

Comments by the Christchurch City Council

(Section 53(2)(a))

Application:	Pound Road Industrial Development [FTAA-2505-1057]
CCC Reference:	RMA/2025/2386
Applicant:	NTP Development Holdings Limited
Site address:	2, 38, 64, 86, 94 Barters Road; 4, 22, 30, 40, 48 Hasketts Road; 111 and 173 Pound Road; 570 and 578 Waterloo Road
Legal Description:	Various (listed in Appendix 2 of the Application material)
Proposal:	74 Lot Industrial Subdivision
Zoning:	Rural Urban Fringe
Overlays and map notations:	Ruapuna Inner and Outer Noise Boundaries; Christchurch International Airport Protection Surfaces; 50 and 55dB Ldn Air Noise Contour; Network Waterway (Barters Road); and Minor Arterial Road (Pound Road) Local Road (Barters and Hasketts Roads)
Activity status	
Land use:	Non Complying
Subdivision:	Non Complying
NES-CS	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 on the Pound Road Industrial Development [FTAA-2505-1057] (the application). The Council's comments are in the form of expert reports on the applications. Those expert 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 Sean Ward. I am employed as a Team Leader (Planning) and based in the Civic Offices of the Christchurch City Council (CCC or Council). I have been employed by the Christchurch City Council since 2006. I hold a Bachelor of Science degree from The University of Canterbury, obtained in 1997, and a Masters in Resource Studies from Lincoln University, obtained in 2001. I have 21 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
1	Brian Norton	Council Senior Stormwater Engineer
2	Michele McDonald	Council Team Leader Water and Wastewater Planning
3	Yvonne McDonald	Council Senior Subdivision Engineer
4	Rodney Yeoman and Derek Foy	Consultant Economist
5	Ian Millner	Consultant - Landvision (Rural Land Management)
6	Peter Rodgers	Council Transport Network Planner
7	Chris Mclure	Council Ecologist (Herpetologist)
8	Catherine Grima (Eos Ecology)	Consultant Aquatic Ecologist
9	William Field	Senior Urban Designer
10	Andrew Crossland	Council Ecologist (Ornithology)
11	Agnes van der Erf	Council Environmental Health Officer
12	Cedric Carranceja	Lawyer providing a legal opinion (Buddle Findlay) relevant to application
13	David Caldwell	Independent Barrister providing opinion relevant to application

3. I note also that I have received a brief comment from Mr Nicholas Head (CCC Botanist) in relation to on-site botanical values – but not a formal report or evidence. This matter is addressed below under a general ecology heading.
4. This report reviews the application for resource consent and addresses the relevant information and issues raised.

Proposed activity

5. NTP Development Holding Limited has applied for subdivision and land use consent under the Fast-track Approvals Act 2024 (FTAA), to develop the land into 74 allotments for industrial use broadly under the provisions of the Christchurch District Plan's current Industrial General zone.
6. Consents relating to functions of the Canterbury Regional Council are also sought, being a Section 15 Discharge permit (construction phase discharge to ground and operational phase stormwater discharge to ground of roof

water on the lots); a Section 14 Water permit (related to take of water from the water race and discharge back into it during culvert installation works) and a Section 9 Land use consent (earthworks over an aquifer and within riparian margins).

7. The proposal is outlined in detail in paragraphs 63 - 116 of the Assessment of Environmental Effects (AEE). In brief, the main features include:
 - a. Subdivision of 60.4 hectares of Rurally zoned land in four stages to create 74 allotments of varying sizes plus road and stormwater reserve allotments.
 - b. New intersections to connect the development site to Pound and Barters Roads in stages 1 and 2, and an indicative future intersection on Hasketts Road in Stage 4.
 - c. Servicing of the proposed allotments with water, wastewater, stormwater, power and telecommunications connections
 - d. Earthworks to form the allotments, create the roads, and install services
 - e. Installation of two culverts in the Barters Road water race along the sites western boundary associated with the new intersections
 - f. Use of the new allotments broadly under the current provisions of the Christchurch District Plan's Industrial General zone (setbacks, building heights, outdoor storage, visual amenity and screening, and water supply for firefighting), and relevant general provisions including waterways, noise, outdoor lighting, aircraft protection, signs, and late night licensed premises.
8. Updated documents were provided in early October – although these do not fundamentally alter the nature or description of the proposed activity, or of the consent sought. I note that these updated documents included a Wetland assessment by Wildlands that concluded that a previously suspected natural wetland on site was in fact not a wetland.

Description of the site and existing environment

9. The application site is located between Hornby and Templeton and covers land bounded by Barters, Hasketts and Pound Roads to the west, northwest, and east, and bounded by the Templeton Golf Course to the northeast. Surrounding landuses on the opposite side of Barters and Hasketts Roads are generally rural – most sites contain a dwelling. The site at 1 Maddisons Road is partly occupied by a contractor's yard, but also contains a dwelling. 14 Hasketts Road is surrounded by the development site and has a land use consent to build a temple issued. On Pound Road opposite the site is industrial activity.
10. The applicant's Assessment of Environmental Effects (AEE) includes a description of the site, its characteristics, and its immediate surroundings in paragraphs 30 - 62. I consider that this description is generally accurate, and it should be read in conjunction with this report.

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

Christchurch District Plan

11. 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.
12. 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.

13. 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 or P3	Activity within the site may exceed RUF zone noise limits in activity specific standards by more than 10dB	N/A
6.3.5.3 RD1	6.3.5.1 P1	Rural light spill levels not met within the site	6.3.7.1 - Amenity
6.6.5.3 RD1		Earthworks proposed within 5m of a Utility Waterway	6.6.7.1 Natural hazards 6.6.7.2 Natural values 6.6.7.5 Maintenance access
6.8.4.1.3 RD1	6.8.4.2.4 Signs attached to buildings 6.8.4.2.6 Freestanding signs	The maximum total area of and height of signs on the buildings will exceed the permitted standard within the Rural Urban Fringe Zone.	6.8.5.1 – All signs and ancillary support structures
7.4.2.3 RD1	7.4.2.1 P8	Sight distances may not be achieved for Proposed Lot 29	7.4.4.12 Vehicle crossing design
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

14. I note that in terms of any non-complying industrial activity in the Rural Urban Fringe zone that industrial use will not necessarily comply with built form standards for building height, site coverage, internal and road boundary setbacks, and vehicle trip numbers. These built form standards however apply only to permitted activity.
15. I note that the application indicates a non-compliance with rules relating to the Birdstrike Management Area – in particular rule 6.7.4.3.3 RD2. The site sits beyond 3.0km from the thresholds of the runways and is not included in the birdstrike management area under Appendix 6.11.7.5. In my view the Birdstrike Management Area rules do not apply to the proposal. The site is within an area shown on the map in this appendix covering sites up to 8.0km distant from the runway thresholds. The rules under 6.7.4.3 however only apply within 3.0km.
16. Notwithstanding the point above it is prudent in my view given that the site is covered by airport protection surface overlays to consider bird strike. This matter is addressed below in discussion of both effects on infrastructure and avifaunal matters. I note that the applicant has also accepted Council's standard conditions regarding birdstrike in relation to stormwater bodies.
17. 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
8.5.1.5 NC4	-	Subdivision in a rural zone resulting in an allotment with a net site area less than 4ha is proposed.	N/A

18. 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 (NЕСS)

19. 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.
20. The NESCS controls soil disturbance and subdivision 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.
21. 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.
22. Pursuant to Regulation 11 the proposal is a discretionary activity under the NESCS as:
- Although PSI and DSI reports have been prepared for most land subject to the application 40 Pound Road and 111 Pound Road are not yet fully investigated. The “site” is thus not fully characterised.
23. The application includes a RAP (Remedial Action Plan) detailing known contamination. The preferred treatment is excavation and offsite disposal. A final DSI is proposed that will include the land at 40 and 111 Pound Road prior to commencement of earthworks. A site validation report SVR is proposed within three months of the completion of earthworks to confirm successful remediation.
24. Although contaminants are present above standards advice is that any effects on human health (with the RAP in place and SVR provided) will be less than minor and acceptable.

Fast-track Approvals Act 2024

25. 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.
26. 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.

27. 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)
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28. 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.

29. 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

30. The Applicant has provided an economic assessment by Savvy Consulting, alongside a report on the industrial land market in Christchurch by Colliers.
31. These assessments have been reviewed for Council by Rodney Yeoman and Derek Foy of Formative. This review is attached as Appendix 4.

Industrial land demand

32. Formative point out an error of arithmetic for the years 2020 -2022 in relation to the Colliers assessment of take up of vacant industrial land on a year by year basis over this period. This has resulted in Formative's view in an erroneous conclusion that land demand suddenly increased in 2020.
33. Formative note that the demand using the Colliers method (take-up as a proxy for demand) appears to be 46% lower than claimed (an average of 31ha per year rather than 58ha). Formative also note that in their view the proxy use of take up for demand is oversimplifying and cannot be used to understand the true figure for development/occupation of new land.
34. Formative note that the Economic Assessment from Savvy does not rely on the take-up proxy and so does not suffer from the same error or the "shortcomings" of the take up metric.
35. The valuers report provides a new vacant land survey (noting that the CCC vacant land survey is out of date). The dated nature of the survey is accepted by Formative who note that they accept the new survey data.

Formative note that the survey data shows a large supply of vacant land in Christchurch. It is also noted that much of this is on the edge of the city near this proposed development.

36. Formative state that while they accept the valuers commentary on land values, transactions and subdivisions in the industrial land market showing increasing sale prices, fast completion of subdivision and limited availability of freehold land, the assessment provides limited data or evidence to support this – verification is thus not possible.
37. Formative make comment on the Section 5 discussion of Colliers on the Hornby South/Islington industrial land market, noting that the spatial area is not justified or rationalised. This makes it difficult to understand the reason for the locality as chosen, or whether it is an appropriate assessment area. Formative note that the industrial land market applicable in their view is a much larger one including Rolleston, the Airport area and Hornby and other more central areas.
38. Formative do not consider that the conclusions in the Valuers Assessment on the need for more industrial land are supported by the evidence.

Economic effects

39. In relation to the Savvy assessment Formative, in section 3 of their report:
 - a. Agree that the range of lot sizes does span a wide range of sizes but question the application of construction assumptions later in the economic assessment – as they do not align with the subdivision pattern.
 - b. Question the non-developable percentage for vacant land (assumed at 30% when the figures for this development indicate 21%).
 - c. Agree with the assessment of industrial demand within the context of the wider Christchurch Urban Environment. Formative also note that any industrial activity accommodated in the rural zone and in towns outside Map A in the Regional Policy Statement is not likely to be in the same market as the land proposed for development here.
 - d. Agree that the CCC projections that were developed in 2020 and 2021 during the Covid-19 uncertainty were in hindsight conservative, are now out of date and underestimated demand.
 - e. Formative note that they are in possession of the most recent projections from CCC that predict growth at twice the rate of earlier projections.
 - f. Formative note their understanding that the Christchurch Vacant land Registry is currently being updated, and that development during 2022-25 has reduced the vacant land supply. They note however that given the large scale of vacant land supply in Christchurch – this development is unlikely to have resulted in an insufficient supply.
 - g. Formative agree with Savvy that even with an increase in projected demand it is likely there will still be capacity to meet expected need at the district level to the extent that there will still be a surplus.
 - h. Formative re-iterate their view that results for subareas within Christchurch City are not required, given that most demand is generated across a wider geography.
 - i. Formative also acknowledge that intensification and redevelopment in older industrial areas in inner areas can see existing activity there move to new locations.
 - j. Question figures put forward for vacant industrial land in the Islington-Hornby South area
 - k. Consider that demand would fall in the bottom of range of figures presented (i.e. somewhere between 8.8ha and 13.3 ha per annum) and that there is currently capacity to cater for demand for 10 years or more.
 - l. Consider that the supply above even if exhausted in the immediate area would be available across the wider area.
 - m. Agree that the development land would be significant across the local area and contribute to accommodating long term demand.
 - n. Consider in brief the loss of highly productive land.

- o. Point to some overstatement of construction effects based on available area.
 - p. Questions whether all GDP and employment effects are net additional to the region.
 - q. Consider that there may be other costs that have not been discussed in the assessment (infrastructure costs, transport effects etc.) and other externalities that should be considered in determining whether the outcome is net positive.
40. Formative also note that notwithstanding their observations regarding what they consider to be overstating of economic benefits that they agree in general terms that the construction and operation of the site as proposed would represent positive economic benefits that are likely to be significant at the regional level (but not the national). Formative note that they are unable to ascertain whether these benefits would offset the value of lost rural production and other economic costs, or whether test 3.10(1)(c) of the NPSHPL has been passed.
41. I note that the matter of 3.10(1)(c) of the NPSHPL has been covered elsewhere (Mr Millner) – it is understood that this test has been passed and the benefits are likely to be net positive.
42. Formative finally note that the economic assessment does not make any conclusion as to whether the adverse impacts (costs) are out of proportion to the relative economic benefit. They note that this is an important test under 85(3)(b) of the Fast-track Act.
43. I note that 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.
44. 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.
45. 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).
46. 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

47. The applicant has provided an assessment of productive land and soil capacity prepared by Mr Victor Mthamo of Reeftide Consulting. Council has commissioned Mr Ian Millner of LandVision to undertake a peer review of Mr Mthamo's assessment. Mr Millner's peer review is attached as Appendix 5.
48. I note that Mr Mthamo and Mr 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.
49. 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.
50. 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 50.5ha in the context of the Christchurch District, having 16,856ha of highly productive land, is not significant (0.29%).

51. 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

52. The applicant has provided technical reports in support of the infrastructure and servicing aspects of the proposal, including:
- a. Appendix 12 to the application – Infrastructure Report
 - b. Updated Infrastructure Memo – October 2025
 - c. Updated Infrastructure Concept Plan Set – October 2025
53. These reports have been reviewed by relevant Council staff.

Quality Assurance/ Acceptance

54. Ms Yvonne McDonald (Council's Senior Subdivision Engineer) has reviewed the application and suggested conditions. Ms McDonald had generally accepted the offered conditions with some modification made for the specifics of the site and development. Those modifications were supplied to the applicant who has incorporated them into the condition set supplied in the update bundle in October 2025.
55. Ms McDonald has recommended the imposition of the complex QA condition set to reflect the size of the development – this is notwithstanding the lack of geotechnical complexity on site – discussed further below and in Ms McDonald's appended comments (Appendix 3). I note that the applicant had accepted those conditions in the condition set supplied in the October 2025 update bundle.
56. Ms McDonald also sets out at her paragraphs 11 and 12 the QA process followed at Council in terms of the creation and transfer of infrastructure assets. The QA condition set is applied to all subdivision under the District Plan where assets to vest are proposed. It ensures that assets received into public ownership are fit for purpose and compliant with Council's Infrastructure Standards.

Water supply and wastewater

57. Ms Michele McDonald (Council's Team Leader Asset Planning – Water and Wastewater) has reviewed the proposed water and wastewater servicing. Ms McDonald's comments are attached as Appendix 2. The applicant and its representatives have met with Council in relation to water and wastewater and the servicing of the site through connection to Council networks.
58. There are a number of network constraints in the vicinity of the site. This is not surprising as the site sits at the outer edge of the city and in an area not already zoned or planned for development.
59. The current water supply network cannot service the site to a level (FW4) required for an industrial development. Ms McDonald notes that significant upgrades are necessary to the network including to booster pumps.
60. The existing sewer main in Waterloo Road does not have capacity to service the site. A new rising main and pump station will be required to reach an outfall that has capacity to accept the discharges of wastewater from the developed site.
61. As both water and wastewater solutions require the construction of infrastructure outside the development site an Ms McDonald indicates that an Infrastructure Provision Agreement is required for each of the water and wastewater projects.

62. Ms McDonald notes some issues with the proposed sewer works including that the indicative location for a pump station is in too close a proximity to the proposed stormwater basin and may in the event of emergency overflows compromise the integrity of the stormwater system. The pump station location will need to avoid potential for discharge in an overflow situation to the stormwater treatment and disposal system. The applicant should consider a relocation as part of the concept design.
63. The sewer outfall location will also require an odour (and corrosion) management mechanism – this may not be straightforward at the proposed outfall location at the intersection of Waterloo and Brixton Roads owing to the presence of residential sites.
64. Ms McDonald notes other issues with the proposed alignment of the rising main (deflection angles and location within the Pound Road corridor) that will need resolution prior to any acceptance of detailed engineering plans. This matter is part of a normal concept design process – it is resolvable by design as directed by Ms McDonald's proposed conditions.
65. Ms McDonald notes (her paragraphs 20 and 21) that in relation to the sewer connection there are other options besides a rising main that can be explored – and that these may benefit both the applicant and Council. These would be subject to further design refinement and agreement.
66. Ms McDonald recommends a number of conditions in relation to the matters above. These are included in her comments and have been supplied to the applicant – but not yet agreed. I understand this may be dealt with in the applicant's response to comments.
67. Ms McDonald also notes that subject to the implementation of the upgrades to the networks (as per her recommended conditions) the development can be serviced for water and wastewater in accordance with Council requirements.
68. Once an agreed method of servicing (and agreed concept design) is arrived at no adverse effects are anticipated in relation to water and wastewater servicing. The ensuing detailed design through the QA process will resolve any minor issues.

Stormwater

69. Mr Brian Norton (Council's Senior Stormwater Planning Engineer) has reviewed the proposal with regard to stormwater infrastructure proposed and management of stormwater generally. Mr Norton's comments are attached as Appendix 1.
70. Mr Norton fundamentally agrees with the applicant's approach to the mitigation and management of stormwater from the proposed development.
71. The applicant proposes to service the development for stormwater disposal. The proposal is to utilise soil adsorption basins for roading and onsite hardstand areas to treat the *first flush* of stormwater runoff, followed by rapid soakage systems to dispose of stormwater into land. Individual sites will dispose of stormwater generated from building roof areas via private infiltration systems (soakpits or trenches).
72. Mr Norton notes that the preliminary design of the public stormwater basins generally appear to comply with Council's Waterways, Wetlands and Drainage Guide (WWDG, 2003).
73. Mr Norton also notes that (as is standard for subdivision development under the Christchurch District Plan) detailed engineering design and landscape review will be required prior to final acceptance by Council.
74. Mr Norton has recommended a suite of conditions in relation to stormwater management – both design and operational. The conditions have been accepted by the applicant.

75. That condition set includes a number of recommended consent notices to ensure that relevant conditions which are applicable beyond the life of the subdivision consent remain in effect and enforceable.
76. The conditions recommended by Mr Norton are included in the set of preliminary conditions supplied by the applicant in October 2025.
77. With the recommended (and agreed) conditions in place Mr Norton is of the view that stormwater matters are adequately dealt with. Stormwater will be appropriately treated and disposed of, proposed stormwater assets to vest are likely to meet relevant Council standards, and new sites will be adequately protected from flooding.

Earthworks

78. The application has been reviewed by Council's Senior Subdivision Engineer Ms Yvonne McDonald in relation to earthworks. Ms McDonald's comments are attached as Appendix 3.
79. In summary Ms McDonald states that providing the works adhere to the intent of the plans presented, and comply with Council's plan acceptance process as set out in the IDS, the earthworks (as well as quality assurance and geotechnical aspects) can be suitably addressed by the accepted conditions.
80. I note that earthworks of this type and scale are a routine part of greenfield land development – and are generally catered for by Council's standard conditions and the engineering plan acceptance process.
81. Ms McDonald had made a number of recommendations in her comments in relation to conditions of consent proposed by the applicant. Those have been accepted and this is reflected in the condition set supplied by the applicant as part of the updated information bundle in October 2025.
82. Ms McDonald had noted a potential issue with proposed battering of filling down over existing parcel boundaries. A suggested amendment to conditions was accepted in updated condition 2.8.23. Approval from relevant landowners will be required if battering over site boundaries is proposed. I note that this would only be a potential issue if the applicant/consent holder was not the owner of the land in question.
83. With the recommended conditions relating to earthworks in place there is no concern from council as to earthworks effects – these will be suitably managed and controlled.

Natural Hazards

84. I note that in this instance (and unusually for Christchurch) the land subject to the application is not covered by any natural hazard overlays in the District Plan.
85. KGA have carried out a geotechnical and natural hazard review for the applicant. The geotechnical testing carried out to date by the applicant has led their geotechnical engineer to classify the site as a Technical Category 1 equivalent, with no potential for lateral spreading.
86. The KGA report has been reviewed by Ms McDonald along with matters relating to QA and earthworking. Ms McDonald's comments are included here in Appendix 3.
87. Flood hazard was also addressed by Mr Norton under the stormwater heading.

Flood hazard

88. The site is not subject to any overlay relating to flood hazard in the District Plan. The matter of flooding within and without the site during and after ground works has however been addressed by proposed (and accepted) conditions as described in paragraphs 71 – 73 below.
89. Mr Norton's stormwater condition 6.10 (accepted by the applicant) requires that earthworks on the site shall not cause adverse flooding effects on other land. Reporting would be required of disruption to overland flows and displacement of ponded waters, and of the measure proposed to avoid, remedy, or mitigate those effects.
90. Mr Norton's condition 6.15 also requires post construction reporting that addresses the critical 10%, 2% and 0.5% Annual Exceedance Probability (AEP) rainfall events and covers design ground levels on the lots, secondary flow paths, predicted extent of any flooding for the 2% and 0.5% events (in excess of 100mm), and predicted flood levels for the same. This condition would (if required) enable setting of any minimum floor levels for individual sites.
91. Proposed Earthworks condition 2.8.14 (again accepted by the applicant) requires that any change in ground levels must not cause a ponding or drainage nuisance to neighbouring properties and must maintain existing drainage paths for neighbouring properties.
92. Adverse flooding effects are likely to be less than minor and acceptable in the AEP events noted above.

Geotechnical

93. Ms McDonald concludes after review of the KGA report that there are no geotechnical risks that would preclude development of the land, and that the development as proposed will not create adverse effects on other land.
94. Ms McDonald made a number of suggestions in relation to conditions around areas of the site that would need additional (or new) geotechnical testing prior to detailed design work for engineering. Those conditions/amendments have been accepted by the applicant and are included in the updated condition set supplied by the applicant in October 2025.

Transport effects

95. The application includes a full ITA prepared by Novo Group. The application has been reviewed by Council's Transport Network Planner Mr Peter Rodgers. Mr Rodgers has provided comments appended here as Appendix 6.
96. Mr Rodgers generally accepts the ITA provided. He notes that the trip generation described in the ITA does not adequately in his view account for the possibility of behaviour change and mode shift. Mr Rodgers notes that on available data this site appears to have a potential for 2% of trips by bicycle that could potentially provide some mitigation to additional trip demand.
97. Mr Rodgers agrees that the proposed cross-sections for internal roads is acceptable assuming detailed design complies with the IDS requirements. Intersection separation on the internal roads, the accessway to Lot 44 and (access) sight distances for Lot 29 are also accepted by Mr Rodgers.
98. Mr Rodgers also agrees with the ITA in terms of both the new road access points on Barbers Road and Hasketts Road. These can be constructed in such a way that they are safe and efficient following a standard engineering plan acceptance process. Mr Rodgers also agrees with the ITA in terms of the proposed roundabout on Pound Road in stage 2 – and confirms a design speed of 60kph is acceptable.

99. In terms of the Barters and Hasketts Road site frontages Mr Rodgers proposes conditions requiring upgrade of those frontages in accordance with the IDS and designed for expected future traffic volumes and traffic composition identified in the ITA.
100. In regard to the Pound Road frontage Mr Rodgers proposes a condition requiring the same – and noting that currently the shoulder on the western side of Pound Road is narrow and does not accord with standards.
101. I note that such requirements are standard where rural land is urbanised by development (whether zoned or not) and that road frontage upgrades are carried out at the development's cost. Matters of control in the District Plan in relation to transport networks and connectivity (under Objective 8.2.3 and Policy 8.2.3.3 rule 8.7.4.4) are extensive and provide for conditions such as those recommended by Mr Rodgers. I note further that Chapter 7 (Transport) policies 7.2.1.6 – Promote public and active transport, and 7.2.1.9 Pedestrian access also support Mr Rodgers' conditions.
102. With Mr Rodgers conditions in place any adverse effects on transportation in terms of immediately adjoining roads will be acceptable.
103. Mr Rodgers notes that agreement has been reached on many of the transport issues – but that conditions are yet to be finally agreed between the applicant and Council.
104. Mr Rodgers agrees that improvements to Barters, Hasketts, and Pound Roads will be required and that these should be carried out in accordance with Council's Infrastructure Design Standard (IDS).
105. Mr Rodgers considers that walking and cycling access for Stage 1 is acceptable with minor alterations to path alignment and with alteration to traffic signals at the Waterloo and Pound Road intersection to cater for pedestrian crossing. Walking and cycling access for stage 2 and beyond will require a shared path along the Pound Road frontage – and Mr Rodgers notes a number of ways in which this might be achieved.
106. The matter of pedestrian and cycle provision for stage 2 has been raised with the applicant who is investigating options. I understand a response will form part of the response to comments.
107. Most significantly Mr Rodgers considers that the mitigation of adverse effects on the capacity and efficiency of the SH1 and Pound Road, and the Pound Road and Waterloo Road intersection has a large number of uncertainties and risk associated with its delivery (it is not proposed by the applicant).
108. This issue is identified in the ITA and Mr Rodgers accepts the conclusions of the ITA (noting that the ITA considers the adverse effect on the function and safety of those intersections is only considered acceptable subject to the mitigations proposed).
109. In relation to the works required on the intersections referenced in paragraph 107 Mr Rodgers notes that this may require an alternative funding mechanism and a staging condition to limit effects until the upgrade works are completed. Mr Rodgers provides some detail to support his concern about deliverability.
110. I accept Mr Rodgers comments and suggested conditions – I agree that a staging condition may be the only available option in the absence of a commitment by the applicant to undertaking the required improvements (or commitment from another agency to the same).

Rural character and amenity

111. The application including the Visual Amenity Assessment by Anne Wilkins and Ollie Chan of Novo Group has been reviewed by Council's Senior Urban Designer Mr William Field. Mr Field's comments are appended here as **Appendix 9**

112. Mr Field notes that the site has a range of uses currently and a range of landscape characteristics around its perimeter. Mr Field provides a baseline assessment of the four boundaries of the site (north east – to the golf course, east – to Pound Road/Waterloo Park, Southern – to Waterloo Road, and south-western and western – Barters and Hasketts Roads).
113. I note that in addition to Mr Fields comments on the surroundings the site at 14 Hasketts Road has consent to construct and operate a Hindu temple.
114. Mr Field sets out the character of those boundaries or interfaces, notes their relative level of landscape/amenity value, and responds to proposed treatments as set out in the application.
115. The responses to the proposed treatments are here in summary:
- a. Northeast (golf course) boundary – has a high magnitude of landscape/amenity value. Mr Field considers that the setback proposed from this boundary and the level of tree planting is inadequate to mitigate the effects of the proposal. Mr Field considers that the setback should be increased to 5 metres, and that tall evergreen trees at a close spacing that could grow to a height (and have canopy space) to mitigate visual effects should be planted. Mr Field suggests a suitable tree species in his view. Mr Field also considers that service areas should be screened and that potential signage and brightly coloured buildings should be avoided on this boundary. Mr Field considers that after a period of 10 years – assuming his approach is taken – the result could be a low magnitude of visual/landscape effect on the golf course.
 - b. East Boundary ((IG zone – Waterloo Park)- Mr Field notes this interface as typical of a commercial industrial landscaping – albeit with a higher standard of landscaping than usual (probably required to deal with the rural interface on the application site's side of Pound Road). This boundary in Mr Field's view has a low-moderate degree of rural landscape amenity. Mr Field considers the 1.5m landscaping strip proposed along the Pound Road boundary to be appropriate subject to the application specifying an adequate number and scale of trees along the boundary.
 - c. Southern boundary – this boundary is a short section on Waterloo Road. It contains low buildings, stormwater basins, traffic lights, the railway line, some rural views and some residential buildings. It has a very mixed character, and thus low moderate landscape amenity in Mr Field's view. Mr Field considers that the proposed stormwater facility on Lot 200 will likely provide adequate landscape amenity on this boundary.
 - d. South-western and western (Barters and Hasketts Roads). Mr Field notes that this boundary is clearly rural in character. Nine approximately 2ha sites (7 with dwellings) and a haulage yard front Barters Road. These dwellings are generally located close to the road, and have thick planting along the site frontages screening views. Mr Field notes that 55 and 79 Barters Road have open direct views toward the application site. Hasketts Road has a similar rural character. This area has a moderate high magnitude of rural amenity.
A 5 metre wide planting strip is proposed along the application site on the inside of the water race. Mr Field notes that the application concludes that adverse visual effects of 20m buildings along this frontage would be very low. This height of building would be 9-10m above the mature height of planting proposed for the landscape buffer strip. Mr Field does not agree with the assessment of a very low degree of effect. Further it is not clear the extent of either continuous building or site coverage that might result from development of the application site.
Mr Field considers that the density of taller evergreen species should be increased in the planted buffer on the Barters Road frontage, and broadened to include *Podocarpus totara* at 5m spacings to thicken the planting and provide for more effective screening over time. Even with the changes proposed here Mr Field considers that the visual impact could be very high to high for the first 10-15 years while the planting establishes and matures. Once fully established Mr Field considers that the effect would be of

moderate magnitude. Mr Field considers that the planting strip along this boundary should be established by the applicant and maintained for a period of two years to ensure comprehensive implementation and establishment.

Mr Field notes further in respect of the planting strip that it will not in his opinion possible to mitigate the effect of potential buildings without a limit to height. Mr Field proposes a 12m height restriction for 15 metres back from the boundary of these sites. And a maximum height of 20 metres thereafter across the site. Mr Field considers that with those height restrictions the proposed landscape buffer strip could in time mitigate the visual impact of the development.

Mr Field also notes that buildings of unlimited height could have shading impacts on properties across the road – but that this does not appear to have been assessed in the application.

Mr Field also notes a number of potential issues with signage and lighting and internal site arrangements involving car parking on the Barters road site boundary.

116. The issues noted above by Mr Field are, he considers, potentially addressed by a number of additional conditions that the applicant could incorporate into the proposal. These conditions are listed in appendix 1 to Mr Field's comments.
117. In a general sense I accept Mr Field's points regarding the site boundaries (particularly the golf course and the Barters Road boundaries) and the relative adequacy of the mitigation proposed by the applicant to counter what are arguably potentially significant changes in amenity following conversion of the subject land into a de facto industrial zone.
118. At present the limits for building height on the development site is 9 metres generally and 12 metres for farm buildings. Building setbacks are also 15 metres for sites greater than 0.4ha in area, and 30 metres for buildings fronting arterial roads or state highway. The proposed setbacks are far below this standard – and as Mr Field notes developing the site under Industrial General zone provisions would see no height limit imposed as the site is not within 20 metres of a residential zone.
119. The matters of discretion relating to a breach of the building setback requirements (17.11.1.2) include retention of compatibility with rural character and amenity values and visual effects from adjoining roads; as well as any mitigation (including visual screening proposed).
120. I note that the existing Waterloo industrial zone on the east side of Pound Road has enhanced setbacks and a 10 metre landscape strip requirement – presumably, as Mr Field has noted, to mitigate potential impact on adjoining rural amenity values.
121. The changes proposed by Mr Field through new conditions are in large part in my view not particularly onerous – being alteration to planting schedules and in the case of the golf course boundary a minor increase in building setback (still considerably less than the current zone requires), maintenance issues for landscaping, and treatment of internal boundaries while parts of the site are not in industrial use.
122. Limitation on signage and building colouration on Barters Road and fronting the golf course likewise is not a major restriction – given that all sites are accessed from the internal road network, and the sites are unlikely to be occupied by business relying on passing trade, but rather are destinations in themselves for particular customers / activity.
123. The introduction of height limits – overall and in relation to the Barters and Hasketts Road boundaries is the most significant matter raised in Mr Fields proposed conditions. That is a matter for the applicant to respond to given that it has not been raised before. I note that with such a limitation in place adequate mitigation would be achievable in Mr Field's view.
124. Further to the issue of an overall height limit on the delveopment site raised by Mr Field I note that a recent Environment Court declaration (*Braeburn Property Limited v Christchurch City Council [2025] NZEnvC 85*)

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 in the declaration, 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. I consider that in addition to Mr Fields overall height limitation of 20 metres that any reference to height should additionally include shipping containers and material stacks.

125. As above the current height limits for the zone are in line with Mr Fields suggestion for the 12 metre height limit for the first 15 metres from the road boundary. I note also in this regard the setback requirement in the Rural Urban Fringe zone is 15 metres along these boundaries.
126. The matters of discretion in the District Plan in relation to building height extend to maintenance of character and amenity, visual mitigation, and compatibility, and provide some guidance here notwithstanding the non-complying status of the application.
127. I accept Mr Fields comments and suggested conditions (with the inclusion of my recommendation on the addition of container or material stacks to any condition on height). With these in place as Mr Field notes he is able to consider that adequate mitigation can be achieved in time. While the proposed 5 metre planted buffer is greater than that required generally in the industrial zones – it is less than required by the Waterloo Park provisions and considerably less in setback terms than the current zone.

Subdivision Urban Design

128. 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 and anticipated in the Industrial General zone.
129. The Applicant has provided an Urban Design Assessment prepared by Anne Wilkins and Ollie Chan of Novo Group.
130. That Urban design Assessment has been reviewed by Council's Senior Urban Designer Mr William Field.
131. Mr 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 being in proximity to the existing 'Waterloo Business Park' and existing transport links of the South Island Main Trunk railway line, Pound Road, Waterloo Road, and State Highway 1;
 - b. The proposed shared path linkage to extend through Reserve Lot 200 connecting to the passenger transport services on Waterloo Road as well as the 'South Express Major Cycle Route' which, if well designed, would be a positive contribution to the area for pedestrian and cycle connectivity;
 - c. The mix of surrounding land use should require localised, bespoke mitigation responses to the boundary treatments of the proposal; [*This matter has been included/addressed in visual amenity comments above*]
 - d. Internally the land is proposed to be developed in stages leaving existing neighbouring property owners (within the consent site) with immediate boundaries to industrial activities. Mr Field considers that

these internal boundaries may require additional visual and landscape mitigation treatments. [*again addressed under rural amenity above*]

- e. The finer grained development (800m²) lots could be beneficially located with one of the proposed reserves to create a central area that has a higher degree of amenity (potentially including food and beverage) for future workers on site.
 - f. Mr Field questions the need for two access roads onto Barters Road, and considers that the proposed road located between Lots 51 and 52 could be removed to avoid impacts on the neighbouring RUF sites across Barters Road.
132. Firstly I note that the matter of two roads intersection with Barters Road is not raised as an issue by Council's Transport Network Planner. The assumption is that the proposed intersections will be compliant with relevant parts of the IDS and will be safe and functional as access points to the site. Consideration of whether two roads are required and whether removal of one to improve the amenity of the Barters Road interface and lessen impacts on sites on the other side of Barters Road is acceptable is left to the Applicant to respond to.
133. Secondly I note that there may potentially be amenity issues associated with the new road access points opposite sites occupied by dwellings on the other side of Barters Road. Issues with headlights and the general movement of turning traffic at a scale not anticipated in a rural zone may cause nuisance to the occupants of those properties. This does not appear to have been addressed by the application.
134. The matter of a relocation of the smaller (more finely grained) allotment layout to be adjacent one of the (stormwater) reserves is again left to the applicant to respond to. I note that relocating the stormwater reserve to a more central point on site may not be feasible with land gradient and the requirements for surface and subsurface (piped) drainage by gravity to the treatment and disposal locations.
135. I agree with Mr Field that an improved amenity outcome might result from a co-location once the sites are developed and potentially some for food and beverage or hospitality activity (noting that these are permitted activities in the IG zone – and therefore available to any future site owner under the proposed consent here). It may be possible to provide some of the smaller allotments adjacent to one of the indicated reserves without bringing them to an existing street front.
136. 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 as proposed is appropriate – but that there is potential for some minor change in site arrangement that would not be detrimental to the delivery of a well-designed urban industrial layout.

Effects on infrastructure

137. As noted earlier the site is not within the area subject to the Birdstrike Management Area provisions -however standard conditions to limit birdstrike potential in relation to the stormwater facilities, and during site works have been accepted by the applicant. No adverse effects are expected.

Ecological effects

Waterbody ecology

138. An aquatic ecology assessment by Instream Consulting has been provided as part of the application. This report has been peer reviewed by Ms Catherine Grima of EOS Ecology on Council's behalf. The EOS report is appended here as Appendix 8

139. EOS agree with the definition of the Paparua Water Race (along Barters Road) as a Network Waterway under the District Plan. The water race is not a river under the Land and Water Regional Plan.
140. EOS note that the Instream report does not include an assessment of the effects of the proposal (culvert design and installation works for two culverts – one of which is a replacement) on the main body of the water race.
141. While the intent of the site works planning is that no stormwater or sediment enters the waterway during construction – EOS indicate an expectation that an assessment of works in relation to potential effects on the waterway would be included in the Instream report.
142. EOS note that the proposed planting long the Barters Road frontage is indicated by Instream to be mitigation for the loss of the water race (abandoned leg within the site) and not for the installation of the crossing point culverts.
143. EOS note the request from Selwyn District Council in relation to the waterway that any planting adjacent the waterway not include *Cordyline australis* (cabbage tree). EOS note also that given the small scale of the waterway that they would not recommend the planting of harakeke due to its growth habit that could cause maintenance issues. They also query the inclusion of oioi (*Apodasmia similis*) that is more usually found in coastal areas.
144. EOS also question long term maintenance of the planted area given that it will be in a number of ownerships. I note that this matter is addressed in Mr Field's comments – and could also be the subject of a consent notice to alert future purchasers/owners to their specific responsibilities in relation the plantings.
145. EOS recommend that the consent holder engage a suitably qualified and experienced freshwater ecologist to undertake an assessment of environmental effects of the proposed development on the network waterway. Note that the Infrastructure report (Davie Lovell-Smith 2025), inaccurately references the AEA report by stating that the network waterway is of "low ecological value", when in fact, the AEA report does not assign an ecological value to the network waterway along Barters Road – it merely states that the internal artificial watercourse and ornamental pond have "low ecological values".
146. EOS consider the planted buffer as appropriate mitigation for the loss of the internal waterway area and associated habitat.
147. EOS also consider that – in viewing proposed cross sections of the waterway – it would be preferable to plant up to the waterway edge on the development side rather than leave a minimal grass verge there that may be difficult to maintain and provides little of value to the waterway.
148. EOS provide tables 1, 2 and 3 in their report to respond to proposed conditions of the ECan consent for works in the waterway; City Council conditions for works within 5 m of the waterway; and a suggested additional condition regarding the design and installation of culverts and fish passage.
149. Generally EOS support conditions already proposed (but seek inclusion of fresh water mussel as a species that is covered by salvage conditions, and recommend the requirement for fish screens to be in use during works).
150. Lastly EOS note that further information is required to make a clear assessment of effects on the network waterway not being filled (that is the retained barters road extent of the waterway). This will allow confirmation that the offset of the planted area is adequate to mitigate all relevant effects.

151. I accept the advice of EOS – I consider that the applicant needs to respond to these points particularly in terms of the works in proximity to the waterway and any effects arising. The minor alterations to conditions are not onerous and will further protect waterway ecological values.

Lizards

152. The application and update packages included herpetological reporting by Wildlands. A Lizard Management Plan (LMP) has been prepared. Ms Chris McClure Council's Ecologist (Herpetology) has reviewed the relevant material. Ms McClure's comments are appended here as Appendix 7
153. Southern Grass Skink have been found on the site at several locations. Translocation is proposed to a facility at another site. The proposal includes relevant approvals under the Wildlife Act.
154. Ms McClure notes that as McCanns skink has been noted at sites nearby in the past it would be prudent to include them in the application.
155. The LMP outlines two release sites (Weedons Road and Kowhai Grove). The LMP does not document any study into carrying capacity at the release site at Weedons Road. Kowhai grove is a secondary release site. It has been documented however as being prone to potential flooding and fire. Such events would be detrimental to any lizard population released there.
156. Ms McClure notes a need for ongoing monitoring of lizard population persistence at the release sites. It is not clear whether monitoring funded by this project would be independent or combine with monitoring by others of previously released populations.
157. It appears the predator control programmes that may be underway at these sites already is not factored into proposed control.
158. The lizard habitat plans accompanying the application (LMP) should be specifically designed for the release sites.
159. Ms McClure concludes that while the LMP demonstrates an intent to mitigate impacts, several critical gaps remain and these should be addressed. It is my understanding that these will be addressed by others in relation to the wildlife permit sought.
160. I accept Ms McClure's comment on the LMP and proposed releases. I leave further response to the applicant regarding monitoring, carrying capacity, and pest control at the proposed release sites, along with issues of those sites susceptibility to fire or flood as currently additional conditions are not required.

Avifauna

161. The application has been circulated to Council's Ecologist in the CIPA Biodiversity team Mr Andrew Crossland. Mr Crossland has prepared comments appended to this report as **Appendix 10**.
162. Mr Crossland has commented on avifaunal matters in relation to the site and proposed activities, and also in relation to birdstrike matters as noted above.
163. Mr Crossland is in broad agreement with the application as it relates to avifaunal values of the site. Mr Crossland's assessment is that avifaunal values are low on the site notwithstanding the presence of low numbers of common indigenous species such as fantail, Pukeko and kingfisher etc.

164. Mr Crossland considers it unlikely that two at risk species noted by Wildlands (South Island Pied Oystercatcher and Banded Dotterel) have been breeding on site in recent years given the condition of the grassland habitat on site.
165. Mr Crossland notes that both birdstrike risk and issues with the management of birds on the site (including such things as disturbance of nesting) are affected potentially when birds are attracted to the site after vegetation removal, earthworking and/or the placement of topsoil, gravel or mulch.
166. Mr Crossland agrees with the Wildlands report regarding the potential for effects on birds during works phases and recommends that the applicant in the carrying out of any earthworks takes measures to limit the extent of open bare substrate, shallow ephemeral ponding, and other habitat features that may attract birds to the site.
167. Mr Crossland also notes that he is of the understanding that the applicant has accepted Council's standard conditions in relation to bird management during construction. This is correct – these are at condition 13 of the subdivision conditions in the condition set supplied by the applicant in October 2025.
168. The applicant has also accepted Council's standard conditions relating to birdstrike (generally imposed on sites with stormwater facilities above ground for the duration of the construction and maintenance/defects period until handover to Council). Those conditions are conditions 18 – 21 in the land use condition section of the updated condition set supplied by the applicant in October 2025.
169. With the conditions noted above in place the effects on and of avifauna are rendered less than minor and acceptable.

Botanical values

170. The application including the Wildlands report was circulated also to Mr Nicholas Head – Senior Ecologist in Councils CIPA Biodiversity team who agrees with applicant's report (Wildlands).
171. Mr Head concludes that there are no adverse effects associated with the proposal in terms of loss of botanical values on the site. Mr Head did not provide formal comments.

Health effects (land contamination, glare and noise)

Land contamination

172. The application documents including Momentum Environmental's Soil Contamination Report and Powell Fenwick's Noise Report were supplied to Ms Agnes van der Erf – Council's Environmental Health Officer.
173. Ms van der Erf's comments are appended to this report as Appendix 11.
174. Ms van der Erf notes that soil samples indicate contaminants present above commercial/industrial standards in places, and that asbestos surveys will be required on structures that will be demolished during the development.
175. Two of the sites making up the application site (40 and 111 Pound Road) have not yet been surveyed/sampled for contamination. The "site" then is not yet fully characterised.
176. The application proposes that 40 and 111 Pound Road will be subject to a DSI prior to any works commencing.
177. The preferred method of treatment/remediation is excavation and offsite disposal.
178. A site validation report will be prepared within three months of completion of remedial earthworks.

179. Ms van der Erf considers that with the above measures in place the provision of the final SVR will confirm the site's suitability for industrial use.

Glare and Lightspill

180. The matter of lightspill and glare is addressed by a proposed condition requiring compliance with relevant standards in Chapter 6 of the District Plan (6.3.4 – Glare, and 6.3.5 Lightspill). Those standards address lightspill and glare within industrial zones (as proposed to apply within the site), and where adjoining sites are occupied by sensitive activities or in another zone with a more restrictive standard, permitted light levels received are correspondingly reduced.
181. Mr Field has also recommended conditions to cover external lighting. With these and the above in place no adverse effects are likely to arise.

Noise

182. As above Ms van der Erf has reviewed the application and in general concludes that the development and use of the site as proposed can comply with District Plan noise levels at neighbouring properties. Ms van der Erf has noted that noise from additional traffic movements have the potential to add 1-2dB to the existing noise received at the closest rural properties. Ms van der Erf considers that this is unlikely to be noticeable above noise already received.
183. Ms van der Erf has noted specifically two sites (one within the development and one without) being proposed Lot 44 and 14 Hasketts Road.
184. The site at 14 Hasketts Road is to be occupied by a Hindu temple (I note construction of buildings has commenced on site under building consent BCN/2025/3219).
185. Ms van der Erf notes that the required noise levels at this site (for daytime noise levels – as a more restrictive nighttime noise level was not thought necessary given that the site is not likely to be used for sleeping) can be met with the installation of a 2.2m acoustic fence long boundaries with the development site. This requirement is reflected in conditions supplied by the applicant in the October update.
186. In terms of proposed Lot 44 – this site given its size has the potential to be utilised for a contractors or container storage yard (open yard activity). Powell Fenwick had recommended a consent notice on the title for Lot 44 to require an acoustic assessment particular to the activity. Ms van der Erf is of the view that as any permitted activity on this site would also need to be permitted in terms of the Plan's noise provisions (or else a consent be sought for specific breaches) noise will be adequately managed without the need for a consent notice. This is also reflected in the updated condition set provided by the applicant in October 2025.
187. As set out above noise can be adequately managed on site and through the development stage such that it is not a significant issue. I acknowledge that there will likely be a change in the nature of the noise generated on site- and that this is likely to be different to rural noise but note that given the conclusions of Ms van der Erf it will not give rise to any significant adverse effect as it will comply with District Plan standards at neighbouring properties.

Industrial activity

188. 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.

189. I consider that effects relating to industrial activity will largely be contained within the site, with the exception of servicing, transport, visual effects, assessed under the relevant headings above.
190. Subject to careful boundary treatments along the Barters and Hasketts Road and the Golf Course interface 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.
191. As assessed under the 'Rural character and amenity' heading, should the conditions recommended by William Field (with my amendment) 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

192. No overlays identifying areas of Ngai Tahu Cultural Significance are present on the site. Whitiara Centre Limited and Mahaanui Kurataiao 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

193. In summary, it is my opinion that adverse effects are generally able to be managed through conditions of consent, including the additional or amended conditions recommended in the various expert reports appended here, such that they are acceptable, as recommended by specialists above.
194. Should the recommended conditions not be included in the decision, a number of adverse effects are likely to arise. In particular in relation to:
- a. Water and wastewater servicing - The design proposed for the servicing of the site with water and wastewater is not confirmed. Should Ms McDonald's conditions not be accepted then potable and firefighting water supply and disposal of waste water are significantly impacted and may not be possible – the proposed sites would be unusable for the intended purpose.
 - b. Transport, in particular the operation of the site prior to the upgrade of the Pound Road / Waterloo / SH1 intersection and the potential for effects on the operation of that intersection with additional traffic loading from the site. Also a lack of connectivity for other modes of transport through the provision of pedestrian and cycle facilities and shared paths to and from and along the site frontage.
 - c. Rural character and amenity, in particular relating to the Barters and Hasketts Road and golf course interface frontage treatments, which includes signage, building colouration, and building heights.
 - d. Issues around natural values including those of waterways, and lizard relocations.

Relevant Objectives, Policies, and other Provisions of a Plan or a Proposed Plan (RMA s104 (1)(b))
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195. Regard must be had to the relevant objectives and policies in the Christchurch District Plan. The applicant has provided a brief assessment of the proposal with regard to these provisions in the Application Report.
196. 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

197. 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.
198. 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 fully 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

199. Noting the advice provided to me by Ms van der Erf, I consider that effects relating to contaminated land will be managed appropriately, and accordingly agree with the application assessment.

5 – Natural Hazards

200. 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

201. Noting the advice provided to me by Ms van der Erf, I consider that effects relating to noise will be managed appropriately, and accordingly agree with the Novo Group assessment.

6.3 – Outdoor lighting

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

6.6 – Water Body Setbacks

203. The Novo Group and Instream assessments do 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 policies 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.
204. Noting the advice provided to me by EOS Ecology and the additional conditions they propose, I am satisfied that effects relating to water bodies can be appropriately managed and consider that the proposal can be consistent with these provisions.
205. 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

206. As noted elsewhere the site is not within the Birdstrike Management Area. Notwithstanding, recommended conditions to deal with potential for attraction of birds to the site to the stormwater facilities and during site works have been accepted. I consider the proposal is consistent with the provisions.

6.8 – Signs

207. 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.
208. 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. Policy 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.
209. 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.
210. 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.
211. Taking into account the conditions recommended by William Field, limiting signage within landscape setback areas and facing rural activity, 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 being accepted by the applicant, the proposal will be consistent with the signage provisions.
212. 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

213. 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.
214. 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. These may come into play for any subsequent development but are not directly relevant at this stage.
215. 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.

216. 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.
217. 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.
218. 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.
219. 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.
220. I highlight the advice provided to me by Mr Rodgers, 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 – SH 1 intersection are undertaken.
221. Accordingly, it is my view that the proposal is consistent with the outcomes sought by these provisions, subject to the conditions recommended by Mr Rodgers.
222. If conditions recommended by Mr Rodgers 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 – SH1 intersection, reducing the level of service on an arterial route by increasing the likelihood that blockages/delays will occur.
 - b. Not provide adequately for active transport to and from the site.
 - c. Not provide suitable road frontages for anticipated traffic.

8 – Subdivision, Development and Earthworks

223. 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*. The transport issues noted above also play into the matter of integration and connectivity. Without relevant conditions in place the tension is increased and the proposal in my view would likely become contrary.
224. 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.

9 – Natural and Cultural Heritage

225. 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 EOS Ecology, Christine McClure, Nicholas Head, and Andrew Crossland, I am satisfied that the proposal subject to

proposed condition amendments by EOS Ecology will at least maintain the indigenous biodiversity present on the site.

10 – Designations

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

16 – Industrial

227. I acknowledge the assessment of the industrial provisions contained in Chapter 16 of the District Plan provided by the applicant in the application report however I do not consider the Industrial zone objectives and policies are relevant but do provide some useful guidance.

228. 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 the site is not within an existing industrial zone and I highlight that while consent to use land for industrial uses is sought, the proposal will not rezone the land.

229. 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.

230. 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.

17 - Rural

231. 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.

232. 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.

233. 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.

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

235. 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.
236. 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.
237. 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 particularly relevant to this proposal.

Conclusion

238. 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.
239. While noting that, subject to recommended conditions, the proposal will be consistent with a number of objectives and policies relating to the development of land 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.
240. 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))

241. 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.
242. 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 above, 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.
243. 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

244. 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.
245. I highlight there are no implementation provisions of the NPS-UD relevant to the processing of a resource consent.
246. 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
247. 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.
248. 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.
249. 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.
250. 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.
251. I consider the proposal to be generally consistent with the NPS-UD.

National Policy Statement for Freshwater Management 2020

252. 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 Ms Grima, including the recommended conditions, and consider that values associated with the water race can be maintained.

National Policy Statement for Highly Productive Land 2022

253. 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.

254. The applicant has provided both a legal opinion on the applicability of the NPS-HPL from Ms Jo Appleyard, and an assessment of productive capacity prepared by Mr Victor Mthamo of Reeftide Consulting.
255. Ms 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 Mr Cedric Carranceja of Buddle Findlay, prepared for another situation but equally applicable here - attached as Appendix 12. I consider that the nearest equivalent zone to the Rural Urban Fringe zone is General Rural, and the NPS-HPL applies.
256. 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.
257. 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.
258. None of these criteria apply to this application, and I conclude that the exemption pathway under Clause 3.8 is not available.
259. Clause 3.9 requires that the inappropriate use or development of highly productive land that is not land-based primary production is avoided. 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.
260. Mr Mthamo's assessment considers the proposal with regard to the exemption pathway under 3.10.
261. Council has commissioned a peer review of Mr Mthamo's assessment, undertaken by Mr Millner, Principal Consultant at Landvision. Ian Millner's peer review is attached as Appendix 5.
262. Mr Millner has considered the proposal and assessment of Mr Mthamo with particular regard to the matters set out in clause 3.10 of the NPS-HPL.
263. In relation to 3.10 (1)(a), a range of constraints have been identified by Mr Mthamo, including limited availability of water allocations and nutrient budgets, and 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.
264. In the absence of an assessment of economic assessment undertaken by Mr Mthamo, Mr 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 has concluded that the operation of a pastoral farm on this site is not economically viable.
265. 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 50.5ha in the context of the Christchurch District, having 16,856ha of highly productive land, is not significant.

266. In terms of 3.10(1)(b)(ii), and highlighting the separation from other rural zoned land by roads and noting other constraints, Mr 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 Mr Millner does not consider it likely that reverse sensitivity effects will arise.
267. 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 Savvy Consulting that the proposal will likely have significant regional benefits;
 - b. Mr Field has identified that the site has a range of rural values. Mr Field has not identified any unique visual amenity characteristics of the site. Subject to conditions, Mr Field considers that adverse visual amenity effects on the local area can be mitigated over time such that they are moderate;
 - c. While ecological values have been identified in relation to the site, the site although generally pastoral in nature is highly modified and indigenous vegetation is more or less non-existent, and the applicant is otherwise proposing to relocate lizards found on the site;
 - d. Mr Millner's assessment concludes that the land is not economically viable for productive land uses.
268. 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.
269. 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. Mr Millner has considered each of these options in turn, and accepts the assessment of Mr Mthamo, concluding that none of these options can address the constraints identified. Ian Millner has not otherwise identified any options that are not listed.
270. 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.
271. 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).
272. I consider that the site is subject to permanent or long-term constraints, and subdivision, use, or development is allowed under Clause 3.10.

273. 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

274. 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).
275. The GCSP does not indicate the land here as part of any new or expanded industrial area.

RMA Section 106

276. I refer to the assessment of effects above with regard to natural hazards and conclude there are no significant risks from natural hazards. Relevant conditions can be imposed in relation to ground works and where required ground improvement or additional investigation.
277. I am satisfied that each lot will be provided with adequate legal and physical access.

Part 2 of the RMA

278. The matters outlined in previously are subject to Part 2 of the RMA which outlines its purpose and principles.
279. 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.
280. Taking guidance from case law¹, 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

281. 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.
282. Clause 17 of Schedule 5 requires that the Panel must take into account, giving the greatest weight to (a):

¹ R J Davidson Family Trust v Marlborough District Council [2018] NZCA 316

- (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.*

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

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

284. As set out elsewhere the development is considered to have significant regional benefit.

Section 83 – Conditions

285. 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 ...”.
286. 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.
287. 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. Rural amenity and site interfaces
 - b. Transport upgrades
 - c. Water and wastewater servicing
 - d. Waterways assessments
 - e. Landscaping, building height, boundary treatments, and signage along existing road frontages
288. If the Panel is not minded to include the quality assurance conditions, including acceptance criteria, 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. Further regional consents for stormwater discharge and disposal of sewerage may be required in such a situation. Further approval for the creation and use of private roads may also be required.
289. I do not consider the conditions recommended are more onerous than necessary, however note that Council remains open to engaging on conditions following the comment period.

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

290. 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.
291. 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.

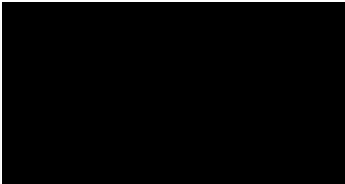
292. I do not consider that any of these criteria apply, and accordingly there is no requirement for the panel to decline the approval.
293. Where a panel is not required to decline an approval, discretion to decline an approval is only available if adverse impacts in relation to the approval sought 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.
294. 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.
295. 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. If these conditions are not imposed the proposal will be inconsistent with certain objectives and policies as identified above.
296. 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. Water and waste water servicing
 - b. Transport upgrades and staging of development in the event these do not occur; pedestrian and cycle facilities provision in relation to the Pound Road frontage and associated traffic signals.
 - c. Rural interfaces with the proposed industrial activity

Conclusion

297. 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.
298. Accordingly, it is my conclusion that, subject to conditions recommended in this report, adverse impacts relating to the approval sought will not to be sufficiently significant so as to be out of proportion to the benefits.
299. 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.



Sean Ward
Planning Team Leader



Paul Lowe
Delegated Officer