at para [12]

Zone Name	Description
General rural zone	Areas used predominantly for primary production activities, including intensive indoor primary production. The zone may also be used for a range of activities that support primary production activities, including associated rural industry, and other activities that require a rural location.
Rural production zone	Areas used predominantly for primary production activities that rely on the productive nature of the land and intensive indoor primary production. The zone may also be used for a range of activities that support primary production activities, including associated rural industry, and other activities that require a rural location.
Rural lifestyle zone	Areas used predominantly for a residential lifestyle within a rural environment on lots smaller than those of the General rural and Rural production zones, while still enabling primary production to occur.

25. The NPS defines **primary production** as:

> *(a) any aquaculture, agricultural, pastoral, horticultural, mining, quarrying or forestry activities; and*
>
> *(b) includes initial processing, as an ancillary activity, of commodities that result from the listed activities in a);*
>
> *(c) includes any land and buildings used for the production of the commodities from a) and used for the initial processing of the commodities in b); but*
>
> *(d) excludes further processing of those commodities into a different product.*

26. That definition is wider than the definition of land-based primary production in the NPS-HPL. This difference has caused a number of issues with the uses which were traditionally seen as primary production.

What is the Nearest Equivalent Zone

Approach Taken

27. In providing this opinion, I have carefully considered the relevant case law.

28. In *Drinnan* the Environment Court stated:[7]

> *Deciding which of the zones is the 'nearest equivalent zone' does not involve an evaluation of the extent of rural land use activities taking place within the relevant zone. This approach risks the court inadvertently making new policy rather than interpreting the same. We are reinforced in this view by the MfE guidance on interpreting cl 3.5(7) that notes the assessment is undertaken by referring to the zone description, objectives, policies, activity table and subdivision provisions (in the round).*

29. In *Wakatipu Equities Limited*, the Court addressed the meaning of "areas used predominantly for" as used in the PS8 zone classes. It stated:[8]

[7] *C M & J Drinnan v Selwyn District Council* Decision No [2023] NZEnvC 180 at para [82]
[8] *Wakatipu Equities Limited v Queenstown Lakes District Council* (Decision No [2023] NZEnvC 188

> *[18] In PS8 the descriptions of General Rural Zone, Rural Production Zone and Rural Lifestyle Zone each use the phrase "areas used predominantly for". We find that phrase has its plain ordinary meaning. "Areas" refers to the spatial dimensions of the zone as depicted on the PDP planning maps. "Used" refers to the purpose served by the zone. "Predominantly" means "mainly". The phrase as a whole refers to what the main purpose of the zone in question is.*
>
> *[19] We find that meaning of the phrase best serves to give effect to the NPS-HPL concerning "highly productive land". That is in the sense that it would most effectively ensure the proper application of cl 3.5(7), in terms of the objective and policies of the NPS-HPL, pending the completion of the mapping and follow up changes to regional policy statements and district plans as the NPS-HPL directs. In particular, pending that exercise, the risk to be addressed concerns loss of LUC 1, 2 or 3 land that could in due course be mapped and managed as highly productive land through updated district plan controls. Hence, what cls 3.5(7) and 1.3(4) call for is an examination of what the main purpose of the relevant existing district plan zone is to best enable the protective aims of the NPS-HPL to be realised.* (my emphasis)

30. The Court cited the New Zealand Oxford Dictionary definition of 'use' as being "1 cause to act or serve a purpose", and again the New Zealand Oxford Dictionary definition of 'predominant' being "2 being the strongest or main element".

31. I consider the *Wakatipu* case, the Court's analysis, and the approach taken in that case, to be particularly helpful. It is clear that where the NPS zones have not been implemented a careful consideration of the relevant PS8 descriptions, and a careful and detailed analysis of the Plan, including any relevant zone description, the relevant objectives, policies, rules, activity status, subdivision provisions, etc, and requires a careful consideration of the plan architecture.

32. Ms Robinson considers that Mr Pizzey discounts an in-fact analysis as irrelevant. She does not agree. She states that the guidelines direct us to make an assessment with what in fact lines up most closely to those zone descriptions.[9]

33. In undertaking the assessment, in my opinion, it is not appropriate to consider and undertake that comparison on the basis of what physically exists, or a visual assessment. I consider the guidance from the Environment Court in *Drinnan* and in *Wakatipu* is clear. "Used" refers to the purpose served by the zone. It does not involve an evaluation of the extent of rural land use activities taking place within the relevant zone.

Plan Architecture

34. The Plan has seven rural zones. These are the RUFZ, the Rural Waimakariri Zone, the Rural Port Hills Zone, the Rural Banks Peninsula Zone, the Rural Quarry Zone, the Rural Quarry Templeton Zone and the Rural Templeton Zone.

Strategic Objectives

35. Chapter 3 in the Plan provides the strategic directions. Strategic Objective 3.3.16(17) provides:

[9] Letter 28 August 2023 at para [12]

a. *A range of opportunities is enabled in the rural environment, primarily for rural productive activities, and also for other activities which use the rural resource efficiently and contribute positively to the economy.*

b. *The contribution of rural land to maintaining the values of the natural and cultural environment, including Ngai Tahu values, is recognised.*

36. While recognising this is a strategic objective, it clearly seeks that a "range of opportunities" be enabled in the rural environment. The reference to "primarily" for rural productive activities could indicate that the predominant use anticipated is rural productive activity or primary production activities as used in the General Rural Zone and Rural Production Zone descriptions in the Zone Framework Standards.

Rural Objectives and Policies

37. Objective 17.2.1 provides:

a. *Subdivision, use and development of rural land that:*

i. *supports, maintains and, where appropriate, enhances the function, character and amenity values of the rural environment and, in particular, the potential contribution of rural productive activities to the economy and wellbeing of the Christchurch District;*

ii. *avoids significant, and remedies or mitigates other reverse sensitivity effects on rural productive activities and natural hazard mitigation works;*

iii. *maintains a contrast to the urban environment; and*

iv. *[not relevant]*

38. Again the use of the words "in particular, the potential contribution of rural productive activities …" could support an interpretation that the predominant use or purpose of the rural zones is for rural productive activities.

39. There are 13 policies of which I consider the most relevant to be the following.

40. 17.2.2.1 – Policy – Range of activities on rural land:

a. *Provide for the economic development potential of rural land by enabling a range of activities that:*

i. *have a direct relationship with, or are dependent on, the rural resource, rural productive activity or sea-based aquaculture;*

ii. *have a functional, technical or operational necessity for a rural location; or*

iii. *recognise the historic and contemporary relationship of Ngai Tahu with land and water resources;*

iv. *provide for commercial film or video production activities and facilities on the rural flat land close to the main Christchurch urban area; and*

v. *represent an efficient use* of natural resources.

41. This policy seeks to provide for the economic development potential of rural land by enabling a range of activities including those which have a direct relationship with, or are dependent on, the rural resource, rural productive activity and the like. It also enables activities that have a functional, technical or

operational necessity for a rural location. It specifically provides for commercial film or video production activities and facilities on the rural flat land close to the main Christchurch urban area. That policy does not fit comfortably with the Rural Lifestyle zone description in the Zone Framework Standards.

42. 17.2.2.2 – Effects of activities utilising the rural resource, is to:

> *a. Ensure that activities utilising the rural resource avoid significant adverse effects on areas of important natural resources and avoid, remedy or mitigate other adverse effects on rural character and amenity values.*

43. I do not consider this to be particularly relevant to the question.

44. 17.2.2.3 – Policy – Contributing elements to rural character and amenity values, provides:

> *a. Recognise that rural character and amenity values vary across the Christchurch District resulting from the combination of natural and physical resources present, including the location and extent of established and permitted activities.*
>
> *b. Recognise that the elements that characterise an area as rural, from which desired amenity is derived, include the predominance of:*
>
> *i. a landscape dominated by openness and vegetation;*
>
> *ii. significant visual separation between residential buildings on neighbouring properties;*
>
> *iii. where appropriate, buildings integrated into a predominantly natural setting; and*
>
> *iv. natural character elements of waterways, water bodies, indigenous vegetation and natural landforms, including the coastal environment where relevant.*
>
> *c. Recognise that rural productive activities in rural areas can produce noise, odour, dust and traffic consistent with a rural working environment, including farming, plantation forestry and quarrying activities, that may be noticeable to residents and visitors in rural areas.*

45. That policy recognises the variation in character and amenity values vary across the Christchurch District from both natural and physical resources. This includes the location and extent of established and permitted activities.

46. Other than the recognition of the variation across the Christchurch District, I do not consider it is particularly informative in undertaking an assessment as to the nearest equivalent zone.

47. 17.2.2.4 – Policy – Function of rural areas is relevant. Its provisions identify the anticipated functions for the Banks Peninsula; the rural flat land area surrounding the main Christchurch Urban Area, the flood management of groundwater recharge functions adjoining the Waimakariri River; the open character and natural appearance of the rural Port Hills which maintain distinct urban/rural boundaries and similar. It provides:

> *a. Ensure the nature, scale and intensity of subdivision, use and development recognise the different natural and physical resources, character and amenity values, conservation values and Ngāi Tahu values of rural land in the Christchurch District, including:*

…

ii. *the rural productive activities and recreation activities in the rural flat land area surrounding the main Christchurch urban area;*

48. Policy 17.2.2.4a.ii. is, arguably, the only specific policy provision relating to the RUFZ. Rural productive activities are defined as *"means farming, plantation forestry, intensive farming and quarrying activities"*. That does not indicate that the RUFZ is to be used predominantly for residential lifestyle.

49. 17.2.2.7 – Policy – Density and distribution of residential units, is relevant. This provides:

> *a. Ensure a density and distribution of residential units that:*
>
> *i. maintains and enhances the working function of the rural environment;*
>
> *ii. supports a consolidated urban form, including that of small settlements;*
>
> *iii. maintains the predominance of larger sites and abundant open space;*
>
> *iv. supports amalgamation of multiple small sites;*
>
> *v. avoids creating new sites less than 4ha;*
>
> *vi. avoids the expectation of land use change of rural land to urban activities or for rural residential development;*
>
> *vii. avoids reverse sensitivity effects on strategic infrastructure and rural productive activities; and*
>
> *viii. retains a low density of built form with a high degree of openness appropriate to the surrounding environment.*

50. Again this policy is not zone specific but it does indicate that the density and distribution of a residential unit "ensures" that the identified matters are maintained, enhanced, supported, avoided or retained as appropriate. There is nothing in that policy which indicates that the purpose of any of the rural zones, including the RUFZ, are to be used predominantly for a rural lifestyle within a rural environment.

51. There is, in my view, a policy thrust against rural residential development but it clearly anticipates residential lifestyle activity subject to the density and distribution of those residential units maintaining and enhancing the working function of the rural environment, avoiding reverse sensitivity effects on, relevantly, rural productive activities, and supporting a consolidated urban form (amongst other matters).

52. Rural residential development is not defined in the Plan. In the CRPS it is defined as:

> *means residential units outside the identified Greenfield Priority Areas and Future Development Areas at an average density of between 1 and 2 households per hectare.*

53. Urban activities is defined in the CRPS as:

> *means activities of a size, function, intensity or character typical of those in urban areas and includes:*
>
> - *Residential units (except rural residential activities) at a density of more than one household unit per 4 ha of site area;*

54. Overall, considering the policy framework as a package and in the round, there is little clear guidance as to where the RUFZ sits in terms of the nearest equivalent zone in the NPS. There is however nothing which indicates that rural lifestyle is to be the predominant use in the RUFZ.

Other Guides in the Plan to Assist in Determining the "nearest equivalent zone"

55. In *Rogers*[10] the Court referred to its previous unrelated decision[11] where it had remarked that the rural objective and policies are not linked expressly to any of the Plan's seven rural zones except infrequently where a geographic area is named. The Court recorded that it had previously commented on the challenge that this creates for the interpretation and application of the Plan's rural policy framework to proposed developments but that those matters are not within jurisdiction and until the framework is changed must be implemented.[12]

56. The Court identified as a "compounding factor" that the Plan lacks zone statements that explain the purpose and outcomes sought for individual zones. The Court identified and discussed the "pop up" descriptions for each of the zone accessible in the electronic version of the planning maps and noted the pop up for the RUFZ where the following text is displayed:

> *The Rural Urban Fringe Zone covers the flat land adjacent to metropolitan Christchurch. The zone provides for rural productive activities and the use of existing sites between 1 ha and 4 ha for rural dwellings while avoiding the creation of new sites of less than 4 hectares for rural dwellings.*

57. I note the Court expressed concern as to the potential of the zone descriptions to be used to interpret objectives and policies if regarded as a method to implement the same and, were this to occur, particularly in relation to the zone descriptions that are inaccurate or incomplete, this may have consequences for the administration of the Plan that were unintended by the Independent Hearings Panel who heard and made decisions on submissions.

58. The pop up is used in relation to the other zones. In Rural Waimakariri Zone, the pop up provides:

> *The Rural Waimakariri Zone adjoins the Waimakariri River. It provides for rural productive activities while retaining large site sizes that avoid adverse effects on flood protection and recreational assets.*

59. The pop up for the Rural Banks Peninsula Zone provides:

> *The Rural Banks Peninsula Zone encompasses all of the rural land in Banks Peninsula. The zoning recognises the rural working environment of Banks Peninsula and the need to balance this with the landscape from a biodiversity and heritage values. The zone provides for a range of rural land activities based on their function with the rural resource and scale.*

60. The Rural Port Hills Zone pop up simply states:

[10] *John and Alison Rogers v Christchurch City Council* Decision No [2019] NZEnvC 119
[11] *Yaldhurst Quarries Joint Action Group v Christchurch City Council and Anor* [2017] NZEnvC 165
[12] *Yaldhurst* at para [38]

The Rural Port Hills Zone includes all rural land on the Port Hills facing Christchurch main urban area.

61. The lack of clear zone statements that explain the purpose and outcomes sought for the individual zones, in my view, causes some difficulties in assessing what is the nearest equivalent zone in the NPS. Even If the pop ups were to be used as a guide to interpretation, while indicating that the use of existing sites between 1 and 4 hectares for a rural dwelling while avoiding the creation of new sites of less than 4 hectares, it also provides for rural productive activities. That does not assist in determining what the predominant use, as addressed by the Court in *Wakatipu*, is.

Rules for the Rural Zone

62. I have not undertaken a detailed analysis of the rules in this opinion. I have been provided with a comparison in tabular form which I have considered. I agree that the permitted activity minimum lot size of 4 hectares for the RUFZ, as opposed to 20 hectares and 100 hectares in the other rural zones, is relevant. In my view that is a matter which should be given some weight in the comparison, but it is not determinative. The rules across the zones are broadly similar. These were assessed by Mr Pizzey as *"little significant differences .. other than the minimum lot size for residential activities described above"*.

63. Again I consider built form standards are also relevant. While I have not undertaken a detailed comparison of those in this opinion, I understand that they are broadly similar across the zones. 17.5.2.2 Building height – in the RUFZ distinguishes between 9 metres for all buildings and 12 metres for farm buildings. This could indicate that primary production is the anticipated predominant use. The same standard applies in the Rural Waimakariri Zone.

64. On the basis of my understanding as outlined in paragraph 62, the "little significant differences" in the rules and Built Form Standards, does not indicate that the purpose of the RUFZ is that it be used predominantly or mainly for rural lifestyle.

Other Potentially Relevant Guidance – Section 32

65. I note Ms Robinson has referred to the section 32 report in her correspondence of 28 August 2023.

66. In the lack of clear guidance, I have considered the s32 report publicly notified on 2 May 2015 to see if any assistance can be obtained from that.

67. I have not included a clause-by-clause analysis of the s32 report and attachment. In my view, the s32 analysis is not particularly helpful in the comparative exercise required under clause 1.3(4)(b).

68. In the Strategic Context, the purpose and scope of the Rural Chapter is recorded as:

    a. *To provide a streamlined, focused and updated framework and process for the management and direction of rural land.*

    b. *To provide certainty and clarity around the rules and standards applying to rural activities, including quarrying activities, and non-rural activities undertaken within the rural environment.*

c. *To identify key characteristics, values and outcomes for rural land and manage activities to achieve these.*

d. *To manage rural dwellings to enable continuation of rural activities, avoid reverse sensitivity effects, retain the effective functioning of rural land and support a consolidated urban form.*

69. It identifies that the Strategic Directions Chapter (Decision 26 February 2015) provides the following direction for the management of rural land in Christchurch:

a. *Expedited recovery and future enhancement of Christchurch*

b. *Clarity of language and efficiency*

c. *Availability of a range of housing opportunities*

d. *Avoidance of natural hazards*

e. *A range of opportunities are provided for business activities*

f. *Urban activities are to be located within existing urban areas*

g. *Use of zoning to minimise conflicts between activities and avoid conflicts where there may be significant adverse effects on health, safety and amenity*

h. *Recognition of the importance of aggregate extraction, associated processing and transportation of extracted and processed produce to support recovery*

i. *Important natural resources are identified and appropriately managed*

70. The Rural Urban Fringe Zone is described as:

Comprising of the existing Rural 2, 3 and 7 Zones and part of the Rural Quarry and Rural 5 Zones under the operative City Plan with provision for:

a. *a range of rural production activities as permitted activities, with the exception of intensive farming and plantation forestry which are discretionary activities;*

b. *a residential unit on a site with a minimum area of 4ha as a permitted activity;*

c. *a residential unit on a site that exists as at 2 May 2015 with a minimum area of between 1ha and 4ha as a discretionary activity; …*

71. At paragraph 4 the s32 report provides:

Broadly the objective and policies of the Rural Chapter seek to address the following key resource management issues:

a. *Fragmentation of rural land, including no further provision for rural residential development in the flat land of Christchurch District*

b. *Retention of the diverse character and amenity values of the rural environment*

c. *Recognising that rural living is a part of the rural environment that needs to be managed to avoid effects*

d. *Minimising potential for reverse sensitivity effects on rural activities and enabling the 'right to farm'*

e. *Enabling thriving rural communities and the ability to adapt to the changing rural economy*

f. *Enabling access to and use of potential aggregate resources*

g. Recognising the multi-functionality and values of the rural environment, including landscapes, biodiversity and location of strategic infrastructure

72. At paragraph 5 it records that the policies will be implemented through:

a. Zoning of land … to recognise the different functions of each rural area through different densities of development and range of rural activities along with rural living.

73. At a.ii it provides a zone description as follows:

Rural Urban Fringe Zone – comprising of the existing Rural 2, 3 and 7 Zones and part of the Rural Quarry and Rural 5 Zones under the operative City Plan with provision for:

a. a range of rural production activities as permitted activities, with the exception of intensive farming and plantation forestry which are discretionary activities;

b. a residential unit on a site with a minimum area of 4ha as a permitted activity;

c. a residential unit on a site that exists as at 2 May 2015 with a minimum area of between 1ha and 4ha as a discretionary activity; …

74. Issue 1 is identified as fragmentation of rural land and sustainability of the peri-urban area. It records that non-rural uses (those not based upon rural resources including rural residential development) compete for rural land, particularly in the peri-urban fringe area. These often higher economic uses or with higher capital investment lead to effects such as reverse sensitivity, fragmentation of land, reduced ability for productive uses to operate and ultimately removal of land from primary production and the ability to access gravel resources. The competing land uses can limit opportunities for both existing and future rural productive use and the ability to retain a consolidated urban form or planned efficient future urban growth.

75. In relation to rural subdivision its states:

It is recognised that there are existing highly fragmented areas within the rural environment, particularly around the Christchurch urban fringe, and many sites without dwellings. The pattern of development of these areas is the legacy of subdivision rules under previous district plans as well as the operative City Plan. These sites represent an existing resource however enabling development of these sites for rural living may not always be appropriate as it can alter the rural character, create rural residential development in areas where it is not desirable (particularly close to the urban edge or areas with high landscape values), detracts from other areas where such development is preferred, and places pressure on infrastructure and surrounding rural production activities.

76. It notes that for Greater Christchurch, the CRPS provides strong direction on managing further fragmentation by preventing any further rural residential development (sites with average size of 1-2 households per hectare).

77. Issue 3 is providing for rural living. It addresses the flat land surrounding the main Christchurch urban area, recording that rural living is currently provided on the basis of a 4ha minimum. Notes the exceptions provided to sites existing at 24 June 1995 and that the majority of those sites have been developed around Marshlands, Halswell and Yaldhurst. Notes that while the minimum enables rural production activities these areas are now dominated by lifestyle development with minimal rural production activities.

78. It records that the 4ha minimum has been defined within the CRPS as a rural activity. Any development below this minimum is defined as an urban activity or rural residential development under the CRPS with the policy direction being that it is not encouraged within the Christchurch part of Greater Christchurch. This raises issues of how to manage the current exception of allowing existing 2ha sites to establish a dwelling. Analysis of titles from Land Information New Zealand indicates that 36 sites meeting the rule do not have a dwelling located on them as of June 2014. The addition of these dwellings is minimal, essentially filling in gaps between existing lifestyle development. The more difficult task is to prevent further subdivision and development below 4ha.

79. In the s32 analysis relating to zoning in terms of the RUFZ it states:

> *The proposed approach is to combine the current City Plan Rural 2, 3, 7 and part of Rural 5 zones. The approach recognises the peri-urban area adjoining the main Christchurch urban area with its intensive pattern of development dominated by lifestyle development and more limited traditional rural activity. The key is to manage these areas to retain their rural character and avoid further fragmentation through rural residential development and subdivision that changes rural character and would not support the consolidated urban form. This also involves avoiding urban activities as per the higher level policy direction.*

80. In 5.2.1 – Identification of options, (d) states:

> *In considering options to avoid rural residential development, the focus has been on the Rural Urban Fringe Zone which directly adjoins the urban boundary, has an existing 4ha minimum site size and is highly fragmented with the greatest pressure and risk for rural living and other urban activities. The options to give effect to the CRPS are limited as any approach has to avoid further rural residential development. Options considered include increasing minimum site size, retaining the existing approach (non-complying where sites are less than 4ha), or imposing a more restrictive option that introduces prohibited activity status for the creation of sites less than 4ha with grand parenting of existing sites between 1 and 4ha.*

81. Again it addresses the built form standard noting that for rural dwellings in the RUFZ they have not changed from the current City Plan provisions. Notes that the rural dwelling density in the Rural Waimakariri and the Rural Port Hills of 20ha and 100ha respectively, the density is based upon retention of the open rural character and protection of natural resources including groundwater, landscape and flood mitigation areas. It states these existing provisions have been effective and will achieve the proposed objective of managing rural living and maintaining rural character.

82. The s32 Appendix 6 – Management approach for rural living in the peri-urban/flat land area of the Christchurch District, addresses the Rural Urban Fringe. At 3.1 it addresses the purpose of the RUFZ. It states:

> *The rural area immediately surrounding the Christchurch main urban area is referred to as a peri-urban area. These areas are generally regarded as a transition between urban and rural areas located between the urban edge and the traditional rural environment. The peri-urban areas provide for a mix of activities that support the urban area including rural living, recreation, tourism, hazard mitigation and strategic infrastructure along with rural activities. Peri-urban areas are also important in providing options for future urban growth, local food production and ecosystem services e.g. water supply catchments for the urban area. While rural farming activities are no longer the dominant land use these areas are valued for their rural amenity and degree of open character, which differs from the more traditional working*

landscapes due to the intensive subdivision pattern and higher level of lifestyle development. There is still a high degree of naturalness to the peri-urban area, sharing more elements of rural character rather than urban character. Managing the peri-urban area requires consideration of all its functions and how it best supports the adjoining urban area.

83. It identifies the primary management consideration for the Rural Urban Fringe is to manage rural living, and other urban activities, to avoid further fragmentation and de facto urban development that undermines retention of the consolidated urban form and inhibits options for future growth beyond 2028. It also notes that it is important for ensuring that access to gravel resources is enabled by avoiding a pattern of subdivision and dwellings that would make it difficult to access gravels.

84. In addition, it identifies that the Rural Urban Fringe also has the potential to provide for:

- *Local food production - Continuation and enhancement of local food production can benefit from the existence of versatile soils provided the ability to access such soils is not reduced through fragmentation and reverse sensitivity issues;*
- *Biodiversity and open space networks - Currently subdivision and development in the peri-urban area takes a traditional form of subdivision and results in large areas of lifestyle development that have little or no public recreation or biodiversity opportunities or could be developed in a manner that maximised or protected the openness of a site. …*

85. The s32 analysis and associated appendices provide some, albeit in my opinion limited, assistance in informing the assessment of what is the nearest equivalent zone. I do not give the views of the s32 writers much weight.

Overall Conclusion

86. Having considered all of the above, it is clear that a direct comparison to identify the nearest equivalent zone is difficult. The lack of any description of the purposes of the zones within the body of the Plan is problematic. This can be compared, for example, with the Queenstown PDP which the Court was addressing in *Wakatipu Equities Limited.*

87. The single objective and supporting policies in the Plan do not provide a clear pathway for that assessment. Overall, in my view the Plan, in the round, does not provide any clear indication that the RUFZ is to be used predominantly for, as that term is used in the PS8 zone classes, assessed in accordance with the Court's approach in *Wakatipu Equities Limited*, rural lifestyle.

88. I agree that the existing physical environment and the visual assessment of that zone is not the appropriate methodology for determination of what is the nearest equivalent zone. I consider that the Environment Court's decisions in *Drinnan* and in *Wakatipu Equities Limited* in this regard are correct. The existing physical environment may be very relevant in the mapping exercise. In my view the approach taken by Mr Pizzey is correct in that regard.

89. The RUFZ does not neatly fit into any of the potential zones. On balance, on the information before me, and recording that I have not had the benefit of evidence and submissions, I consider the RUFZ is

nearer, in terms of equivalency, to the General Rural Zone than to the Rural Lifestyle Zone in the PS8 zone classes.

Yours faithfully

David Caldwell

Appendix A: NPS-HPL Policies

2.2 Policies

Policy 1: Highly productive land is recognised as a resource with finite characteristics and long-term values for land-based primary production.

Policy 2: The identification and management of highly productive land is undertaken in an integrated way that considers the interactions with freshwater management and urban development.

Policy 3: Highly productive land is mapped and included in regional policy statements and district plans.

Policy 4: The use of highly productive land for land-based primary production is prioritised and supported.

Policy 5: The urban rezoning of highly productive land is avoided, except as provided in this National Policy Statement.

Policy 6: The rezoning and development of highly productive land as rural lifestyle is avoided, except as provided in this National Policy Statement.

Policy 7: The subdivision of highly productive land is avoided, except as provided in this National Policy Statement.

Policy 8: Highly productive land is protected from inappropriate use and development.

Policy 9: Reverse sensitivity effects are managed so as not to constrain land-based primary production activities on highly productive land.

chapman tripp

Memorandum

DRAFT FOR DISCUSSION PURPOSES ONLY

Date: 3 July 2025

To: Novo Group Limited

From: Jo Appleyard / Tallulah Parker
Direct: [redacted]
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Ref: 100656122/3467-5663-5448.2

ADVICE ON THE APPLICATION OF THE NPS-HPL TO THE SITE - RYANS ROAD INDUSTRIAL DEVELOPMENT

1 Novo Group Limited are assisting with the application for approval under the Fast-track Approvals Act 2024 (*Act*)(*Application*) by Carter Group Limited (*Carter Group*). The Application relates to the Ryans Road Industrial Development, at 104 Ryans Road and 20 Grays Road, Christchurch (*Site*). The Application has now been referred to the panel convener for determination by a panel.

2 The land to which the Application relates is zoned Rural Urban Fringe (*RuF*) in the operative Christchurch District Plan (*District Plan*). The Site is Land Use Classification (*LUC*) Class 2.

3 The purpose of this memorandum is to outline why the National Policy Statement for Highly Productive Land (*HPL*) 2022 (*NPS-HPL*) does not apply to the Site and has no relevance to the Application.

Executive summary

4 In summary, the NPS-HPL does not apply to the Site as the Site which is LUC Class 2 is not zoned "general rural or rural production" land for the purpose of the NPS-HPL as:

(a) the District Plan 'equivalent zone' to the General Rural and Rural; Production zones under the National Planning Standards is the Rural Banks Peninsula zone and the Rural Waimakariri zone; and

(b) the 'equivalent zone' to the RuF zone under the National Planning Standards is the Rural Lifestyle zone.

NPS-HPL – cl 3.5(7) interim definition of Highly Productive Land

5 The NPS-HPL requires regional councils to map highly productive land in their regional policy statements within three years of the NPS-HPL coming into force (in other words, by 17 October 2025).[1]

[1] National Policy Statement for Highly Productive Land 2022, cl 3.5(1).

6 Environment Canterbury (*ECan*) has published its draft Canterbury Regional Policy Statement (*CRPS*), including mapping of HPL, which shows the Site as not being HPL.[2] However, the CRPS review process is on hold, and HPL mapping has not been included in an operative regional policy statement.[3]

7 In the interim, under clause 3.5(7), a consent authority must apply the NPS-HPL as if references to HPL were a reference to land that, at the commencement date:[4]

> (a) is
>
> (i) zoned general rural or rural production; and
>
> (ii) LUC 1, 2, or 3 land; but
>
> (b) is not:
>
> (i) identified for future urban development; or
>
> (ii) subject to a Council initiated, or an adopted, notified plan change to rezone it from general rural or rural production to urban or rural lifestyle.

8 Clause 1.3(4) of the NPS-HPL further states:

> (4) A reference in this National Policy Statement to a **zone** is:
>
> (a) a reference to a zone as described in Standard 8 (Zone Framework Standard) of the National Planning Standards; or
>
> (b) for local authorities that have not yet implemented the Zone Framework Standard of the National Planning Standards, a reference to the nearest equivalent zone.

9 The District Plan has not yet implemented the Zone Framework Standards for rural zones, including general rural (*GR*) and rural production (*RP*) zones; therefore, determining whether the NPS-HPL applies to the RuF zone requires an assessment of the 'nearest equivalent zone' within the District Plan.

'General rural or rural production' zone(s) in the District Plan

10 To determine the nearest equivalent zone to the GR and RP zones for the transitional HPL definition exercise, it is necessary to look at any zone descriptions, objectives, policies, activity tables and subdivision provisions of the District Plan's

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[2] Environment Canterbury draft HPL maps.

[3] NPS-HPL 2020 definition of '**highly productive land**': *means land that has been mapped in accordance with clause 3.4 and is included in an operative regional policy statement as required by clause 3.5 (but see clause 3.5(7) for what is treated as highly productive land before the maps are included in an operative regional policy statement and clause 3.5(6) for when land is rezoned and therefore ceases to be highly productive land).*

[4] 17 October 2022.

rural zones and compare these with the zone descriptions for the General Rural and Rural Production zones in the National Planning Standards.[5]

National Planning Standards – Rural Zones

11 The four 'rural type' zones available for comparison in the National Planning Standards and their descriptions are as follows:

1.1 **General rural zone**: Areas used predominantly for primary production activities, including intensive indoor primary production. The zone may also be used for a range of activities that support primary production activities, including associated rural industry, and other activities that require a rural location.

1.2 **Rural production zone**: Areas used predominantly for primary production activities that rely on the productive nature of the land and intensive indoor primary production. The zone may also be used for a range of activities that support primary production activities, including associated rural industry, and other activities that require a rural location.

1.3 **Rural lifestyle zone**: Areas used predominantly for a residential lifestyle within a rural environment on lots smaller than those of the General rural and Rural production zones, while still enabling primary production to occur.

1.4 **Settlement zone**: Areas used predominantly for a cluster of residential, commercial, light industrial and/or community activities that are located in rural areas or coastal environments.

12 The GR and RP zone descriptions are similar.[6] They are both areas used predominantly for primary production activities and intensive indoor primary production, as well as a range of activities that support primary production activities.

Rural zones in the District Plan - GR & RP 'equivalent zone'

13 There are five (non-quarry) rural zones within the District Plan, being the:

- Rural Urban Fringe (*RuF*) zone;
- Rural Waimakariri (*RuW*) zone;
- Rural Banks Peninsula (*RuBP*) zone;
- Rural Port Hills (*RuPH*) zone; and
- Rural Templeton (*RuT*) zone.

14 There is no clear description in the District Plan of the intended purpose of the different rural zones, nor are there any specific objectives or policies related to the

[5] National Policy Statement for Highly Productive Land: Guide to Implementation at 5.

[6] So similar that the GR and RP zones have been variously adopted by different districts for rural zones of a similar type, that is they seem to be used interchangeably. See for instance Whangarei District Council that adopted the RP Zone as its main rural zone, and Selwyn District Council that adopted the GR Zone.

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specific zones that provide insight. Section 7 of Appendix 4 of the Section 32 for the Rural Chapter discusses in some depth the differences between parts of the rural environment with similar character, land use and values that were subsequently grouped together to describe the rural environment and inform future management.

15 For the purpose of determining what zone is nearest equivalent to a GR or RP zone, the key determining factor is the extent to which primary production activities are enabled and anticipated in the zone and the extent to which the zone is managed primarily for this purpose. The rural zones within the District Plan permit a range of primary production activities, but the extent to which they are enabled (in particular by the subdivision and minimum dwelling site size standards) and anticipated (having regard to the pattern of land use and the competition for and price of land) varies between zones.

16 In consideration of the above values and the policies and objectives of the District Plan, the RuBP and RuW are the nearest equivalent zones to the GR and/or RP zones. These zones are enabled, anticipated and managed for primary production activities more so than any other rural zones within the District Plan. This is evidently clear, in particular, by the large minimum subdivision standards in these zones and the function of the zones as described in Chapter 17 of the District Plan.

Rural-urban Fringe Zone – 'equivalent zone'

17 In contrast, the RuF is managed predominantly for its amenity and character urban-rural contrast and for appropriate peri-urban uses, including an allowance of dwellings on 4ha lots. Having undertaken a review of the policies and objectives and a desktop review of the actual permitted activities being undertaken in the RuF, we note:

17.1 The Section 32 report notes that traditional farming is no longer dominant; the area is valued for rural amenity and open character, shaped by lifestyle development and subdivision. The primary planning focus of the zone is to manage rural living and prevent de facto urban development that undermines growth planning. The land is heavily fragmented, dominated by lifestyle blocks, rural-residential use, and urban fringe activities.

17.2 Policy 17.2.2.4 (Function of rural areas) seeks to *'Ensure the nature, scale and intensity of subdivision, use and development recognise the different [characteristics] of rural land in the Christchurch District'* and supports an interpretation that subdivision, use and development standards (including lot sizes) are a key determinant of a zone's *primary function*.

17.3 A significant range of non-rural activities are permitted in the zone, including forms of retail and manufacturing, residential activities, recreation activities, emergency service facilities, vet facilities, poultry hatcheries, and visitor accommodation. Farming and rural produce retail are also permitted.

17.4 Intensive farming is also contemplated in the zone but as a restricted discretionary activity rather than a permitted activity, with specific regard

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needing to be given to the sensitivity of the surrounding environment, and the extent to which adverse effects on residents can be avoided.[7]

17.5 A 4ha minimum net site area applies—the smallest of any rural zone in the District Plan (with other rural zones having a minimum net site area varying from 20 hectares to 100 hectares).[8]

18 The RuF zone comprises a mixture of uses, predominantly made up of rural lifestyle properties, smaller farming units, as well as some small commercial offerings (particularly towards Marshlands). We understand that demand for rural lifestyle properties in the RuF zone close to the city has elevated the land value to a level where rural lifestyle represents the highest and best use in many cases, meaning we can expect to see a continued proliferation of 4-hectare properties within the RuF zone as permitted activities.

19 Based on the above review, we conclude that the nearest equivalent zone to the RuF zone in the National Planning Standards is the rural lifestyle zone. This is on the basis that a significant proportion of the zone is able to be, and is in fact used for residential purposes, and the rules allow for the creation of 4-hectare allotments (which is generally accepted as a lot size that does not support primary productive use). We note a relevant excerpt from a 2018 MacFarlane Rural Business assessment referenced by a Waimakariri District Council officer in a memo to the hearings panel for the Proposed Waimakariri District Plan, which says:[9]

> *there are very few agricultural or horticultural farming practises that would justify a farming business of 4ha (with the exception of very intensive vegetable production or glasshouse operations), even if they are operated to the highest level. The reality is that most properties under 10ha have been purchased for lifestyle purposes and the majority of the household income is derived off farm. Furthermore, once the house and amenities are deducted from the total area, the effective farming area on a 4ha property could be as low as 2ha. Whilst in theory a group of 4ha properties could be operated in conjunction to achieve scale, this is unlikely to be successful given owners will often have differing priorities and the fact that the small paddock sizes will limit operational efficiency.*

The NPS-HPL does <u>not</u> apply

20 For the reasons explained above, we consider that for the purpose of the Application, the Site is not zoned GR or RP and therefore the NPS-HPL does not

[7] Refer to *Wakatipu Equities Limited v Queenstown Lakes District Council* [2023] NZEnvC 188 at [57] and [65].

[8] Rural Waimakariri Zone and Rural Quarry (McLeans Island) Zone: 20 hectares. Rural Port Hills Zone: 100 hectares. Rural Banks Peninsula Zone: 40 or 100 hectares depending on location.

[9] Memorandum from Mark Buckley, S42A Reporting Officer for Rural Zones, 30 June 2023.

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apply to the Application under the interim definition of HPL. Additionally, we note that this aligns with ECan's draft CRPS HPL mapping.

Jo Appleyard / Tallulah Parker
Partner / Senior Solicitor

draft

3 July 2025

Novo Group Limited
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MEMO

TO:	Jeremy Phillips, Director & Senior Planner
FROM:	Adele Radburnd, Senior Planner
PROJECT REF:	0021050

NPS- HPL TRANSITIONAL DEFINITION

Introduction

1. You have asked for a planning policy assessment as to what zones, if any, contained in the Christchurch District Plan, can be considered the "*nearest equivalent*" to the General Rural or Rural Production zones in the National Planning Standards, for the purposes of interpreting and applying the directions of the National Policy Statement on Highly Productive Land.

2. This is to determine whether the NPS-HPL has any relevance to the urban rezoning of the subject land ("Land") which

    a. is currently zoned Rural Urban Fringe in the Christchurch District Plan;

    b. is subject to Land Use Capability Class 1-3 soil as mapped in the NZ Land Resource Inventory; and

    c. is not otherwise identified for future urban development or subject to a council initiated or adopted notified plan change.

Context

3. The NPS-HPL requires regional councils to map highly productive land in their regional policy statements within three years of the NPS-HPL coming into force (in other words, by 17 October 2025).[1] ECAN has published its draft Canterbury Regional Policy Statement, including mapping of HPL, which shows the subject land as not being highly productive[2], but the CRPS review process is on hold and therefore these maps currently have no weight.

[1] National Policy Statement for Highly Productive Land 2022, cls 3.5(1).
[2] Draft CRPS Maps

4. In the interim period, before maps are formally included in the CRPS, land must be *treated as* highly productive land for the purposes of the NPS-HPL if at the commencement date of 17 October 2022, it:

    - *is zoned General Rural or Rural Production; and*
    - *is LUC 1, 2, or 3; but*

    but is not:

    - *identified for future urban development; or*
    - *subject to a council initiated, or an adopted, notified plan change to rezone it from general rural or rural production to urban or rural lifestyle.*

5. Clause 1.3 (4)(b) of the NPS-HPL states that "*a reference in the NPS-HPL to a zone is:*

    (a) a reference to a zone as described in Standard 8 (Zone Framework Standard) of the National Planning Standards; or

    (b) for local authorities that have not yet implemented the Zone Framework Standard of the National Planning Standards, a reference to the nearest equivalent zone"[3].

6. Christchurch City Council has not yet implemented the Zone Framework Standards for rural zones, therefore determining whether the NPS-HPL applies to the Land requires an assessment as to what the nearest equivalent zone in the Christchurch District Plan is to the General Rural (**GR**) and Rural Production (**RP**) zones. If the Rural Urban Fringe Zone is considered the "nearest equivalent zone" to the GR or RP zones, then the NPS-HPL would apply to the subject land. If it is not the nearest equivalent, it would not apply.

7. To be clear, in my view, the assessment of zone equivalence:

    a. **Does not involve a planning assessment of the actual function and land use composition of the different zones**, other than as is reflected in the district plan provisions themselves. That assessment was undertaken as part of the last District Plan Review and led to the identification of the rural zones in the operative District Plan; and

    b. **Does not ask us to find the nearest equivalent National Planning Standard Zone to the operative DP zones.** This would be a different exercise to identifying what zones are nearest equivalents to the GR or RP zones. The operative DP rural zones may not be an obvious or good fit for the three main rural NPS zones (GR, RP, RL) or Settlement Zones but it is not a requirement to make them fit by allocating one of the new zones at this time.

    c. (related to (b) above) **Does not require consideration of what National Planning Standard zones the operative District Plan rural zones might become** when the Council comes to implement the National Planning Standards. That is an assessment for a future time and where Council can choose to adopt any of the standard rural zones (with or without precincts, overlays, and other

[3] i.e. in the same way that CCC needed to select the (single) nearest equivalent zone (if any) when it implemented the Policy directions of the NPS-UD.

provisions to manage parts of the zone differently), or to rezone[4] rural land to other zones in the planning standards including open space, future urban, natural open space or even an urban (residential, business or other) zone. The Council may also choose to split an existing zone into two or more zones. These are all circumstances anticipated by the Government for councils implementing the National Planning Standards[5].

Approach to Assessment

8. To determine the nearest equivalent zone to the GR and RP zones for the transitional HPL definition exercise, it is necessary to look at any zone descriptions, objectives, policies, activity tables and subdivision provisions of the District Plan's rural zones and compare these with the zone descriptions for the General Rural and Rural Production zones in the National Planning Standards.[6]

National Planning Standards – Rural Zones

9. The National Planning Standards descriptions for the General Rural and Rural Production zones are as follows:

> ***General Rural zone:*** *Areas used predominantly for primary production activities, including intensive indoor primary production. The zone may also be used for a range of activities that support primary production activities, including associated rural industry, and other activities that require a rural location.*
>
> ***Rural Production zone:*** *Areas used predominantly for primary production activities that rely on the productive nature of the land and intensive indoor primary production. The zone may also be used for a range of activities that support primary production activities, including associated rural industry, and other activities that require a rural location.*

10. The two zone descriptions are very similar[7]; they are both areas used:

    a. predominantly for primary production activities and intensive indoor primary production; and

    b. for a range of activities that support primary production activities including associated rural industry, and

    c. for other activities that require a rural location.

11. The key distinction is that the RP Zone specifies reliance on "*the productive nature of the land*." While this wording suggests a link to soil quality, government guidance for the National Planning Standards[8] clarifies that the RP Zone is intended to recognise areas where productivity is *not* tied to soil capability (e.g. LUC classification). For example, In

[4] Provided they have not already concluded the land to be highly productive under the NPS-HPL, limiting the option of urban rezoning.
[5] Guidance for Zone Framework and District Spatial Layers Standards page 2.
[6] National Policy Statement for Highly Productive Land: Guide to Implementation, page 15.
[7] So similar in fact that the GR and RP zones have been variously adopted by different districts for rural zones of a similar type, that is they seem to be used interchangeably. See for instance Whangarei District Council that options the RP Zone as its main rural zone, and Selwyn District Council that adopted the GR Zone.
[8] Guidance for Zone Framework and District Spatial Layers Standards page 8.

Christchurch, the Avoca or Horotane Valley areas might support a RP zoning because productivity there is driven by their microclimates rather than soil versatility.

12. **The key question to answer to determine the 'nearest equivalent zone' is therefore, which of the operative district plan rural zones is managed and anticipated primarily for 'primary production activities' and can therefore be seen as the nearest equivalent to a GR or RP zone?**

Christchurch District Plan Objectives and Policies

13. Unfortunately, there is no clear description in the Christchurch District Plan of the intended purpose or function of each of the Plan's rural zones, including the Rural Urban Fringe zone. Nor are there any specific objectives or policies related to that zone that provide any insight.

Objectives

14. The Strategic Directions Chapter provides the overarching outcomes for rural zones in Christchurch. **Objective 3.3.16 (A productive and diverse rural environment)** states the main outcome being:

    a. *A range of opportunities is enabled in the rural environment, primarily for rural productive activities, and also for other activities which use the rural resource efficiently and contribute positively to the economy.*

    b. *The contribution of rural land to maintaining the values of the natural and cultural environment, including Ngai Tahu values, is recognised.*

15. Within the Rural Zone Chapter, there is a single objective for the whole of the rural environment:

    Objective 17.2.1.1 The Rural Environment

    a. *Subdivision, use and development of rural land that:*

        i. *Supports, maintains and, where appropriate, enhances the function, character and amenity values of the rural environment and, in particular, the potential contribution of rural productive activities to the economy and wellbeing of the Christchurch District.*

        ii. *Avoids significant, and remedies or mitigates other reverse sensitivity effects on rural productive activities and natural hazard mitigation works;*

        iii. *Maintains a contrast to the urban environment.*

        iv. *[not relevant].*

16. The above objectives reflect the outcome of the Section 32 evaluation for rural zones, which established the current resource management framework for the rural environment in Christchurch. The objectives generally seek to maintain the rural zones for their function (in particular the potential for rural productive activities), character and amenity values, natural and cultural values and for maintaining a contrast to the urban environment.

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17. The Rural Section 32 report makes plain that the management regime for the rural environment was largely predetermined by higher order documents (namely the CRPS)[9], that directed a focus on maintaining a consolidated pattern of urban development, limiting rural residential development, retaining land for rural productive activities (farming, plantation forestry, intensive farming and quarrying), maintaining the function of a working environment (including management of reverse sensitivity) and maintaining a contrast with the urban environment[10].

18. The implementing policies give effect to that direction, with different emphasis given to different rural zones depending on their main functions.

Rural Policies

19. Chapter 17 includes a range of policies aimed at enabling a range of activities on rural land (Policy 17.2.2.1), managing the effects on rural values (including character and amenity) (Policy 17.2.2.2) and to recognise that character and amenity values vary across the district (Policy 17.2.2.3).

20. The policy emphasis on managing rural character and amenity is a strong theme in the Chapter 17 policies and the Section 32 evaluation that informed them, particularly for the rural plains. This was informed by evidence that showed "*that primary production activities in Christchurch, particularly on the rural plains, are no longer the dominant land use activity*"[11] and the economic value of rural plains land was low (from a productive perspective), such that "*rural land management practices in these areas should focus more strongly on other factors / values such as rural amenity values, rural character, open space issues and environmental protection and management*"[12]. Whilst it was acknowledged in the evaluation that the opportunity or ability for primary production in the future has not been totally foreclosed on rural land, significant constraints existed due the dominance of lifestyle development, land fragmentation and inflated land prices.

21. The Section 32 report describes how, from a policy and functional perspective, most of the city's rural zones are not valued primarily for their rural productivity; rather, they are managed for their broader functions and values associated with the rural environment such as amenity, landscape, biodiversity, water management and recreation[13]. This is reflected in the policies which focus on many of those aspects.

22. Policy 17.2.2.4 (Function of Rural Areas) seeks to 'ensure the nature, scale and intensity of subdivision, use and development recognise the different [characteristics and values] of rural land in Christchurch District supporting an interpretation that subdivision, use and development standards (including lot sizes) are a key determinant of a zone's primary function. The policy very broadly sets out the function of rural areas, without being specific about zones. We can infer though that clause (i) through (v) reference the five (non-quarry) rural zones with the reference to rural flatland surrounding the main

[9] Rural Section 32 Report, page 32.
[10] Rural Section 32 Report Page 16, Appendix 3 and elsewhere.
[11] Rural Section 32 Report, Appendix 4, page 60
[12] Ibid page 61
[13] Ibid, page 4, 5 and 68

Christchurch urban area relating to both the RuUF and RuW zones[14]. The policy refers to 'rural productive activities' being key functions for the Banks Peninsula rural environment and the rural flat land surrounding the main urban area. Given that the s32 evaluation concludes that the horse has already bolted for rural production in the RuUF zone but is still viable to some extent in the RuW, it is inferred that the reference to 'rural flatland' is largely directed at the RuW zone, and the RuUF only to the extent that existing rural productive activities might still be undertaken. The policy also highlights the specific eco-system services role of the Waimakariri rural land and the natural character of the Port Hills.

23. Significantly, the only rural zone to have its own policy focused on maintaining and enhancing the quality of the working environment, is the Rural Banks Peninsula Zone (Policy 17.2.2.8). This is consistent with the Section 32 evaluation that describes this part of the rural environment as a 'rural working landscape' where 'rural productive land use, based around pastoral farming', dominates the landscape[15].

24. **In my view, the detailed analysis of the section 32 report that established the management framework for rural zones leads me to determine that only the RuBP zone functions primarily as a productive rural environment. Whilst objectives and policies *permit* primary production / rural production activities in all rural zones, the Section 32 acknowledges that other than for Banks Peninsula, the productive value of rural land in Christchurch has been diminished to such a great extent that its rural productive values are not strongly protected or managed through the district plan. Rather, the district plan seeks to manage other characteristics of the rural environment including rural character and amenity, landscape and natural values (including ecosystem services) with non-rural land uses limited by the strong urban consolidation objectives of the CRPS.**

Methods – zoning and rules

25. A comparison of the relevant policies and rules applicable to the existing rural zones identities some key distinctions and assists to identify the nearest equivalent zones to the GR and RP zones.

26. The Christchurch District Plan includes five (non-quarry) rural zones:

    a. Rural Urban Fringe (RuUF) Zone

    b. Rural Waimakariri (RuW) Zone

    c. Rural Banks Peninsula (RuBP) Zone

    d. Rural Port Hills (RuPH) Zone

    e. Rural Templeton (RuT) Zone

[14] This is clear from the description of rural flat land in the Section 32 report, Appendix 4 – page 5
[15] S32, Appendix 4, page 67.

27. Section 7 of Appendix 4 of the Section 32 for the Rural Chapter discusses in some depth the differences between parts of the rural environment with similar character, land use and values that were subsequently grouped together to describe the rural environment and inform future management. The relevant points from this report are summarised in the table below.

Figure 1: Summary of Zone Functions

Rural Banks Peninsula Zone	• Only rural zone with a specific policy providing direction about zone's intended function and outcomes. • Specifically references the 'rural working environment' • S32 also describes it as a 'rural working landscape' where "rural productive land use, based around pastoral farming, dominates the landscape". • Large minimum subdivision standard 40ha (below the 160m contour), 100ha above the contour). • Strongest rural production orientation than any other zone in the DP.
Rural Waimakariri Zone	• Policies specifically refer to rural production (flat land) • S32 and Policy 17.2.2.4 references its management for ecosystem services including flood management and groundwater recharge functions. • Role for providing for recreational and other assets that require a rural location. • Provides for primary production (including quarrying & farming) on sites sufficiently large to sustain viable rural businesses. • Large minimum subdivision standard 20ha.
Rural Port Hills Zone	• Managed predominantly for its landscape and recreation values and for plantation forestry. • Minimum subdivision standard is large (40-100ha), to protect landscape values rather than to support rural productivity. • S32 report notes that it does not contain quality soils.
Rural Urban Fringe Zone	• Policy 17.2.2.4 mentions rural productive and recreational activities in the 'flatland rural area' which includes Waimakariri. • The s32 report notes traditional farming is no longer dominant (and often uneconomic); the area is valued for rural amenity and open character shaped by lifestyle development and subdivision. • The land is heavily fragmented, dominated by lifestyle blocks, rural-residential use, and urban fringe activities. • Key management goal: maintain rural character, avoid further fragmentation, and support urban consolidation. • Flatland rural areas offer potential for future urban growth, local food production, and ecosystem services. • Main planning focus is to manage rural living and prevent de facto urban development that undermines growth planning. • A 4ha minimum net site area applies—the smallest of any rural zone in the Christchurch District Plan
Rural Templeton	• Bespoke zone that provides for agricultural-based office park on a former (urban) hospital site.

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28. The above comparative zone analysis leads me to a conclusion, that for the purpose of determining what zone is nearest equivalent to a GR or RP zone, the key determining factor is the extent to which primary production activities are enabled and anticipated in the zone and the extent to which the zone managed primarily for this purpose. Almost all zones permit a full range of primary production activities but the extent to which they are enabled (in particular by the subdivision and minimum dwelling site size standards) and anticipated (having regard to the pattern of land use and the competition for and price of land) varies between zones. **Reviewing all relevant provisions in the round, I conclude that the Rural Banks Peninsula Zone and Rural Waimakariri Zones are the nearest equivalent zones to the GR and / or RP zones.** These zones are enabled, anticipated and managed for primary production activities more so than any other rural zone. I am swayed in particular by the large minimum subdivision standards in these zones and the function of the zones as described in Chapter 17 of the District Plan.

29. In contrast, the Rural Port Hills is managed predominantly for its landscape and natural values and the Rural Urban Fringe Zone for its amenity and character, urban -rural contrast and for appropriate peri-urban uses including dwellings on 4ha lots. Again, I consider the minimum subdivision standard to be a key factor, noting that rural production is generally considered uneconomic on small lots. I note a relevant a report by an agricultural expert that informed the Waimakariri District Plan Review commented that:[16]

> *"There are very few agricultural or horticultural farming practises that would justify a farming business of 4ha (with the exception of very intensive vegetable production or glasshouse operations), even if they are operated to the highest level. The reality is that most properties under 10ha have been purchased for lifestyle purposes, and the majority of the household income is derived off farm. Furthermore, once the house and amenities are deducted from the total area, the effective farming area on a 4ha property could be as low as 2ha. Whilst in theory a group of 4ha properties could be operated in conjunction to achieve scale, this is unlikely to be successful given owners will often have differing priorities and the fact that the small paddock sizes will limit operational efficiency".*

30. I conclude that even if the RuUF Zone could be considered similar to the generic GR and RP zone descriptions, it cannot, be considered the <u>nearest</u> equivalent zone for the reasons set out above.

31. On this basis, I conclude that the RuUF cannot be considered the nearest equivalent zone to the GR or RP and therefore that it cannot meet the transitional definition in the NPS-HPL.

Conclusion - The NPS-HPL does <u>not</u> apply

32. For the above reasons, I consider that for the purpose of the application, the land is not zoned General Rural or Rural Production and therefore the NPS-HPL is not relevant to the proposed urban rezoning under the current definition of highly productive land.

[16] Waimakariri District Plan Review: Rural Production Advice – Rural Land Zoning (November 2018), Jamie Gordon, Macfarlane Rural Business.

Appendix 16 – CCC Comment on proposed conditions

	Condition as lodged	Amendments as at 15 August 2025	Comments	CCC recommended	CCC Comment
Note: greyed/blank cells indicate that no changes are presently proposed to the conditions as lodged. ***Note: all conditions will need final review to ensure cross-references to other conditions/numbers are correct.***					
Blacked out cells indicate additional condition recommended by CCC.				Deletions shown in ~~**bold strikethrough**~~ Additions shown in **bold underline**	

Part 1: Christchurch City Council Land Use Conditions

Part 1: Christchurch City Council Land Use Conditions					
No.	**Application proposed**	**Amended 15 August 2025**	**Comment 15/08/25**	**CCC recommended**	**CCC Comment**
1.	Except where varied by the conditions of this consent the development must proceed in general accordance with the information and plans submitted with the application, including the Capture Land Development Consultant Scheme Plans dated 10 March 2025. **Advice note:** This resource consent will lapse **five years** from the date of this decision unless it is given effect to (i.e. the activity is established) before then. Application may be made under Section 125 of the Resource Management Act 1991 to extend the period for giving effect to the resource consent, and this must be submitted and approved prior to the consent lapsing.	Except where varied by the conditions of this consent the development must proceed in general accordance with the information and plans submitted with the application, including the Capture Land Development Consultant Scheme Plans dated [insert reference]. **Advice note:** This resource consent will lapse **five years** from the date of this decision unless it is given effect to (i.e. the activity is established) before then. Application may be made under Section 125 of the Resource Management Act 1991 to extend the period for giving effect to the resource consent, and this must be submitted and approved prior to the consent lapsing.	Updated reference to latest application plans.		Accept, and recommend '**general** accordance with' to allow for changes as necessary following safety auditing process/any changes sought by Council as owner of assets to vest/ any necessary changes that may arise through the process of construction, including to comply with the Infrastructure Design Standards (IDS) and Construction Specific Standards (CSS).
2.	The Consent Holder, and all persons exercising this consent, must ensure that all personnel undertaking activities authorised by this consent are made aware of, and have access to, the contents of this consent decision, conditions and relevant management plans, prior to the commencement of the works. A copy of these documents must also remain on-site through the duration of the works.				Accept
2A				All earthworks associated with the creation and formation of the subdivision must be carried out in accordance with the conditions of subdivision consent.	Additional condition to acknowledge land use consent is sought for development stage earthworks, but will be comprehensively managed under the subdivision conditions.
Activity and Built Form Conditions on Lots 1 – 57 and 61 – 126					
3.	a. Excepted as modified below in b., the future development of lots 1 – 57 and 61-126 for industrial uses must comply with the District Plan Activity Standards for the Industrial General Zone at rule 16.4.1.1 Permitted activities attached as [**Appendix XX**] to this decision.	Amend condition 3a. as follows to refer to all lots, noting built form on lots 58-60 is governed in detail by condition 5 (which addresses Airways requirements especially in this location). a. Excepted as modified below in b., the future development of lots 1 – ~~57 and 61-~~126 for	Condition 3a. amended to refer to all lots, noting built form on lots 58-60 is governed in detail by condition 5 (which addresses Airways	a. Excepted as modified below in b., the future development of lots 1-126 for industrial uses must comply with the District Plan Activity Standards for the Industrial General Zone at rule 16.4.1.1 Permitted activities attached as [**Appendix XX**] to this decision. b. ~~**Specifically excluded/ not provided for activities on these lots are the following (as defined in the District**~~	Note that a number of activities identified are not permitted in the Industrial General Zone, being: - Residential activities / Residential Units (including for management/security purposes); - Education activities;

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	b. Specifically excluded/ not provided for activities on these lots are the following (as defined in the District Plan): • Residential Activities / Residential Units (including for management / security purposes), • Education Activities, • Service Stations, • Yard based landscape/ garden suppliers, and • Heavy Industrial Activities (Fish Processing or Packing Plants and Abattoirs or Freezing Works).	industrial uses must comply with the District Plan Activity Standards for the Industrial General Zone at rule 16.4.1.1 Permitted activities attached as [**Appendix XX**] to this decision.	requirements especially in this location).	~~Plan):~~ **The following activities (as defined in the District Plan) are not authorised by this consent**: • ~~Residential Activities / Residential Units (including for management / security purposes),~~ • ~~Education Activities,~~ • Service Stations, • ~~Yard based landscape/ garden suppliers, and~~ • ~~Heavy Industrial Activities (Fish Processing or Packing Plants and Abattoirs or Freezing Works).~~ • **Activities that involve the outdoor storage, stockpiling, or sale of materials likely to attract birds including soil, mulch, or compost.**	- Heavy industrial activities. Additionally, 'Yard based landscape / garden suppliers' is not a defined term in the District Plan. Recommend wording change to remove references to activities that are not permitted in the Industrial General zone, and exclude activities likely to attract birds (per paragraph 224 of Assessment of Environmental Effects) with reference to terms that are defined in the District Plan.
4.	a. Except as modified below in b., the future development of lots 1 – 57 and 61 - 126 must comply with the Built Form Standards in Rule 16.4.2 - Industrial General Zone attached as [**Appendix XX**] to this decision; except that: b. The minimum building setback from Grays Road and Ryans Road shall be 3m. **Note: See building height condition below in 5.**	Amend condition 4a. as follows to refer to all lots, noting built form on lots 58-60 is governed in detail by condition 5 (which addresses Airways requirements especially in this location). a. Except as modified below in b., the future development of lots 1 ~~– 57 and 61 –~~ 126 must comply with the Built Form Standards in Rule 16.4.2 - Industrial General Zone attached as [**Appendix XX**] to this decision; except that:	Condition 4a. amended to refer to all lots, noting built form on lots 58-60 is governed in detail by condition 5 (which addresses Airways requirements especially in this location).	a. ~~**Except as modified below in b., t**~~ The future development of lots 1 ~~– 57 and 61 –~~ 126 must comply with the Built Form Standards in Rule 16.4.2 - Industrial General Zone attached as [**Appendix XX**] to this decision; except that: b. The minimum building setback from Grays Road and Ryans Road shall be 3m. **Note: See building height condition below in 5.**	Note redundant 'Except as modified below in b.,'
5.	The maximum height of any building on Lots 1 – 57 and 61 - 126 must comply with the Christchurch International Airport's Protection Surfaces as specified in Rule 6.7.4.4 of the Christchurch District Plan and as illustrated in the Capture Land Development Plans RC-PG 120 and RC-PG 121. **Advice note: On-going compliance with this condition shall be ensured by way of a Consent Notice pursuant to section 221 of the RMA registered against the Computer Freehold Register to issue for each lot (as detailed below) of the subdivision.**	Delete condition 5 entirely and replace with new condition 5 as follows: **5. Building Height:** *Interpretation and advice notes* A. Interpretation For the purposes of Conditions 5B and 5F: a. "Protection surfaces" and "BGWS trigger planes" are as shown on Capture drawings RC-PG120, RC-PG121, RC-PG122, RC-PG123, RC-PG125, and RC-PG126 (together, *the Airport Safeguarding Set*) attached and marked as **[insert reference]**. b. ***Advice note:*** The Airport Safeguarding Set corresponds, in part, to the Christchurch District Plan provisions in Sub-chapter 6.7	Detailed changes to specify height limits and airport protection surfaces and the verification of compliance at design, set out and as-built stages. Accounts for additional airport protection surfaces as described in L&R Airport Consulting's *Christchurch International Airport Safeguarding Assessment.*		Accept as amended, subject to: - references to height of buildings additionally including shipping containers and material stacks. - Relocation of condition to subdivision conditions to enable consent notice, or change reference to covenant under s108(2)(d). - Addition of 5 C. b.: o **Within 15 m of the Grays Road road boundary on Lots 68-70, the maximum height shall be 12 m.** Note that amended condition 5 A. e. refers to a 'general height limit specified in Condition 3', however it appears that this should instead refer to Condition 5 C. Base zone height (secondary control).

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		(Aircraft Protection). Those provisions continue to apply to all activities authorised by this consent. Particular attention is drawn to prohibited activities under Rules 6.7.4.1.6 PR1 and 6.7.4.2.6 PR1–PR4. c. ***Advice note:*** Capture drawings RC-PG130, RC-PG131, RC-PG132, RC-PG135 and RC-PG136 are included for guidance as to the height limits relative to existing ground levels imposed by the Airport Safeguarding Set and are not for the purposes of validating building height under condition 5D or determining compliance with Rules 6.7.4.1.6 PR1 and 6.7.4.2.6 PR1–PR4. d. "Road boundary" means the legal road boundary of Ryans Road or Grays Road respectively. e. Where there is any conflict between the general height limit in Condition 3 and Conditions 5B or 5F, the more restrictive limit prevails. f. ***Guidance note (role of the 1:35 rule):*** The 1:35 relationship upon which the BGWS trigger plane (condition 5F and RC-PG126 and RC-PG136) is based, is treated as a screening trigger, not an absolute control—i.e., proposals that fail the 1:35 test require further technical assessment/mitigation rather than being automatically precluded. g. ***SQEP definition for Condition 5G:*** A "Suitably Qualified and Experienced Professional (SQEP)" for BGWS purposes means a person with demonstrable expertise and experience in Computational Fluid Dynamics and/or Wind Engineering/Aerodynamics applied to airport safety. *Building height – general envelope* **B. Airport protection surfaces (primary control)** No building, structure, vegetation or utility (including any part thereof) shall penetrate the airport protection surfaces shown on the Capture drawings RC-PG120, RC-PG121, RC-PG122,			

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		RC-PG123, and RC-PG125, except as specified on RC-PG123. **C. Base zone height (secondary control)** Subject to Conditions 5B and 5F, the maximum height of any building or structure shall be 20 m, except that: a. Within 15 m of the Ryans Road road boundary, the maximum height shall be 12 m. **D. Survey certification (design, set-out and as-built)** a. At the time of building consent submission, the Consent Holder shall provide to the Council's Resource Consents Manager (or nominee) ground level, floor level and building height levels in sufficient detail to confirm compliance with Condition 5B (and, where relevant, Condition 5F). b. Prior to the building consent inspection of foundations for any building/structure/utility, the Consent Holder shall provide to the Council's Resource Consents Manager (or nominee) a Building Location & Level Certificate prepared by a Registered Surveyor, certifying compliance with Condition 5B (and, where relevant, Condition 5F). c. Prior to applying for code compliance certification for any building/structure/utility, as-built certification by a Registered Surveyor shall be provided to the Council's Resource Consents Manager (or nominee) confirming the works as constructed comply with Condition 5B (and, where relevant, Condition 5F). **E. Ongoing notice on titles (consent notice)** A Consent Notice shall be registered on each Computer Freehold Register to secure ongoing compliance with Conditions 5B, 5D and 5F (as applicable to future buildings).			

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		Building generated wind shear (BGWS) trigger and certification **F. BGWS trigger plane (RC-PG126)** No building, structure, or utility shall penetrate the BGWS trigger plane shown on RC-PG126 unless certified under Condition 5G. **G. BGWS certification pathway (where triggering Condition 5F)** Where a proposal would penetrate the BGWS trigger plane on RC-PG126, the Consent Holder may proceed only if: a. Certification is provided to the Council's Resource Consents Manager (or nominee) prior to building consent submission for any building/structure/utility by a Suitably Qualified and Experienced Professional (SQEP)—with demonstrable expertise in Computational Fluid Dynamics (CFD) and/or Wind Engineering/Aerodynamics in the airport safety context—that building generated wind shear/turbulence from the proposal do not exceed accepted criteria in *National Airports Safeguarding Framework (NASF) Guideline B: Managing the Risk of Building Generated Windshear and Turbulence at Airports* and therefore will not adversely affect operations at Christchurch Airport. *Temporary penetrations and construction plant* **H. Temporary cranes and construction plant** Temporary cranes, masts or other construction plant shall not penetrate the Airport Safeguarding Set planes unless: a. A temporary works management plan addressing heights, locations, durations, lighting, and notification protocols is prepared. [*Advice note*: Such a plan should be prepared in accordance with Christchurch Airport's "Requirements for Working at the Airport" document].			

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		b. Airport operator consent is obtained from Christchurch International Airport Limited. c. Civil Aviation Authority (CAA) authorisation is obtained under Civil Aviation Rule Part 77. d. Temporary cranes, masts or other construction plant are established and operated in accordance with all requirements specified in clauses a. – c. of this condition.			
Built Form Conditions on Lots 58 - 60					
6.	a. Except as modified below in b. and c. the future development of lots 58 – 60 must comply with the Built Form Standards in District Plan Rule 17.5.2– Rural Urban Fringe attached as [**Appendix XX**] to this decision. b. The maximum height of any building, structure, tree or utility shall be 12m. c. The maximum site coverage standard in 17.5.2.6 and Vehicle trips standard in 17.5.2.7 do not apply.	Delete, noting constraints on built form for lots 58-60 (addressing Airways requirements especially) are now incorporated into condition 5.	Deleted, noting constraints on built form for lots 58-60 (addressing Airways requirements especially) are now incorporated into condition 5.		Accept deletion
7.	The maximum height of any building on 58 - 60 must comply with the Christchurch International Airport's Protection Surfaces as specified in Rule 6.7.4.4 of the Christchurch District Plan and as illustrated in the Capture Land Development Plans RC-PG 120 and RC-PG 121. **Advice note: On-going compliance with this condition shall be ensured by way of a Consent Notice pursuant to section 221 of the RMA registered against the Computer Freehold Register to issue for each lot (as detailed below) of the subdivision.**	Delete, noting constraints on built form for lots 58-60 (addressing Airways requirements especially) are now incorporated into condition 5.	Deleted, noting constraints on built form for lots 58-60 (addressing Airways requirements especially) are now incorporated into condition 5.		Accept deletion
Other General Development Conditions – Noise, Outdoor Lighting, Aircraft Protection, Signs					
8.	**Noise** a. Future development of lots 1 – 126 for industrial purposes must comply with the District Plan noise rules in 6.1.4 General Noise Rules and 6.1.5 Zone Specific Noise Rules attached as [A**ppendix XX**] to this decision. b. The noise standards for the Industrial General Zone apply to lots 1 – 126.				Accept Note for clarity: The zone noise standards specified in Rule 6.1.5 require the noise received at the point of measurement comply with the receiving zone standard, not the generating zone.

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9.	**Glare** a. Future development and construction activities on Lots 7 – 126 for industrial purposes must comply with the District Plan Glare rules in 6.3.4 Control of Glare attached as [**Appendix XX**] to this decision. b. For the future development of Lots 7 - 126 for industrial purposes a site-specific lighting plan and assessment prepared by a suitably qualified lighting engineer will be required at time of building consent to demonstrate compliance with NC1 and NC2 as follows: (i) Within 500m of the threshold of a runway at Christchurch International Airport, those being lots or specific portions of lots 92, 109, 110, 111, 112, 113, 114, 115, 121, 122, 123 and 124 (as shown on the Capture Land Development Plans) any activity will not result in greater that 2.5 lux spill (horizontal or vertical) on to any land outside of the Specific Purpose Airport Zone. (ii) for lots 7 - 126 assessment against NC2 to ensure non-aeronautical ground lights do not shine above the horizontal. **Advice note: On-going compliance with this condition (b) shall be ensured by way of a Consent Notice pursuant to section 221 of the RMA registered against the Computer Freehold Register to issue for each lot (as detailed below) of the subdivision.**	[Condition wording to be updated to provide greater specificity regarding lighting conditions, such that they more explicitly impose the relevant permitted activity standards in the District Plan (as opposed to referencing the lighting subchapter and provisions more generally, as currently drafted).]	[Condition wording to be updated to provide greater specificity regarding lighting conditions, such that they more explicitly impose the relevant permitted activity standards in the District Plan (as opposed to referencing the lighting subchapter and provisions more generally, as currently drafted).		Accept in principle, noting revised wording was not available at time of comment, subject to: - Amendment from consent notice to covenant under s1082(d).
10.	**Control of Light Spill** a. Future development and construction activities on lots 1 – 126 for industrial purposes must comply with the District Plan Light Spill rules in 6.3.5 Control of Light Spill and 6.3.6 Light Spill Standards by Zone for Industrial zones (permitted lux spill horizontal or vertical 20 Lux) attached as [**Appendix XX**] to this decision.	[Condition wording to be updated to provide greater specificity regarding lighting conditions, such that they more explicitly impose the relevant permitted activity standards in the District Plan (as opposed to referencing the lighting subchapter and provisions more generally, as currently drafted).]	[Condition wording to be updated to provide greater specificity regarding lighting conditions, such that they more explicitly impose the relevant permitted activity standards in the District Plan (as opposed to referencing the lighting subchapter and provisions more generally, as currently drafted).		Accept in principle, noting revised wording was not available at time of comment. Note for clarity: The light spill standards specified in Rule 6.3.5 require the light spill received at the point of measurement comply with the receiving zone standard, not the generating zone. zone.
11.	**Lighting within 500m runway threshold**	[Condition wording to be updated to provide greater specificity regarding lighting conditions, such that	[Condition wording to be updated to provide greater		Accept in principle, noting revised wording was not available at time of comment.

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	a. Internally illuminated signage shall not be installed within 500m of the runway. b. There shall be no loading areas within 500m of the runway operating outside daylight hours to avoid the need for yard lighting.	they more explicitly impose the relevant permitted activity standards in the District Plan (as opposed to referencing the lighting subchapter and provisions more generally, as currently drafted).]	specificity regarding lighting conditions, such that they more explicitly impose the relevant permitted activity standards in the District Plan (as opposed to referencing the lighting subchapter and provisions more generally, as currently drafted).		
12.	**Aircraft Protection** a. Future development and construction on lots 1 – 126 for industrial purposes must comply with the District Plan Aircraft Protection rules in 6.7.4 including: - 6.7.4.1 Protection Surfaces, - 6.7.4.2 Runway End Protection Surfaces, - 6.7.4.3 Birdstrike Management Areas, and - 6.7.4.4 Protection Surfaces for Christchurch International Airport attached as [**Appendix XX**] to this decision.	[Condition deleted in its entirety and incorporated into revised condition 5].	Condition deleted and incorporated into revised condition 5, addressing these matters in further detail.		Accept deletion
13.	**Signs** a. Any signs part of the future industrial development of lots 1 – 126 must comply with the District Plan Sign Rules in 6.8.4 attached as [**Appendix XX**] to this decision, as if the site were zoned Industrial General (not Rural). b. Except there shall be no LED/ Digital Signs or Billboards permitted by this consent. **Note: Illuminated signs will need to meet the glare and light spill requirements of Conditions 9 and 10 above.**			**Signs** a. Any signs part of the future industrial development of lots 1 – 126 must comply with the District Plan Sign Rules in 6.8.4 attached as [**Appendix XX**] to this decision, as if the site were zoned Industrial General (not Rural), **except as amended by Conditions 13A-13C**. b. Except there shall be no LED/ Digital Signs or Billboards permitted by this consent. **Note: Illuminated signs will need to meet the glare and light spill requirements of Conditions 9 and 10 above.**	Recommend addition to provide for Conditions recommended by Mr Field.
13A				**Signs shall not be located within the 3m wide landscape strip or adjacent to the proposed accessways off Ryans Road or Grays Road.**	Conditions 13A-13C have been recommended by William Field to "*… reduce the risk of the Ryans and Grays Road frontages appearing commercialised with signage visible along the entire site boundary lengths.*"
13B				**Signs on building facades facing Ryans Road and on Lots 68-70 facing Grays Road shall have a maximum total area per building of 4m² and the top of the sign will be a maximum of 4m or not exceed the façade height, whichever is lower.**	
13C				**Any signs along the Ryans Road frontage and Grays Road frontage of Lots 68-70 shall not be illuminated.**	
14.	**Earthworks**			**Earthworks**	Wording amended for clarity.

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	Any earthworks for the future development of lots 1 – 126 with buildings and for the Industrial General zone in Table 9 Maximum Volumes - earthworks of Rule 8.9.2.1 of the District Plan attached as [**Appendix XX**] to this decision, as if the site were zoned Industrial General (not Rural).			Any earthworks for the future development of lots 1 – 126 ~~**with buildings and for the Industrial General zone for**~~ **undertaken in accordance with** ~~**in Table 9 Maximum Volumes - earthworks of**~~ Rule 8.9.2.1 of the District Plan attached as [**Appendix XX**] to this decision, **shall apply** as if the site were zoned Industrial General (not Rural).	
14A	[redacted]			**Any change in ground levels must:** • **not cause a ponding or drainage nuisance to neighbouring properties.** • **not affect the stability of the ground or fences on neighbouring properties. maintain existing drainage paths for neighbouring properties (if applicable).**	Condition required to manage cross-boundary drainage effects during development on individual lots.
Transport Conditions					
15.	Future development of lots 1 – 126 for industrial purposes must comply with the District Plan Activity Status Tables – Transport in rule 7.4.2 attached as [**Appendix XX**] to this decision.				Accept condition as worded.
16.	Future development of lots 1 – 126 for industrial purposes must comply with the District Plan Transport Standards in rule 7.4.3 attached as [**Appendix XX**] to this decision.			Future development of lots 1 – 126 for industrial purposes must comply with the District Plan Transport Standards in rule 7.4.3 **and Appendices in 7.5** attached as [**Appendix XX**] to this decision.	The standards in 7.4.3 additionally refer to Appendices in 7.5. Accordingly, the condition should be amended to additionally refer to these appendices.
16A	[redacted]			**Except for site development works, no activities enabled by this consent shall establish and/or operate until such time as the speed limit on the adjoining sections of Ryans Road and Grays Road is reduced to 60km/h or lower.** ***Advice note: Any speed reduction review of Ryans Road and Grays Road shall be initiated by the consent holder and all costs associated with the process shall be borne by the consent holder.***	This condition is recommended by Andrew Milne for transport safety purposes aligning with the design speed of vehicle accesses and intersections proposed by the Applicant.
Avifauna Ongoing Management – Wildlife Hazard Management Plan (WHMP)					
17.	Prior to development of Lots 1 – 126 for Industrial purposes the Consent Holder shall complete a WHMP prepared by a suitably qualified ecologist specialising in avifauna for the ongoing management and monitoring of bird strike risk at 104 Ryans Road and 20 Grays Road. The WHMP should be prepared: a) in consideration of the CIAL WHMP to detail management methods to help	[Condition wording to be updated to provide greater specificity regarding monitoring and enforcing the plan, managing activities that may increase the risk of birdstrike and initial vs. ongoing management requirements].	[Condition wording to be updated to provide greater specificity regarding monitoring and enforcing the plan, managing activities that may increase the risk of birdstrike and initial vs. ongoing management requirements].		Revised wording proposed for the condition has not been supplied in time for CCC comment. I agree with the need for a condition to manage wildlife hazard with respect to birdstrike. The condition wording needs to clearly define obligations and responsibilities, particularly in terms of individual property owners following subdivision.

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	reduce bird strike risk associated with the site and CIAL airport operations; and b) in consultation with CIAL. Specifically, the WHMP should include: a) Roles and responsibilities - includes liaising with external stakeholders (e.g., CIAL) to determine the obligations of respective organisations and their personnel. b) Passive and active management methods – surveillance and monitoring, grounds management specifications (i.e., recommended grass heights to deter high-risk species), and seasonal bird counts (this could be completed by CIAL and/or site surveillance personnel). c) Landscape and waterbody design standards and mitigations. d) Waste management procedures. e) Monitoring and review procedures of WHMP – this should include liaison with CIAL with increases in bird numbers onsite being communicated so appropriate counter-measures can be implemented.				I do not agree with the use of 'should' in purporting to direct an action to be taken..
18.	A consent notice regarding on going adherence to the WHMP in condition 17 shall be placed on each title (Lots 1 – 126, Lots 200 and 201 and Lots 400 and 500).				A consent notice cannot be imposed with regard to a land use consent. CCC otherwise support: - The conditions relating to wildlife hazard management in their entirety being imposed on the subdivision consent, with a consent notice to apply on an ongoing basis. - A condition requiring that a covenant be entered into under section 108(2)(d).
Consent Notices					
19.	On-going compliance with following conditions of this land use consent shall be ensured by way of a Consent Notice pursuant to section 221 of the RMA registered against the Computer	Consequential changes, insofar that changes to conditions 5, 7, 9 and 17 are proposed as described above.	To be moved to subdivision consent conditions, as per feedback from CCC in their completeness check.		Delete condition, with specific conditions referring to a consent notice dealt with as above.

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	Freehold Register to issue for each lot (as detailed below) of the subdivision. • Condition 5 and 7 Height Restrictions: The maximum height of any building on Lots 1 -126 must comply with the Christchurch International Airport's Protection Surfaces as specified in Rule 6.7.4.4 of the Christchurch District Plan and as illustrated in the Capture Land Development Plans RC-PG 120 and RC-PG 121. • Condition 9 (b) Glare: Specific lighting design reports / assessment required for Lots 7 – 126 at time building consent to demonstrate compliance with Glare Standards. • Condition 17 WHMP: Ongoing requirements for each lot to comply with the WHMP.				

PART 2: Christchurch City Council: Subdivision Conditions

PART 2: Christchurch City Council: Subdivision Conditions					
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Scheme Plan and Staging					
1.	The Consent Holder, and all persons exercising this consent, must ensure that all personnel undertaking activities authorised by this consent are made aware of, and have access to, the contents of this consent decision and conditions prior to the commencement of the works. A copy of these documents must also remain on-site through the duration of the works. **Advice note:** This resource consent will lapse **five years** from the date of this decision unless it is given effect to (i.e. the activity is established) before then. Application may be made under Section 125 of the Resource Management Act 1991 to extend the period for giving effect to the resource consent, and this must be submitted and approved prior to the consent lapsing.				Accept
2.	General Survey Plan The survey plan, when submitted to Council for certification, is to be generally in accordance with the stamped approved application plan.			General Survey Plan The survey plan, when submitted to Council for certification, is to be ~~**generally**~~ **substantially** in accordance with the stamped approved application plan **unless otherwise addressed in conditions of this subdivision consent**.	Amendment and addition to provide clarity in the relationship between the stamped approved application plan and the conditions of this consent.
3.	Staging The subdivision may be carried out in stages but is not required to. If staged, each stage is to be in accordance with the staging shown on the application plan. That the development may proceed in stages in no particular order in accordance with the approved subdivision plan except as set out below. At each stage any balance land is to be left as a fully serviced allotment.			Staging The subdivision shall be carried out in stages. Each stage is to be in accordance with the staging shown on the application plan. T~~hat t~~he development may proceed in stages in no particular order in accordance with the approved subdivision plan except as set out below. **The second stage must not occur until either:** a. **The intersection of Pound Road/ Ryans Road is upgraded to a roundabout; or** b. **The modelling has been updated and demonstrated to the satisfaction of Council that the intersection can safety accommodate the additional traffic demands associated with the proposal. The second stage must not occur where the subject model demonstrates the average queue length associated with right turns into Ryans Road extends beyond the available stacking space for the modelled period. This modelling shall be based on an agreed annual turning movement survey of the intersection arranged by the consent**	Staging recommended by Andrew Milne :as staging is the only mechanism available to maintain the safe operation of Pound/Ryans intersection.

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				holder and provided to Council for input into the agreed model. At each stage any balance land is to be left as a fully serviced allotment.	
4.	Allotment to Vest Local Purpose (Utility) Reserve Lots - Stages Lots 200 and 201 are to be vested as Local Purpose (Utility) Reserve. **Advice note: Any underground infrastructure separate from the purpose of the reserve across land to be vested as reserve will require an easement application in compliance with s239, prior to the issuing of s223 certificate.**				Accept
5.	New Roads to Vest The new road(s), being lot(s) 300 and 301 are to be formed and vested in the Council to the satisfaction of the Subdivision Engineer with underground cabling for electricity supply and telecommunications.			New Road to Vest The new roads, being lots 300 and 301, are to be formed and vested in the Council to the satisfaction of the Subdivision Engineer with underground cabling for electricity supply and telecommunications, **including footpaths on both sides of the road**.	Addition requiring footpaths on both sides of the road recommended by Andrew Milne to accord with industrial zone standards, citing demand identified in relation to other industrial subdivisions.
6.	Road/Right of Way Naming The new roads/right of ways are to be named and shown on the survey plan submitted for certification. **Advice Note: The process for naming roads is set out at https://ccc.govt.nz/consents-and-licences/resource-consents/resource-consent-activities/subdivision-consents/road-and-right-of-way-naming/ . The approval of roads names is by the relevant Community Board and may take eight weeks. The processing of that application will be on a time and costs basis and charged under this consent.** The consent holder must supply and install the road's nameplates. The nameplates must be designed and installed in accordance with the IDS and CSS. The location of the nameplates must be submitted to Council's Subdivision Engineer prior to their installation. **Advice Note: Nameplates usually take six weeks to manufacture. The location of the nameplates can be submitted in a plan which identifies the**				Accept

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	road's landscaping and location of street lighting as required by this application. The consent holder is responsible for the cost of providing and installing the nameplates.				
7.	Road Widening/Corner Rounding to Vest Lot 302 must be vested in the Council as corner splay / road widening being in accordance with Capture Land Development Plan RC-RD310. Any existing fences or walls outside the new road frontage boundary are to be removed or relocated appropriately.				Accept
8.	Service Easements The service easements as set out on the application plan or required to protect services crossing other lots must be duly granted or reserved Any proposed easements over adjoining land or in favour of adjoining land are to be shown in a schedule on the Land Transfer Plan. A solicitor's undertaking will be required to ensure that the easements are created on deposit of the plan.				Accept
9.	Easements in Gross The legal instruments to create the required easements in gross in favour of the Council must be prepared & registered by the Council's solicitor at the consent holder's cost and will be based on the Council's standard easement instrument templates (as appropriate) as determined by the Council's solicitor. The consent holder's solicitor is to contact the Council's solicitor (Anderson Lloyd Lawyers) requesting the preparation and registration of the required easement instruments. Areas which are to be the subject of easements in gross in favour of the Council must not be the subject of any other easements for the same purpose, unless otherwise agreed by Council. As built plans for the services covered by the easement(s) are to be provided to the Council at Section 223 certification stage.				Accept
10.	Public Utility Sites				Accept

PART 2: Christchurch City Council: Subdivision Conditions					
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	Any public utility site and associated rights of way easements and/or service easements required by a network operator are approved provided that they are not within any reserves to vest in the Council.				
11.	<u>Plans for Geodata</u> The surveyor is to forward a copy of the title plan and survey plan to the Subdivision Planner (that issued the consent), Resource Consents Unit as soon as the plan has been lodged (or earlier if possible) for checking at Land Information New Zealand for entering into the Council GIS system.				Accept
Quality Assurance					
12.	<u>Asset Design and Construction</u> All infrastructure assets to be vested in the Council are to be designed and constructed in general accordance with the Christchurch City Council's Infrastructure Design Standard (IDS) and the Construction Standard Specifications (CSS).				Accept
13.	The design and construction of all assets must be subject to a project quality system in accordance with Part 3: Quality Assurance of the Infrastructure Development Standard (IDS). (a) Prior to the commencement of physical works on site for the construction of the subdivision including infrastructure, the Consent Holder must submit to the Planning Team - Subdivision Engineers a Design Report, Plans and Design Certificate complying with clause 3.3.2 of the IDS. The Design Report and engineering plans must be prepared by the Consent Holders suitably qualified engineers and provide sufficient detail to confirm compliance with the requirements of the IDS and this consent. This report can be submitted as two individual design reports addressing infrastructure as one part and the second part as a Geotechnical Report. (b) Prior to the commencement of physical works on site, the Consent Holder must			The design and construction of all assets must be subject to a project quality system in accordance with Part 3: Quality Assurance of the Infrastructure Development Standard (IDS). a. Prior to the commencement of physical works on site for the construction of the subdivision including infrastructure, the Consent Holder must submit to the Planning Team - Subdivision Engineers a Design Report, Plans and Design Certificate complying with clause 3.3.2 of the IDS **<u>for review and acceptance under clause 2.10 of the IDS 2022</u>**. The Design Report and engineering plans must provide sufficient detail to confirm compliance with the requirements of the IDS and this consent. This report can be submitted as two individual design reports addressing infrastructure as one part and the second part as a Geotechnical Report. b. Prior to the commencement of physical works on site, the Consent Holder must submit to the Council's Planning Team - Subdivision Engineers a Contract Quality Plan and supporting Engineer's Review Certificate, complying with clause 3.3.3 of the IDS, **<u>for</u>**	Additions required so that the Council engineers ensure the acceptability of the proposed infrastructure against Council's standards for vested infrastructure.

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	submit to the Council's Planning Team - Subdivision Engineers a Contract Quality Plan and supporting Engineer's Review Certificate, complying with clause 3.3.3 of the IDS. (c) Prior to the issue of certification pursuant to section 224(c) of the Resource Management Act, the Consent Holder must submit to the Planning Team - Subdivision Engineers an Engineer's Report complying with clause 3.3.3 of the IDS and an Engineer's Completion Certificate complying with clause 3.3.4 of the IDS. The Engineer's Report must provide sufficient detail to confirm compliance with the requirements of the IDS, the CSS and this consent, including compliance with consent conditions requiring mitigation measures with respect to any liquefaction and lateral spread hazards. **Advice Note: Part 3 of the IDS sets out the Council's requirements for Quality Assurance. It provides a quality framework within which all assets must be designed and constructed. It also sets out the process for reporting to Council how the works are to be controlled, tested and inspected in order to prove compliance with the relevant standards. It is a requirement of this part of the IDS that certification is provided for design and construction as a pre-requisite for the release of the 224c certificate. The extent of the documentation required should reflect the complexity and/or size of the project.** **General Advice Note for Quality Assurance:** **Landscaping acceptance shall be submitted at engineering design acceptance. The Landscape Plans and Design Report must be submitted to landscape.approval@ccc.govt.nz as well as the Subdivision Engineer.** **Waterway enhancement/works acceptance can be submitted at a separate time to the engineer**			**review and acceptance by Council under Clause 2.11 of the IDS 2022.** c. Prior to the issue of certification pursuant to section 224(c) of the Resource Management Act, the Consent Holder must submit to the Planning Team - Subdivision Engineers an Engineer's Report complying with clause 3.3.3 of the IDS and an Engineer's Completion Certificate complying with clause 3.3.4 of the IDS **for review and acceptance under clause 2.12 of the IDS 2022.** The Engineer's Report must provide sufficient detail to confirm compliance with the requirements of the IDS, the CSS and this consent, including compliance with consent conditions requiring mitigation measures with respect to any liquefaction and lateral spread hazards. *Advice Note: Part 3 of the IDS sets out the Council's requirements for Quality Assurance. It provides a quality framework within which all assets must be designed and constructed. It also sets out the process for reporting to Council how the works are to be controlled, tested and inspected in order to prove compliance with the relevant standards. It is a requirement of this part of the IDS that certification is provided for design and construction as a pre-requisite for the release of the 224c certificate. The extent of the documentation required should reflect the complexity and/or size of the project.* *General Advice Note for Quality Assurance* *Landscaping acceptance shall be submitted at engineering design acceptance and is to be approved by Council. The Landscape Plans and Design Report must be submitted to landscape.approval@ccc.govt.nz as well as the Subdivision Engineer.* *Waterway enhancement/works acceptance can be submitted at a separate time to the engineer design acceptance and is to be approved by both the Subdivision Engineer and other relevant Council Officers. The Landscape Plans must be submitted to stormwaterapprovals@ccc.govt.nz.*	

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	design acceptance. The Landscape Plans must be submitted to stormwaterapprovals@ccc.govt.nz.				
14.	Traffic Management A Traffic Management Plan (TMP) must be implemented for works to existing Ryans Road and Grays Road, and no works are to commence in those specific areas until such time as the TMP has been installed. The TMP must be submitted to the Council through the following web portal http://www.myworksites.co.nz.				Accept
15.	Laterals for rear Lots All private sewer and stormwater laterals (serving rear lots) must be installed under a single global Building Consent or Building Act Exemption by a Licensed Certifying Drain Layer and the compliance documents forwarded to Council's Subdivision Team as part of the Section 224c application. **If approved under a building consent**, passed 252 (FS and SW drains) mandatory building inspections pursuant to the Building Code and the Code Compliance Certificate is required prior to the issue of the s224 Certificate. **If approved under a Building Act Exemption**, a PS3 form and as-builts will be required to be provided and accepted prior to the issue of the s224 Certificate.				Accept
16.	CCTV Inspections Pipeline CCTV inspections are to be carried out on all gravity pipelines to be vested in compliance with the Council Standard Specifications (CSS): https://www.ccc.govt.nz/consents-and-licences/construction-requirements/construction-standard-specifications/pipeline-cctv-inspections/				Accept
17.	Services As-Built Requirements As-Built plans and data must be provided for all above and below ground infrastructure and private work in compliance with the Infrastructure Design Standards (IDS): https://www.ccc.govt.nz/consents-and-licences/construction-				Accept

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	requirements/infrastructure-design-standards/as-built-survey-and-data-requirements/ **Advice Note: this includes RAMM and costing data (GST)** As-Built Plans are to be provided for any easements in gross over pipelines. The plans are to show the position of the pipelines relative to the easements and boundaries. As-Builts (Reserves and Street Trees) The Consent Holder shall submit As-Built asset data for any landscape improvements on land to be vested as reserves or roads, in accordance with IDS, Part 12 As-Builts records. **Advice note: The as-builts must be supplied at the same time as the Engineer's Report, at Practical Completion.**				
Cultural Conditions					
18.	In the event of the discovery/disturbance of any archaeological material or sites, including taonga (treasured artefacts) and koiwi tangata (human remains), the consent holder must immediately: (a) Cease earthmoving operations in the affected area of the site; and (b) Advise the Council of the disturbance via email to rcmon@ccc.govt.nz (c) Advise appropriate agencies, including Heritage New Zealand Pouhere Taonga and the local Mana Whenua Ngāi Tūāhuriri Rūnanga of the disturbance. This condition does not constitute a response under the Heritage New Zealand Pouhere Taonga Act (HNZPT 2014).				Accept
Earthworks / Erosion and Sediment Control					
19.	Earthworks must be carried out in general accordance with stamped approved plans RC-EW205-207, 210, 220.				Accept
20.	The earthworks and construction work must be under the control of a nominated and suitably qualified engineer.				Accept

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21.	Run-off must be controlled to prevent muddy water flowing, or earth slipping, onto neighbouring properties, legal road (including kerb and channel), or into a river, stream, drain or wetland. Sediment, earth or debris must not fall or collect on land beyond the site or enter the Council's stormwater system. All muddy water must be treated, using at a minimum the erosion and sediment control measures detailed in the site specific Erosion and Sediment Control Plan, prior to discharge to the Council's stormwater system. (Possible sources of contaminants from construction activities include uncontrolled runoff, dewatering, sawcutting and grooving). **Advice note: For the purpose of this condition muddy water is defined as water with a total suspended solid (TSS) content greater than 50mg/L.**				Accept
22.	The Erosion and Sediment Control Plan must show the positions of all stockpiles on site. Temporary mounds must be grassed or covered to prevent erosion until such time as they are removed/reused.				Accept
23.	The draft Earthworks and Construction Management Plans provided with the application are accepted in principle. Prior to construction these will be incorporated into an Environmental Management Plan (EMP) for the site and submitted to Council for reference. All filling and excavation work must be carried out in general accordance with an the EMP which identifies how the environmental risks of the project will be managed.	[Condition to be amended to provide greater specificity regarding construction activities and the management of any risks to airfield operations, both during the initial bulk earthworks stage and when the lots themselves are developed. This includes the management of bird-attracting activities, crane heights, and dust; and the implementation of more specific conditions or management plans (such as a dust management plan) to address these matters. Such a condition is envisaged to reference the CIAL publication 'Requirements for Working at the Airport 2023' which is described as a document that 'imposes terms and conditions on those performing work on any land, fences, buildings, building services and equipment owned by CIAL or located on CIAL's land / property'.]	[Condition to be amended to provide greater specificity regarding construction activities and the management of any risks to airfield operations, both during the initial bulk earthworks stage and when the lots themselves are developed. This includes the management of bird-attracting activities, crane heights, and dust; and the implementation of more specific conditions or management plans (such as a dust management plan) to address these matters. Such a condition is envisaged to reference the CIAL publication 'Requirements for Working at the Airport 2023' which is described as a document that 'imposes terms and conditions on those performing work on any land, fences, buildings, building services and equipment owned by CIAL or located on CIAL's land / property'.]	a. The draft Earthworks and Construction Management Plans provided with the application are accepted in principle. Prior to construction these will be incorporated into an Environmental Management Plan (EMP) for the site and submitted to Council for reference. All filling and excavation work must be carried out in ~~general~~ accordance with ~~an~~ the EMP which identifies how the environmental risks of the project will be managed. b. **Except where approved as part of a separate Environment Canterbury (ECan) resource consent for stormwater discharge or ECan resource consent for excavation/filling, work must not commence until the Christchurch City Council's Subdivision Engineer (via email to rcmon@ccc.govt.nz) has formally accepted the EMP.**	Support amendments described in principle. In terms of the condition as written, recommend: - Remove 'in ~~general~~ accordance'. - Include acceptance criteria, unless otherwise approved via an Environment Canterbury consent.

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24.	The EMP must include an Erosion and Sediment Control Plan (ESCP). The ESCP must be designed by a suitably qualified and experienced professional and a design certificate (Appendix IV in IDS Part 3) supplied with the ESCP to the Council under clause 3.8.2 of the IDS at least five days prior to the works commencing.			The EMP must include an Erosion and Sediment Control Plan (ESCP) **covering all earthworks associated with the consented development.** The ESCP must **a.** be designed by a suitably qualified and experienced professional; and **b.** **attach** a design certificate (Appendix IV in IDS Part 3) **for approval (unless subject to Condition 23 b.)** by the Council under clause 3.8.2 of the IDS at least ~~**five**~~ **ten** days prior to the works commencing.	Additions/amendments recommended: - To clarify the extent of the ESCP; - Include acceptance criteria, unless ECan is the consent authority. - Include a longer notice period to allow for discussion with ECan (likely a consenting authority) and to provide for a pre-construction meeting.
25.	The ESCP must follow best practice principles, techniques, inspections and monitoring for erosion and sediment control, and be based on ECan's Erosion and Sediment Control Toolbox for Canterbury http://esccanterbury.co.nz/. **Advice Note: Any changes to the accepted ESCP must be submitted to the Council in writing.**			The ESCP must follow best practice principles, techniques, inspections and monitoring for erosion and sediment control, and be based on ECan's Erosion and Sediment Control Toolbox for Canterbury http://esccanterbury.co.nz/. ~~**Advice Note:**~~ Any changes to the accepted ESCP must be submitted to the Council in writing **and the changes accepted by the Subdivision Engineer prior to implementation, unless subject to Condition 23 b.**	Addition to provide acceptance provision.
26.	The EMP must include (but is not limited to): • The identification of environmental risks including erosion, sediment and dust control, spills, wastewater overflows, dewatering, and excavation and disposal of material from contaminated sites; • A site description, i.e. topography, vegetation, soils, sensitive receptors such as waterways etc; • Details of proposed activities; • A locality map; • Drawings showing the site, type and location of sediment control measures, on-site catchment boundaries and off-site sources of runoff, stockpiles; • Drawings and specifications showing the positions of all proposed mitigation areas with supporting calculations if appropriate; • Drawings showing the protection of natural assets and habitats; • A programme of works including a proposed timeframe and completion date;	[Condition to be amended to provide greater specificity regarding construction activities and the management of any risks to airfield operations, both during the initial bulk earthworks stage and when the lots themselves are developed. This includes the management of bird-attracting activities, crane heights, and dust; and the implementation of more specific conditions or management plans (such as a dust management plan) to address these matters. Such a condition is envisaged to reference the CIAL publication 'Requirements for Working at the Airport 2023' which is described as a document that 'imposes terms and conditions on those performing work on any land, fences, buildings, building services and equipment owned by CIAL or located on CIAL's land / property'.]	[Condition to be amended to provide greater specificity regarding construction activities and the management of any risks to airfield operations, both during the initial bulk earthworks stage and when the lots themselves are developed. This includes the management of bird-attracting activities, crane heights, and dust; and the implementation of more specific conditions or management plans (such as a dust management plan) to address these matters. Such a condition is envisaged to reference the CIAL publication 'Requirements for Working at the Airport 2023' which is described as a document that 'imposes terms and conditions on those performing work on any land, fences, buildings, building services and equipment owned by CIAL or located on CIAL's land / property'.]		Support amendments described in principle.

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	• Emergency response and contingency management; • Procedures for compliance with resource consents and permitted activities; • Environmental monitoring and auditing, including frequency; • Corrective action, reporting on solutions and update of the EMP; • Procedures for training and supervising staff in relation to environmental issues; • Contact details of key personnel responsible for environmental management and compliance. **Advice note: IDS clause 3.8.2 contains further detail on Environmental Management Plans.**				
27.	The EMP must be implemented on site over the construction phase. No earthworks may commence on site until: • The Council has been notified (via email to rcmon@ccc.govt.nz) no less than 3 working days prior to work commencing, of the earthworks start date and the name and details of the site supervisor. • The contractor has received a copy of all resource consents and relevant permitted activity rules controlling this work • The works required by the EMP have been installed. • An Engineering Completion Certificate (IDS – Part 3, Appendix VII), signed by an appropriately qualified and experienced engineer, is completed and presented to Council. This is to certify that the erosion and sediment control measures have been properly installed in accordance with the EMP.	[Condition to be amended to provide greater specificity regarding construction activities and the management of any risks to airfield operations, both during the initial bulk earthworks stage and when the lots themselves are developed. This includes the management of bird-attracting activities, crane heights, and dust; and the implementation of more specific conditions or management plans (such as a dust management plan) to address these matters. Such a condition is envisaged to reference the CIAL publication 'Requirements for Working at the Airport 2023' which is described as a document that 'imposes terms and conditions on those performing work on any land, fences, buildings, building services and equipment owned by CIAL or located on CIAL's land / property'.]	[Condition to be amended to provide greater specificity regarding construction activities and the management of any risks to airfield operations, both during the initial bulk earthworks stage and when the lots themselves are developed. This includes the management of bird-attracting activities, crane heights, and dust; and the implementation of more specific conditions or management plans (such as a dust management plan) to address these matters. Such a condition is envisaged to reference the CIAL publication 'Requirements for Working at the Airport 2023' which is described as a document that 'imposes terms and conditions on those performing work on any land, fences, buildings, building services and equipment owned by CIAL or located on CIAL's land / property'.]		Amendment described supported in principle
28.	Dust emissions must be appropriately managed within the boundary of the property in compliance with the Regional Air Plan. Dust mitigation measures such as water carts, sprinklers or polymers must be used on any exposed areas. The roads to and from the site, and the site entrance	[Condition to be amended to provide greater specificity regarding construction activities and the management of any risks to airfield operations, both during the initial bulk earthworks stage and when the lots themselves are developed. This	[Condition to be amended to provide greater specificity regarding construction activities and the management of any risks to airfield operations, both during the initial bulk earthworks stage and when the lots		Amendment described supported in principle

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	and exit, must remain tidy and free of dust and dirt at all times.	includes the management of bird-attracting activities, crane heights, and dust; and the implementation of more specific conditions or management plans (such as a dust management plan) to address these matters. Such a condition is envisaged to reference the CIAL publication 'Requirements for Working at the Airport 2023' which is described as a document that 'imposes terms and conditions on those performing work on any land, fences, buildings, building services and equipment owned by CIAL or located on CIAL's land / property'.]	themselves are developed. This includes the management of bird-attracting activities, crane heights, and dust; and the implementation of more specific conditions or management plans (such as a dust management plan) to address these matters. Such a condition is envisaged to reference the CIAL publication 'Requirements for Working at the Airport 2023' which is described as a document that 'imposes terms and conditions on those performing work on any land, fences, buildings, building services and equipment owned by CIAL or located on CIAL's land / property'.]		
29.	All loading and unloading of trucks with excavation or fill material must be carried out within the subject site (besides for the works to the road frontages along Ryans Road and Grays Road).				Accept
30.	a. The Consent Holder shall submit a Corridor Access Request (CAR) application/Works Access Permit (WAP) and TMP to the Council through the following web portal http://www.myworksites.co.nz. If no response to the CAR/WAP or TMP is received within 10 working days, they shall be deemed approved. b. All work within the legal road, or activities outside the legal road that affect the normal operating conditions of the legal road, cannot start until the consent holder has been issued with the following: • Approved Works Access Permit (WAP); and • Approved Traffic Management Plan (TMP).			All work within the legal road, or activities outside the legal road that affect the normal operating conditions of the legal road, cannot start until the consent holder has been issued with the following: • Approved Works Access Permit (WAP); and • Approved Traffic Management Plan (TMP). *Advice Note: A Corridor Access Request (CAR) application and TMP can be submitted to the Council through the following web portal http://www.myworksites.co.nz.*	Consider that deemed approval is ultra vires, with the approval itself relating to the Traffic and Parking Bylaw 2017 (https://ccc.govt.nz/the-council/plans-strategies-policies-and-bylaws/bylaws/traffic-and-parking-bylaw-2017) and for works within legal road, for which Council is asset owner. Recommend condition wording requiring Approved Works Access Permit and Approved Traffic Management Plan with advice note detailing Corridor Access Request process.
31.	Any change in ground levels must: • not cause a ponding or drainage nuisance to neighbouring properties. • not affect the stability of the ground or fences on neighbouring properties. • maintain existing drainage paths for neighbouring properties (if applicable).				Accept

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32.	The fill sites must be stripped of vegetation and any topsoil prior to filling. The content of fill must be clean fill (as defined by the Christchurch District Plan – Chapter 2 Definitions).				Accept
33.	All filling exceeding 300mm above excavation level must be in accordance with NZS 4431:2022 Engineered fill construction for lightweight structures. At the completion of the work an Engineers Earthfill Report, including a duly completed certificate in the form of Appendix D of NZS 4431, must be submitted to Council at rcmon@ccc.govt.nz for all lots, including utility reserves, within the subdivision that contain filled ground. This report must detail depths, materials, compaction test results and include as-built plans showing the location and depth of fill and a finished level contour plan.				Accept
34.	All disturbed surfaces must be adequately topsoiled and vegetated as soon as possible to limit sediment mobilisation.			All disturbed surfaces must be adequately topsoiled and vegetated as soon as possible to limit sediment mobilisation. **Areas of land disturbed at any one time must not exceed 5ha.**	Yvonne McDonald recommends the addition specifying a maximum area for disturbed land of 5ha.
35.	Any public road, shared access, footpath, landscaped area or service structure that has been damaged, by the persons involved with the development or vehicles and machinery used in relation to the works under this consent, must be reinstated as specified in the Construction Standard Specifications (CSS) at the expense of the consent holder and to the satisfaction of Council.				Accept
36.	Should the Consent Holder cease or abandon work on site for a period longer than 6 weeks, or be required to temporarily halt construction during earthworks, they must first install preventative measures to control sediment discharge / run-off and dust emission, and must thereafter maintain these measures for as long as necessary to prevent sediment discharge or dust emission from the site				Accept
NES / Contamination					
37.	At least 15 working days prior to the commencement of works to remediate contaminated land, the Consent Holder must submit a Remedial Action Plan (RAP) to the CCC Compliance Team via email to rcmon@ccc.govt.nz.				Accepted
38.	The RAP required under condition (37) must:				Accepted

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	a. Outline the proposed soil sampling procedure to identify the extent of contamination, including guidelines used to analyse samples; b. Detail a procedure for managing any discovery of contaminated soil or material; c. Describe the methodology for soil removal and how soil will be prevented from being entrained in stormwater; d. Outline where the contaminated soil will be disposed of; and e. Describe any validation sampling that will be undertaken to ensure all contaminated soil is removed.				
39.	The RAP may be amended at any time. Any amendments must be: a. Only for the purpose of improving the efficacy of the management of contaminated soil and must not result in an increase of sediment being discharged from the site; and b. Consistent with the conditions of this resource consent; and c. Submitted in writing to the CCC Compliance Team via email to rcmon@ccc.govt.nz.				Accepted
40.	Within three (3) months of the completion of the earthworks a Site Validation Report (SVR) shall be prepared and submitted to Council. The SVR shall include as a minimum a. Volumes of materials moved on site; b. Details of any variations to the proposed work plan; c. Details of any discharges or contingency measures employed during the earthworks; d. Photographic evidence of the site works;				Accepted

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	e. Evidence the objectives of the final site remediation have been met with regard to Industrial land use. f. Evidence of the disposal of any soils off site to an authorised facility. The SVR shall be written in accordance with the Ministry for the Environment Guidelines for Reporting on Contaminated Sites in New Zealand (revised 2011). Delivery of the SVR may be by way of email to rcmon@ccc.govt.nz.				
Geotechnical					
41.	*Specific Foundation design – All lots* Any structure requiring a Building Consent, in terms of Building Act provisions, shall have specific foundation design by a chartered engineer or by an appropriately qualified geotechnical engineer. **Advice note: A Consent Notice requiring specific foundation design pursuant to section 221 of the RMA registered against the Computer Freehold Register to issue for each lot of the subdivision.**				Recommend delete. Comment from Yvonne McDonald: *I have not recommended any geotechnical consent notice as the land is 'good' and there are no geotechnical constraints on building development. I don't believe this condition is necessary*
Water Supply					
42.	The point of water supply for this subdivision shall be the DN355 PE100 water main in Russley Road as well as a new water supply system to be installed by the Developer (New Water Supply System).	Amend condition as follows: 42. The development can be serviced by the Northwest Water Supply Zone, subject to the establishment of a New Water Booster Pump Station. This pump station to be supplied from the existing DN375 asbestos cement water main located in Russley Road.	Condition from draft CCC Water and Wastewater Report.	The development can be serviced by the Northwest Water Supply Zone, subject to the establishment of a New Water Booster Pump Station. This pump station to be supplied from the existing DN375 asbestos cement water main located in Russley Road.	Accept amended condition from CCC Water Supply and Wastewater Report.
43.	The New Water Supply System must be installed on land vested in Council (Utility Lot) or within road reserve as per the submitted drawings.	New condition from draft CCC Water and Wastewater Report as follows: 43. The applicant shall enter into an Infrastructure Provision Agreement with the Christchurch City Council (CCC) on the form reasonably required by CCC to be provided by the Council's solicitors for review and comment, for the design and construction of the New Water Booster Pump Station. The Infrastructure Provision Agreement will provide (without limitation):	Condition as lodged needs reviewing/amending/deleting in light of the new conditions proposed in the draft CCC Water and Wastewater Report.	The applicant shall enter into an Infrastructure Provision Agreement with the Christchurch City Council (CCC) on the form reasonably required by CCC to be provided by the Council's solicitors for review and comment, for the design and construction of the New Water Booster Pump Station. The Infrastructure Provision Agreement will provide (without limitation): a) that the Design Engineer shall be approved on the Three Waters HDM (hybrid delivery model) Professional Services Panel; b) that the design shall be in accordance with the design standards and requirements as per the	Accept new condition from CCC Water Supply and Wastewater Report. Recommend deletion of condition as lodged.

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		a) that the Design Engineer shall be approved on the Three Waters HDM (hybrid delivery model) Professional Services Panel; b) that the design shall be in accordance with the design standards and requirements as per the Council Design Guides/Standards Master List and for Council to advise any such further specifications, standards and requirements during each phase of the design; c) for the Developer to obtain Council Engineering Acceptance for each stage of the design including Concept design, Preliminary design and Detailed design; i. that the Developer shall complete the necessary investigations and assessments to adequately inform the design including geology, topography, ground contamination, archeological, ecological and visual aspects. ii. that the design shall be comprehensive in terms of civil, mechanical, structural, electrical, SCADA and controls, landscaping, access, security, and water safety disciplines; iii. for incorporation of risk assessments (inclusive of water safety) and safety in design in the design process; iv. that the work shall be carried out by a Council Three Waters HDM (hybrid delivery model) Potable Water Tier One Contractor; v. for Council participation and review of the Contract Quality Plan, Health and Safety Plan, Environmental Management Plan, Contract Method Statement, Testing & Commissioning Plan including Handover checklist;		Council Design Guides/Standards Master List and for Council to advise any such further specifications, standards and requirements during each phase of the design; c) for the Developer to obtain Council Engineering Acceptance for each stage of the design including Concept design, Preliminary design and Detailed design; i. that the Developer shall complete the necessary investigations and assessments to adequately inform the design including geology, topography, ground contamination, archeological, ecological and visual aspects. ii. that the design shall be comprehensive in terms of civil, mechanical, structural, electrical, SCADA and controls, landscaping, access, security, and water safety disciplines; iii. for incorporation of risk assessments (inclusive of water safety) and safety in design in the design process; iv. that the work shall be carried out by a Council Three Waters HDM (hybrid delivery model) Potable Water Tier One Contractor; v. for Council participation and review of the Contract Quality Plan, Health and Safety Plan, Environmental Management Plan, Contract Method Statement, Testing & Commissioning Plan including Handover checklist; vi. for the assignment of a Council contracts engineer to audit the construction phase; vii. for specifying any additional As-Built, Testing and Commissioning and Operations and Maintenance Manual requirements; d) for the Developer to undertake all design and construction work at its sole cost and to meet the reasonable costs of CCC involved including all legal, external and internal consultants.	

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		vi. for the assignment of a Council contracts engineer to audit the construction phase; vii. for specifying any additional As-Built, Testing and Commissioning and Operations and Maintenance Manual requirements; d) for the Developer to undertake all design and construction work at its sole cost and to meet the reasonable costs of CCC involved including all legal, external and internal consultants.			
44.	Any part of the New Water Supply System that is constructed pursuant to this Consent but located on a balance lot, shall follow the alignment of the road network for the subsequent development Stage and be protected by an easement in gross in favour of Christchurch City Council, until vested as road or utility lot (as applicable) as part of the subsequent development Stage.	New condition from draft CCC Water and Wastewater Report as follows: 44. The **New Water Booster Pump Station** shall be installed on land to be vested in Council as a Utility Lot. The size and configuration of this Utility Lot, including all associated facilities, must be approved by Council. In making this determination, Council will consider factors such as site accessibility, feasibility of maintenance activities, and the ability to meet service objectives. The final size and location of the Utility Lot shall be adjusted as necessary to satisfy the requirements of Council. Council's Water Supply and Wastewater Asset Planning Team will confirm the land requirements in accordance with the **New Water Booster Pump Station** Infrastructure Provision Agreement, which will include one of the following outcomes: a) Confirmation that no changes to the Utility Lot size or configuration are required if the design work demonstrates adequacy for the New Water Booster Pump Station; or b) Confirmation that the Utility Lot must be increased in size, specifying the additional land necessary to accommodate the New Water Booster Pump Station.	Condition as lodged needs reviewing/amending/deleting in light of the new conditions proposed in the draft CCC Water and Wastewater Report.	The **New Water Booster Pump Station** shall be installed on land to be vested in Council as a Utility Lot. The size and configuration of this Utility Lot, including all associated facilities, must be approved by Council. In making this determination, Council will consider factors such as site accessibility, feasibility of maintenance activities, and the ability to meet service objectives. The final size and location of the Utility Lot shall be adjusted as necessary to satisfy the requirements of Council. Council's Water Supply and Wastewater Asset Planning Team will confirm the land requirements in accordance with the **New Water Booster Pump Station** Infrastructure Provision Agreement, which will include one of the following outcomes: a) Confirmation that no changes to the Utility Lot size or configuration are required if the design work demonstrates adequacy for the New Water Booster Pump Station; or b) Confirmation that the Utility Lot must be increased in size, specifying the additional land necessary to accommodate the New Water Booster Pump Station. Should additional land be required, the applicant must enlarge the Utility Lot accordingly.	Accept new condition from CCC Water Supply and Wastewater Report. Recommend deletion of condition as lodged.

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		Should additional land be required, the applicant must enlarge the Utility Lot accordingly.			
45.	The water main and submains on Lots 300 and 301 (Roads to Vest) shall be designed by a suitably qualified person in accordance with the Infrastructure Design Standard and in general accordance with the NZ Fire Service Fire Fighting Water Supplies Code of Practice NZS 4509:2008. Engineering drawings supported by hydraulic model outputs shall be sent to the Subdivisions Planning Engineer.	New condition from draft CCC Water and Wastewater Report as follows: 45. The water supply network must be designed by a suitably qualified person in accordance with the Infrastructure Design Standard and in general in accordance with the NZ Fire Service Fire Fighting Water Supplies Code of Practice NZS 4509:2008, subject to Council engineering acceptance. Engineering drawings supported by hydraulic model outputs must be sent to the Subdivisions Planning Engineer for Engineering Acceptance by the WaterSupply & Wastewater Asset Planning Team prior to the commencement of any physical work.	Condition as lodged needs reviewing/amending/deleting in light of the new conditions proposed in the draft CCC Water and Wastewater Report.	The water supply network must be designed by a suitably qualified person in accordance with the Infrastructure Design Standard and in general in accordance with the NZ Fire Service Fire Fighting Water Supplies Code of Practice NZS 4509:2008, subject to Council engineering acceptance. Engineering drawings supported by hydraulic model outputs must be sent to the Subdivisions Planning Engineer for Engineering Acceptance by the WaterSupply & Wastewater Asset Planning Team prior to the commencement of any physical work.	Accept new condition from CCC Water Supply and Wastewater Report. Recommend deletion of condition as lodged.
46.	The construction of Council vested water mains and submains shall be carried out by a Council approved water supply installer at the expense of the applicant. Practical Completion of the relevant parts of the New Water Supply System must achieved prior to the issue of a section 224 certificate.	New condition from draft CCC Water and Wastewater Report as follows: 46. All water mains and submains for the subdivision shall be installed in road to be vested in Council. Minimum DN200 water mains shall be extended along the full length of all roads to be vested and terminated with temporary hydrants in accordance with the requirements of the Infrastructure Design Standard.	Condition as lodged needs reviewing/amending/deleting in light of the new conditions proposed in the draft CCC Water and Wastewater Report.	All water mains and submains for the subdivision shall be installed in road to be vested in Council. Minimum DN200 water mains shall be extended along the full length of all roads to be vested and terminated with temporary hydrants in accordance with the requirements of the Infrastructure Design Standard.	Accept new condition from CCC Water Supply and Wastewater Report. Recommend deletion of condition as lodged.
47.	All water mains and submains for the subdivision shall be installed in road to be vested in Council.	New condition from draft CCC Water and Wastewater Report as follows: 47. All lots shall be provided with water supply connections extending to their boundaries. Submains shall be installed to extend at least 1 metre beyond each lot boundary.	Condition as lodged needs reviewing/amending/deleting in light of the new conditions proposed in the draft CCC Water and Wastewater Report.	All lots shall be provided with water supply connections extending to their boundaries. Submains shall be installed to extend at least 1 metre beyond each lot boundary.	Accept new condition from CCC Water Supply and Wastewater Report. Recommend deletion of condition as lodged.
48.	Water mains and submains shall be extended along the full length of roads to vest as per the submitted drawings.	New condition from draft CCC Water and Wastewater Report as follows: 48. Construction of water infrastructure to be vested in Council must be performed by a Council approved water supply installer and undertaken at the applicant's expense.	Condition as lodged needs reviewing/amending/deleting in light of the new conditions proposed in the draft CCC Water and Wastewater Report.	Construction of water infrastructure to be vested in Council must be performed by a Council approved water supply installer and undertaken at the applicant's expense.	Accept new condition from CCC Water Supply and Wastewater Report. Recommend deletion of condition as lodged.

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49.	Reticulated potable water supply is available in the service strip within the adjacent road frontage of each allotment. Before any principal building on the allotment is occupied, the building shall be provided with a lateral connection to the water supply main or sub-main along the frontage of the site in accordance with the requirements of the Building Act and Council's Engineering Code of Practice. On-going compliance with this condition shall be ensured by way of a **Consent Notice** pursuant to section 221 of the RMA registered against the Computer Freehold Register to issue for each lot of the subdivision. This Consent Notice can be cancelled all or in part, on application to the Council, once the relevant lateral connections have been provided within the net lot area.	New condition from draft CCC Water and Wastewater Report as follows: The following conditions must be recorded pursuant to Section 221 of the RMA in a consent notice registered on the titles of each Lot: a) The water supply network for this allotment can accommodate a maximum FW3 fire demand (50 L/s), as defined in the NZ Fire Service Fire Fighting Water Supplies Code of Practice NZS 4509:2008. b) This allotment shall be served by the Christchurch City Council's pressurized water supply network and requires the installation of a high-hazard backflow prevention device. An application for water connection must be submitted to Christchurch City Council either online or by completing a WS1 form (application for water supply), including a water supply site plan. The water connection will not be activated until confirmation is provided that an approved backflow prevention device has been installed. The backflow prevention device must be installed within the property boundary, on private land, as close as practicable to the water meter at the point of supply.	Condition as lodged needs reviewing/amending/deleting in light of the new conditions proposed in the draft CCC Water and Wastewater Report.	The following conditions must be recorded pursuant to Section 221 of the RMA in a consent notice registered on the titles of each Lot: ~~**a) The water supply network for this allotment can accommodate a maximum FW3 fire demand (50 L/s), as defined in the NZ Fire Service Fire Fighting Water Supplies Code of Practice NZS 4509:2008.**~~ a) This allotment shall be served by the Christchurch City Council's pressurized water supply network and requires the installation of a high-hazard backflow prevention device. An application for water connection must be submitted to Christchurch City Council either online or by completing a WS1 form (application for water supply), including a water supply site plan. The water connection will not be activated until confirmation is provided to **Council** that an approved backflow prevention device has been installed. The backflow prevention device must be installed within the property boundary, on private land, as close as practicable to the water meter at the point of supply. **Advice note: The water supply network for this allotment can accommodate a maximum FW3 fire demand (50 L/s), as defined in the NZ Fire Service Fire Fighting Water Supplies Code of Practice NZS 4509:2008.** **Advice Note: This is an on-going condition and a consent notice will be issued under section 221 of the Act at the time of section 224(c) certificate.**	Accept new condition from CCC Water Supply and Wastewater Report, amending a) to be recorded as an advice note on the water supply consent notice, noting that it is advisory rather than a condition requiring ongoing compliance. Recommend addition of '… confirmation is provided to **Council** …' to specify this responsibility. Recommend inclusion of advice note detailing consent notice. Recommend deletion of condition as lodged.
50.	Any rear lot or lot within a Right of Way shall be serviced by its own lateral within a shared access. Each water supply lateral connection shall be installed with a dummy connection spacer rod in accordance with CSS Part 4, SD 403. An easement for the right to convey water shall be created over the lateral in favour of the lot serviced by the lateral. Laterals shall be installed by a Licensed Certified Plumber and shall not cross the boundary of the net site area of other sites. **Advice Note: This work will require a Building Consent or a Building Act Exemption.**	Condition as lodged needs reviewing/amending/deleting in light of new conditions 43 – 49 as proposed in draft CCC Water and Wastewater Report.	Condition as lodged needs reviewing/amending/deleting in light of the new conditions proposed in the draft CCC Water and Wastewater Report.		Accept
Wastewater / Sewer					

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51.	The site shall be serviced by a Local Pressure Sewer System designed in accordance with Council's Infrastructure Design Standards and Construction Standard Specifications. Engineering drawings supported by hydraulic calculations shall be sent to the Subdivisions Engineer.	New condition from draft CCC Water and Wastewater Report as follows: 5.9 The development may be serviced by a Local Pressure Sewer System that is designed in accordance with the Council's Infrastructure Design Standards and Construction Standard Specifications and to discharge into the DN225 RCRR gravity main in Russley Road. 5.10 The Local Pressure Sewer System must be designed so that larger industrial lots can be serviced with non-residential local pressure pumps. 5.11 The collective pressure main must be fitted with a magnetic flow meter that complies with Council's standards and specifications and is fully integrated into the Council's SCADA system.	Condition as lodged needs reviewing/amending/deleting in light of the new conditions proposed in the draft CCC Water and Wastewater Report.	~~5.9~~ The development may be serviced by a Local Pressure Sewer System that is designed in accordance with the Council's Infrastructure Design Standards and Construction Standard Specifications and to discharge into the DN225 RCRR gravity main in Russley Road. ~~5.10 The Local Pressure Sewer System must be designed so that larger industrial lots can be serviced with non-residential local pressure pumps.~~ ~~5.11 The collective pressure main must be fitted with a magnetic flow meter that complies with Council's standards and specifications and is fully integrated into the Council's SCADA system.~~	Accept new conditions from CCC Water Supply and Wastewater Report, noting that three conditions are proposed to replace one condition. Recommend deletion of condition as lodged.
51A	[redacted]			**The Local Pressure Sewer System must be designed so that larger industrial lots can be serviced with non-residential local pressure pumps.**	
51B				**The collective pressure main must be fitted with a magnetic flow meter that complies with Council's standards and specifications and is fully integrated into the Council's SCADA system.**	
52.	The Approved Sanitary Sewer Outfall for this site shall be to the WWMH ID24959 manhole in gravity sewer main in Russley Road.	Condition as lodged may require reviewing/amending/deleting in light of the new conditions proposed in the draft CCC Water and Wastewater Report.	Condition as lodged may require reviewing / amending / deleting in light of the new conditions proposed in the draft CCC Water and Wastewater Report.		Recommend deletion of condition as lodged as the outfall is specified in condition 51.
53.	The consent holder shall put in place measures to enable the initial operation of the local pressure sewer system within and from the site during the build phase, including (but not limited to) ensuring self-cleansing flow and limiting sewage retention time within the system when the design number of pressure sewer tanks are not yet in operation. These measures shall be reported to the Council Engineer prior to seeking section 224(c) certification.	New condition from draft CCC Water and Wastewater Report as follows: 5.13 The applicant must put in place measures to enable the initial operation of the local pressure sewer system within and from the development during the build phase, including (but not limited to) ensuring self-cleansing flow and limiting sewage retention time within the system when the design number of pressure sewer tanks are not yet in operation. These measures must be reported to the Subdivisions Engineer prior to seeking section 224(c) certification.	Condition as lodged needs reviewing/amending/deleting in light of the new conditions proposed in the draft CCC Water and Wastewater Report.	~~5.13~~ The applicant must put in place measures to enable the initial operation of the local pressure sewer system within and from the development during the build phase, including (but not limited to) ensuring self-cleansing flow and limiting sewage retention time within the system when the design number of pressure sewer tanks are not yet in operation. These measures must be reported to the Subdivisions Engineer prior to seeking section 224(c) certification.	Accept new condition from CCC Water Supply and Wastewater Report. Recommend deletion of condition as lodged.

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54.	Provision must be made for odour treatment near WWMH ID24959 and corrosion protection at a location to be confirmed by CCC, downgradient of the discharge point in WWMH ID24959 in accordance with Council's Infrastructure Design Standards, Construction Standard Specification, the CCC Odour and Corrosion Management Design Guide, CCC Design Guideline DG61 Protective Coatings for Concrete Wastewater Structures, and other specifications or operational requirements provided by Council . Engineering drawings supported by design calculations and specifications for the odour treatment facility and corrosion protection works must be sent to the Subdivision Engineer. Smoke testing is required during the commissioning of the odour treatment unit.	New condition from draft CCC Water and Wastewater Report as follows: 5.12 An odour treatment and corrosion management system shall be provided in accordance with the following requirements: a) The design shall be in accordance with the CCC Odour and Corrosion Management Design Guideline, the SCIRT Protective Coating for Concrete Wastewater Structures Designers Guideline, the Infrastructure Design Standards, the Construction Standard Specification and such other specifications or operations requirements to be provided / issued by Council as part of the engineering acceptance process. b) The local pressure sewer system discharge shall be into a new corrosion resistant manhole and corrosion protection shall be provided to downstream manholes withing a distance of 400 metres of the discharge point. c) The location of the odour treatment facility must be approved by Council. In making its determination, Council will consider factors such as site accessibility, feasibility of maintenance activities and the ability to meet service objectives. The final location of the odour treatment facility shall be adjusted as necessary to satisfy the requirements of Council. d) The necessary investigations, assessments and tests shall be carried out to inform the design. e) A concept and preliminary design will be presented to Council for review and acceptance by the Three Waters team prior to embarking upon the detailed design phase. f) The detailed design complete with engineering drawings shall be sent to the Subdivisions Engineer for Engineering Acceptance by the Three Waters team	Condition as lodged needs reviewing/amending/deleting in light of the new conditions proposed in the draft CCC Water and Wastewater Report.	~~5.12~~ An odour treatment and corrosion management system shall be provided in accordance with the following requirements: a) The design shall be in accordance with the CCC Odour and Corrosion Management Design Guideline, the SCIRT Protective Coating for Concrete Wastewater Structures Designers Guideline, the Infrastructure Design Standards, the Construction Standard Specification and such other specifications or operations requirements to be provided / issued by Council as part of the engineering acceptance process. b) The local pressure sewer system discharge shall be into a new corrosion resistant manhole and corrosion protection shall be provided to downstream manholes withing a distance of 400 metres of the discharge point. c) The location of the odour treatment facility must be approved by Council. In making its determination, Council will consider factors such as site accessibility, feasibility of maintenance activities and the ability to meet service objectives. The final location of the odour treatment facility shall be adjusted as necessary to satisfy the requirements of Council. d) The necessary investigations, assessments and tests shall be carried out to inform the design. e) A concept and preliminary design will be presented to Council for review and acceptance by the Three Waters team prior to embarking upon the detailed design phase. f) The detailed design complete with engineering drawings shall be sent to the Subdivisions Engineer for Engineering Acceptance by the Three Waters team prior to the commencement of any physical work. g) Council to review and accept a draft Operations and Maintenance Manual as part of the design. h) Smoke testing is required during the commissioning of the odour treatment unit to confirm negative pressure is achieved at the design air entry point.	Accept new condition from CCC Water Supply and Wastewater Report. Recommend deletion of condition as lodged.

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		prior to the commencement of any physical work. g) Council to review and accept a draft Operations and Maintenance Manual as part of the design. h) Smoke testing is required during the commissioning of the odour treatment unit to confirm negative pressure is achieved at the design air entry point.			
55.	Prior to the occupation of a building on any lot, each lot shall have a Boundary Kit located within the legal road or Right of Way outside the boundary of the lot. The pressure lateral from the Boundary Kit is to extend at least 600mm into the net site of each lot.	New condition from draft CCC Water and Wastewater Report as follows: 5.14 Each industrial lot must have an appropriately sized Boundary Kit located within the legal road or Right of Way outside the boundary of the lot. The pressure lateral from the Boundary Kit is to extend at least 600mm into the net site of each lot.	Condition as lodged needs reviewing/amending/deleting in light of the new conditions proposed in the draft CCC Water and Wastewater Report.	~~5.14~~ Each industrial lot must have an appropriately sized Boundary Kit located within the legal road or Right of Way outside the boundary of the lot. The pressure lateral from the Boundary Kit is to extend at least 600mm into the net site of each lot.	Accept new condition from CCC Water Supply and Wastewater Report. Recommend deletion of condition as lodged.
56.	Properties in a Right of Way shall be serviced by a single private pressure main. An isolation valve shall be installed on the private pressure main at the boundary of the Right of Way and the public road. Private easements shall be created over Pressure Sewer Systems in private Rights of Way.	Condition as lodged may require reviewing/amending/deleting in light of the new conditions proposed in the draft CCC Water and Wastewater Report.	Condition as lodged may require reviewing/amending/deleting in light of the new conditions proposed in the draft CCC Water and Wastewater Report.		Recommend deletion of condition as lodged because no properties are proposed in a right of way, and Council otherwise requires easements in gross to accommodate Pressure Sewer Systems in private Rights of Way.
57.	Installation of the common pressure sewer main and boundary kits in roads to vest shall be carried out by a Council Authorised Drainlayer (Pressure Sewer Reticulation).	New condition from draft CCC Water and Wastewater Report as follows: 5.15 Installation of the pressure sewer mains and boundary kits must be carried out by a Council Authorised Drainlayer (Pressure Sewer Reticulation).	Condition as lodged needs reviewing/amending/deleting in light of the new conditions proposed in the draft CCC Water and Wastewater Report.	~~5.15~~ Installation of the pressure sewer mains and boundary kits must be carried out by a Council Authorised Drainlayer (Pressure Sewer Reticulation).	Accept new condition from CCC Water Supply and Wastewater Report. Recommend deletion of condition as lodged.
58.	Prior to the occupation of a building on any lot, each lot shall be serviced by a private Local Pressure Sewer Unit.	Condition as lodged may require reviewing/amending/deleting in light of the new conditions proposed in the draft CCC Water and Wastewater Report.	Condition as lodged may require reviewing/amending/deleting in light of the new conditions proposed in the draft CCC Water and Wastewater Report.		Recommend deletion of condition as lodged as this requirement is specified in condition 59, secured on an ongoing basis via consent notice.
59.	The following conditions shall be recorded pursuant to Section 221 of the RMA in a consent notice registered on the titles of each **Lot:** a. Prior to the occupation of a building, each industrial lot shall be served by a local pressure sewer unit comprising a pump and storage chamber which can	New condition from draft CCC Water and Wastewater Report as follows: 5.16 The following conditions must be recorded in a consent notice registered on the titles of each Lot:	Condition as lodged needs reviewing/amending/deleting in light of the new conditions proposed in the draft CCC Water and Wastewater Report.	~~5.16~~ The following conditions must be recorded in a consent notice registered on the titles of each Lot: a. The property is connected to a local pressure sewer system that has been designed to accommodate specific wastewater flow limits. Wastewater discharge from the property shall not	Accept new condition from CCC Water Supply and Wastewater Report. Recommend deletion of condition as lodged.

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	accommodate at least 24 hours average dry weather flow to be supplied by Aquatec, EcoFlow or similar. b. The property owner shall retain ownership of the local pressure sewer unit complete with pump, chamber and control equipment. The property owner will be responsible for the operation and maintenance of the complete system.	a. The property is connected to a local pressure sewer system that has been designed to accommodate specific wastewater flow limits. Wastewater discharge from the property shall not exceed an average daily flow of 0.09 litres per second per hectare. b. This allotment shall be serviced by a local pressure sewer unit consisting of a pump, remote monitoring control panel and storage chamber capable of accommodating at least 24 hours of wastewater flow. The unit must be supplied by either Aquatec or EcoFlow and installed at the building consent stage by a Council authorised drainlayer (Pressure Sewer Tanks), in accordance with the requirements for local pressure sewer units as specified under a Building Consent. c. The owner must enter into a management agreement with the supplier of the local pressure sewer unit. This agreement shall provide Council with the necessary rights to monitor and control (as may be required) the pumping regime to support the operation and maintenance of the local pressure sewer catchment. d. The owner is responsible for the ongoing operation and maintenance of the local pressure sewer unit and control panel. Advice Note: This is an on-going condition and a consent notice will be issued under section 221 of the Act at the time of section 224(c) certificate.		exceed an average daily flow of 0.09 litres per second per hectare. b. This allotment shall be serviced by a local pressure sewer unit consisting of a pump, remote monitoring control panel and storage chamber capable of accommodating at least 24 hours of wastewater flow. The unit must be supplied by either Aquatec or EcoFlow and installed at the building consent stage by a Council authorised drainlayer (Pressure Sewer Tanks), in accordance with the requirements for local pressure sewer units as specified under a Building Consent. c. The owner must enter into a management agreement with the supplier of the local pressure sewer unit. This agreement shall provide Council with the necessary rights to monitor and control (as may be required) the pumping regime to support the operation and maintenance of the local pressure sewer catchment. d. The owner is responsible for the ongoing operation and maintenance of the local pressure sewer unit and control panel. Advice Note: This is an on-going condition and a consent notice will be issued under section 221 of the Act at the time of section 224(c) certificate.	
Stormwater					
60.	The stormwater management and mitigation system to be constructed under this application shall rely on stormwater treatment and disposal to ground via infiltration. In addition to the below conditions, the stormwater management system to be constructed under this application shall meet the requirements of the Waterways, Wetlands and Drainage Guide (2003, including				Accept

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	updates), the Infrastructure Design Standard (IDS 2022) and the Construction Standard Specifications (CSS 2022).				
61.	The consent holder shall submit an Engineering Design Report to the *3 Waters Asset Planning - Stormwater & Waterways* and *Resource Consents* Units. The Engineering Design Report shall demonstrate how the design will meet all of the applicable standards and shall contain all of the plans, specifications and calculations for the design and construction of all stormwater infrastructure systems.				Accept
61A				**<u>The consent holder shall demonstrate in the Engineering Design Report that discharge consent for the discharge of construction and operational phase stormwater is under the Christchurch City Council Comprehensive Stormwater Discharge Consent or has been obtained from Canterbury Regional Council.</u>**	Recommended by Brian Norton to ensure that construction and operational phase stormwater has approval to discharge under either the CCC's Comprehensive Stormwater Discharge Consent or a separate ECan consent.
62.	Stormwater generated from all roading shall be collected via channels, sumps, pipes or swales and discharged to a first flush treatment system. Unless otherwise agreed by the Council Planning Engineer, the first flush treatment system shall be either: *a.* Soil absorption basins, or; *b.* Stormwater360 Filterra proprietary treatment devices.			Stormwater generated from all roading shall be collected via channels, sumps, pipes or swales and discharged via an approved pre-treatment system to an approved first flush treatment and disposal system. Unless otherwise approved by the Council Planning Engineer, ~~**the first flush treatment system shall be either:**~~ ~~**a. Soil absorption basins, or;**~~ ~~**Stormwater360 Filterra proprietary treatment devices.**~~ **<u>the stormwater pre-treatment system shall consist of:</u>** *a.* **<u>A vegetated swale designed in accordance with Auckland GD01, or;</u>** *b.* **<u>An approved Gross Pollutant Trap proprietary device (Stormwater360 Cascade Separator, Hynds First Defence High Capacity or Atlan Vortceptor)</u>** **<u>Unless otherwise approved by the Council Planning Engineer, the stormwater treatment system shall consist of:</u>**	Condition recommended by Brian Norton clarifying the stormwater pre-treatment and treatment systems.

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				a. **Soil absorption basins designed in accordance with WWDG 6.5 (except for target soakage rates through treatment media as specified in Condition 71 below), or;** *b.* **Stormwater360 Filterra proprietary treatment devices designed to treat the runoff generated from 5mm/hr rainfall intensity.**	
62A	[redacted]			Treated stormwater and stormwater in excess of the first flush treatment system capacity generated within public **roads** shall discharge into a rapid soakage disposal system. The rapid soakage system shall: a. Consist of infiltration soak pits or trenches designed in general accordance with WWDG Part 6.5, and; b. Provide sufficient storage and soakage to dispose of stormwater generated from the critical two percent annual exceedance probability storm event. c. **Provide either: 1) sufficient above-ground storage to contain the stormwater runoff generated from a 10 percent annual exceedance probability storm of 18 hours duration, OR; 2) an array of redundant "capped off" rapid soakage chambers or trenches providing at least double the design soakage capacity.**	Condition moved from 64, with reasoning from Brian Norton: *This condition is specifically for road runoff into the public stormwater system. Its placement here, without any context, makes it appear to apply to all stormwater generated from the development (including private sites). I've added 'roads' to make this clearer, but I suggest moving this to Condition 63, just below Condition 62 which describes first flush treatment of public roads.*
63.	Lots 1 – 126 shall provide first flush stormwater treatment and rapid soakage systems within the site at the time of building consent for roofs and hardstand areas. The following consent notice shall be registered on the title of Lots 1 – 126 to ensure ongoing compliance with consent conditions: - Stormwater runoff from hardstanding areas and roading within this allotment shall be captured, treated and disposed of via private onsite treatment and soakage systems within the boundaries of the lot. - The stormwater management and disposal system shall be sized to capture, contain and			Lots 1 – 126 shall provide a means of mitigation and disposal of all stormwater generated from all impervious surfaces within the site up to and including the critical 2 percent annual exceedance probability storm event. The following consent notice shall be registered on the title of Lots 1 – 126 to ensure ongoing compliance with consent conditions: - Stormwater generated from the roofs of all buildings within this allotment shall be ~~**captured, treated and disposed of via private onsite treatment and soakage systems within the boundaries of the lot.**~~ **collected via a sealed stormwater system separated from all other stormwater and discharged into an onsite rapid**	Condition amended to consolidate consent notices. Brian Norton additionally notes: *The way this condition is worded implies that roofs shall be treated prior to disposal. I don't think the applicant wants to do this.* *Council will not pre-specify or pre-approve acceptable treatment systems for individual industrial sites, because we do not know what kinds of activities those sites will be engaging in. Treatment systems will need to bespoke and approved at the time of building consent. Sites engaging in HAIL activities may require specialised treatment systems or treatment trains for hazardous materials such as hydrocarbons and metals resulting from*

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	dispose of the critical 2 percent annual exceedance probability storm. Unless agreed by the Council Engineer, treatment of the first flush runoff shall be via one of the following systems: a. A raingarden designed in accordance with CCC's Rain Garden Design Construction and Maintenance Manual 2015; b. A soil absorption basin or sedimentation basins + wetland treatment train designed in accordance with WWDG to treat a volume of runoff equal to that generated from 25mm rainfall depth; c. One of the following proprietary treatment devices designed to treat the flow generated from a 5mm/hr intensity rainfall event: o Hynds UpFlo Filter with CPZ Media o Stormwater 360 Stormfilter with ZPG Media o Stormwater 360 Filterra o SPEL Hydrosystem o SPEL Spelfilter **Advice Note: This is an on-going condition and a consent notice will be issued under section 221 of the Act at the time of section 224(c) certificate**			**soakage disposal system. The rapid soakage infiltration system shall be designed to dispose of the runoff generated from the critical 2 percent annual exceedance probability storm event.** - **Roofs and flashings of all buildings within the site shall be low-zinc and low-copper generating materials (those generating less than 20 parts per million dissolved zinc and less than 3 parts per million dissolved copper, i.e.; painted steel, non-zinc treated aluminium, BUR, Modified Bitumen, Single Ply/Thermoset Membrane, Thermoplastic Polyolefin). If zinc-generating or copper-generating materials are used, treatment of stormwater runoff from the full roof area shall be provided using an approved treatment device designed to remove at least 80% of dissolved zinc and/or copper in stormwater.** - **Stormwater runoff from all hardstanding areas within this allotment shall be captured, treated and disposed of via private onsite treatment and soakage systems within the boundaries of the lot. The stormwater management and disposal system shall be sized to capture, contain and dispose of the runoff generated from the critical 2 percent annual exceedance probability storm.** ~~The stormwater management and disposal system shall be sized to capture, contain and dispose of the critical 2 percent annual exceedance probability storm. Unless agreed by the Council Engineer, treatment of the first flush runoff shall be via one of the following systems:~~ ~~d. A raingarden designed in accordance with CCC's Rain Garden Design Construction and Maintenance Manual 2015;~~ ~~e. A soil absorption basin or sedimentation basins + wetland treatment train designed in accordance with WWDG to treat a volume of runoff equal to that generated from 25mm rainfall depth;~~ ~~f. One of the following proprietary treatment devices designed to treat the~~	*the storage, transfer or handling of those materials.*

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				~~**flow generated from a 5mm/hr intensity rainfall event:**~~ ~~**o Hynds UpFlo Filter with CPZ Media**~~ ~~**o Stormwater 360 Stormfilter with ZPG Media**~~ ~~**o Stormwater 360 Filterra**~~ ~~**o SPEL Hydrosystem**~~ ~~**o SPEL Spelfilter**~~ - **The first flush of stormwater runoff from all sealed surfaces within this allotment shall be treated prior to disposal into land. The onsite stormwater treatment system shall be designed by a suitably qualified and experienced person, shall be tailored to the specific proposed site activities, and shall be submitted for acceptance by the Christchurch City Council Planning Engineer prior to installation.** - **Sites engaging in any of the activities listed in Environment Canterbury's Land and Water Regional Plan Schedule 3 Hazardous Industries and Activities (or successor schedule) shall submit a Stormwater Quality Management Plan for acceptance by the Christchurch City Council Planning Engineer.** **Advice Note: This is an on-going condition and a consent notice will be issued under section 221 of the Act at the time of section 224(c) certificate**	
64.	Treated stormwater and stormwater in excess of the first flush treatment system capacity shall discharge into a rapid soakage disposal system. The rapid soakage system shall: *a.* Consist of infiltration soak pits or trenches designed in general accordance with WWDG Part 6.5, and; *b.* Provide sufficient storage and soakage to dispose of stormwater generated from the critical two percent annual exceedance probability storm event.			Treated stormwater and stormwater in excess of the first flush treatment system capacity generated within public **roads** shall discharge into a rapid soakage disposal system. The rapid soakage system shall: d. Consist of infiltration soak pits or trenches designed in general accordance with WWDG Part 6.5, and; e. Provide sufficient storage and soakage to dispose of stormwater generated from the critical two percent annual exceedance probability storm event. f. **Provide either: 1) sufficient above-ground storage to contain the stormwater runoff generated from a 10 percent annual exceedance**	Recommend move to under 62, as noted by Brian Norton: *This condition is specifically for road runoff into the public stormwater system. It's placement here, without any context, makes it appear to apply to all stormwater generated from the development (including private sites). I've added 'roads' to make this clearer, but I suggest moving this to Condition 63, just below Condition 62 which describes first flush treatment of public roads.*

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				probability storm of 18 hours duration, OR; 2) an array of redundant "capped off" rapid soakage chambers or trenches providing at least double the design soakage capacity.	
64A	[redacted]			**Stormwater in excess of the stormwater management and disposal system capacity shall be discharge to the Council network (roads or drains) via spillways or overland flow paths designed to avoid scour and erosion.**	This condition is required to ensure that the applicant does not design the storage systems to spill onto neighbouring private land.
65.	The following consent notice, pursuant to Section 221 of the Resource Management Act 1991, shall be memorialised on the Certificates of Title for all industrial allotments to ensure that ongoing conditions are complied with: ***Pre-treatment of Hardstand Stormwater Runoff*** *Stormwater generated from hardstanding areas within the site (concrete, asphalt, compact gravel, etc.) shall be pre-treated using an approved Gross Pollutant Trap (GPT), vegetated swale or other proprietary pre-treatment device prior to discharge into the CCC network. Unless otherwise approved by the Council Stormwater Planning Engineer, any proprietary stormwater pre-treatment device used shall hold "pre-treatment" designation certification (or better) on the State of Washington Department of Ecology (U.S.A.) – Technology Assessment Protocol - Ecology (TAPE) approved technologies list.* ***Hazardous Activities and Industries*** *Sites engaging in any of the activities listed in Environment Canterbury's Land and Water Regional Plan Schedule 3 Hazardous Industries and Activities (or successor schedule) shall submit a Site Management Plan for acceptance by the Christchurch City Council Stormwater Planning Engineer. Any site activities considered by the Council to pose a high risk of contamination of ground or surface water may be excluded from the Christchurch City Council's Comprehensive Stormwater Network Discharge Consent and may be required to obtain separate resource consent for the discharge of operational phase stormwater from Canterbury Regional Council.*				Recommend deletion of Conditions 65 and 66, as they have now been incorporated into a single list of consent notices above. Additionally, the "pre-treatment" consent notice is designed for industrial subdivisions where runoff from individual site hardstand will be treated in the communal CCC-owned stormwater treatment facility which is not proposed.
66.	Stormwater generated from roofs of all buildings shall be collected via a sealed stormwater system				

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	separated from all other stormwater and discharged into an onsite rapid soakage system. The following consent notice, pursuant to Section 221 of the Resource Management Act 1991, shall be memorialised on Certificates of Title for all industrial allotments to ensure that ongoing conditions are complied with: ***Roof Stormwater Disposal*** *Stormwater runoff from roofs of all buildings within this allotment shall be captured and disposed of via rapid soakage infiltration systems that are fully sealed and separated from other stormwater runoff. The rapid soakage infiltration systems shall be designed to dispose of the critical 2 percent annual exceedance probability storm event.* ***Roof and Flashing Materials*** *Roofs and flashings of all buildings within the site shall be low-zinc and low-copper generating materials (those generating less than 20 parts per million dissolved zinc and less than 3 parts per million dissolved copper, i.e.; painted steel, non-zinc treated aluminium, BUR, Modified Bitumen, Single Ply/Thermoset Membrane, Thermoplastic Polyolefin). If zinc-generating or copper-generating materials are used, treatment of stormwater runoff from the full roof area shall be provided using an approved treatment device designed to remove at least 80% of dissolved zinc and/or copper in stormwater.*				
67.	Prior to vesting of reserves the consent holder shall confirm, by Detailed Site Investigation and/or Validation Report (if required) that soil contaminants within all Local Purpose (Utility) Reserves containing stormwater basins or soakage systems are below ANZECC SQG-High Sediment Quality guidelines.				Accept
68.	The primary stormwater reticulation network shall be designed to convey (at minimum) the critical twenty percent annual exceedance probability storm event. No flooding of private property shall				Accept

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	occur during the critical ten percent annual exceedance probability storm event.				
69.	Prior to the commencement of engineering works, the consent holder shall demonstrate, by means of appropriate site testing (by a suitably qualified professional) that the 'design' soakage rates for the infiltration systems are able to be achieved within the stormwater disposal sites. Measured soakage rates, determined by test, shall be reduced by a factor of three (or more) in the final design of the soakage system.				Accept
70.	At the time of excavation of the actual infiltration site(s) during the construction phase of the development, the Consent Holder shall confirm that the initial assumptions of infiltration rates, derived from the preliminary testing, are appropriate.				Accept
71.	Upon practical completion of any soil absorption basins (if implemented) and prior to issuance of the s224c certificate, hydraulic conductivity testing of all installations shall be undertaken and supervised by a suitably qualified consultant with the results submitted to the Senior Stormwater Planning Engineer, 3 Waters Asset Planning - Stormwater & Waterways Unit and Subdivisions Engineer, Resource Consents Unit. Median infiltration test results of the engineered treatment media layer shall be within the range of 75mm-300mm per hour, with no single test result less than 50mm per hour. Should that range not be achieved, the consent holder shall undertake all necessary works to achieve the required infiltration rate, at no cost to Council.				Accept
72.	The consent holder shall provide easement in gross over any infrastructure located outside of Local Purpose (Utility) Reserves or legal road.				Accept
72A				**Earthworks shall not cause adverse flooding effects on other land. The consent holder shall provide a report summarizing any effects of disruption of overland flow or displacement of ponded floodwaters caused by filling within the site, and identify all measures proposed to avoid, remedy or mitigate those effects. This report shall form part of the Engineering Design Report.**	This condition is designed to manage any boundary drainage effects with other land caused by the reshaping of land. Even though sites are managing their own runoff, all sites must still be shaped to drain toward internal roads, to ensure runoff is controlled when onsite systems fail.

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72B	[redacted]			**The designer of the stormwater management system shall provide a report which identifies all overland flow paths proposed for storm events that exceed the capacity of the reticulated stormwater network. All overland stormwater flow paths are to be identified and protected by an easement in favour of Christchurch City Council, if required.**	This condition is required to ensure all overland flow paths for stormwater are mapped and protected.
72C				**A stormwater design and flood modelling report shall be provided for the subdivision which addresses the critical 10%, 2% and 0.5% annual exceedance probability rainfall events in the post-development scenario. This report shall form a part of the Engineering Design Report and shall include (but may not be limited to) the following information in PDF and GIS *.shp file format:** **a. A plan showing design ground levels (100mm contours or appropriate) and proposed secondary flow paths.** **b. A plan showing the predicted extent of flooding (for flood depths in excess of 100mm) for the critical 2 percent and 0.5 percent annual exceedance probability rainfall events.** **c. A plan showing predicted floodwater levels for the critical 2 percent and 0.5 percent annual exceedance probability rainfall events marked at every 10m interval along all overland flow paths.** d. **All elevations shall be in NZVD2016.**	This condition is designed to ensure that flood levels within overland flow paths in public roads and reserves are well understood and will allow Council to appropriately set minimum building protection elevations from these overland flow paths. Further, this information is also used to update Council's citywide hydraulic models.
73.	All boundaries between residential allotments and Local Purpose (Utility) Reserves shall be fenced. The design and placement of fencing shall form part of the Engineering or Landscape submission.			All boundaries between ~~**residential**~~ allotments and Local Purpose (Utility) Reserves shall be fenced. The design and placement of fencing shall form part of the Engineering or Landscape submission.	Reference to residential allotments removed.
74.	Safe and adequate access to all stormwater management and mitigation facilities for operation and maintenance, including sediment removal, shall be provided and designed in accordance with WWDG Sections 6.8 & 6.9.				Accept
75.	A Maintenance and Operations manual for all stormwater water management systems shall be provided to the Resource Consents and 3 Waters Asset Planning - Stormwater & Waterways Unit. This manual is to include a description of the activity, the design assumptions, maintenance schedule and monitoring requirements.			*A Maintenance and Operations manual for all stormwater water management systems shall be provided* ~~*to*~~ ***and shall form part of*** *the Resource Consents and 3 Waters Asset Planning - Stormwater & Waterways Unit* ***acceptance****. This manual is to include a description of the activity, the design assumptions, maintenance schedule and monitoring requirements.*	Updated wording in bold recommended by Brian Norton. Manuals are checked for content and accuracy and must be accepted.
76.	The consent holder shall provide as-built plans of the stormwater management systems and confirm that they have been constructed in accordance				Accept

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	with the approved plans and comply with the IDS, particular Part 3: Quality Assurance and Part 12: As-Builts.				
77.	No more than 90 days prior to the expiry of the engineering defects period, hydraulic conductivity testing of soil absorption basins (if implemented) shall be undertaken and supervised by a suitably qualified consultant with the results submitted to the Senior Stormwater Planning Engineer, 3 Waters Asset Planning - Stormwater & Waterways Unit and Subdivisions Engineer, Resource Consents Unit. Median infiltration test results shall be within the range of 50mm-300mm per hour, with no single test result less than 30mm per hour. Should that range not be achieved, the consent holder shall undertake all necessary works to achieve the required infiltration rate, at no cost to Council.				Accept
77A	[redacted]			**<u>The consent holder shall operate all stormwater infrastructure to vest into Council for the below engineering defects periods:</u>** **a. <u>The engineering defects period for the stormwater treatment and infiltration systems is the period until 80% of the bulk site area (at least 44.4ha of the 55.5ha site) is fully developed and stabilised.</u>** *b.* **<u>The engineering defects period for all other stormwater infrastructure is 24 months following the issue of the Section 224(c) certificate.</u>**	Condition 77A recommended by Brian Norton, for the following reason: *Soil adsorption basins are highly susceptible to damage from sediment discharges caused by earthworks. Moving the defects period to the point where 80% of the bulk site area is fully developed will help to mitigate the risk of damaging sediment discharges during bulk earthworks of allotments as a result of those works not being undertaken at the subdivision phase.*
Access Construction Standards					
78.	The access formation must be designed and constructed in accordance with the CCC Infrastructure Design Standard. Physical works must not commence until the Design Report, Plans and Design Certificate complying with clause 3.3.1 of the IDS and the Contract Quality Plan and Engineer's Review Certificate complying with clause 3.3.2 has been provided to Council.			The access formation must be designed and constructed in accordance with the CCC Infrastructure Design Standard. Physical works must not commence until a Council engineering officer confirms that the Design Report, Plans and Design Certificate complying with clause 3.3.**<u>2</u>** of the IDS and the Contract Quality Plan and Engineer's Review Certificate complying with clause 3.3.**<u>3</u>** has been received and accepted by Council.	References to the IDS corrected to applicable clauses.
Transport					
79.	<u>Street Lighting</u> Street lighting is to be installed in the new road(s) to vest in compliance with Part 11 (Lighting) of the Infrastructure Design Standard.				Accept

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	Streetlights must use of warm colour temperature (≤3000K) and light streets within 500m of the runway to PR4 standard (>1.3lux average, <2.5lux maximum).				
80.	Traffic Safety Audit The applicant must provide traffic safety audits undertaken by a suitable qualified independent traffic engineer at the engineering acceptance stage (design) and at works completion (post construction). Detailed engineering design for the transport network must ensure the recommendations of the Safety Engineer in the preliminary scheme design (concept) safety audit are incorporated in the design.				Accept
81.	Existing Road Frontage Road frontage is to be upgraded at the cost of the consent holder as per the Capture Land Development Plans submitted with the application.			Existing Road Frontage ~~Road frontage is to be upgraded at the cost of the consent holder as per the Capture Land Development Plans submitted with the application.~~ **Ryans Road frontage is to be upgraded at the cost of the consent holder to include a service strip, 2.5 metre shared path, kerb and channel, car parking/landscaping, undergrounding of services in general accordance with the stamped approved plan set.** **Grays Road frontage is to be upgraded at the cost of the consent holder to include a service strip, 2.5 metre shared path, kerb and channel, landscaping, undergrounding of services in general accordance with the stamped approved plan set.**	Recommended by Andrew Milne to ensure upgrades provide for infrastructure and include a shared path to accommodate cyclists.
82.	Intersection Design Intersection Design is to be as per the Capture Land Development Drawings.			Intersection Design Intersection Design is to be as per the Capture Land Development Drawings, **and subject to the IDS and CSS.**	Recommend addition to ensure compliance with IDS and CSS.
83.	New Roads Lot 300 and 301 (being road allotments) must be designed and formed in general accordance with the Capture Land Development Drawings.				Recommend delete, as Condition 5 specifies the requirements for these lots.
84.	Turning Facilities The subdivision design must provide for adequate rubbish truck turning facilities.			Turning Facilities The subdivision design must provide for adequate rubbish truck turning facilities **which is legally secured within the application site at each stage.**	Addition recommended to ensure that provision is made at each stage.
Construction Stage Lighting					

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85.	There shall be no construction requiring artificial lighting during the hours of darkness.	[Amend condition to provide for exceptions authorised by CIAL and CAA, consistent with new condition 5H]	[Amend condition to provide for exceptions authorised by CIAL and CAA, consistent with new condition 5H]		Accept described amendment in principle.
Landscaped Setback Ryans and Grays Roads					
86.	Landscaping The proposed landscaping must be established in accordance with the Site/Landscape Plan prepared by DCM Urban and submitted with the application. The proposed landscaping must be established on site within the first planting season (extending from 1 April to 30 September). All landscaping required for this consent must be maintained. Any dead, diseased, or damaged landscaping must be replaced by the consent holder within the following planting season (extending from 1 April to 30 September) with trees/shrubs of similar species to the existing landscaping.			Landscaping The proposed landscaping must be in accordance with the Site/Landscape Plan prepared by DCM Urban and submitted with the application. The proposed landscaping must be established on site within the planting season (extending from 1 April to 30 September). ~~All landscaping required for this consent must be maintained. Any dead, diseased, or damaged landscaping must be replaced by the consent holder within the following planting season (extending from 1 April to 30 September) with trees/shrubs of similar species to the existing landscaping.~~	As a condition of subdivision consent, this condition will need to be completed prior to issuing s224(c). Accordingly, recommend separating establishment and maintenance conditions (Refer 86B).
86A	[redacted]			a. **A Landscape Concept, Maintenance and Management Plan shall be prepared by a suitably qualified landscape architect and include the following:** i. **A comprehensive landscape concept for the 3m landscape strip extending from Ryans Road and Grays Road;** ii. **A schedule of plant species;** iii. **A statement of compliance with approved landscape plans and relevant landscape conditions of this consent;** iv. **A maintenance schedule including for the establishment period.** b. **Landscaping shall be established in accordance with the Landscape Concept, Maintenance and Management Plan.** c. **The following conditions must be recorded pursuant to Section 221 of the RMA in a consent notice registered on the titles of Lots 1-10, 20-21, 40-41, 55-61, 63-70:** **Landscaping on this lot shall be maintained in accordance with the attached Landscape Concept, Maintenance, and Management Plan.** ***Note: This is an ongoing condition of Consent for which a consent notice pursuant to s221 of the Resource Management Act will be issued.***	Wording modified from that recommended by William Field for the following reason: *I anticipate that each section of the planting strip is likely to be maintained by 11 different site owners/operators along Ryans Road and 18 along Grays Road with differing degrees of maintenance standards likely to be applied overtime. I consider this to be a risk to the effectiveness of the proposed planting which should be addressed through a condition of consent requiring a consistent landscape maintenance/management plan (coordinated with the adjacent waterway maintenance program along Ryans Road) to be a requirement for each property owner/operator to undertake.*

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	[redacted]				
86B				**All landscaping required in the Landscape Concept, Maintenance and Management Plan must be maintained. Any dead, diseased, or damaged landscaping must be replaced by the consent holder within the following planting season (extending from 1 April to 30 September) with trees/shrubs of similar species to the existing landscaping.** ***Note: This is an ongoing condition of Consent for which a consent notice pursuant to s221 of the Resource Management Act will be issued.***	Separated from 86 as above. Conditions 86A-86H require consent notices for ongoing compliance.
86C				**All fencing shall be located on the internal boundary of the 3m wide landscape strips along the Ryans Road or Grays Road with an access gate provided for maintenance if not otherwise accessible.** ***Note: This is an ongoing condition of Consent for which a consent notice pursuant to s221 of the Resource Management Act will be issued.***	Recommend by William Field, for the following reason: *This recommended condition would avoid fences being installed in front of the frontage proposed 3m wide landscape reducing the amenity benefits of the planting.*
86D				**Any services and storage areas along Ryans Road or Grays Road shall be fully screened by landscaping, fencing or other screening to a minimum of 1.8 metres in height.** ***Note: This is an ongoing condition of Consent for which a consent notice pursuant to s221 of the Resource Management Act will be issued.***	Recommended by William Field for the following reason: *These recommended conditions would help to avoid unsightly storage being obtrusively visible from neighbouring rural residential properties and the public realm of the roads.*
86E				**Any stacked containers shall not be located within 20m of Ryans Road or Grays Road road boundaries.** ***Note: This is an ongoing condition of Consent for which a consent notice pursuant to s221 of the Resource Management Act will be issued.***	
86F				Where car parking is proposed to be located at the front of any lots along the Ryans Road on Lots 68-70, 1 tree shall be planted for every 5 car parking spaces (or part thereof) within any car parking area, in accordance with the provisions in Appendix 6.11.6 of Chapter 6 **of the District Plan attached as [Appendix XX] to this decision.** *Note: This is an ongoing condition of Consent for which a consent notice pursuant to s221 of the Resource Management Act will be issued.*	Recommended by Wiliam Field for the following reason: *This recommended condition would help to enhance the appearance of any car parking areas visible from neighbouring rural residential properties and the public realm of the boundary roads while the proposed planting strips were established, and then potentially visible through vehicle accessways.*
86G				Facades of all buildings facing the Ryans Road road boundary on Lots 1, 20-21, 40-41, 55-50 and the Grays Road road boundary on Lots 68-70 must be painted an earth-toned, recessive colour with a reflectance value of not greater than 30%.	Recommended by William Field for the following reason: *This recommended condition would reduce the risk of buildings, or parts of, being visually intrusive with brightly coloured or toned finishes.*

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	[redacted]			*Note: This is an ongoing condition of Consent for which a consent notice pursuant to s221 of the Resource Management Act will be issued.*	Amended to refer to facades of buildings facing the road boundaries and specific lot numbers.
86H				**There shall be no more than one vehicle accessway from Ryans Road for each lot facing Ryans Road.** *Note: This is an ongoing condition of Consent for which a consent notice pursuant to s221 of the Resource Management Act will be issued.*	Recommended by William Field for the following reason: *This recommended condition would reduce adverse visual impacts on; the proposed planting strip, visibility to industrial activities on the lots and vehicle coming and going from the lots, and the cumulative open appearance and sightlines created by potentially adjacent accessways.*
Reserve Landscape Plans					
86I				**Landscape Plans and an accompanying Design Report for Reserves (Lots 200-201) are to be submitted to Technical Design Services (Landscape Architecture and Environment Team at landscape.approval@ccc.govt.nz) for acceptance.**	Conditions 86I-86O relate to landscaping requirements and acceptance for Lots 200-201 proposed to vest.
86J				**The Landscape Plans and Design Report are to provide sufficient detail to confirm compliance with the requirements of the IDS, the CSS, and the WWDG (current versions): All landscaping required by this condition is to be carried out in accordance with the accepted plan(s) at the Consent Holder's expense, unless otherwise agreed.**	
86K				**Prior to Council's practical completion inspection and acceptance, the consent holder must submit (to the Landscape Architecture and Environment Team at landscape.approval@ccc.govt.nz) all required completion documentation in accordance with IDS Part 10.3.4 Engineer's Report and the Quality Assurance System, to provide evidence that the work is completed in accordance with the accepted plans, the IDS, CSS and WWDG (current versions), and the conditions of consent.**	
86L				**The Consent Holder must maintain all landscape assets on Reserve Lots 200-201 to the standards specified in the CSS (current version) for the 24 months Establishment Period (Defects Liability), from the date of Council's practical completion acceptance until a final inspection and acceptance of the landscaping by Council. Acceptance will be based upon the criteria outlined in the CSS, Part 7 Landscapes (current version).**	
86M				**The Consent Holder is to maintain an accurate and up-to-date monthly report on the condition of the landscape assets and the works undertaken during the Establishment Period. The report must be submitted to the Landscape Architecture and Environment Team at landscape.approval@ccc.govt.nz) within five days of the end of each month during the Establishment**	

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	[redacted]			**Period. (Refer: *Monthly Establishment Report*, CSS, Part 7 Landscape (current version).**	
86N				**The Consent Holder must enter into a separate bond with Council to the value of 50% of the cost to replace and establish all plants, trees, and turf on reserves. The bond will be held for the Establishment Period of a minimum of 24 months and may be extended by a further 12 - 24 months for the replacement planting(s), as required. The bond will be released after the landscape assets have been inspected and accepted by Council at final completion / handover.** **Where works have not obtained practical completion acceptance by Council prior to the issuing of the Section 224(c) certificate, the value of the bond will be 100% of the cost of all landscape improvements.**	
86O				**Any replacement plantings and extended establishment period required due to plant, trees, and turf not being accepted are to be carried out at the Consent Holder's expense.**	
Streetscape Landscape Plans					
87.	Landscape plans and an accompanying Design Report for street trees and street garden beds are to be submitted to the Technical Design Services (Landscape Architecture and Environment Team at landscape.approval@ccc.govt.nz). **Advice note: Grassed berms within road reserves do not form part of the landscape acceptance or landscape bond.**			Landscape plans and an accompanying Design Report for street trees and street garden beds are to be submitted to the Technical Design Services (Landscape Architecture and Environment Team at landscape.approval@ccc.govt.nz) **for acceptance**. *Advice note: Grassed berms within road reserves do not form part of the landscape acceptance or landscape bond.*	Include reference to acceptance, as assets are proposed to vest.
88.	The Landscape Plans and Design Report are to provide sufficient detail to confirm compliance with the requirements of the IDS (current version) and the CSS (current version). All landscaping required by this condition is to be carried out in accordance with the plan(s) at the Consent Holder's expense, unless otherwise agreed.				Accept
89.	Prior to Council's practical completion inspection and acceptance, the consent holder must submit (to the Landscape Architecture and Environment Team at landscape.approval@ccc.govt.nz) all required completion documentation in accordance with IDS Part 10.3.4 Engineer's Report and the Quality Assurance System, to provide evidence that the work is completed in accordance with the accepted plans, the IDS and CSS (current versions), and the conditions of consent.				Accept

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90.	The Consent Holder must maintain all landscape assets within road corridors to the standards specified in the CSS (current version) for the **24 months** Establishment Period (Defects Liability) from the date of Council's practical completion acceptance until final inspection and acceptance of the assets by Council. Acceptance must be based upon the criteria outlined in the CSS, Part 7 Landscapes.				Accept
91.	The Consent Holder is to maintain an accurate and up-to-date monthly report on the condition of the landscape assets and the works undertaken during the Establishment Period (Defects Maintenance). The report must be submitted to the Landscape Architecture and Environment Team at landscape.approval@ccc.govt.nz) within five days of the end of each month during the Establishment Period. (Refer: *Monthly Establishment Report,* CSS, Part 7 Landscape (current version).				Accept
92.	The Consent Holder must enter into a separate bond with Council to the value of 50% of the cost to replace and establish all street trees and street garden beds. The bond will be held for the Establishment Period of a minimum of **24 months** and may be extended by a further **24 months** for the replacement planting(s), as required. The bond will be released after the trees have been accepted by Council at final completion / handover. **Advice note: Where works have not obtained practical completion acceptance by Council prior to the issuing of the Section 224(c) certificate, the value of the bond will be 100% of the cost of all landscape improvements.**				Accept
93.	Any replacement plantings and extended establishment period required due to street trees or street garden beds not being accepted are to be carried out at the Consent Holder's expense.				Accept
94.	Final Completion / Handover (Reserves and Streetscapes) Prior to Council's final completion inspection and acceptance of the assets at the end of the 24 month Establishment Period, the Consent Holder				Accept

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	must submit all required completion documentation in accordance with IDS Part 2:2.12 Completion of Land Development Works and the Quality Assurance System, to provide evidence that the work has been completed and maintained in accordance with the agreed standards and conditions of this consent. Where it is not possible to determine the condition of the assets due to seasonal constraints (e.g. trees not being in full leaf) then the final inspection and final completion may be delayed until the condition of the assets can be accurately determined.				
Waterways					
94A	[redacted]			**Prior to the commencement of works within 5m of the water race, the Consent Holder shall engage a suitably qualified freshwater ecologist to:** - **to undertake surveys of aquatic ecology values in the 840m of water race adjacent to the site. This shall include targeted searches for freshwater mussels (kākahi). Results shall be entered into the NZ Freshwater Fish Database and supplied to the Council's Waterways Ecologist Planner by way of email to rcmon@ccc.govt.nz.** - **oversee design and construction of works within 5m of the water race and to undertake fish salvage. This shall include providing guidance on culvert location and installation to minimise disruption to any indigenous species identified.** **Written confirmation of the freshwater ecologist's involvement shall be provided to Christchurch City Council Surface Water and Land Drainage Planner and the Waterways Ecologist, by way of email to rcmon@ccc.govt.nz at least 10 working days prior to commencement.**	Recommended by Katie Kerr to ensure: - understand the particular aquatic ecology values in the water race adjacent to the site, noting assessment to date has been based on desktop research/previous studies that did not include observation sites on this extent. - Ensure existing aquatic values are managed in accordance with best practice throughout design and construction; - Ensure new landscape planting within riparian margins will contribute to waterway values.
94B				**Works within waterways and within 5m of the banks, including physical in-stream works, erosion and sediment control measures, and fish salvage requirements, must be in accordance with the National works in waterways guideline: Best practice guide for civil infrastructure works and maintenance (Ministry for the Environment, 2021) and CCC guidance https://ccc.govt.nz/assets/Documents/Consents-and-Licences/construction-requirements/Construction-Environmental-Management/Fish-Salvage-Guidance-for-Works-in-Waterways.pdf .**	
94C				**Construction on site shall not commence until a**	

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	[redacted]			**Landscape and Waterway Design Plan for the Paparua Water Race is submitted (by email via rcmon@ccc.govt.nz) and accepted by the Christchurch City Council Waterways Ecologist. The planting plan shall:** ○ **Provide adequate screening of the development and provide ecological value to the waterway;** ○ **Be in accordance with the updated Christchurch City Council riparian planting guide provided in [Appendix XX} to this decision;** ○ **Include a mix of small shrubs and taller trees to provide shading and range of habitat to the waterway;** ○ **No plastic or other non-biodegradable material shall be used for any landscaping works within the setback; and** ○ **Consist of native and locally sourced species, and not species that have high leaf fall.**	
Lizard Management					
95.	The results of baseline surveys, conducted to confirm lizard presence at the site, must be provided to Mahaanui Kurataiao and the Department of Conservation.	Delete condition in its entirety	Deleted as baseline lizard survey is now provided as part of the application.		Accept deletion
96.	In the event that herpetofauna are found at the site during baseline surveys, a detailed Lizard Management Plan must be implemented including methods for: a. capturing and relocating of lizards; and/or b. deterring populations from inhabiting the site; and/or c. other management interventions as deemed necessary to protect resident populations.	Delete condition in its entirety	Deleted as baseline lizard survey is now provided as part of the application.		Accept deletion
97.	Any capture and relocation of lizard fauna must be undertaken in accordance to permits obtained by this application under the authority of the Wildlife Act (1953).	Delete condition and replace with: All works relating to lizard fauna, including capture and relocation must occur in accordance with the Lizard Management Plan prepared by PDP dated August 2025, and the permit obtained by this application under the authority of the Wildlife Act (1953).	New LMP condition		Accept amendment
98.	If lizard salvage and relocation work is required on site, a report summarising the salvage and relocation results will be prepared and submitted to CCC and DOC within 30 days from the	Amend condition as follow: If lizard salvage and relocation work is required on site, a report summarising the salvage and relocation results will be	Change to include additional parties to receive lizard report. Moved from Section 6 DOC Conditions that have been deleted below.		Accept amendment

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	completion date of the work (see LMP attached in Appendix C). Specifically, this report will include: 1. Results of lizard salvage and relocation work. Should native lizards be found, then the following will also be included in the report: a. Photos of lizard salvage methods utilised; b. Photos of lizards captured (including photos of the salvage and relocation areas); and, c. A map showing the location of lizard upon capture and upon release. 2. Descriptions of how lizard management activities outlined in the LMP were followed, including conditions detailed in the WAA permit and associated resource consent conditions; 3. An Amphibian and Reptile Distribution Scheme (ARDS) card detailing information relating to captured lizards; and, 4. A brief summary regarding the outcomes of the LMP, including any improvements/changes that should be implemented in future.	prepared and submitted to CCC, Ecan, Whitiora, Mahaanui Kurataiao and DOC within 30 days from the completion date of the work (see LMP attached in Appendix C). Specifically, this report will include: 1. Results of lizard salvage and relocation work. Should native lizards be found, then the following will also be included in the report: a. Photos of lizard salvage methods utilised; b. Photos of lizards captured (including photos of the salvage and relocation areas); and, c. A map showing the location of lizard upon capture and upon release. 2. Descriptions of how lizard management activities outlined in the LMP were followed, including conditions detailed in the WAA permit and associated resource consent conditions; 3. An Amphibian and Reptile Distribution Scheme (ARDS) card detailing information relating to captured lizards; and, A brief summary regarding the outcomes of the LMP, including any improvements/changes that should be implemented in future.			
Avifauna Management During Subdivision Construction					
99.	**Birdstrike Management – Stormwater Basin** 1. During the operation of the stormwater basin, the following must be complied with: a. Regular monitoring for bird usage or evidence of bird activity (e.g. guano) must be undertaken after a moderate	[Condition wording to be updated to provide greater specificity regarding monitoring and enforcing the plan, managing activities that may increase the risk of birdstrike and initial vs. ongoing management requirements]. [References to condition numbers to be reviewed/updated]	[Condition wording to be updated to provide greater specificity regarding monitoring and enforcing the plan, managing activities that may increase the risk of birdstrike and initial vs. ongoing management requirements]. [References to condition numbers to be reviewed/updated]		Accept described amendments in principle.

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	rain event (10mm or more in a 24 hour period); b. The grass sward must be maintained between 200-300 millimetres, to reduce the attractiveness of the grass to birds; c. Assessment of water retention and appropriate water discharge after moderate rain events (10mm or more in a 24-hour period) must be undertaken to confirm that appropriate drainage is occurring, with no obstructions; d. The basin must be maintained to prevent hollows that hold standing water, and the banks should remain as steep as feasibly possible; If birds do congregate after a rain event, Christchurch International Airport must be informed. The birds must not be disturbed without guidance on the best dispersal techniques as this could increase any bird strike risk. Note: Birds on the ground pose no threat to aircraft. e. If birds are attracted to the basin - either when it is dry or after storm events - a management plan must be drafted by a suitably qualified avifauna ecologist with waterfowl experience, that guides how to discourage birds from using the basin. 2. The consent holder must report to Council on a quarterly basis (email to rcmon@ccc.govt.nz) of compliance of the condition 101.1 including actions taken during rain events, maintenance undertaken and communication with the Christchurch International Airport. 3. Alternatively, the consent holder must provide a report assessed by a suitably qualitied and experienced Avifauna Specialist in which any recommendations provided are adopted.				

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	4. Conditions 101.2 and 101.3 will apply until the Council infrastructure has been vested.				
100.	**Avifauna Management – Construction and earthworks stage** Prior to development, CGL will provide a site WHMP. The WHMP should be prepared in consideration of the CIAL WHMP to detail management methods to help reduce bird strike risk associated with the site and CIAL airport operations. Specifically, the WHMP should outline: Pre-development mitiagations e.g., mowing site grass to disperse birds in a southward direction away from the CIAL flight path. Communication plan of development timelines with CIAL before development works take place to mitigate potential avifauna issues and offer support if any issues arise. • Roles and responsibilities - includes liaising with external stakeholders (e.g., CIAL) to determine the obligations of respective organisations and their personnel. • Passive and active management methods – surveillance and monitoring, grounds management specifications (i.e., recommended grass heights to deter high-risk species), and seasonal bird counts (this could be completed by CIAL and/or site surveillance personnel). • Landscape design standards. • Monitoring and review procedures of WHMP – this should include liaison with CIAL with increases in bird numbers onsite being communicated so appropriate counter-measures can be implemented.	[Condition wording to be updated to provide greater specificity regarding monitoring and enforcing the plan, managing activities that may increase the risk of birdstrike and initial vs. ongoing management requirements].	[Condition wording to be updated to provide greater specificity regarding monitoring and enforcing the plan, managing activities that may increase the risk of birdstrike and initial vs. ongoing management requirements].		Described amendment supported. For refence, Council's standard draft condition wording is as follows: 1. Works within bird breeding and nesting seasons (mid-August to mid-February annually) must occur in accordance with an accepted Bird Management Plan. 2. The Bird Management Plan must be submitted to the Subdivision Engineer for acceptance by Council's Ornithologist (via email to rcmon@ccc.govt.nz) 15 working days before works commence. No works are to commence on site until the acceptance is received, except that if acceptance is not received within 15 working days it will be deemed to have been received. A Bird Management Plan must be prepared by a suitably qualified and experienced professional. *Note: the applicant's appointed ornithologist will undertake a survey of birds protected by the wildlife act and report back within 8 working days prior to the commencement of any site works. Works include earthworks and cutting/removal of vegetation.* 3. The bird management plan must include but is not limited to: d. A description of what measures will be undertaken in order to limit bird occupation of disturbed areas prior to nesting; e. Accidental discovery protocols if bird nest/habitats are found; *Note: the Bird Management Plan will be reviewed by Council's ornithologist during the acceptance stage. It is unlawful to harass bird species under the Wildlife Act 1953. The bird management plan must not use noise*

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					devices as part of the deterrence works. 4. Further actions must be implemented if identified in the Bird Survey performed within 8 working days of works commencing. 5. The Bird Management Plan must be provided to the contractor controlling this work and retained on site for the duration of works. 6. Where work ceases for more than eight consecutive days, the consent holder must make contact with Council and an additional bird survey will be performed. Further actions must be implemented if identified in the Bird Survey. *Note: the applicant's appointed ornithologist will undertake a survey of birds protected by the Wildlife Act and report back within 8 working days prior to the commencement of any site works. Works include earthworks and cutting/removal of vegetation.* 7. No dogs may be brought onto the site by persons exercising or working under this consent. 8. If works are performed outside of bird breeding and nesting seasons and a nest is found, then work within 20m of the nest must cease and the consent holder must contact Council's Ornithologist for advice. No works in these areas may occur until Council's Ornithologist has assessed the nest and associated birds and determined that appropriate steps are being taken to avoid adverse effects on birds. *Note: Council's Ornithologist is Andrew Crossland - Andrew.Crossland@ccc.govt.nz*
Existing Buildings					
101.	Buildings located over the new lot boundaries and/or as shown on the application plan are to be demolished or removed.				Accept
Telecommunications and Energy					
102.	All lots must be provided with the ability to connect to a telecommunications and electrical				Accept

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	supply network at the boundary of the net area of each lot. For rear lots, evidence must be provided by the surveyor (in the form of as-builts and / or photos) that ducts or cables have been laid to the net area of each lot.				
103.	The consent holder is to provide a copy of the reticulation completion letter from the telecommunications network operator and the s224 clearance letter from the electrical energy network operator.				Accept
Consent Notices					
104.	Compliance with conditions of the subdivision consent shall be ensured by way of a Consent Notice pursuant to section 221 of the RMA registered against the Computer Freehold Register to issue for each lot of the subdivision as described in conditions 41, 49, 59, 63, 65, 66 above.	[References to condition numbers to be reviewed/updated]	[References to condition numbers to be reviewed/updated]	~~**Compliance with conditions of the subdivision consent shall be ensured by way of a Consent Notice pursuant to section 221 of the RMA registered against the Computer Freehold Register to issue for each lot of the subdivision as described in conditions 41, 49, 59, 63, 65, 66 above.**~~ **The following consent notice pursuant to Section 221 of the Resource Management Act 1991 will be issued by the Council:** **[Reproduced consent notice from condition with reference to applicable lots]** ***Note: Council will prepare the Consent Notice.***	It is Council's practice to include a consent notice condition as shown. References to conditions will need to be updated as noted.
Goods and Services Taxation Information					
104A	[redacted]			The subdivision will result in non-monetary contributions to Council in the form of land and/or other infrastructure that will vest in Council. Council's GST assessment form is to be completed to enable Council to issue a Buyer Created Tax Invoice.	Condition required for the administration of the consent as land and infrastructure is proposed to vest.

APPENDIX 1 – Christchurch City Council Waterway Planting Guide

True Riparian - wet edge			
Species	**common name**		**notes**
Apodasmia similis	jointed wire rus/ oioi	rush	saline to freshwater
Astelia grandis	swamp astelia	swamp lily	freshwater
Bolboschoenus caldwellii	marsh clubrush	rush	brackish to freshwater
Carex buchananii	tussock sedge	sedge	freshwater
Carex dissita	tussock sedge	sedge	freshwater
Carex flagellifera	tussock sedge	sedge	freshwater
Carex littorosa	saline tussock sedge	sedge	strictly saline
Carex maorica	tussock sedge	sedge	freshwater
Carex secta	pukio	sedge	brackish to freshwater
Carex sinclarii	sward sedge	sedge	freshwater
Carex virgata	tussock sedge	sedge	freshwater
Cyperus ustulatus	giant umbrela sedge	sedge	freshwater
Eleocharis acuta	spike sedge	rush	freshwater
Juncus distegis	rush/ wiwi	rush	freshwater
Juncus edgariae	common rush/wiwi	rush	brackish to freshwater
Juncus krausii var australiensis	sea rush/wiwi	rush	strictly saline
Juncus pallidus	giant rush/wiwi	rush	freshwater
Juncus sarophorus	rush/wiwi	rush	brackish to freshwater
Machaerina rubiginosa	baumea	rush	freshwater
Parablechnum minus	swamp kiokio	fern	freshwater
Phormium tenax	harakeke/ flax	lily	brackish to freshwater
Schoenoplectus tabernaemontani	lake clubrush	rush	brackish to freshwater
Schoenus pauciflorus	bog rush	rush	freshwater
Thypha orientalis	raupo	rush	brackish to freshwater
Thyridea linearifolia	swamp nettle	vine	brackish to freshwater

Occasionally wet bank/terrace			
Species	**common name**		**notes**
Austoderia richardii	toetoe	grass	

Occasionally wet bank/terrace			
Species	**common name**		**notes**
Carex geminata	rautahi	sedge	not shade tolerant
Coprosma propinqua	mingmingi	shrub	
Coprosma robusta	karamu	shrub	
Cordyline australis	tikouka	tree	
Coriaria arborea	tree tutu	shrub	poisonous
Dacrycarpus dacrydioides	kahikatea	tree	
Eleocarpus dentatus	hinau	tree	
Eleocarpus hookerianaus	pokaka	tree	
Histiopteris incisa	water fern/ matata	fern	
Hypolepis ambigua		fern	
Leptospermum scoparium	manuka	shrub	
Lophomyrtus obcordata	rohutu	shrub	
Paesia scaberula	matata/lace fern	fern	
Phormium tenax	harakeke/ flax	lily	saline to brackish
Plagianthus divaricatus	salt marsh ribbonwood	shrub	saline to brackish
Plagianthus reguis	manatu	tree	
Pteridium esculentum	bracken/rauaruhe	fern	
Schelefera digitata	seven-finger/pate	shrub	frost sensitive
Veronica salicifolia	koromiko	shrub	

Dry bank/terrace			
Species	**common name**		**notes**
Anementhele lessoniana	wind tussock	grass	
Aristotelia serrata	wineberry/makomako	tree	
Asplenium gracillimum	hen and chickens fern/ manamana	fern	under canopy/shelter
Astelia fragrans	bush flax/ kakaha	lily	
Blechnum chambersii	lance fern/nini	fern	under canopy/shelter
Blechnum discolor	crown fern/piupiu	fern	under canopy/shelter

Dry bank/terrace			
Species	**common name**		**notes**
Blechnum fluviatile	kiwakiwa	fern	under canopy/shelter
Blechnum novae-zealandiae	kiokio	fern	under canopy/shelter
Carpodetus serratus	putaputaweta	tree	
Clematis foetida	yellow clematis	vine	
Clematis paniculata	puawhananga	vine	
Coprosma linariifolia	yellow wood	shrub	
Coprosma robusta	karamu	shrub	
Coprosma rotundifolia	round-leaved mikimiki	shrub	
Coprosma virescens	mikimiki	shrub	
Cordyline australis	cabbage tree/tikouka	tree	
Corokia cotoneaster	korokia	shrub	
Cyathea smithii	soft tree fern/katote	fern	frost sensitive
Dacrycarpus dacrydioides	kahikatea	tree	
Eleocarpus hookerianaus	pokaka	tree	
Fuchsia excorticata	kotukutuku/ tree fuchsia	tree	frost sensitive
Griselina littoralis	broadleaf/kapuka	tree	
Hoheria angustifolia	narrow leaved lacebark/houhi	tree	
Hypolepis millefolium	thousand leaved fern	fern	
Hypolepis rufobarbata		fern	
Lophomyrtus obcordata	rohutu	shrub	
Melicope simplex	poataniwha	shrub	
Melicytus ramiflorus	whitey wood/mahoe	tree	frost sensitive
Microlaena avenacea	bush rice grass	grass	under canopy/shelter
Microlaena polynoda	bamboo rice grass	grass	under canopy/shelter
Microsorum pustulatum	hounds tounge	fern	under canopy/shelter
Myrsine australis	red mapou	shrub	
Myrsine divaricata	weeping mapou	shrub	
Neomyrtus pedunculata	shrubby rohutu	shrub	
Parsonsia heterophylla	native jasmine/akakaikiore	vine	

Dry bank/terrace			
Species	**common name**		**notes**
Pennantia corymbosa	kaikamoko	tree	
Piper excelsum	kawakawa/pepper tree	shrub	frost sensitive
Pittosporum eugenoiodes	tarata/ lemonwood	tree	
Pittosporum tenuifolium	kohuhu/ black matipo	tree	
Plagianthus regius	ribbonwood/manatu	tree	
Podocarpus totara	lowland totara	tree	
Polysticum oculatum	hard shield fern/tutoke	fern	under canopy/shelter
Polysticum vestitum	prickly shield fern, tutoke	fern	
Prumnopitys taxifolia	matai	tree	
Pseudowintera colorata	horopito/ pepperwood	shrub	
Pseudopanax arboreus	5 finger	tree	
Pseudopanax crassifolia	horoeka/lancewood	tree	
Rubus cissoides	bush lwayer	vine	
Rubus schmidelioides	bush lwayer	vine	
Schefflera digitata	pate/ seven-finger	tree	frost sensitive
Sophora microphylla	South Island kowhai	tree	
Teucridium parvifolium	native verbena	shrub	
Uncina clavata	hooked sedge	sedge	
Uncina leptostachya	hooked sedge	sedge	
Veronica salicifolia	koromiko	shrub	