

Before the panel convener appointed under
the Fast-track Approvals Act 2024

FTAA-2606-1253

Under **the Fast-track Approvals Act 2024**

In the matter of Ōhoka Residential Subdivision

By **CARTER GROUP LIMITED**

**RESPONSE OF CANTERBURY REGIONAL COUNCIL TO MINUTE 3 OF THE
PANEL CONVENER**

12 AUGUST 2026

MAY IT PLEASE THE PANEL CONVENER

1. This memorandum is provided on behalf of Canterbury Regional Council (**CRC**) in response to Minute 3 of the Panel Convener dated 7 August 2026 (**Minute 3**), regarding the Carter Group Limited (**CGL**) application for approvals for Ōhoka Residential Subdivision.

MINUTE 3, SCHEDULE 2 - PARTICIPANT'S ESTIMATED TIMEFRAME

2. CRC proposes the timeframe set out in Appendix 1. The rationale for the proposed timeframe is provided in the CRC comments/reasoning column, with further explanation provided below.
3. As advised in the s46 letter, CRC considered the application to be complete and considered that further discussions regarding areas of technical disagreement and proposed conditions would assist in progressing the application towards a decision.
4. Attachment 2 to the s46 letter provided a summary of CRC's technical advice on the proposal. To assist the Panel Convenor in understanding the progress made in addressing the matters raised, this table is included as Appendix 2 to this response, with an additional column providing an update on the status of each matter.
5. Further discussions regarding groundwater, surface water, aquatic ecology, and stormwater are anticipated to take place prior to the Panel Convenor Conference. CRC and the Applicant will be able to provide a further update at the conference on the status of these matters.
6. CRC acknowledges that there remain some matters where, in CRC's view, the potential adverse effects of the proposal have not yet been adequately addressed. CRC considers that these matters are ultimately for the Panel to consider in determining the application.
7. CRC considers that an additional 20 working days to allow for any remaining procedural steps, evaluation, and preparation of the decision would provide sufficient time to progress the outstanding areas of technical disagreement and work with the Applicant to further develop and refine the proposed conditions.
8. CRC is happy to discuss the proposed timeframe further at the Panel Convenor Conference.

MINUTE 3, PARAGRAPH [7] – MATTERS TO CONSIDER WHEN PREPARING FOR CONFERENCE

(a) comment on the extent of engagement by the applicant both before and after the lodgement of the application;

9. CRC notes that the Applicant has engaged with CRC on multiple occasions, enabling some of CRC's technical advice to be incorporated efficiently. This has included multiple rounds of review of draft technical documents forming part of the Substantive Application. CRC considers that the engagement described in the Substantive Application documents accurately reflects the engagement undertaken between the Applicant and CRC.
10. Following lodgement of the Substantive Application, CRC and the Applicant have continued to engage on matters raised by CRC, including issues relating to subsoil drainage and dust suppression water takes and their implications under section 47. These matters have since been resolved, with CGL submitting an amendment to the application to the EPA following agreement with CRC. Expert conferencing for groundwater, surface water, aquatic ecology, and stormwater is

also scheduled to occur ahead of the Panel Convenor Conference to address areas of technical disagreement. CRC and the Applicant will be able to provide the Panel Convenor with an update on the status of these matters at the conference.

(b) identify any gaps in the information contained in the technical reports;

11. CRC considers that the technical reports identify a number of information gaps that may require further information to support the assessment of the proposal, including:

- a. Further information demonstrating the compliance of the proposed stormwater infrastructure with the relevant codes of practice.
- b. Quantification of the proposed changes in land and surface water recharge resulting from the development. CRC also considers that a Groundwater and Spring Flow Monitoring Plan should be prepared as part of the Fast-track process, setting out how any effects identified through monitoring would be managed and addressed.
- c. Further detail in the Site Management Plan regarding how the recommendations of the Detailed Site Investigation will be implemented, and ensuring consistency with the Remedial Action Plan.
- d. Further information regarding the potential effects of stormwater discharges on stream ecology and water quality.
- e. Clarification of potential downstream effects arising from changes in groundwater levels and/or spring flows. If monitoring is considered necessary to address these effects, CRC considers that a Groundwater and Spring Flow Monitoring Plan should be prepared as part of the Fast-track process.

(c) the applicant aside, identify in-house experts and external consultants engaged on the project;

12. The following technical experts have been engaged for the project, where external this has been identified:

- a. Hannah Mirabueno - Contaminated Land – Internal
- b. Lucy Just - Surface Water Resources – Internal
- c. Philippa Aitchison-Earl - Groundwater Resources – Internal
- d. Matt Riddle - Land Resources – Internal
- e. Callum Margetts - Natural Hazards – Internal
- f. Olivier Ausseil - Surface Water Quality and Ecology - External (Traverse)
- g. Richard Meade - Economics - External (Cognitus)
- h. John Kindness - Stormwater - External (GHD)
- i. Victoria Watt - Planning – Internal
- j. Joanne Mitten - Consents Planning – Internal
- k. Sam Prystupa - Consents Planning – Internal
- l. Michelle Mehlopt - Legal - External (Wynn-Williams)

(d) where there is a difference in opinion between the applicant any other participant, identify:

- (i) the principal issues in contention; and***

(ii) the issues capable of resolution through conditions of approval.

13. The principal issues in contention from CRC's perspective are partly identified in paragraph 11 above, where CRC considers that further information is required to adequately assess the potential effects of the proposal. Once these matters are adequately understood, CRC considers that the effects identified may be able to be appropriately addressed through suitably worded conditions of consent.
 14. CRC considers that the economic assessment does not accurately represent the costs and benefits associated with the proposal. CRC considers this is a matter for the Panel to consider when weighing the adverse effects of the proposal against its benefits.
 15. CRC also considers that the proposal is inconsistent with several relevant objectives and policies of the Canterbury Regional Policy Statement (CRPS). CRC does not consider that these matters can be addressed through conditions and considers they are matters for the Panel to consider in its overall assessment of the proposal.
 16. CRC considers that the remaining adverse effects identified through its assessment can be appropriately managed through suitably worded conditions of consent. CRC is actively working with the Applicant to address these matters.
- (e) the applicant is to advise whether it intends to file new or supplementary reports or an updated set of conditions by the nominal date of panel commencement;***
17. CRC considers that the Applicant is best placed to comment on the provision of supplementary reports or a revised set of conditions.
- (f) describe the complexity of the application;***
18. This is discussed further in Appendix 3, Consideration of Complexity. In summary, CRC considers the application to be of high complexity.
- (g) state whether the proposed conditions (including any draft management plan filed) are acceptable; and***
19. As outlined above, CRC considers that further information is required in some areas before suitable conditions of consent can be developed. Where further information is not required, CRC considers that the proposed conditions will need to be refined to ensure potential adverse effects are appropriately addressed.
20. CRC is engaging, and will continue to engage, with the Applicant to refine the proposed consent conditions and will engage with other relevant parties where appropriate.
- (h) propose efficient processes to enable the panel to understand, resolved, or narrow the scope of the issues likely to arise, and indicate how these processes may be accommodated within the decision timeframe.***
21. CRC considers that constructive engagement through expert conferencing is an efficient way to progress and resolve outstanding technical matters. Expert conferencing has been scheduled in relation to groundwater, surface water, aquatic ecology, and stormwater, with further details able to be provided at the Panel Convenor Conference. As technical disagreements are refined or resolved, CRC considers that condition workshops would provide an efficient means of further narrowing the matters requiring consideration by the Panel. Where technical disagreements remain, CRC is open to the Panel providing direction on the most efficient process for resolving or narrowing those matters.

PROCEDURAL REQUIREMENTS

22. CRC is willing to engage directly with the Panel as necessary. As noted above, CRC is happy to discuss specific matters with CGL in more detail and intends to continue ongoing discussions with CGL and other relevant parties.
23. CRC will be better placed to comment on any further procedural requirements following the expert conferencing scheduled to take place this week.

ADDITIONAL INFORMATION

Approvals

24. While not specifically requested in Minute 3, based on CRC's experience with other Fast-track applications, CRC considers it useful to highlight to the Panel Convenor the resource consents sought from CRC.
25. CGL seeks eight resource consents from CRC for activities regulated under the Resource Management Act 1991 (RMA).
26. These comprise one consent under section 9, one consent under section 13, three consents under section 14, and three consents under section 15 of the RMA, as follows:
 - a. **Section 9** – Land use consent for excavations and earthworks.
 - b. **Section 13** – Land use consent for works in waterways.
 - c. **Section 14** – Water permits for water takes and uses associated with dewatering and dust suppression, non-consumptive groundwater and surface water takes, and surface water diversions and bypassing.
 - d. **Section 15** – Discharge permits for construction-phase stormwater, operational-phase stormwater, and discharge to groundwater associated with the non-consumptive groundwater take from subsoil drainage to the stormwater management area.

CONFIRMATION OF PANEL ATTENDANCE

27. The following will attend the panel conveners conference on 17 August 2026 on CRC's behalf:
 - a. Joanne Mitten - CRC Principal Consents Planner
 - b. Sam Prystupa - CRC Consents Planner
 - c. Michelle Mehlhopt - Legal Counsel

Dated: 12 August 2026

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Jo Mitten

Principal Consents Planner

APPENDICES

Appendix 1: Schedule 2 – Participants' Estimated Timeframe

Appendix 2: CRC Technical Advice Summary – progress documented

Appendix 3: Consideration of Complexity

APPENDIX 1: SCHEDULE 1 - PARTICIPANTS' ESTIMATED TIMEFRAME

Task	Working days	Date	CRC comments/reasoning
Panel commencement date	N/A	31 August 2026	Nominal date provided by Minute 3 of the Panel Convener.
Invite comment from relevant parties	10 W/D later	14 September 2026	CRC considers this to be a reasonable timeframe for the Panel to familiarise itself with the application and supporting information prior to seeking comment. It would be beneficial for comments from relevant parties to be requested within statutory timeframes so that the Panel receives that information as soon as possible to assist their consideration.
Comments close (s 53 & 54)	20 W/D later	12 October 2026	CRC notes the timeframe is specified within the Fast-track Approvals Act 2024 (FTAA). CRC will provide comment under section 53 of the FTAA as a relevant local authority. CRC will be able to provide comments within 20 working days noting all technical experts have been engaged and are considering the application. CRC notes that section 54 does not pertain to CRC
Comments close for applicants (s 55)	5 W/D later	19 October 2026	Not applicable to CRC. CGL may provide the Panel with a response within 5 working days after the date specified in s54(1) of the FTAA.
Any other procedural steps, evaluation and decision writing	20 W/D later	17 November 2026	CRC consider 20 working days is reasonable to resolve matters resulting from section 53 comments. CRC notes based on previous experience with applications that have a similar level of complexity the issues take time to resolve. Therefore, CRC recommends additional time to allow for this. CRC does not anticipate any need for a hearing on issues

			related to the regional councils functions. Should the panel have any specific questions for CRC experts, we suggest these could be addressed through a minute. Acknowledging the quantity of technical reports accompanying the application, CRC considers that the Panel may benefit from the provision of extra time. CRC suggests an additional 30 days to consider the proposal including preparation of appropriate draft conditions.
Draft decision is to approve			
Draft decision and conditions to Ministers (s 72)	5 W/D later	24 November 2026	CRC considers this project to be large and complex, as such extra time has been provided within this step.
Response from Ministers. (s 72)	10 W/D later	8 December 2026	
Applicant response to Ministers comments (if any)	5 W/D later	15 December 2026	CRC considers CGL is best to advise on this.
Draft conditions and decision to participants (s 70(1))	5 W/D later	24 November 2026	CRC notes this step can occur simultaneously with s72. CRC has suggested aligning these timeframes.
Participant comments on draft conditions (s70(2))	10 W/D later	8 December 2026	CRC notes the RMA clock over Christmas/New Years is likely to be followed. CRC considers this step can take place at the same time as the response from ministers under s72.
Applicant response to participants on conditions (s 70(4))	5 W/D later	15 December 2026	CRC considers CGL is best to advise on this, but suggest this can take place at the same time as the Applicant's response to Ministers comments.
If not agreed, procedural step in relation to draft conditions.	5 W/D later	12 January 2027	CRC notes the RMA clock over Christmas/New Years is likely to be followed. CRC considers an extra 5 working days would likely to be sufficient to resolve conditions through expert caucusing or other method.
Evaluate and finalise decision	10 W/D later	26 January 2027	CRC notes this is a brief period of time should comment on draft conditions be substantive

			and require rework by the Panel.
Decision release	5 W/D later	2 February 2027	CRC notes a decision may be released sooner that 5 working days.

APPENDIX 2: CRC TECHNICAL ADVICE SUMMARY

Technical Team	Technical expert considers all expected technical reports are provided	Technical expert has identified gaps in the provided technical reports [Consent Planner clarifying comments]	Technical expert considers the conditions are appropriate	Planner Comments	Progression since S46 Comments
Contaminated Land	CRC's expert has stated that a Remedial Action Plan (RAP) should be provided with the application.	A Remedial Action Plan (RAP) and / or Site Management Plan (SMP) should be prepared, submitted, and approved prior to earthworks to ensure contaminated materials are appropriately managed and environmental risks are mitigated. The RAP should align with the proposed staging and the SMP. The SMP lacks detail. It should also take into account the DSI and be aligned with the RAP. It should address: • Farm dumps/pits • Potential infilled waterways • Asbestos-containing material (ACM) • Soil sampling • ANZG guideline values The application doesn't detail procedures / methodology around soil re-use, removal, disposal or importation of fill .	In general, conditions are appropriate but will need to be looked at in more detail.	Further quantification will be necessary to be able to provide conclusions. This can be worked through with the Applicant moving forward.	CRC and the Applicant are currently facilitating expert conferencing, with the intention of this taking place this week or next. A further update on the outcomes of the conferencing will be provided at the Panel Convenor Conference, should it have taken place beforehand.

Surface water Resources	Yes.	CRC's expert has stated that without quantification of changes to spring and surface flows due to changes in land surface recharge and stream alignment, it is difficult to conclude that the effects on downstream flows and wetlands will be negligible. The impact of the decommissioning of bores should be based on water use metering data rather than consented rates.	In general, conditions are appropriate but will need to be looked at in more detail. The Groundwater and spring flow monitoring plan will need to be included in the consent conditions. For dust management, a new consent would need to be applied for in an over-allocated catchment as it is stream depleting.	Further quantification will be necessary to be able to provide conclusions. This can be worked through with the Applicant moving forward. In regard to the dust suppression water, the Applicant and CRC can further discuss options.	Expert conferencing took place on 11 August 2026. A further update on the outcomes of the conferencing will be provided at the Panel Convenor Conference.
Groundwater Resources	Yes	The Executive Summary states shallow bores are said to be more sensitive to drawdown interference than deeper bores which is incorrect. It is clarified in Section 6.2.3 that this refers to shallow bores causing the greatest interference on other shallow bores, and deeper bores on other deeper bores. The dewatering methodology is unknown. Within the Hydrology report, there are numerous statements that effects are '<i>expected to be negligible</i>', but it is unclear how these expectations have been defined. The existing irrigation consents are proposed to be transferred and/or reduced in volume, often as a mitigation/offset for the new activity. This assumes that the existing consents are currently utilized. No information is provided to support this. The application states a reduction in local land surface recharge is not expected to	In general, conditions are appropriate but will need to be looked at in more detail. The 'Groundwater and Spring Flow Monitoring Plan'. in condition 9 of the proposed Excavation/Earthworks consent conditions sets out expectations of what a plan will include. As monitoring is already occurring at the site, and excavated areas are outlined on plans, CRC would recommend that a completed monitoring plan is completed and referenced in conditions, not just requiring one be prepared. If consent is granted, aquifer tests with observation wells to determine aquifer parameters and sustainable yield should be a requirement along with an updated interference assessment.	Further quantification will be necessary to be able to provide conclusions. This can be worked through with the Applicant moving forward.	Expert conferencing took place on 11 August 2026. A further update on the outcomes of the conferencing will be provided at the Panel Convenor Conference.

		significantly affect groundwater levels or wetland hydrology given that 'that the current contribution of land surface recharge within the development area is small compared to groundwater through-flow'. No assessment has been given of the magnitude of local land surface versus regional catchment zone of the springs to support this statement. The application states potential risks to downstream/gradient properties due to changes in groundwater level or spring flow are '<i>expected to be negligible</i>'. Without monitoring data to assess changes over time, or any modelled effects, it is difficult to assess if the effects would be negligible. The proposed 'Groundwater and Spring Flow Monitoring Plan' should be created before any construction and should contain monitoring thresholds for stream flows and groundwater levels based on downgradient impacts – no metrics or suggestions for appropriate metrics are included in the AEE. Without actual well construction and parameters, it is not appropriate to assess exact drawdown potential effects on neighbouring wells. Drain/SMA inflow represents interception of groundwater that may otherwise have flowed toward existing springs/drains. It will vary across the site with changing thicknesses of surficial finer grained deposits. The drain flow will be more significant at times of high groundwater level and may lead to more quickflow component to surface	The approach for identifying at risk neighbouring drinking water wells for further assessment, then assessing effects is complex, and relies on estimated aquifer properties. Site-specific conditions could lead to higher drawdown than predicted. Drawdown effects from dewatering on neighbouring wells may be better managed by measuring actual drawdowns during dewatering within piezometers on site between the dewatering location and the nearest drinking water wells as part of consent conditions. ECan typically uses 0.1 m drawdown as a cut-off for interference effects. This could be included within the 'Groundwater and Spring Flow Monitoring Plan'.		
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		waters. The impact of this interception on existing water courses is not assessed. The auditor notes that local changes in sub-surface permeability such as preferential flow channels mean that drainage will not be evenly spread out across the drainage ditches, but more likely concentrated in some areas (such as the existing springs which are likely fed by such preferential flow). It is impossible to predict this before construction. If granted, monitoring of stream and spring flow before and after construction should occur, but it is likely there will be unavoidable localised changes to the hydrology, even if the overall discharge from groundwater to Ōhoka Stream remains similar. There is no assessment of infiltration losses to groundwater under stormwater management areas, through liners, when the water table is beneath the basin.			
Land Resources	Yes.	Soils are LUC class 2 and 3 and are therefore highly productive or versatile soils. The Application suggests three methods of how dewatering water could be returned. The first is to surface water if quality is sufficient, the second to discharge to exposed gravel layers and the third to return it to stormwater management areas. The second option would reduce the filtering ability by taking topsoil away so may not be appropriate. The third suggestion could be considered as initial pre-treatment prior to discharging to ground.	In general, conditions are appropriate, but several conditions will need to be tightened up with additional detail. CRC disagrees with conditions regarding dewatering water being discharged straight to groundwater as it will bypass the filtering ability of the soil and risk direct contact with groundwater.	Yes, the soils can be classed as versatile, but the site does not meet the definition in the NPS-HPL. Conditions can be worked through with the Applicant as we move forward through the process.	No further progression at this stage.

		This will need to be discussed further with the Applicant.			
Natural Hazards	Yes	CRC's expert has stated that the Waimakariri District Council rules and processes to mitigate on and offsite flood risk are appropriate.	No changes to conditions.	CRC will refer to WDC for onsite and offsite flood risk management and mitigation.	No further progression necessary as CRC will refer to WDC to manage onsite and offsite flood risk.
Surface water quality and ecology	Yes	The June 2026 water quality assessment was amended and now addresses some but not all of CRCs experts' comments, however the aquatic ecology assessment does not appear to have been amended. Several concerns remain. <u>Water Quality Assessment:</u> Several significant gaps remain. -The streams that stormwater catchments discharge to have not been identified so any assessment of effects has not been undertaken on the smaller more sensitive streams. - There is no assessment of the effects of stormwater discharges on visual clarity, colour or sediment deposition on receiving environments. -Effects on other key water quality parameters known to be affected by storm water discharges have not been assessed. <u>Aquatic Ecology Assessment</u> -Disagree with the change from high intensity land use to urban land use providing potential improvement in ecological outcomes.	Several conditions will need to be added to the conditions set regarding mowing, groundwater Draft management and monitoring plans should be provided independently reviewed and approved by CRC. Appropriate discharge quality limits need to be set in conditions. A trigger value of 50mg/L TSS is inappropriate. A trigger value-based on the degree of change caused by the discharges would be more appropriate.	Additional aspects to be added to reports can be discussed with the Applicant and their expert's moving forward as well as appropriate changes to consent conditions.	CRC and the Applicant are currently facilitating expert conferencing, with the intention of this taking place this week or next. A further update on the outcomes of the conferencing will be provided at the Panel Convenor Conference, should it have taken place beforehand.

		-The potential effects of stormwater discharges on the receiving environment and ecology have not been technically assessed and there is real risk of them causing effects. -The potential ecological effects of the proposed stormwater discharges on water temp, pH or dissolved oxygen have not been assessed. -The proposal will result in a net loss of stream extent as well as diversions and re-direction of streams. No offsetting or compensation for the proposed loss of stream extent has been proposed. -Do not agree with the conclusion that there will be an overall net improvement in aquatic ecological values.			
Economics	Yes	The Analyses rely exclusively or primarily on EIA, which assesses Project impacts – not Project benefits. The Analyses provide insufficient detail to meaningfully assess the Project's impacts (let alone its benefits). The Project – being an out-of-sequence development that displaces in-sequence development – not being consistent with local or regional planning documents, including spatial strategies. Many of the qualitative Project benefits claimed in the M.E Analysis do not withstand even minimal scrutiny.	No changes to conditions.	For the purpose of s46, this assessment is not completely necessary, however CRC has provided their view to highlight this as an issue going forward and something the Panel may want to turn their mind to as part of their decision making.	No further progression at this stage.

		The quantitative Project impacts assessed in the M.E Analysis untenably assume that all of the housing and other capacity proposed by the Project is strictly incremental when CRC's expert (and Savvy) consider it more realistic that the Project will displace housing and other capacity growth elsewhere. The M.E Analysis further does not account for all relevant Project costs, opportunity costs, or adverse impacts. The M.E Analysis does not follow standard modelling practice. While the Savvy Analysis partially remedies the M.E Analysis' omissions of Project costs, opportunity costs, and adverse impacts, it inherently understates those adverse impacts/costs. Additionally, the Savvy Analysis does not account for social costs arising during the Project's expected 10 year construction phase. The gross impacts of the Project are significantly overstated in the M.E Analysis, while the Project's adverse impacts/costs are significantly understated in the Savvy Analysis.			
Stormwater	Yes	CRC's expert has stated that the stormwater design submitted with the application is not compliant with Part 5 of the Waimakariri District Council Engineering Code of Practice 2025 (WDC ECoP). There are pre and post development inconsistencies in catchment area size and	Several conditions will need to be added to the conditions set regarding mowing, groundwater fluctuations, treatment efficiency and flow interception.	It appears that with some clarification from the Applicant, the issues identified by CRC's stormwater expert can likely be resolved moving	CRC and the Applicant are currently facilitating expert conferencing, with the intention of this taking place this week or next. A further update on the outcomes of the conferencing will be provided at the Panel

		Post development stormwater run-off is greater than pre-development and these may negatively affect downstream watercourses. There is insufficient information for a tailwater assessment and the inlet pipes to the SMA's and wetlands may become submerged prior to full storage in the SMA. Not compliant with the mowing requirements of the WDC ECoP. Will result in a reduced storage or larger footprint than is within the current design. There is no information regarding seasonal groundwater fluctuations- important to know if SMAs are permanently wet or will dry out. Information is also required to assess impacts on maintenance, plants and the potential for increased resuspension of sediment. The PDP report has not defined responsibility of the construction of swales or cut off drains between Bradleys Rd and the site. LWRP Rule 5.96 needs to be included in PDP report.		forward. CRC's expert has provided some solutions.	Convenor Conference, should it have taken place beforehand.
Planning	Yes.	The CRC auditor has stated that the Applicant has provided a policy assessment that covers the relevant policies for this proposal. However, after an initial review, they disagree with some of the assessment, especially in relation to: Objective 5.2.1: CRC's expert does not agree that the project would achieve well-designed, consolidated urban growth that	No changes to conditions	For the purpose of s46, the applicant has provided a suitable policy assessment against the relevant planning documents. The Applicant may respond to or otherwise address t	No further progression at this stage.

		minimises energy use and supports the efficient and effective use of regionally significant infrastructure. The proposal will result in an increase in transport related emissions and does not justify how the proposal is consistent with this objective. As the proposal is located outside an area planned for growth, the transport and supporting infrastructure required to accommodate an increase in population and associated travel demand for employment, education, and other services has not been identified or planned to support this development. - Objectives 6.2.1 and 6.2.2, and Policy 6.3.1: These provisions clearly direct that urban development within Greater Christchurch should occur within the existing urban area and identified greenfield priority areas. Despite this, the assessment concludes that the proposal is consistent with these provisions. While the assessment relies on the NPS-UD and recent private plan changes to justify the proposal's inconsistency with the CRPS, CRC's expert does not consider that sufficient project-specific assessment or evidence has been provided to demonstrate why those inconsistencies are acceptable in this case. - Policy 6.3.5: The assessment of consistency with this policy is dependent on transport upgrades being delivered by NZTA. As NZTA is a separate entity, and there is no evidence that it has committed to undertaking the upgrades necessary to support this unplanned growth, CRC's expert considers		these matters. The Panel may consider these matters as part of their decision making.	
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		that further consultation with NZTA, or additional evidence demonstrating that the required infrastructure will be delivered, is necessary before consistency with this policy can be established. • Ultimately, the Applicant's assessment notes the misalignment with the objectives and policies of the CRPS but still considers the proposal presents an opportunity for well-designed urban expansion without what CRC's expert considers to be adequate evidence supporting this statement.			
Consent Conditions	Yes	Conditions have been provided and will need to continue to be worked through with the Applicant moving forward. A thorough review has not yet been undertaken but several amendments will be required.	Several amendments are required to the conditions set and will be worked through at the same time as the technical issues set out above.	Conditions will be worked through with the Applicant moving forward.	CRC considers that engagement with the Applicant through expert conferencing will help inform the development of conditions. Condition workshops can then be held at a later stage to work towards agreement on the proposed conditions.

APPENDIX 3: CONSIDERATION OF COMPLEXITY

Table 1: Consideration of complexity		
Level of complexity	Specific provision	CRC comment
(a) Legal Complexity: novel or difficult legal issues	(i) involve untested law or interpretation of statute;	CRC considers that the proposal does not involve untested law or interpretation of statute.
	(ii) involve application for multiple approvals;	The Applicant has applied for 8 approvals from CRC involving section 9, 13, 14 and 15 of the RMA. The Applicant has also applied for approvals from Waimakariri District Council involving section 9 of the RMA. The scale of effects associated with these approvals vary significantly. In addition, the substantive application includes the approvals required under the Wildlife Act 1953 and an archaeological authority under the Heritage New Zealand Pouhere Taonga Act 2014.
	(iii) interface with two or more statutes; and	Setting aside the FTAA, the RMA is the primary statute for this proposal. Within the RMA framework the following legislative documents apply to this proposal: 1. Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011; 2. Resource Management (National Environmental Standards for Freshwater) Regulations 2020; 3. Resource Management (National Environmental Standards for Sources of Human Drinking Water) Regulations 2007; 4. National Policy Statement on Urban Development 2020 (NPS-UD); 5. National Policy Statement for Indigenous Biodiversity 2023 (NPS-IB); 6. National Policy Statement for Electricity Networks 2008 (NPS-EN); 7. National Policy Statement for Natural Hazards 2025 (NPS-NH); and 8. National Policy Statement for Infrastructure 2025 (NPS-I). The applicable regional plan for classifying the proposed activities is the Canterbury Land and Water Regional Plan (LWRP), Canterbury Air Regional Plan (CARP), Operative Waimakariri District Plan (OWDP), and Partially Operative Waimakariri District Plan (POWDP).

	(iv) engage constitutional law and public law.	CRC considers that there are no complexities associated with constitutional and public law.
(b) Evidentiary Complexity: stemming from the volume, type, or technical nature of evidence	(i) include challenges like managing expert reports or dealing with conflicting factual or opinion evidence; and	CRC science experts have reviewed the information supplied with the application and, while some questions have been raised around the level of detail in the application, there is general agreement that the assessments provided are appropriate. The applicant has provided assessments and records of consultation with relevant parties, and CRC experts generally consider it appropriate to adopt the recommendations in the technical assessments provided by the applicant. Areas where further information could assist in the assessment of the proposal include: 1. Further information regarding compliance of stormwater infrastructure with associated codes of practice. 2. Quantification of changes in land and surface water recharge. 3. Further detail regarding dewatering methodology including potential effects on neighbouring wells. 4. Further information regarding the effects of stormwater discharges on stream ecology and water quality is required. 5. The Site Management Plan should incorporate further information from the Detailed Site Investigation and be aligned with the Remedial Action Plan. 6. Clarification is required around downstream effects based on changes in groundwater level or spring flow. This may require monitoring conditions to be imposed in which case the Groundwater and Spring Flow Monitoring Plan should be prepared as part of the Fast-track process. 7. There is disagreement around economic benefits which will require further discussion. 8. Further consideration of policies and objectives of the Canterbury Regional Policy Statement is required to determine if the project is consistent with these or not. 9. Further refinement of the conditions will be required through discussions with the Applicant.
	(ii) often involve technical or scientific analysis	The applicant submitted several technical assessments and information documents as appendices with the application. The technical assessments relevant to the approvals relevant to CRC are: 1. Ōhoka Residential Subdivision AEE 2. Appendix 13 - Detailed Site Investigation and Supplementary 3. Appendix 16 - Assessment of Potential Loss of Productive Land 4. Appendix 17(a) - Groundwater & Water Supply Assessment

		5. Appendix 17(b) - Water Supply Well Interference Output Final 6. Appendix 19 - Aquatic Ecology Assessment and Addendum 7. Appendix 20 - Hydrology Assessment 8. Appendix 21 - Wetland Assessment 9. Appendix 22 - Flooding Assessment 10. Appendix 24 - Lizard Assessment 11. Appendix 26 - Subdivision Scheme Plan 12. Appendix 29 - Water Supply Strategy 13. Appendix 30 - Site Management Plan 14. Appendix 31 - Stormwater Management Report 15. Appendix 32 - Dewatering and Dust Suppression Assessment 16. Appendix 33 - National Planning Instruments Compliance Assessment 17. Appendix 36 - Canterbury Land and Water Regional Plan Compliance Assessment 18. Appendix 39 - Economic Costs Assessment 19. Appendix 44 - Proposed Regional Council Consent Conditions 20. Appendix 47 - Watercourse and Wetland Changes Plans CRC science staff have undertaken a detailed review of these documents and expert conferencing around issues in contention have begun. Further information regarding the status of the issues can be provided at the Panel Convenor Conference.
(c) Factual Complexity: arises from the volume and nature of evidence -	(i) requires careful management of extensive information or reports, including expert opinion in specialised fields; and (ii) necessitates analysis if technical, scientific, or highly specialised subject matter are involved.	As noted above, there are many technical reports, which have in turn been reviewed by CRC technical experts. For some areas, CRC technical experts have identified adverse effects of this proposal and while mitigation measures have been considered, CRC considers such options may not go far enough, therefore further mitigations could be put forth. Or their simply may be adverse effects of the proposal for the Panel to consider when making their determination.