

Your Comment on the Ōhoka Residential Subdivision

Please include all the contact details listed below with your comments and indicate whether you can receive further communications from us by email to substantive@fasttrack.govt.nz.

1. Contact Details			
Please ensure that you have authority to comment on the application on behalf of those named on this form.			
Organisation name (if relevant)			
First name	AJ, Richard, Emmerson and Soren Low		
Last name	Low		
Postal address	[REDACTED]		
Home phone / Mobile phone	[REDACTED]	Work phone	
Email (a valid email address enables us to communicate efficiently with you)	[REDACTED]		

2. We will email you draft conditions of consent for your comment			
Y	I can receive emails and my email address is correct	☐	I cannot receive emails and my postal address is correct

Please provide your comments below, include additional pages as needed.

1. Introduction

Kia ora, these comments are on behalf of the Low family. My name is AJ Low, with my husband Richard and two children Emmerson and Soren and spoodle Ptolemy we have lived in Ōhoka for 12 years.

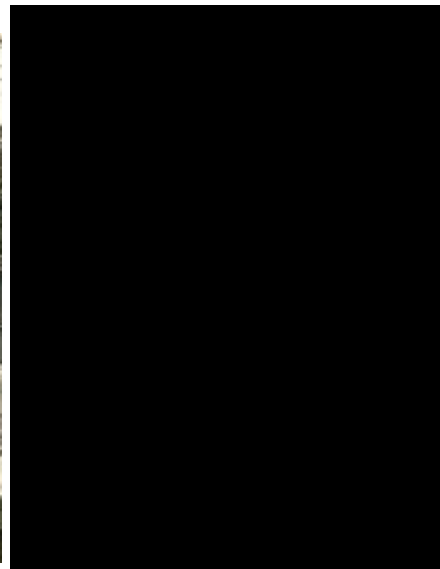
We have lived in Auckland, Wellington, Christchurch and London, these were all great locations that suited our age and stage but moved to Ōhoka to have space and privacy and large trees around us. Ōhoka offered us the opportunity to grow things, to see the stars, for our children to go to a small school, for them to play in the stream and be kids for as long as possible. We love the lack of shops, curb, traffic and concrete paths, we love being able to see the snow on the southern alps, established trees, hedges. We live here for the

small population, low traffic, minimal street lighting- these are our amenity values. We love the sound of piwakawaka, korimako and in summer, owls and frogs, and admire the waist high mist that forms over the paddocks and road in winter.

To be fair, Ōhoka is not always idyllic, ride-on lawn mowers, chainsaws, hedge trimmers, weed eaters, kids on motorbikes also buzz away on a sunny weekends. A rooster crows, irrigation, and machinery often hum away through the night, but they are the sounds we expect living out here.

All four of us commute into Christchurch for work and High School (Waimakariri only offers co-educational schools), at peak traffic this journey can take 45-60 minutes.

We live in a [REDACTED] and directly opposite the proposed development site. It was built in 1879 and was also the first location of the [REDACTED]. The picture below is on its opening day in 1909- it was the only boarding school for Māori girls in the South island, a number of the students came from the Chatham Islands.



The school moved into Christchurch in 1921 and the house has been a private residence since. In 2022 we undertook major renovations releveling, underpinning and re-piling the foundations and putting the chimneys back up- it is our gift back to the house so that it will last for another 147 years.

Our house is directly across the road from the proposed development on the [REDACTED]. We look south into the development site straight through to the trees lining its far southern boundary.

With the threat of this proposed Ōhoka Residential development looming over us for the last 5 years, we have looked to relocate, but we love our house, our community, rural lifestyle and peaceful environment and have yet to find a suitable alternate location- Ōhoka is unique.

There are 32 residential dwellings in the settlement of Ōhoka, a few architecturally designed modern homes, but most are simple cottages and many over 100 years old. The applicant characterises this eclectic collection of homes as urban to justify adding a further 1,125 dwellings (856 + 250). From 32 to 1125 is a **3515% increase in housing numbers!** by anyone's definition, this can no longer be called a village. Ohoka's look, its feel, its eclectic character and the lifestyle it offers people will no longer exist.

My husband and I are not anti-development in fact we both earn our living from the construction industry. We support sensible development and the objective planning decisions of the Waimakariri District Council. The Council has planned for enough urban housing to meet the next 30 years of population growth all sensibly concentrated around the district's primary economic and transit hubs. If the proposed Ōhoka Residential Subdivision was located within these already planned for locations, then we would have no problem with the applicant gaining a Fast Track Approval.

However, Ōhoka is fundamentally unsuited for medium density housing for very real, structural reasons. Common sense dictates that if the area were actually viable for intensive urban development, it would have been built over long before now.

In their Plan Change 73 proposal to the Selwyn District Council the applicant stated:

"In our view, Selwyn District is the only district out of the three that has ample land to provide for ongoing growth opportunities for Greater Christchurch due to land quality and engineering considerations. By comparison, Christchurch greenfield land is almost at capacity, and Waimakariri has significant potential flooding issues".[18]

It is therefore surprising that the applicant has selected one of the district's best-known flood-prone areas, with its complex, distinctive, and unpredictable hydrology and flooding to develop on.

Two separate independent panels of Hearings Commissioners at separate times have evaluated the applicant's proposal and, in both cases, have recommended that the Waimakariri Council decline it. Instead of accepting these decisions, the applicant keeps appealing or applying to yet another panel of experts presumably until they receive a different answer. Forcing our small community to battle this already declined development proposal for a third time has caused widespread uncertainty, stress, fatigue, anger and expense. We are deeply frustrated by the sheer injustice of the applicant continually attempting to disrupt our lives.

So why Ōhoka? From Appendix 1 the authorised person statement, I interpret their reasons to be that it's a big piece of farm land, close the airport, there is a footpath (and possible future ones), it slopes up slightly, has a nearby sewer pipe, and the applicant is willing to buy it, but not yet, only if they can sell it on at residential prices.

Yet to me and my family Ōhoka means so much more than that! The specialness of Ōhoka extends further than to just those who live here, so much so that 96% of the submissions made for the applicants Private Plan Change 31 were opposed, not just by neighbours, but by Waimakariri Council, Environment Canterbury, Christchurch City Council, Ministry of Education, Rural drainage advisory Group, Ōhoka School, Ōhoka Oxford community board, Tuahiwi Community Board, Waka Kotahi, a former Mayor and local MP- all made submissions opposing the plan change. This is why the argument of ‘not in my back yard’ falls flat.



My comments are lengthy, and I appreciate you taking the time to read them. I am not a technical expert. My expertise is my own place at [REDACTED], directly across from the site. Over the past five years, however, I have worked through hundreds of pages of documents and taken part in two earlier RMA processes on this land. I have done this over and above my usual work, career and family commitments. As a result, I have a solid understanding of this proposal.

Even without technical training, I identified numerous omissions, unresolved issues, uncertainties and residual effects in the application documents, considerable enough to undermine the applicant's claims of no significant adverse impacts and substantial benefits.

2. Strategic Urban Form

The urban form, appropriateness, and environmental feasibility of this development proposal have already been comprehensively investigated and rejected twice by independent planning experts:

1. **Private Plan Change 31 (PC31):** Declined by Independent Commissioners in November 2023.
2. **Waimakariri Proposed District Plan Review:** Recommended for exclusion by the Independent Hearings Panel 2025.

The findings from these rigorous, evidence-backed legal processes were definitive. These previous decisions were not based on superficial layout errors that the developer could fix with revised engineering. They were based on the unchangeable flaws of the location itself.

The applicant's own planning assessment (appendix 42) concludes the proposal conflicts with the established urban growth framework, is contrary to Regional Policy Statement objectives 6.2.1/6.2.2 and policy 6.3.1, and is generally inconsistent with transport provisions.

By seeking Fast Track Approval the applicant is trying to override these fundamental conflicts with the planning framework. However, I respectfully ask the Expert Panel to give due weight to the findings of the two previous independent panels, as the core reasons for refusal still apply.

3. Housing Demand and Benefits

This comment addresses the information provided in Appendices 40, 41a and 41b and the Project Listing Application for the Fast Track Bill.

Back in May 2024, in the project listing application for the Fast Track Bill, the applicant stated that:

“The objective of the project is to address the pressing need for additional housing capacity in Waimakariri District in an area where there is significant and unprecedented demand for housing”¹ and

“there is proven significant demand (and lack of supply) for housing outside of the established main centres of Rangiora, Kaiapoi and Woodend/Pegasus”².

These claims may have assisted in the project being listed on Schedule 2, but they have not been repeated in this substantive application. Instead, Mr Jones of Bayleys (Appendix 41a, 5 March 2024; 41b, 13 June

¹ [231.01-response-ANON-URZ4-5FQR-K Redacted.pdf](#)

² [231.01-response-ANON-URZ4-5FQR-K Redacted.pdf](#)

2024) believes that "...there is significant demand for residential housing in the Ōhoka area, relative to other areas and townships in the Waimakariri District"³.

The same information was presented to the PC31 panel who gave Chris Jones's evidence little weight. They called his analysis "relatively superficial ... rather than providing any quantitative comparison of the areas", and not proof of "high demand" relative to other areas [104, 364]. It relied on "internet enquiries and interest from people seeking a rural lifestyle, rather than providing any quantitative comparison" [104].

The PC31 panel agreed there is likely demand for rural lifestyle living. They did not agree there is demand for small urban sections in Ōhoka.

- "We accept the evidence of Mr Jones that there is a demand for low density housing in a rural setting" [104]
- "We do not accept that Mr Jones' evidence or analysis goes so far to show a 'high demand' for properties in this location" [104]
- They said the proposal offered "little variation" in housing types so it would meet only some need for low-density living, not broad demand [104].

Other concerns with opinions offered in Appendix 41:

- **Prices fell while "supply" was nil.** Mr Jones valued a 600 m² section at \$550,000 in March 2024 (41a, 23) and \$450,000 three months later (41b, 5.1), or \$750–917/m².
- **The applicant's experts disagree on who the buyers are.** Mr Jones says Ōhoka buyers will not substitute Rangiora, Kaiapoi or Woodend (41b, 7.1). Appendix 2 Economic Assessment claims district-wide affordability benefits (4.1.1), yet adopts a counterfactual in which the demand "would still be accommodated elsewhere" (4.2). It cannot be both a distinct niche and a district-wide benefit.
- **Internal contradictions.** Mr Jones states "the site could be subdivided into 36 four-hectare lifestyle blocks relatively easily under the current planning framework. These too would be saleable from a demand perspective". (41a, 22)
- **The project would remove what buyers are said to want.** Mr Jones says buyers come for Ōhoka's "charm and amenity", mature oaks and "surrounding rural landscape" (41b, 7.1). PC31 found the project would erode the very amenity said to drive demand [298].

Mr Jones is a very experienced realtor in the Selwyn District, as he stated in his evidence for the same applicant on PC69 in 2021, "I have 20 years' experience in real estate specifically in the Selwyn District and

³ [28] Appendix 41a

12 years' experience selling down residential subdivisions South and South West of Canterbury"⁴. He is particularly experienced with marketing and selling the applicants greenfield subdivisions in the Selwyn district. None of his sold listings listed on realestate.co.nz since June 2024 show any from the Waimakariri District, though he does currently have one active listing in the Waimakariri, in Clarkville, owned by a trustee entity of the Carter Group (the applicant).

Consequently, I am not convinced that Mr Jones's self-described "lived daily experience" (41b, para 8) is based on his experience in Waimakariri, let alone Ōhoka. And I am concerned that he may not be as objective as someone who does not stand to profit from the proposed development going ahead.

By contrast, local Bayleys realtors, delivered a leaflet to my letterbox in 2025 that advertises:



"...continued demand for quality lifestyle properties in Ohoka..."

"buyers competing strongly for well-presented homes and landholdings"

"actively seeking lifestyle properties"

If the draw for Ōhoka's is character as Mr Jones suggests, then the proposed development destroys it. If the draw is the location, ie proximity to the airport, as the authorised person statement (appendix 1) suggests then almost any land near Christchurch would do. Woodend, Kaiapoi and Rolleston, they all offer that in areas already planned for growth. PC31 commissioners cautioned against approval simply "because a large area of contiguous land is on the market" [452]. Either way, the applicant hasn't shown demand for small urban sections in Ōhoka specifically, yet that's the product they'd be selling.

⁴ [Chris Jones-real-estate-FINAL.pdf](#)

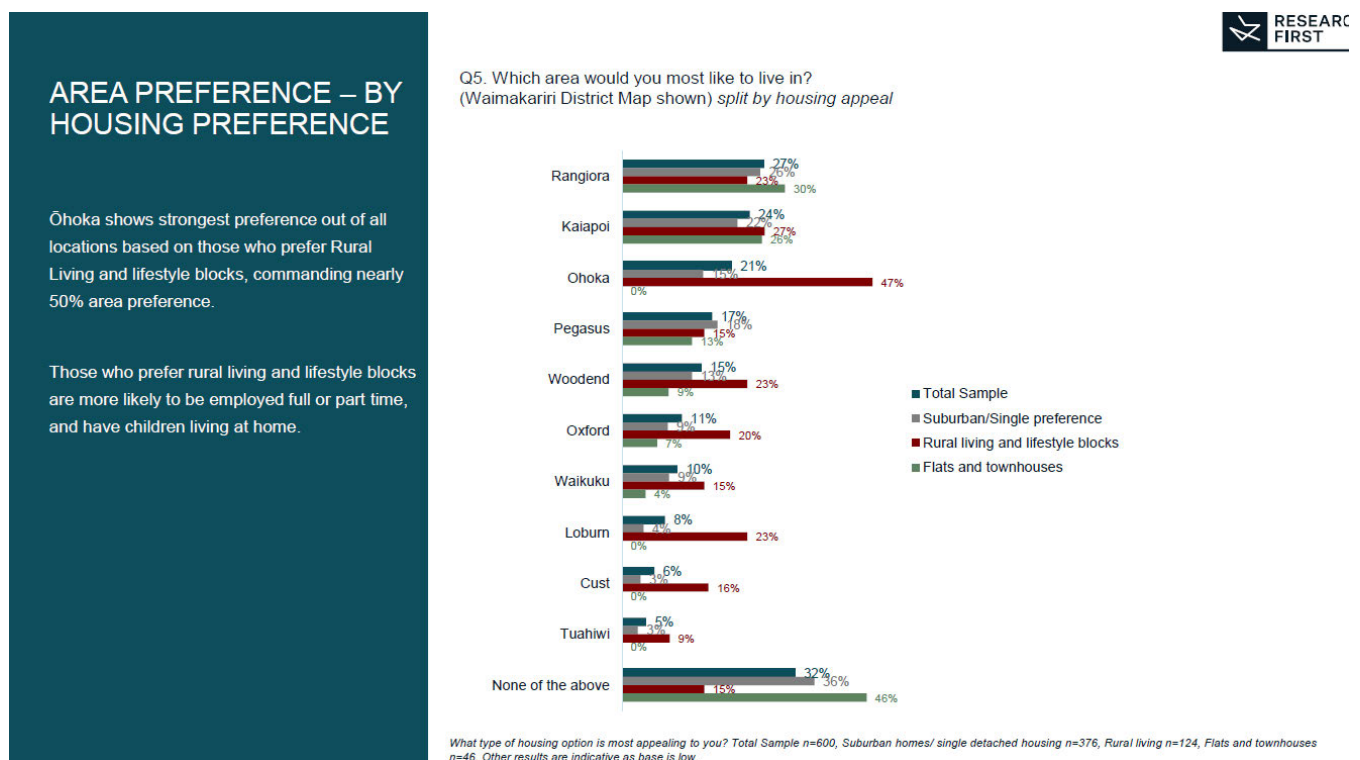
Appendix 40 was meant to provide the missing quantitative data, however the key message from the applicant's own survey is that Ōhoka's appeal is a lifestyle-block preference (47%), not demand for suburban sections (15%, ranked fourth), which is the product proposed.

The survey finds that "...21% of respondents nominated Ōhoka as their first choice" [24.1] Unfortunately this is not correct. The percentages add up to 176%, meaning respondents could evidently pick more than one area. That makes Carl Davidsons (appendix 40) finding completely incorrect. The safer wording is: "21% of respondents included Ōhoka among the areas they would most like to live in. The data does not show if it was their first choice or not.

It is also worth noting bias in the survey, Ōhoka being the only western-district option to select from. Nearby similar areas such as Mandeville, Clarkville, Eyreton, Swannanoa and Fernside weren't offered as a choice, which likely inflates Ōhoka's share. Allowing multiple selections limits further reliable analysis, but if taken at face value, the survey actually shows that Ōhoka is far less popular than suggested:

- While 21% made a selection that included Ōhoka, 123% did not chose Ōhoka and 32% of respondents had no preference for Waimakariri at all.

As the applicant's development proposal is aiming to deliver small, medium density urban housing in Ōhoka, Appendix 40, Q5 is critical for showing that this housing type is what people are seeking when living in Ōhoka- except it doesn't. What Q5 does say is:



1. **Ōhoka’s appeal comes almost entirely from lifestyle-block seekers.** It’s the top choice for people wanting rural living (47%), but those people are only about a fifth of the sample (124 of 600).
2. **Among people who want suburban homes, Ōhoka is ordinary.** At 15%, it trails Rangiora, Kaiapoi and Pegasus, and roughly ties with Woodend (13%). Those are all areas where the District Plan already provides capacity.
3. **No one wanting flats or townhouses chose Ōhoka.** So the survey shows no demand for the denser end of the housing mix.
4. **The 21% overall figure is boosted by the lifestyle group.** Roughly half the people who picked Ōhoka (about 58 of about 114) are lifestyle seekers, the group least served by a subdivision of 600 m² lots.

In fairness to Carl Davidson, author of Appendix 40 he did say that it was a very rushed exercise so he only highlighted information that the applicant was wanting to see [23]. At the end of the day the survey questions ask where people would “most like to live”, it gives no price, timing or intention to buy, so it can’t be used to show housing demand.

The applicants demand for urban housing in Ōhoka has not been substantiated. This matters as without evidence of demand for urban sections at Ōhoka, the project’s housing and economic benefits are uncertain, speculative and depend on take-up the applicant itself describes as “responsive to demand”.

Mr Jones shrugs this off as a risk the developer takes. However, awarding Fast Track Approval for a development that will only progress if the sections sell, undercuts the delivery of any regional benefits. This was not the intent of the Act so this scenario runs a significant risk of bringing the Fast Track Approvals Act into disrepute and eroding public trust.

Noteworthy here, is that in August 2026, Minister Chris Bishop declined a fast-track referral for 1,000 homes at Pegasus as lacking “significant regional or national benefits” ([1News, 20 August 2026](#)). Ōhoka did not need a referral, but the decision is relevant to the weight its benefits should carry under section 85(3).

Limited Economic Benefits

The Waimakariri District Plan decisions (June 2025) enable 14,000–17,000 homes in Rangiora, Kaiapoi, Woodend and Oxford, enough for about 30 years of growth. Circumventing these future urban development areas and putting this proposed growth at Ōhoka is less efficient than the planned alternative and distorts the housing market rather than improving it. Especially as Schedule 2 of the Fast-track

Approvals Act 2024 adds three more projects, all in those planned towns: Gressons Road, Woodend (about 1,500 homes); West Rangiora (700–780); and Beachgrove, Kaiapoi (650–900).

Inefficiency

- **Growth is relocated, not added.** With a capacity surplus, the Ōhoka homes mainly shift growth from planned areas. The applicant's own counterfactual says the demand "would still be accommodated elsewhere" (Appendix 2, 4.2).
- **It undermines planned infrastructure.** The cost assessment (Savvy) identifies under-use and weaker cost recovery of existing Council infrastructure, and servicing obligations not fully recovered (Appendix 2, 4.2). PC31 found wastewater take-up here "is not necessarily planned for" [366].
- **It locks in car travel.** The site is 8 km or more from the nearest key activity centre [203], has no existing or planned public transport [114, 226], and active transport is "highly unlikely" to be realistic [112]. PC31 found it would "perpetuate the reliance on private motor vehicles" [116].
- **Capacity is constrained by the state highway.** Development beyond about 250 homes depends on a Tram Road/SH1 interchange upgrade controlled by Waka Kotahi [230–232]. The applicant's documents do not address it.

Market distortion

- **The competition argument runs the other way.** Appendix 2 (4.1.2) says new land curbs landowners' "monopolistic" pricing but gives no evidence of monopoly in Waimakariri. With 14,000–17,000 homes enabled across many landowners, the market is already contestable. Approving one landowner's unplanned site through an exceptional process rewards bypassing the plan, rather than correcting a market failure.
- **It diverts take-up from planned areas.** Planned growth areas and their infrastructure depend on predictable take-up. A large, unplanned supply nearby slows that take-up and the recovery of public investment.
- **The product is above the local market.** At about \$1m for house and land (41b, 5.2) and 123 premium homes at about \$1.5m build cost (Appendix 2, 4.1.4), the project adds supply at the top of the market, not where affordability pressure lies.

The applicant has not shown demand for urban housing specific to Ōhoka. The same growth can be accommodated more efficiently in areas already zoned.

4. Net Economic Benefit

1. Housing

This comment addresses the Economic Benefits Assessment prepared by Market Economics (Appendix 2, dated 21 May 2026).

I accept that the project is listed in Schedule 2 and would add some housing. But the Panel must weigh the *extent* of its benefits (section 81(4)), as the applicant's own economist acknowledges (Appendix 2, section 2.1). The question is whether the *net* benefit of putting this growth at Ōhoka, rather than in the growth areas already zoned, outweighs its adverse impacts, my research shows it does not.

The applicant's own evidence shows that most of the claimed economic benefits would arise wherever the housing was built and are not attributable to developing this site at Ōhoka. In contrast, the adverse effects are specific to this location and permanent. I ask the panel to give little weight to the non-location-specific benefits when undertaking the proportionality assessment under section 85(3) of the Fast-track Approvals Act 2024, and to decline the application.

On the author's own admissions, the net benefit attributable to this project at Ōhoka is small. It does not outweigh the permanent, location-specific adverse effects.

Points of evidence from Appendix 2

1. The applicant's economist accepts the expenditure benefits are not location-specific (p.15, footnote 3)

"Note that if the dwellings were distributed across the region, that the expenditure would most likely have similar effects."

Submission: The applicant's own economist accepts that the household expenditure benefits do not depend on the development occurring at Ōhoka. The same effects would arise if the dwellings were built anywhere in the region. These benefits are therefore not attributable to this project and should carry no weight against adverse effects that arise only because of its location.

2. The counterfactual assumes the housing demand will be met elsewhere (p.19)

"...it is assumed that a similar component of housing demand... would still be accommodated elsewhere within the south-eastern Waimakariri District or surrounding settlements... these outcomes are largely a function of where within the subregion growth occurs rather than whether it occurs."

Submission: The application's own counterfactual assumes that, if the project does not proceed, the same housing demand will be met elsewhere in the subregion. If so, the associated construction activity, employment, GDP contribution and household spending would also occur elsewhere and are not additional benefits. The report applies this reasoning to treat costs as "neutral" but counts benefits at their full gross

value. This is inconsistent. Applied evenly, the net benefit of developing at Ōhoka rather than elsewhere is close to nil.

3. Construction benefits are calculated from generic per-dwelling inputs (pp.15–16)

“At this early stage, details of the type and nature of buildings to be developed are not known, therefore the analysis has relied on average dwelling sizes... and the latest information from Quotable Value (QV’s) Cost Builder software...”

- Build costs are based on QV data for Christchurch (footnote 4), and totals are produced by a standard input-output (IO) model.

Submission: The claimed \$400m value added and 3,685 job-years are derived by multiplying dwelling numbers by average Christchurch build costs and running the result through a generic IO model. Any 875 dwellings anywhere in Canterbury would produce the same figures. Nothing in the method is specific to the Ōhoka location.

5. The land market competition argument is theoretical and generic (pp.13–14, s4.1.2)

“The project would introduce an additional 154.4 ha of predominantly residential land to the market. This increase in competition may incentivise other landowners...”

Submission: The competition benefit is argued in theory only. No evidence is provided of monopolistic pricing in the Ōhoka or Waimakariri land market, and the same argument would apply to any land release anywhere. The report also acknowledges “the recent rezoning of the additional residential land in other parts of the District through the PODP” (p.13), so competing supply is already being enabled in planned locations.

6. “Master-planned” benefits apply to any large single-owner block (p.18, s4.1.6)

“As a master-planned development delivered by a single provider, the Project enables more efficient land development... Compared with fragmented growth across multiple landholdings...”

Submission: These benefits are a function of the type of development, not its location. Any comprehensively planned block, including land already zoned for growth, would deliver them without the location-specific adverse effects of urbanising rural land at Ōhoka.

7. Household and retail spending is redistributed, not new (p.15)

“Not all of this spend will be directed to Waimakariri retail outlets...”

Submission: The approximately \$29m in annual retail spending comes from households who would live and spend elsewhere in the region in any case (see point 2). This is a redistribution, not a new regional benefit.

The commercial centre's \$65m turnover and 462 jobs are likewise gross figures, with no deduction for trade diverted from existing centres such as Mandeville, Rangiora and Kaiapoi.

8. The adverse effects identified are specific to Ōhoka and unquantified (pp.6, 9, 10, 19)

- Permanent loss of LUC 2 and 3 land (p.6) and wetlands
- "Possible impacts on the utilisation and cost recovery of existing Council infrastructure" (p.19)
- "Long-term infrastructure servicing obligations not fully recovered through development contributions or rates" (p.19)
- "Potential pressure on Ōhoka Primary School capacity" (p.19)
- Ōhoka's "infrastructure constraints" (p.9)

These effects are described as "uncertain, unquantified" (p.19). The applicant's own economic evidence accepts that the expenditure effects would be "similar" if the dwellings were distributed across the region (p.15, footnote 3), and that the housing demand would otherwise be accommodated elsewhere in the subregion (p.19). The claimed benefits are therefore largely not attributable to this project at this location.

As the Waimakariri District has plan already enables land available for urban development for the next 30 years, an even greater benefit will be delivered if housing occurred in these locations first to enable Council infrastructure cost recovery.

Commercial area

In the context of Private Plan Change 31 (PC31) for Ōhoka, the relevant economic and planning experts unanimously agreed that the retail/commercial area 5700m² – 6900m² originally proposed was too large. To avoid significant adverse economic distribution effects on other surrounding town and local centres (such as Mandeville and Kaiapoi), they ultimately agreed that an appropriate Gross Floor Area (GFA) cap of 2,700 m² should apply to the convenience retail and service activities within the proposed local centre. The PC31 commissioners concluded that such a large size (5700m² – 6900m²) would cause adverse economic distribution effects and directly threaten the commercial viability of existing town centres like Mandeville and Kaiapoi.

For the Proposed District Plan hearing 12D the applicant's economic expert Ms Hampson's 18 June 2024 evidence (para 111) shows the 2,700 m² cap wasn't in dispute. She wrote that "a GFA cap is not in contention". So, the economists again agreed on the cap through their separate evidence, and the planners then adopted it in their 30 August 2024 joint statement.

For this Fast Track application, the applicant is now seeking rules that allow 24,600m² of commercial area. The applicant assessed an assumed 9,390m² based on a personal assumption that is all that will be used and yet no floorspace limit is proposed.

Either the centre is assessed at the scale enabled, with significant unassessed effects, or reduced to a scale that removes most of its claimed benefit. Both leave impacts out of proportion to benefits.

I disagree that the centre's effects are no more than minor (Savvy, Appendix 39, pp. 1, 35, 48) because the Applicants own reports show:

1. **Assessed at an assumed size, described as small.** Savvy assesses 9,390m² because it does "not consider it likely" the centre will reach its 24,600m² maximum (p. 8). Nothing holds it to 9,390m², so the Panel would approve more than 2.5 times the floorspace assessed. The UDA calls the centre "small" (pp. 9–10). The Panel cannot rely on assessments that describe different centres.
2. **Unexplained departure from the agreed cap.** The applicant's economist supported a 2,700m² retail cap in June 2024 (section 3). Their 2026 report assumes 3,760m² of retail within 9,390m² of business floorspace without mentioning the earlier cap.
3. **Significant harm to Mandeville.** On Savvy's own modelling, Mandeville's food, grocery and liquor trade is 24–33% lower in 2028 than otherwise expected and 21–29% below 2026 levels, taking 7–12 years to recover (p. 31). Mandeville is "the only centre likely to experience more than minor direct trade competition effects" (p. 32); the whole centre may lose up to 21–29% of trade in the first year (p. 34); and the new centre would be larger (p. 35).
4. **Centre before houses.** The centre is in Stage 1, trading from about 2028 when few new homes exist (Savvy p. 12), which Savvy calls a "substantial shock" to the network (p. 35). The conditions allow stages in "any order" (Appendix 44, Sch 1 Pt 2 cond 1(b)). In Stream 12D the experts linked housing and the centre the other way round (DEV-O-S7).
5. **Traffic and parking at the Domain.** PC31 found the network could take only about 250 lots without Tram Road/SH1 interchange upgrades (decision para 67). The applicant's transport assessment does not test the traffic generated by this 24,600m² centre.
6. **Benefits overstated and counted as new.** M.E. counts the centre's \$65m turnover, 426 direct jobs and \$24m value added (pp. 4, 17), plus the households' \$29m a year of retail spending and the \$400m construction value added (pp. 3–4, 15), as regional benefits. These are gross figures that include trade diverted from Mandeville, Rangiora, Kaiapoi and Christchurch. Savvy says the 430–

540 households beyond Stats NZ projected growth in this area must come "away from other parts of Waimakariri district", and calls households new to the district "not considered likely or realistic" (pp. 16–17).

7. **Net Benefit is trivial.** M.E. accepts the spending would be similar if the dwellings were built elsewhere in the region (p. 15, footnote 3). The benefits are therefore largely transfers within the district.

The centre's adverse impacts are significant, unassessed at the scale enabled, and cannot be mitigated without removing most of its claimed benefit. An area (GFA) cap of 2700 m² was the maximum appropriate threshold to prevent these economic issues in PC31, and yet the commissioners ultimately determined that inserting an urbanised, high-density residential and retail framework was completely incompatible with the rural character, infrastructure constraints, and flooding risks of the Ōhoka village. I ask the Panel to decline the application under s 85(3), alternatively set a condition that caps the retail and commercial areas to a total of 2700m².

Polo Ground?

There is nothing in the application documents assessing this polo ground. It is referred to in passing as a reason for increasing the size of the retail and commercial area, but none of the noise, traffic, drainage, lighting effects of this ground have been assessed. Perhaps this polo ground is Ohoka's equivalent to the Pegasus golf course? Ultimately unassessed effects cannot be weighed or conditioned.

Conclusion

The assessment provided in Appendix 2 accepts that there are location-specific disbenefits:

- Council infrastructure cost recovery
- Servicing obligations not recovered through development contributions or rates
- Pressure on Ōhoka School capacity

It then calls them "uncertain, unquantified" and simply asserts they are "likely to be less than minor." At the same time, the benefits are given precise dollar figures. The uncertainty should count against the applicant, not in its favour. Gross, precise benefits are being set against costs that have simply been left out. The applicant has the job of providing enough information for the panel to assess effects. Those effects haven't been assessed, so the claim that they are "less than minor" isn't supported by evidence.

The benefits are not tied to Ōhoka, but the adverse effects are. They include the permanent loss of productive land, unrecovered infrastructure costs borne by the community, pressure on the local school, and an unplanned urban settlement imposed on a rural lifestyle area with recognised infrastructure constraints. Once the generic benefits that would occur elsewhere anyway are removed, these effects are out of proportion to the project's benefits.

5. Adverse Impacts

Increased flooding, loss of rural character, loss of rural lifestyle and amenity, well water depletion, unsafe roads, infrastructure cost transfer, re/insurance difficulties, destruction of wetlands, streams and wildlife, disproportionate damage to heritage buildings, including mine.

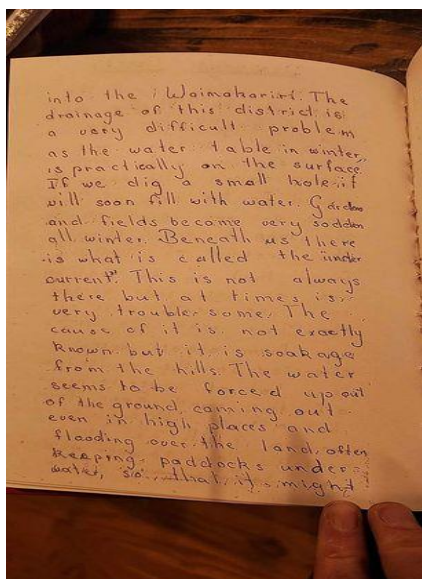
The applicant has not proven that any of these effects will not occur for me, my family and property. Each is discussed in more detail below.

6. Flooding

1. My experience of ground water and Flooding

It is common knowledge that Ōhoka was once a wetland, drained by early settlers and then referred to as a swamp. It has a long and well documented history of flooding. The combination of being on a low lying flood plain, based on clay pan, featured with natural springs, streams and wetlands and with huge seasonal variations in the water table means that we live in a very sensitive receiving area.

This excerpt from Ōhoka students written in 1943 demonstrates that our experiences of flooding are not a new phenomenon:



"The drainage of this district is a very difficult problem as the water table in winter is practically on the surface. If we dig a small hole it will soon fill with water. Gardens and fields become very sodden all winter. Beneath us there is what is called the under current. This is not always there but at times is very troublesome. The cause of it is not exactly known but it is soakage from the hills. The water seems to be forced up out of the ground coming out even in high places and flooding over the land, often keeping paddocks under water, so that it might

"Beneath us there is what is called the 'under current'. This is not always there but at times is very troublesome. The cause of it is not exactly known but it is soakage from the hills. The water seems to be forced up out of the ground coming out even in high places and flooding over the land, often keeping paddocks under water..."

From A survey of Ōhoka 1943

This is the nature of the land here; the underlying conditions haven't changed.

Our property and all the houses on Mill road lie between both of the spring fed Ōhoka streams. The northern Ōhoka Stream borders my property so it has been easy to photo the changes in its level. The following photos are normal autumn stream flows and after a big rain event in 2024 (not peak times).



Photos on the left indicate normal flows, on the right flows following a rain event

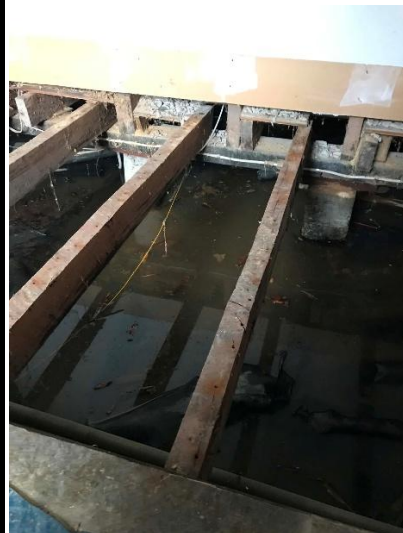
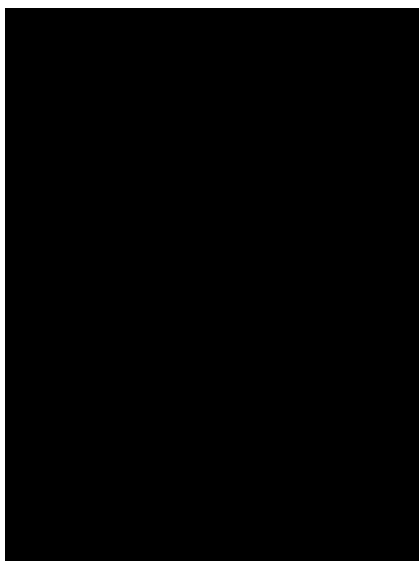


Above is an example of how the stream behind us behaved in 2024. And yet a long time resident at number [REDACTED] says that he has seen this stream completely dry up once in the early 1990's. The behaviour of the water below us is so variable.

2. How this affects me.

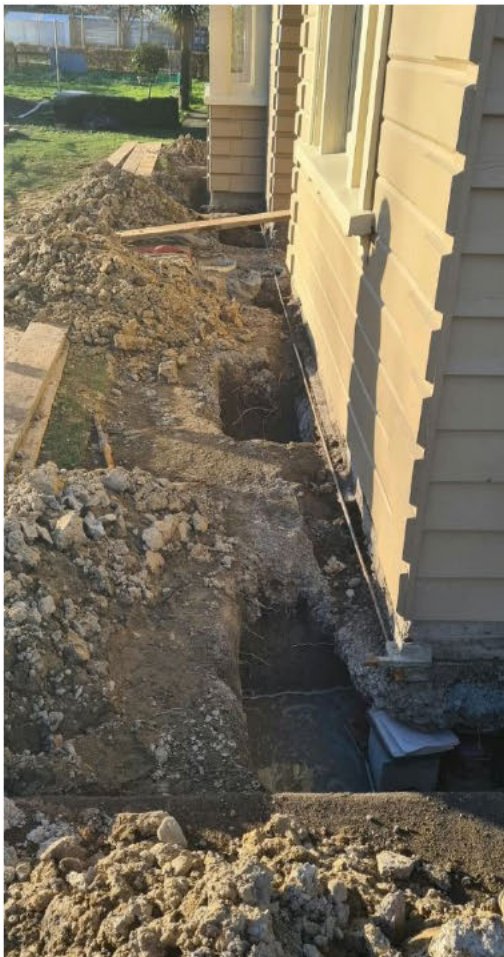
Our house sits on a concrete ring foundation, approximately 300mm deep and concrete piles. The concrete ring foundation acts like the walls of a swimming pool and in big rain events such as in 2016, 2022 and 2023, the subfloor of our house fills up with water. This is not from surface water run off. Pavers fall away from the house and recently renewed stormwater drains channel away.

Outside the flat lawn will have a layer of water sitting on top of it and the garden beds that are dug into the ground are topped fill with water. The amount of time this takes to drain back through the soil differs each time and can vary from 1 day to 1 week.



The picture above shows the ground water that accumulated under our floor on 27 July 2022, days after a rain event and for comparison and context, the dry sub floor. In June 2022 we had actually started re-piling

and underpinning the concrete ring foundation. The piling contractor thought he might have had a broken water pipe under the house as he couldn't understand where all the water was coming from and why it continued to keep filling even though they were draining the water out.



This shows the drop in groundwater level one week later 3 August 2022.



Ground water level June 2024

These are our lived experiences with ground water levels and groundwater resurgence, these examples illustrate the descriptions given in the 1943 A survey of Ōhoka *"The water seems to be forced up out of the ground"*, and *"The drainage of this district is a very difficult problem as the water table in winter is practically on the surface. If we dig a small hole it will soon fill with water. Gardens and fields become very sodden all winter"*.

This type of subfloor flooding is common for the older houses in Ōhoka that have similar foundation styles, such as the Ōhoka Hall. Built in 1914 it has a concrete perimeter foundation and internal piles, its floor level is approximately 100mm from the ground.

We have also observed that recorded rainfall does not always correspond directly with the severity of community flooding. For example, July 2022 had the highest recorded monthly rainfall, yet the June 2023

event caused more severe flooding on properties despite less recorded rain. The effectiveness of roadside drains and open paddocks in draining stormwater depends on groundwater levels and the tide.

We expect a certain amount of flooding to occur, Ōhoka is known for it. However, even over the 13 years we have lived here, we have noticed an increase in either the frequency, intensity and/or duration of significant rain events, but also the impacts of the flooding extending further west up Mill Road each time.

The developer has not demonstrated that ground water levels under our floor will not increase, that ground water seepage will not occur more often or the water won't drain away as efficiently due to displacement from the development site. If it occurs we will experience an increase subfloor dampness, which could compromise the integrity of the timber framing or even cause subsidence issues for our house. These impacts will occur for all the older dwellings on Mill Road with low floor levels and similar foundation types, not just my place.

3. Crucial information missing

a. No design response for sustained saturated ground- common Ōhoka conditions

The applicant's own monitoring shows groundwater coming within 0.01–0.3 m of the surface in wet periods. We concur with that; water often sits on the top of our property. Even so the Stormwater Management Report states that drains carrying "high groundwater" will be filled in, stormwater ponds will be lined so that "no groundwater is lost from the site", and service trenches will be plugged to prevent groundwater from draining away.

This water must still go somewhere, but the applicant has not investigated groundwater behaviour or the risk of it accumulating at the site boundary or on my property.

The applicants reports contain no groundwater model and no predicted groundwater levels at the site boundary. They do not explain where groundwater that can no longer reach the surface or drain away will go. The Hydrology report appendix 20 also identified this, commenting that wetland loss and drain infilling may raise local groundwater, and flood effects are deferred to "other technical reports" (20 §4.2.2, 4.4) but these other reports do not address the issue either.

Therefore, the panel cannot be satisfied that effects on adjacent properties will be acceptable.

b. The Appendix 22 flood model assesses rain only.

- It models rain running across the surface only. It includes no groundwater, no seepage and no saturated-ground scenario (Appendix 22, section 4.6.1). These are the very conditions that occur in Ōhoka.

- "Velocity and flood duration have not been considered". Damage caused by water under a house is also about how long it stays, and how frequently it occurs not just the peak.
- PDP says the results are not "property-specific predictions", and changes under 15 mm aren't shown. When your floor level is only 100mm above the ground as for Ōhoka Hall and 491 Mill Road, a 15% increase is not less than minor.

c. The reports accept that water will be pushed elsewhere but does not say where.

- About 40% of the site (62 ha) becomes hard surfaces (water balance memo, Appendix A).
- Filling drains, hollows and wetlands on the site "may" raise groundwater. The retained streams are relied on to "limit" this, with no figures given (Hydrology report, sections 4.2.2 and 4.4).
- Groundwater squeezed out of filled areas is "offset by an increase in groundwater seepage to nearby waterways" (Hydrology report, sections 4.2.2 and 4.4). The water doesn't disappear; it moves.

d. The onsite groundwater plan contradicts itself.

- Water from the road drains is supposed to soak back into the ground through the basins (Appendix 17a, sections 7.2 and 7.5, and the water balance memo).
- But the basins are lined with silt "to reinstate the natural imperviousness" (Appendix 31, section 7.2.2).
- The road drains stop working during long high-water periods because the basins are full (Appendix 17a, section 5.2).
- About 28 km of drains, 13 km of them in gravel, will change where shallow groundwater flows. The hydrology report itself says that should be avoided.
- None of these measures are designed for long spells of very high groundwater. They either assume such spells won't happen, or accept that the system will stop working during them

e. The baseline data is weak, especially near Mill Road.

- The geotechnical report says inundation is "beyond the scope". It sets no design groundwater level and gives no guidance on fill, house sites or lot drainage (Appendix 18, sections 7.5 and 8).
- Groundwater averages about 0.5 m below the surface and comes within a centimetre of it. There's only about a year of purpose-built monitoring, and no climate change scenario.
- Catchment 11, at the Mill Road / village end, was "Not Tested" for groundwater and has no basin of its own (Appendix 31, Table 7).

- The flow direction is regional only. There's no site groundwater contour map, despite about 60 monitoring bores.
- Appendix 44 revised conditions, Condition 10 of the stormwater consent says the retirement village "will require a separate operational phase stormwater design", and its advice note says a separate resource consent will be needed. So part of the project's stormwater effects is left for a later consent the panel won't see.

The applicant has not properly assessed groundwater effects on properties next to the site. The Hydrology Assessment (Appendix 20) reaches no formal conclusion on effects on neighbouring properties. Its statements that effects will be "negligible" refers only to properties downgradient on the Whites Road side and these rest on opinion about the streams kept on the site and the Whites Road drain, not on any calculation. Properties on the north side of Mill Road, are not considered at all.

They have not investigated groundwater resurgence behaviour on their own site and have not addressed issues for properties north on Mill Road based on an assumption that ground water only flows southeast. This assumption was based off the illustrative map (Figure 3 Appendix 17a) similar to the Canterbury Maps Open Data groundwater flow lines.

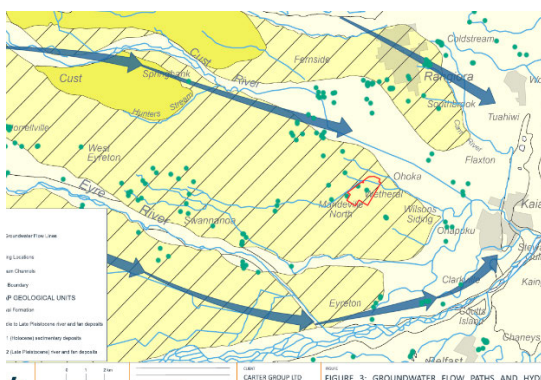


Figure 1 Appendix 17a figure 3

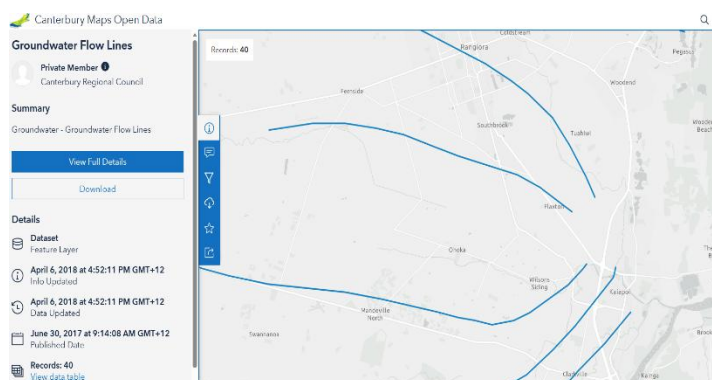


Figure 2 Canterbury Maps Open Data Ground Water Flow Lines

Importantly, the Canterbury Maps Open data source states very clearly that “most of our contours are regional scale and may only provide an indication of potential local flow paths” and “Local flow paths can be very different to regional flow paths due to changes in local-scale permeability and recharge sources” ([Groundwater Flow Lines | Canterbury Maps Open Data](#)).

4. Unresolved issues and verification work hasn't been done

The panel should decline this application because the applicant's own evidence does not support its central promise that post-development peak flow matches pre-development peak flow at the point it leaves their land. The applicant's own documents don't support it consistently or completely.

1. **The basins can't both infiltrate and not infiltrate.** Appendix 17a (ss.7.2, 7.5) and the Water Balance memo say drained groundwater soaks back into the ground through the basins. Appendix 31 (s.7.2.2) says every basin gets a silt liner specifically "to reinstate the natural imperviousness" — i.e., to stop infiltration. Whichever is true changes how much water the basins actually store and release, and when, which is the entire mechanism the "matches pre-development" claim depends on.
2. **Basin outlet levels are described two different ways.** Appendix 31 places outlets above the seasonal high groundwater level; Appendix 17a (s.5.2) places them "equivalent to" the highest predicted groundwater level. These aren't the same design, and the difference affects how much capacity is actually available when it's needed most.
3. **A known, significant inflow isn't counted in the sizing.** About 28km of subsoil drains (13.4km in gravel) feed rising groundwater into the same basins as rainwater, at flows up to 10 L/s — a meaningful share of measured total groundwater gains across the site (32–98 L/s). The stormwater report's basin storage calculations don't include this drain water, so the real inflow the basins must handle in wet, high-groundwater conditions is higher than what was modelled.
4. **The system fails during exactly the conditions that matter most.** Appendix 17a (s.5.2) admits the road drains stop working during long high-water periods because the basins are full. The "matches pre-development" promise has no answer for sustained wet weather — the exact condition that causes real flooding.
5. **One catchment isn't attenuated at all.** Catchment 11 (Mill Road/village end) was "Not Tested" for groundwater and has no basin of its own (Appendix 31, Table 7), yet its runoff is covered by the same blanket "matches pre-development" assurance applied to the rest of the site.
6. **The applicant's own model already shows the claim failing.** The flood model shows a watercourse east of Whites Road (via CULV_05) rising about 60mm because the basins are modelled as already full at that point in the storm. This is attributed to "detailed design" fixing it later — not demonstrated as resolved now.
7. **The flood model and the stormwater model have never been tested together.** Appendix 31 (s.6.3) and Appendix 22 (s.8.2.3.1) confirm the two systems aren't combined until after consent is granted. The basins aren't even in the flood model. So the interaction that actually determines real-world peak flow and timing has never been checked.

8. **The claim is tested only for peak, not duration.** Appendix 22 (s.8) states outright that "velocity and flood duration have not been considered." Matching the pre-development peak says nothing about how long water takes to drain afterward — which is what actually damages paddocks, septic fields, and subfloor spaces.
9. **Results aren't property specific.** Changes under 15mm aren't shown on the flood maps, and the report says results shouldn't be read property by property (Appendix 22, exec summary, s.10) so there's no way to verify the "matches pre-development" claim holds true at any individual boundary, including mine.
10. **Outlet designs for four basins are still unfinalised.** SMA 3, 9A, 9B and 10 are marked "to be reviewed," meaning part of the mechanism the claim relies on doesn't have a finished design yet.
11. **Mitigation that would make the claim true is deferred to after consent.** Trench plugs, pavement designs to control subsoil drain diversion, and basin water levels controlled by "adjustable weirs" are all left to detailed design or adaptive management — not fixed now, nor tested now.
12. **No climate change or extended monitoring record backs the claim.** Groundwater monitoring covers only about one year, with no climate change scenario modelled, despite groundwater already sitting within 0.01–0.3m of the surface in wet periods.
13. **Catchment 11's separate exclusion compounds the gap.** As above, the one part of the site not covered by a basin or testing is also not covered by any verification that its flow matches pre-development rates.

The report states that together "velocity and flood duration have not been considered." A basin can let water out at the pre-development peak rate for far longer than before and still technically satisfy this particular claim, while leaving downstream drains and neighbouring land wetter for longer.

Because the reports are internally contradicted, the verification work hasn't been done, and the methodology used couldn't detect a failure even if one existed. On an onus-based test, that should be sufficient grounds to decline. This uncertainty is a big deal because as the following examples show the existing Ōhoka drainage system is already overwhelmed when it's most needed, the risk of even the slightest increase in this caused by the proposed development could result in significant damage for existing homeowners from the village right down to Silverstream.

5. Receiving environment is already overwhelmed

These photos demonstrate how the drainage system currently works in Ōhoka at the proposed development site. The very same drains that the applicant will release their stormwater into. Even before the water leaves the proposed development site, the road drains are full:



Above is the full and overflowing road drain at the development site viewed from 372 Whites Road, below is the full road drain at the development site at 535 Mill Road.



Close to the Mill Road and Whites Road intersection the road drainage currently drains work like this:



The road drains are overflowing and carried on down Mill road collecting more water as they go, The two pictures above also show the stretch where the flood model shows a rise of up to about 60mm



Above: Mill Road drain at Ohoka Domain entrance and at 375 Mill Road -all inundated, below is Wilson Place first road on the right off Mill heading east



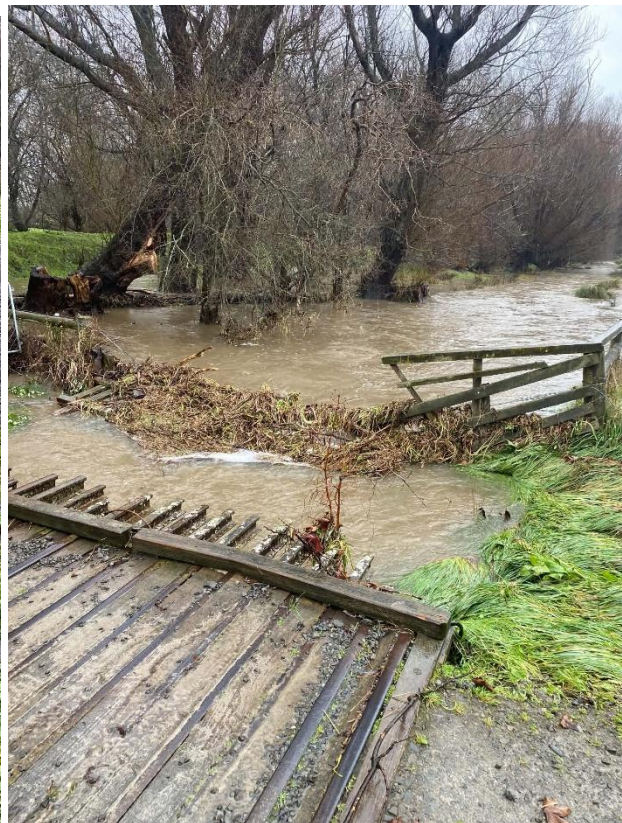
Wilson Drive first road on the right off Mill heading east from the proposed development site

On the other side of the Mill Road the drains are usually filled up too, view from 470 Mill road, approx. 800m from proposed development site





Further down 371 Mill Road where the drain meets the stream and travels through properties the receiving environment looks like this: Note these were not taken at peak flow, note the flat grass where the water had been and the hard surface washed out on the driveway just before the bridge.

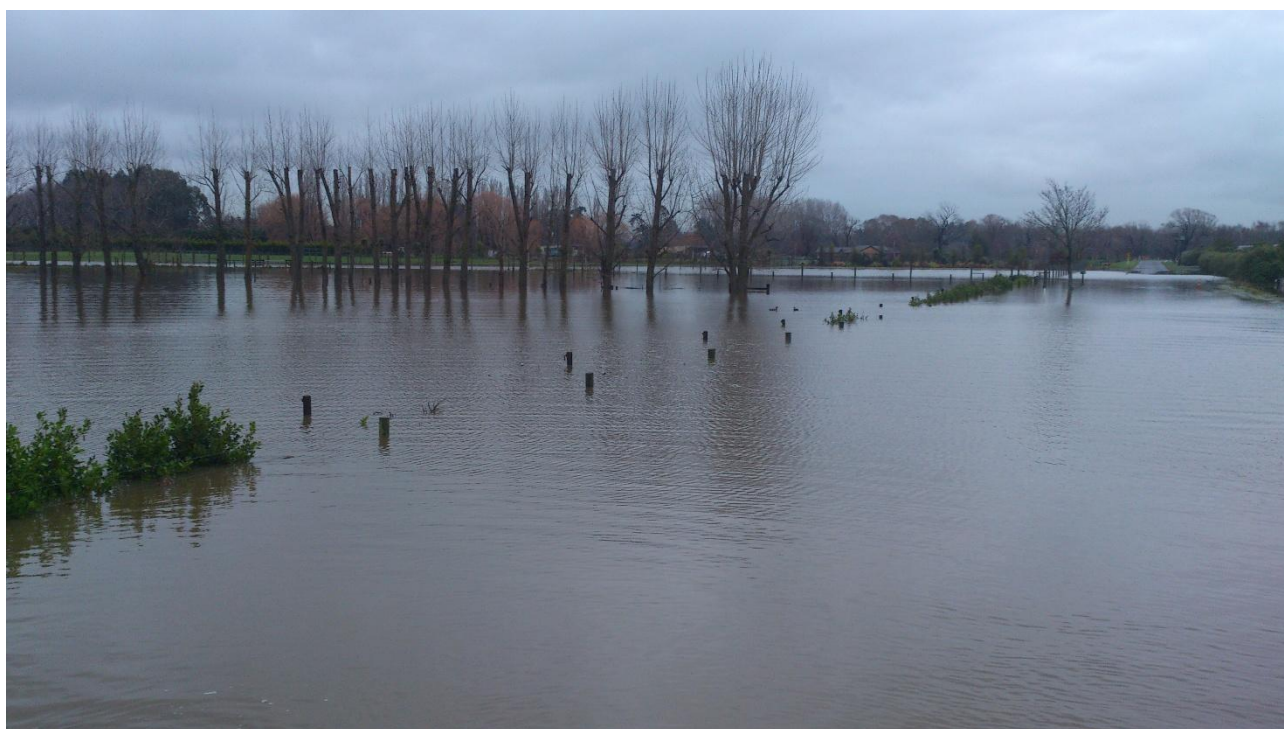




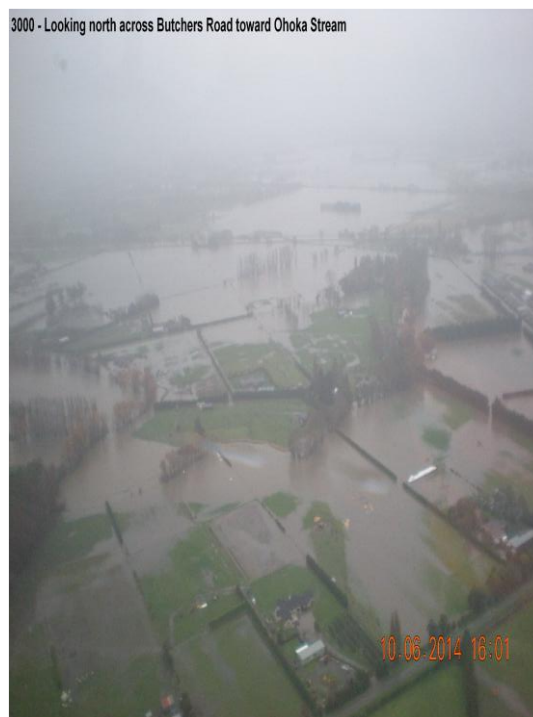
In 2014 the bridge at Jacksons and Mill Road, was washed out. By 122 Mill road the drain often reaches over Mill Road as shown in bottom right photo above, then a further 500m down Mill road, the drains end up looking like this: (Mill Road travelling east towards Silverstream)



Silverstream end of Mill Road, looking east



Mill Road east, close to Silverstream, looking west towards Christmas Road



If these photos show the current behaviour of stormwater runoff in Ōhoka, is this the baseline the applicant is using? Will stormwater continue to be discharged into an already overwhelmed receiving environment simply because these conditions existed beforehand? How far must existing drain levels recede before discharges begin, and how will the duration and frequency of drains reaching capacity be addressed? The SMAs appear to be sized for isolated rainfall events, but the cumulative effects of a week of heavy rain or snow remain unclear.

6. Conclusion

There are too many unresolved issues for the applicant to have proven that post-development peak flow matches pre-development peak flow at the point it leaves their land. The consequences of this is that much larger flow of water from the development site could be pushed on to adjacent properties or enter into an already overwhelmed local roadside drain and stream system and could cause significant damage to existing properties.

Matching the peak flow rate doesn't address how long elevated flows last. On top of that, the treated water released still isn't expected to meet safe zinc and copper limits at every outlet, so even where the flow rate claim holds, water quality is a separate, unresolved problem.

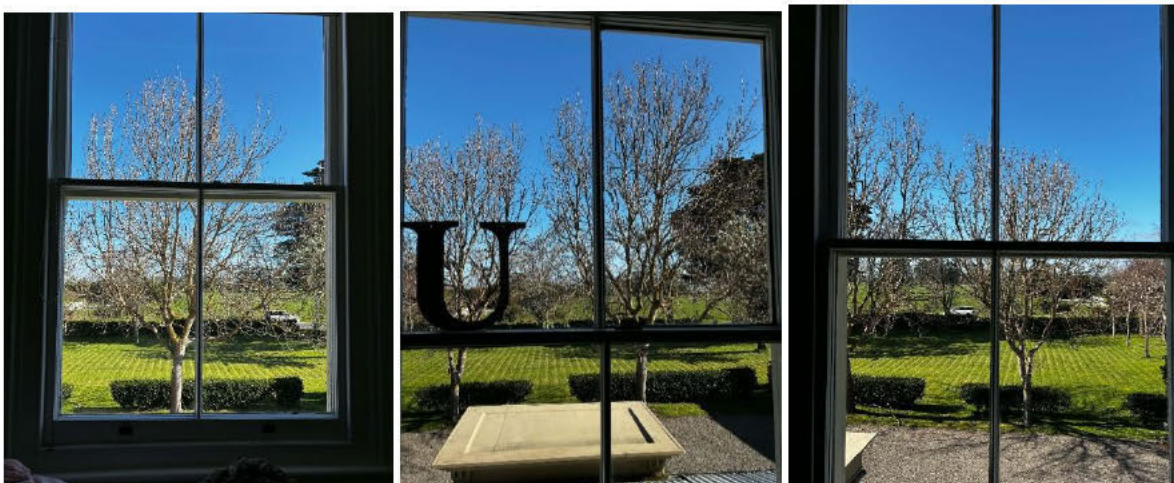
Fast-track approval is meant for proposals where the effects are already demonstrated to be acceptable. Not for proposals where basic questions about basin design, groundwater behaviour and downstream capacity remain open. Approving a development of this magnitude on this level of uncertainty is disproportionate, and the risk should not be shifted onto neighbouring properties simply because the process is designed to move quickly.

7. Rural Character and Amenity

1. Local amenity effect, landscape and visual effects Appendices 23, 23a, 23b, 39

My experiences:

My property looks directly over the proposed development site now identified as 535 Mill Road. This is my "southerly aspect", its not always a beautiful blue sky, but we often sit and look out, watch the southerly's approaching. One of my favourite views is in autumn when a thick white mist hovers over all the paddocks about 2m high and levitated slightly off the grass.



Views south onto proposed development site from 1. bedroom 3, 2. stair landing and 3. bedroom 4



Downstairs the outlook is similar but through our trees I see the all the other large trees on the proposed development site and their hay storage shed.

Slightly to the left on my southern aspect I see the dwelling at 535 Mill Rd (very recently made part of the proposed development). If I look further left I just see the Oddfellows Lodge and in the other direction I just make out [REDACTED], the original methodist parsonage, (which he has lived in his entire life). [REDACTED]

Appendix 23a states that the site is currently open dairy farmland on Ōhoka's southern edge: flat paddocks, grazing stock, waterways, shelterbelts of 7–15m and views to the Southern Alps (Appendix 23a pp. 10–11). It forms the rural setting of "a quaint settlement with a pleasant and quiet atmosphere" (p. 9), where built form is "minimal" and night skies have "a low level of illumination" (Sept 23b p. 22).

This Fast Track proposal would replace that view, permanently, with a suburb: houses on lots as small as 425m², new roads, street lights, fences, shops, business area up 10m high and the activity of hundreds of households, thousands of people. New road connections onto Mill Road would bring traffic, car headlights would shine towards my windows at home at night. Like appendix 23 says "built form will prevail in large sections of the site" and that the site "will no longer form Ōhoka's rural boundary" (pp. 19–20).

The applicant's landscape architect calls this "a permanent change from a predominantly open agricultural landscape to a residential settlement", with a magnitude of change at the site scale that "is high" (Sept 23b p. 23).

Yet the appendix 23a author calls the change acceptable and minor because "residential activities and dwelling orientation tend to be focused away from this southern view" - as demonstrated above, that is not the case for me. They say Mill Road "is already considered to reflect a residential character," so more

houses are in keeping- again that is not the case for me. I look out to three buildings in a pastoral setting, this is not a "residential character". Under the proposal they would be replaced by rows of suburban houses.

Instead I get to look at a stormwater management area, a few trees, fences, roads and hundreds of houses- this will be my replacement southern view from the ten windows looking south from Mill Road. I disagree that this effect is minor. For me, this is a permanent loss of the rural outlook that was the reason I live here. No condition can restore it. The change is so large that the applicant's conclusion, that the long-term visual effects are only "low-moderate", is not credible.

This is what these changes will mean for me:

The view from the top of my driveway will be replaced with the image on the right, no illustrative render was provided by in Appendix 23 from the Mill Road looking south perspective. The first photo is what we moved out here for, the second is not.



The most intensive urban areas in this development with sections as small as 425m² will start from this northern end of [REDACTED]. Appendix 23 assessed my new view of a stormwater management area, an traffic intersection layout with hundreds of houses and a 10m commercial development in the backdrop as a being low to moderate (table 1 Appendix 23a). Unlike Whites and Bradleys Roads, no 10m planted buffer or 15m setback is proposed along Mill Road which the report says "do[es] not avoid the change in landscape character" anyway. They then conclude that my effects after mitigation become low. The applicant's evidence seems internally inconsistent.

Appendix 23 includes illustrative renders presumably to help the Fast-Track Expert Panel assess changes to visual amenity. I believe these artists' impressions do not reflect the reality of the Applicant's proposal.



No render has been generated to show the development from my Mill Road village side. So I looked to what the likely landscape and visual effects could be, based on the Applicant's other developments.



Applicants Earlsbrook development, September 2026



These photos are from their Earlsbrook development, taken in September 2026 and are a useful comparison. A plan change development by the same Applicant, this time in Lincoln, Selwyn District. The Applicant promoted it as setting out “to mirror Lincoln’s established character and rural charm”⁵ and

⁵ [Invest In Earlsbrook Subdivision | Earlsbrook](#)

“...authenticity has been embraced in Earlsbrook’s design, hoping to ensure that high-quality landscaping would enhance the nearby rural area”⁶. The Applicant uses similar language to promote the Ōhoka proposal, but Earlsbrook shows that these claims are a poor guide to what is actually delivered. In 2023 the word of the year was ‘enshittification’- the gradual degradation of deliverables shifting from attracting users to extracting maximum profit.

Conclusion on my amenity values

This development proposal creates a significant adverse impact to my rural amenity

- **It is permanent and irreversible.** Farmland and the village's rural edge cannot be restored once built over.
- **It cannot be mitigated, only screened.** The planting "do[es] not avoid the change in landscape character" and does "not retain the existing open pastoral character" (Sept 23b pp. 22–23). It replaces open views with a planted wall, takes years to grow, and is maintained for only 24 months.
- **The harm is admitted.** Moderate landscape effects overall, and Moderate effects on Whites Road neighbours even after mitigation (Sept 23b pp. 23, 26). The proposal would also be a "greater landscape change" than the zoning anticipates (Sept 23b p. 20).

Commercial/retail area out of scale with village character.

We chose to live in Ōhoka partly to be away from shops, malls, and commercial activity, preferring less consumption. We happily buy produce from local growers and purchase other necessities in Rangiora, Kaiapoi, or Christchurch.

During Private Plan Change 31 (PC31) the relevant economic and planning experts unanimously supported a 2,700 m² gross floor area cap for convenience retail and service activities in the proposed local centre.

In this Fast Track application, the Urban Design Assessment appendix 23a report assesses the visual impacts of a "small" commercial centre. However, the scale of commercial area being sought by the applicant now enables three story's and 55% coverage opposite the Domain, with a possible motel, offices and apartments (Savvy pp. 8–10), which would completely dominate the setting.

⁶ [Lincoln's next chapter in living - NZ Herald](#).

The applicant is seeking rules that allow 24,600m² of commercial area. The applicant's economic expert (appendix 39) assessed an assumed 9,390m² based on a personal assumption of what will be used and yet no floorspace limit is proposed.

The Panel cannot rely on assessments that describe different centres. The Urban Development Assessment calls a centre "small" (pp. 9–10). Appendix 39 assesses 9,390m² because it does "not consider it likely" the centre will reach its 24,600m² maximum (p. 8). Nothing holds it to 9,390m², so the Panel would approve more than 2.5 times the floorspace assessed.

Either the centre is assessed at the scale enabled, with significant unassessed effects, or reduced to a scale that removes most of its claimed benefit. Both leave impacts out of proportion to benefits.

Rural Character loss regional impact

The proposal would end Ōhoka's existence as a small rural village. Its character is recognised in district and regional planning, it is valued by visitors from across Canterbury, and two different Independent Hearings Panels have already found it worth keeping. Its loss is a regional adverse impact, not only a local amenity effect.



(a) Ōhoka's rural village character has been consistently recognised at district and regional level. The panel cannot decline only because of inconsistency with planning documents (s85(4)), and these documents are not cited for that purpose. They are cited as evidence, built up over two decades, of how much this character is valued, and therefore how significant its loss would be.

- The **2005 Operative District Plan** zones the site Rural. **Policy 18.1.1.9**, which applies specifically to Ōhoka, seeks to maintain "a predominantly low-density living environment with dwellings in generous settings".
- The **Partially Operative District Plan 2024** zones the village Settlement Zone, where existing settlements are recognised and retain their existing character and the proposed development site Rural Lifestyle, with a 4 ha minimum to provide for primary productive activities, those activities that support rural activities and those that rely on the natural resources that exist in the zone
- The **District Development Strategy (Waimakariri 2048)** directs that further expansion in Ōhoka should be generally consistent with historic growth rates (PC31 decision, para [403]).
- At regional level, **CRPS Policy 6.3.1** and the **Greater Christchurch Spatial Plan** do not identify the site for urban growth (PC31 decision, para [406]).

(b) The people who value it come from across the region. The applicant says the Domain's farmers' market "regularly attracts many people visiting from across the broader Canterbury region" (Appendix 23a, s2.2).

(c) The loss is permanent and cannot be mitigated. No condition can preserve the character of a village whose population grows more than sevenfold.

2. An independent panel has already found these effects significant

In 2023 the Independent Hearings Panel heard full expert evidence on an almost identical proposal for this site, it also visited the area twice. Its findings bear directly on the s85 question.

- **Ōhoka has rural village character.** "We agree that the existing environment of Ōhoka constitutes 'rural village character'." What the Panel saw on site "was consistent with submitter accounts of the nature and features of the area" (paras [295]–[296]).
- **The proposal destroys that character.** The Panel did "not accept the applicant's position that the proposed densities represent that of a village scale". It found the proposal "would fail to 'maintain' the rural village character of Ōhoka due to the significant increase to the size and population of the settlement, and the increased 'suburban' densities". It was "the antithesis" of the Ōhoka-specific policy (para [298]). The Panel found "that the proposal would significantly and negatively impact the existing village character of Ōhoka" (para [303]).
- **It is a new town, not an extension.** The Panel was "not persuaded by the applicant's experts' views that... the proposal is a natural extension of Ōhoka". It accepted that the proposal "is more appropriately described as a new town within the rural area" (para [300]).
- **Ōhoka and Mandeville would merge.** "It was clear to us during our site visit that the proposal, at its fullest extent once developed, would create a scenario whereby the two settlements would effectively appear as one with little in the way of open rural character to differentiate between the communities" (para [301]). The site would come within about 300 m of the Modena Place subdivision in Mandeville. The Panel found the proposal "extends towards Mandeville, blurring the margins of both settlements" (para [304]).
- **The council's experts rated the effects moderate-high.** The Council's landscape architect, Mr Goodfellow, assessed the effect on Ōhoka's character as "moderate-high" even with the landscape treatments in place, saying the proposal would "significantly reduce the existing rural character of Ōhoka" (para [273]). Mr Nicholson assessed both landscape and visual effects as "moderate-high" (para [274]). The current assessment rates the same effects "Low-Moderate" and "Low to Very Low".

- **The proposal is not an efficient use of resources.** The Panel found it "does not represent an efficient use and development of natural and physical resources" under s7(b) of the RMA (para [429]). It did not accord with the District Development Strategy (para [405]).

Previous Panels accepted that changes to views and visual amenity, on their own, could be balanced against housing supply (para [302]). It did not accept that for the loss of Ōhoka's village character or the merging with Mandeville. It treated those as significant, negative effects on settlement identity that the proposal's design could not overcome this is relevant for FTAA s85 proportionality test.

Under s85(3) the question is whether adverse impacts are out of proportion to the benefits. These are the impacts in question: already tested, found significant, and not answered by the re-application. A new consenting pathway does not change the physical effects on Ōhoka.

8. Traffic and Roothing

1. Our Country Roads Today

Ōhoka's roads are narrow and fast until you are stuck behind a harvester, hay baler, tractor, horse float or school bus. Expect to have a rabbit, possum or even a deer at the top of Whites and Bradleys to possibly run out in front of you while driving. That is part of rural life and we are aware of it. But these roads are shared by far more than cars.

- Horses are sometimes ridden on the grass verge of Whites Road, where I also walk our dog.
- We often bike along the side of the road, until getting to the stop banks where there are no cars
- Large groups of older residents in hi-vis regularly ride e-bikes in convoy along Mill Road.
- Signs at the top of Jacksons Road and Whites Road warn of deer crossing. On Threlkelds Road, signs warn of wildlife such as pūkeko, which live and breed in the roadside drains. Stock are still moved up Ashworths Road (back way to rangiora).

The deep roadside drains seem to be a hazard for those not used to them:

- During a hailstorm, a car slid off the road into the drain outside our house.
- At the Ōhoka Domain, I have seen a number of market-goers misjudge where the drain is when parking, tip over the edge and get stuck.
- In 2024, a crash on Bradleys Road left a car tipped vertically in the drainage ditch.
- The nuns who attend the church next door to me have had their cars slide on the muddy verge and into the ditch.
- Ground water pushing up from under the roads mean that pot holes frequently occur

These incidents happen now, at current traffic levels. The applicant predicts the development will add 6,046 vehicle movements per day (Appendix 15 (ITA) Executive Summary). Our roads are not designed to safely accommodate this additional amount of traffic, especially for people with urban expectations. Accidents and incidents will happen more often, and with more serious results, I do not want myself, family member or anyone else to be adversely impacted because the developer doesn't want the expense of road or intersection upgrades- needed only because of their development.

2. The Infrastructure Assessment (Appendix 14) does not Assess the Existing Roads

Section 5 of the Infrastructure Assessment answers one question: can roads be built inside the site? It does not ask whether Mill, Whites and Bradleys Roads are safe for the extra traffic, or for construction traffic.

- Its description of the existing roads (Section 5.1) is three sentences. It contains no assessment of their width, condition, pavement strength, safety or capacity.
- Footpaths, cycleways, parking and pavement design are all deferred to "detailed design" (Sections 5.2–5.4). That happens after consent, so the panel will not see it.
- Section 4.3 lists "Road upgrades within Whites Road, Bradleys Road and Mill Road" in the main civil works, but nowhere in the report says what those upgrades are, how big they are, or when they will happen.

Despite this, the Executive Summary concludes there are no "sufficiently significant adverse impacts" under s 85 of the Fast-track Approvals Act for "vehicular and foot traffic". The analysis in the report does not support that conclusion.

Heavy machinery and trucks will damage our fragile country roads and make them less safe throughout construction, which is planned in 11 stages and could run for up to 15 years. Neither the Infrastructure Assessment nor the ITA assesses this.

3. Traffic The Transport Assessment (Appendix 15) has not Assessed

The panel cannot be satisfied that transport effects are acceptable when these effects have not been assessed:

a) School traffic. The ITA notes that Mill Road is the access to Ōhoka School (Table 3), but it never assesses the Mill Road / Jacksons Road intersection or school drop-off and pick-up. Its traffic distribution sends every trip to Tram Road, Rangiora, Kaiapoi or Bradleys Road North (Table 17). There are no school trips, Domain trips or local trips at all. This supports the Ōhoka School Board's main concerns which they made public for the community to consider. Please refer to their assessment of current conditions.

b) Construction traffic. There is no assessment of construction or fill-truck traffic. The Infrastructure Assessment describes bulk earthworks, wetland filling, fill over 300mm deep and road pavements about

0.6m deep, but gives no earthworks volumes, truck numbers or haul routes. Nor does it say whether our narrow rural roads can carry heavy trucks for years, or who will repair the damage.

c) Commercial centre and polo grounds. Both are assumed to generate no traffic at all (paras 85–87). Their effects are pushed to future consents, so they are never assessed together with the subdivision. The retirement village layout is also still to be decided (para 56).

d) Background growth. Growth is left out of the assessment (para 135), except at the SH1 interchange, where including it makes the result look more robust (para 160). The applicant cannot have it both ways. Cumulative growth should be assessed consistently across the whole network.

e) Out-of-date counts. Traffic counts for the local roads date from July 2021. The ITA itself says Flaxton Road traffic has "notably increased" since 2023 (para 31), so the 2021 counts are likely to understate today's traffic.

f) Weekend and event traffic. Only weekday peak hours are modelled. The Friday Farmers Market and its parking along Whites Road are noted (Table 1) but not assessed, even though four site accesses and two pedestrian crossings are proposed on that road.

g) Intersections not assessed:

- Mill Road / Jacksons Road: not assessed at all.
- Mill Road / Ōhoka Road: already over capacity (para 35), but never modelled with development traffic.
- Mill Road / Bradleys Road, Mill Road / Whites Road and Mill Road / Threlkelds Road: no safety assessment (paras 148, 150, 158). This is despite average speeds of 69km/h in the 60km/h zone, and every reported crash on the Mill Road corridor being a loss of control (Table 9).

4. Design Shortcuts

a) Access intersections designed for a speed limit that does not exist. The Whites Road and Bradleys Road accesses are designed for 80km/h, but those roads are 100km/h. The applicant admits the speed reduction "cannot be guaranteed" (para 77) and leaves the fix to detailed design.

b) Access spacing well below the District Plan. The District Plan requires 800m between access intersections. The proposal has 246–430m on Whites Road and 485–517m on Bradleys Road (paras 131–134).

c) Driveways across the school route. Nine individual driveways plus several shared accessways would open onto Mill Road and cross the shared path children use to get to school. They do not meet the District Plan access standard for that road (TRAN-R7, paras 107–111).

d) A long list of internal non-compliances. These include footpaths on one side only, intersections 40m apart instead of the required 125m, splays of 5m instead of 6m, corner radii below the Council code, a right of way serving seven houses where more than six must be a road, and sight distances that fall short, including one below the safe standard (para 123). Each one is justified by pointing to a lesser national standard (NZS4404) or to Christchurch's rules instead of Waimakariri's. Together they increase lot yield and cut costs for the developer.

e) Unsealed paths. The frontage shared paths are "at least 2.5m wide unsealed" (para 74). Gravel paths are not practical all year round for children on bikes or scooters, or for prams.

f) Safety checks deferred. Road Safety Audits and sight-distance checks are left to engineering approval after consent (paras 57, 126–127). Under fast-track, the panel may not get another look.

5. Applicant must pay

This substantive application predates recent amendments to Laws ensuring that 'growth pays for growth' however, this applicant is not excluded from it. The applicant commits to pay only for works on its own boundary: frontage paths, its own access intersections, the Domain crossings and threshold treatments. Every off-site upgrade is left to Council, "funded through development contributions" (ITA Table 20). Nothing in the application guarantees that any of these off-site upgrades will be built, or built before houses are occupied. Specifically:

- Flaxton Road / Threlkelds Road roundabout. The applicant admits the effects will be "significant" without it (paras 151, 186), yet it is "not planned for" and the applicant says only that Council "should be planning" it. The trigger (310 houses plus 150 retirement units) would be reached around Stage 4 of 11.
- Tram Road / Whites Road safety works. This High Risk intersection is made worse by the development, but the works "would need to be undertaken by Council" (para 146).
- Mill Road shared path to Ōhoka School. No timing and no funder; the applicant calls it "outside the Applicant's control" (para 169), even though it is in road reserve and could be built by agreement with Council.
- SH1 / Tram Road interchange. With the development, the AM peak right turn off the off-ramp fails (LoS F). The fix relies on NZ Transport Agency changing the signal phasing, which nobody has committed to (paras 162–164).

- Mill Road / Ōhoka Road. Already over capacity, and no fix is offered.

The recent Local Government (System Improvements) Amendment Act gives councils a new tool to charge development contributions to fast-track developments. This is a welcome step towards "growth pays for growth". As a ratepayer and taxpayer, I should not be subsidising infrastructure needed only because of this proposal. However, development contributions are paid to Council, not tied to delivering any specific project or timing. The upgrades the applicant's own assessment says are needed should be required as enforceable consent conditions, with triggers tied to development stages.

6. Conditions Requested

If the panel does not decline the application, I ask that the following be made conditions of consent:

1. Tram Road / Whites Road safety works completed, at the developer's cost, before the first house is occupied.
2. A sealed, separated shared path on Mill Road and Jacksons Road to Ōhoka School, funded by the developer and completed before Stage 1 occupation.
3. An independent traffic and safety assessment of the Mill Road / Jacksons Road intersection, including school-run peaks, with any upgrades it identifies funded by the developer.
4. Mill Road / Ōhoka Road modelled with development traffic, and any upgrade it needs funded by the developer.
5. Access intersections on Whites Road and Bradleys Road designed for 100km/h, unless a lower speed limit is actually in force before construction.
6. A Construction Traffic Management Plan approved before any earthworks, including:
 - set haul routes and limits on truck numbers
 - no heavy vehicles on Jacksons, Mill and Whites Roads during school drop-off and pick-up times
 - road condition surveys before and after each stage
 - a bond to cover repair of any damage to public roads
7. Traffic effects of the commercial centre and polo grounds assessed now, as part of this application, not left to later consents.
8. Road Safety Audits provided to the panel before a decision, not deferred to engineering approval.
9. A safe-access assessment and solution for existing residents' driveways opposite and near the new Mill Road intersection.
10. All roading upgrades required because of this development to be paid for by the developer, including its share of any upgrade to the SH1 / Tram Road interchange.

9. Other Infrastructure

In the sad event that this proposal is approved, then the same principle should apply to all infrastructure: 'Growth pays for growth' the developer should provide its own and pay for what its development needs

instead of taking residual capacity, built in for the sustainable growth already planned for. They should not be compromising the quality and security of services for existing residents

- **Wastewater:** The developer should fund its own rising main to Rangiora, as it indicated it would under Plan Change 31, and fund any upgrades needed to support it.
- **Water supply:** The developer should fund its own water supply rather than relying on, and reducing the security of, the existing Ōhoka supply. The applicant's own memo confirms that the Rangiora and Kaiapoi schemes could supply the development. The applicant rejects them on cost, not effects.
- **Stormwater:** The developer should build underground stormwater pipes at its own cost to connect to the nearest existing underground system, including all necessary upgrades, so that surrounding and downstream properties are not exposed to additional flooding.

10. Groundwater take, dewatering and land drainage approvals.

I **do not agree** with the applicant's groundwater reports (Pattle Delamore Partners, Appendices 17a–17c and 32a–32b) conclusion that effects on neighbouring bores will be less than minor. There are material information gaps and flawed assumptions meaning that the impacts on neighbouring wells are either unassessed or minimise the number of neighbouring wells that exceed ECan's Schedule 12 policy 4.95 limit.

I rely entirely on groundwater from my own bore for household drinking water, pets and extensive garden; I have no reticulated alternative. My well was put in about 50 years ago by a previous property owner, drilled prior to the region's digital mapping databases were strictly maintained. We believe it is approximately 18m deep. A water tank was placed on our property by the same previous owners approx. 15 years ago, it is connected to the Council scheme, but it has never been connected to the house.

I am concerned about the security of water supply to my property especially over the summer months due to the combined effects of the groundwater take, 15 years of dewatering, permanent loss of groundwater recharge and effects. I do not consider the likely risk of damage to my pump and filter, and possible loss of reliable, clean water supply for my family as less than minor.

My family and the other affected existing residents should not be treated as collateral damage by exposing them to unreliable or compromised water supplies and damage to pumps and filters.

Table 1 shows the wells where dewatering takes more than the Ecan allowed limit (Schedule 12, policy 4.59), all figures are the developer's own, from its dewatering report (Appendix 32b, Appendix H)

Table 1: Dewatering effects on wells over Ecan allowed limit

Well	Owner (road, where recorded)	Distance from site boundary	Available drawdown	20% limit	Predicted drop from dewatering (90 days)	Share of allowance used
M35/4746	301 Bradleys Rd	70 m	7.69 m	1.54 m	3.17 m	206%
M35/4727	166 Bradleys Rd	90 m	7.08 m	1.42 m	2.91 m	206%
M35/4770	574 Mill Road	170 m	7.16 m	1.43 m	2.24 m	156%
M35/4745	364 Bradleys Rd	190 m	7.26 m	1.45 m	2.212 m	146%
M35/0387	574 Mill Road	190 m	7.80 m	1.56 m	2.12 m	136%
M35/4683	126 Bradleys Rd	270 m	6.44 m	1.29 m	1.75 m	136%

It is not acceptable that the supply of water to these properties are compromised especially during summer when our use of water is increased and the water table is much lower. Of greater concern is that only 24 drinking-water wells were assessed by the applicant; stock, garden and many nearby domestic wells that are even closer to planned dewatering points than any listed here, were left out. My drinking water well was also missed out. This concerns me greatly.

Sixteen wells sit within 190 m of one of the applicant's nine modelled dewatering points but received no dewatering figure. On the applicant's own method, fourteen of them would exceed their whole ECan limit. Appendix 32b ran all 761 wells within range through ECan's assessment tool with the nine dewatering points, but every well shows 0.00 m of dewatering drawdown. Only the 24 bores in Appendix H were given a figure. Several wells below are closer to a dewatering point than any well in Table 1. Appendix 32a states that where a public supply connection is available "it is unlikely these bores are still used for drinking water purposes". This may explain why these wells were left out, but no survey was done to find out who uses them, or how, so that assumption is unsupported.

Table 2 is a table of the 14 wells that were not assessed in the applicants modelling, I generated it using Claude Pro and apply the applicant's Appendix H method (Theis, transmissivity 975 m²/day, storativity 0.1, 75 L/s) at the distance from each well to the nearest dewatering point listed in Appendix 32b.

Limits, existing takes and distances are the applicant's. Near a dewatering point, condition 5's 5 m cap would bound the actual lowering. The additional column at the end estimates the dewatering effects for the 6 months that the applicant is applying for, rather than just the 90 days.

(If I was able to do this using the data provided by the Applicant- why didn't they provide it?).

Table 2: Unassessed wells, with estimates using the applicant's method:

Well	Owner	Use (ECan record)	Depth	Distance to nearest dewatering point	20% limit	Existing takes	Estimated drawdown, 90 days	Share of limit	Share at 182 days
M35/5609	Waimakariri District Council	Ōhoka community supply (emergency bore)	18.8 m	16 m	2.66 m	1.23 m	4.75 m	178%	192%
M35/0386	Leslie D. (Mill Rd)	Domestic	4 m	21 m	1.58 m	1.28 m	4.47 m	282%	305%
M35/7152	Glenalbany Deer Park Ltd	Consented take	15.5 m	68 m	1.46 m	1.79 m (already exceeded)	3.20 m	219%	245%
M35/4772		Domestic	not recorded	74 m	1.34 m	0.30 m	3.11 m	232%	260%
M35/4782	Bisman I.W. (Mill Rd)	Domestic	20.4 m	87 m	2.85 m	1.23 m	2.94 m	103%	116%
M35/0320	Offwood D. (Mill Rd)	Domestic	9.1 m	89 m	1.60 m	0.72 m	2.92 m	182%	205%
M35/5147	Boulton I.W. (Ōhoka Mill Rd)	Domestic	12 m	106 m	1.59 m	1.06 m	2.73 m	171%	195%
M35/6587	Warren A. (Whites Rd)	Domestic	15 m	128 m	1.60 m	0.51 m	2.53 m	158%	181%
M35/4738		Domestic	13.7 m	136 m	1.50 m	0.47 m	2.47 m	164%	189%
M35/4747	Leslie D. (Mill Rd)	Dairy and domestic	5.4 m	144 m	1.58 m	1.28 m	2.41 m	152%	176%
M35/4792	Olsen M. (Mill Rd)	Domestic	9.1 m	160 m	1.61 m	0.53 m	2.30 m	143%	166%
M35/4723		Domestic	not recorded	173 m	1.42 m	0.51 m	2.22 m	156%	182%
M35/4795	WaterForce (530 Mill Rd)	Domestic	13.8 m	179 m	1.63 m	0.95 m	2.18 m	133%	156%
M35/4428	Harris I.R. (Whites Rd)	Domestic	19.4 m	187 m	2.50 m	0.31 m	2.14 m	85%	100%

The applicants modelling tests 3 months of pumping; but the consent they are asking for is 6 months a year, the predicted share drop as shown in the last column of table are larger. All neighbouring wells should have been modelled against this 6 month period, as there are likely to be many more on the list who have their buffer zone takes breached.

Dewatering is planned for the non-winter months. That is when groundwater levels are lowest and neighbours' bores are most vulnerable. The report presents this timing only as a benefit, because their

pumping rates would be lower, but the ground water levels are lower for everyone, including neighbouring wells. For my well and others in the area, this timing increases the adverse effects, it is not a benefit.

I believe that the applicant has not provided enough of the right information for the Expert Panel to properly assess the adverse impacts from the dewatering. It's not just the water security, health and safety for the six wells the applicant has identified, but significantly more once the 6 month dewatering period is modelled and all wells have been assessed including mine.

How this impacts on me:

The effects of dewatering on my well have not been modelled. However, my neighbour who has well M35/4782 is expected to have 103% of its 20% drawdown limit depleted by the effects of dewatering, for up to 6 months of the year, for 15 years. I would expect a similar result for my well as they are at similar depths and cannot accept this happening.

The biggest risk is late summer and autumn, when wells are already at their lowest and dewatering is most likely to be running. What this means for me:

- **The drop comes on top of normal summer low.** The allowance is measured from the level a well is at or above 80% of the time. Dewatering would push it lower still.
- **It will come back every year.** The consent allows six-month pumping seasons for up to 15 years. Work starts at the Mill Road corner, closest to the Mill Road and Bradleys Road wells.
- **Water quality may change.** A lowered well can draw in sediment or water from different depths. Nobody has assessed this.
- **The costs would be mine.** Lowering a pump, deepening a bore, or buying water during each season is left to the well owner. The draft consent contains no protection for neighbours' wells, there is no baseline survey, monitoring, trigger levels, alternative supply or make-good conditions.
- **Combined effects.** What is the combined effect of the dewatering takes and the new community supply bores on neighbouring wells? This is what I will be having to live with.

I ask the Panel to decline the applicants consent for dewatering because the impacts on neighbouring wells are either unassessed or exceed ECan's Schedule 12 policy 4.95 limit. The effects of the dewatering consent have only been partially modelled, they have not been thoroughly assessed hence specific mitigations cannot be secured by conditions.

I also ask the Panel to decline the applicants consent for water take because the impacts on neighbouring wells are again either unassessed or exceed ECan's Schedule 12 policy 4.95 limit.

The applicants claims a “net benefit” in appendix 17a saying that the consented bores are over-extracting and that the development proposal would over-extract by a smaller amount. I do not agree that reducing an over-extraction is a net benefit.

The applicant says the development reduces groundwater take because its consented volume is less than the irrigation consents it replaces. The claimed fall in drawdown depends on a baseline of full-rate irrigation that includes a bore that was never drilled. If the applicant has nothing to hide then the base line should be measured against an average of what is actually pumped, and by this standard the development would take about 160,000–215,000 m³ more water each year than what the farm uses, and this is all year round and permanently.

Table 3 compares the proposed developments water take against actual metered irrigation use. All figures are the developer's own, from its Ground water and supply report (Appendix 17a, Appendix D)

Table 3.

Irrigation baseline (actual recorded use)	Irrigation (m³/yr)	Proposed Development (m³/yr)	Extra water taken each year with development
Irrigation, maximum allowed including an undrilled bore M35/9423 (ECan figure)	679,568	466,584	-212,984 m ³ (31% less)
Mean irrigation metered use, excluding faulty-meter years (2016/17–2022/23)	305,162	466,584	+161,422 m ³ (53% more)
Median irrigation metered use, excluding faulty-meter years (2016/17–2022/23)	251,619	466,584	+214,965 m ³ (85% more)

The development's annual volume requirement is close to its expected real use. The residential volume of 395,280 m³ is built from average daily demand (1,080 m³ a day), not peak or maximum demand at all times. It is therefore fair to compare it like for like- with what irrigation actually took, its real use. The two scenarios assessed against their real use volumes shows that in a typical year about 160,000–215,000 m³ more would be pumped from the aquifer for the proposed development than irrigation takes.

Further more irrigation is pumped only during the irrigation season and varied with the weather: 161,209 to 503,318 m³ in the reliably metered seasons. In wet years it took much less, and the zone recovered over winter. However the proposed development would pump every day of the year, permanently, not just during irrigation seasons, and whatever the rainfall. That includes winter, when the zone would otherwise refill.

The application's own water balancing assessment memo shows a permanent loss of groundwater recharge and a year-round reduction in flows to an over-allocated stream system. The claimed offsetting benefit depends on an assumption PDP's Dewatering report contradicts. The panel should treat this as an adverse effect that hasn't been shown to be minor.

Conclusion

I ask the Panel to decline the groundwater take, dewatering and land drainage approvals for this application. Read together, the applicant's own evidence shows significant adverse effects on existing water users and the local water system. Those effects are out of proportion to any benefit from supplying the development this way, and conditions cannot adequately manage them.

1. The evidence is too uncertain to support a grant.

- The deep-aquifer predictions rest on one 3-day test from 2015.
- The number, depth and location of the supply bores are unknown, and could be up to seven bores rather than five.
- Stock and irrigation bores were excluded from the dewatering assessment, and bores were assumed unused without asking their owners.
- The applicant proposes confirming effects only after consent is granted. The Panel cannot be satisfied that the effects are acceptable when the applicant has not yet established what they are.

2. The adverse effects are real, permanent and fall on identifiable people.

- At least 13 neighbouring bores will exceed the Schedule 12 interference limit due to dewatering. 24 wells were modelled for 90 days, which is not what the consent is requesting.
- About 41 neighbouring shallow bores already exceed the Schedule 12 interference limit and stay over it even after the on-site irrigation stops. The new supply adds further drawdown to them.
- Private deep bores and the Council's own township supply bore would see permanent new drawdown of up to 1.76 m and 8.36 m respectively, with no offsetting benefit.
- Construction dewatering is predicted to lower nearby bores by 2–3 m, potentially every dry season for up to 15 years.
- The applicant's own water balance shows a permanent loss of about 187,000 m³ a year of recharge. It also shows a net loss of about 11 L/s from the shallow aquifer and spring-fed streams for most of the year, in a catchment ECan regards as over-allocated.

3. The claimed benefits rely on a paper baseline.

- The "net reduction" compares the development's realistic use with the irrigation consents' theoretical maximum allowance, including a bore that was never drilled.
- Against water actually pumped, the development would take 53–85% more each year, every day of the year, permanently.
- The claimed summer stream benefit depends on a 90% stream-connection figure that the applicant's own dewatering report contradicts.

4. Conditions cannot fix this.

- The neighbourhood's shallow aquifer is already over-drawn, and the recharge and stream losses are structural and permanent. Monitoring and make-good conditions would only respond to harm after it has occurred, and would leave neighbours to prove the cause.
- No conditions offered by the applicant protect neighbours' bores.

5. A lower-impact alternative exists.

- The applicant's own memo confirms that the Rangiora and Kaiapoi schemes could supply the development. The applicant rejects them on cost, not effects.
- The regional benefit claimed for the project comes from the housing, not from where the water is taken. Those benefits can be delivered without imposing these effects on existing water users.

Relief sought

Decline the groundwater take, dewatering and land drainage approvals

11. Wildlife, Springs and Wetlands

Appendices 47, 19a, 19c, 20,

The proposed development site was historically raupō swamp. Statement of Evidence of Dr Greg Burrell for Canterbury Regional Council, PC31 stated "I consider that the springs identified by the applicant within the PC31 area meet the criteria for ecological significance laid out in Appendix 3 of the CPRS. This is primarily because they meet the criteria of rarity/distinctiveness (less than 20% of the former extent of wetlands remains within the region). The identified springs also meet the criteria for 'natural inland wetlands' in the NPS-FM."⁷

⁷ [Statement of Evidence of Dr Greg Burrell on behalf of the Canterbury Regional Council.pdf](#)

In the applicant's 2021 survey for PC31, identified no natural inland wetlands on the site other than the spring features, retained the existing springs and waterways in place, protected by setbacks, and required that shallow groundwater not be diverted from its natural flow path ([103], [312]).

The key risks Dr Burrell assessed was the urban effects on the hydrology of "threatened wetland ecosystems" (para 29) and was "unable to conclude" that the benefits outweigh them (para 50). In declining PC31, the Hearings Panel nonetheless found that the proposal offered "potentially significant benefits from an aquatic ecological perspective", through protecting and enhancing the springs and waterways ([326], [330]). However, the ecological gains the Panel relied on were assessed against an incomplete picture of the site. With most of the site's wetlands now proposed for removal, the ecological case is weaker than it was, not stronger.

Under the current proposal, Appendix 47 (Rev D, 10 Sept 2026) marks wetlands, waterways and a ponds to be removed across Stages 1–11.

Feature	Existing	After	Loss	Source
Natural inland wetlands (15)	4.29 ha	0.84 ha	≈3.5 ha (≈82%)	19a §6.2.4, Table 8
All watercourses	8,744 m	5,685 m	3,059 m (35%)	19a Table 5
Main perennial spring-fed streams	4,000 m	3,540 m	460–560 m	19a §6.1.2; 19c §1.6
Unnamed Drains 1–3 (natural modified watercourses)	2,424 m	0 m	100% infilled	19a Table 5
Northern Spring Channel (spring M35/7485)	1,050 m	600 m	450 m (43%)	19a Table 5

Note on conflicting figures: main-stream loss is 460 m in appendix 19a but up to 560 m in 19c; 19c has 100 m of high-quality stream infilled, 19a none. The true extent of loss is uncertain.

2. Values at stake

The site is a spring-fed headwater of the Ōhoka Stream and a groundwater discharge zone, with two ECan-mapped springs (M35/7485, artesian and permanent; M35/7487) and a seep (20 §3.2).

- High-value streams: the Ōhoka Stream Tributary and South Ōhoka Branch have trout spawning, clean gravels, pollution-sensitive invertebrates and longfin eel (19a §4.1, 4.5).

- Threatened fish: longfin eel (At Risk-Declining), including a 1,100 mm adult in the Southern Spring pond, needs an unbroken path to the sea (19a App 3 §2.5.4).
- Downstream: inanga spawning at the Ōhoka Stream/Kaiapoi River confluence; the lower Kaiapoi and Waimakariri are Land of National Significance (19a §3.1).
- Wetlands: all 15 are NPS-FM natural inland wetlands in flow paths, depressions and spring margins, with obligate species such as blue sweetgrass, pūkio and wīwī (19a App 4).
- Restorable: degradation stems from grazing; the applicant's ecologist rates restoration potential "high" (19a §4.1, 4.3).

The applicant rates both wetland loss and drain infilling a very high magnitude of effect (19a Tables 6–7). A degraded wetland can be fenced and restored; an infilled one cannot.

3. Hydrological risks

- Risk rated high: pre-mitigation hydrology effects could "substantially impact" stream values; the fix is left to later construction measures and monitoring (19a §6.1.1; 20 §5).
- Southern Spring: the realigned Northern Spring Channel comes within 10 m of the Southern Spring Pond and could lower local groundwater; a liner is proposed (20 §4.2.2).
- Stranded wetlands: those cut off from overland flow "are not expected to persist" (19a §6.2.2).
- Flooding untested: filling may raise local groundwater, and flood effects are deferred to "other technical reports" (20 §4.2.2, 4.4)

4. The offset does not balance the loss

The assessment itself concedes that no like-for-like offset can be achieved. It also accepts that the stormwater wetlands are artificial and will receive urban contaminants. The claimed net result of 4.55 ha against 4.3 ha only exceeds the existing extent because engineered treatment devices are counted alongside the natural wetlands they replace. Natural spring-fed wetland is being exchanged for contaminant-receiving infrastructure, and that is not an equivalent offset.

- **Admitted not like-for-like** (19a §6.2.4).
- **Not wetlands for this purpose:** stormwater wetlands are "artificial ... and will receive contaminants" (19a §6.2.4); the LWRP excludes stormwater treatment wetlands from "wetland" (19a App 3).
- **Arguably not additional:** the basins are needed to treat the development's own runoff (NPS-FM additionality principle).

- **Below the applicant's own expert:** PDP recommended "high quality wetland" at "a ratio of at least 1:1" (19a App 4 §5.0).
- **Stream loss offset by setbacks** that are already needed to protect the retained streams (19c §1.6).
- **Worse water downstream:** discharges exceed LWRP standards for zinc (all devices) and copper (most), with about 4 hours of poor mixing per storm; effects on high-value streams are "moderate" (19a §5.1.1, Table 6). ECan's reviewer disputes "net positive" and notes mixing was modelled on one stream only (19c §1, 1.4).
- **Deferred and lightly monitored:** (19c §1.7).

I am asking the Expert Panel to use its Section 85 powers under the Fast-track Approvals Act 2024 to decline the project. Permanent removal and harm to the Ōhoka spring and wetland system is not necessary when urban housing and the economic benefit derived from it can be provided elsewhere.

The loss is permanent, but the current degradation is not. The applicant says that the wetlands have little value because they're stock-damaged farmland. Yet a degraded wetland can be fenced, planted and restored. Once its infilled, piped and folded into an urban stormwater network, its gone for good. Its degraded state also does not change its legal status as a natural inland wetland. Put simply, the adverse effects have not been genuinely avoided, remedied, mitigated or offset. In fact the adverse effect on these wetlands have intensified since PC31, because as the applicant stated in consultation documents with the Waimakariri Council "Fast Track allows you to do prohibited things"⁸. Approval should be declined to protect the Ōhoka freshwater network.

12. Disproportionate Impacts on Heritage Buildings

The proposed development would cause adverse impacts on the existing homes and heritage buildings of Ōhoka Village. These impacts are significant, would last a long time, and have not been assessed by the Applicant. I ask the Panel to give them real weight when assessing the project's adverse impacts against its benefits. These are:

1. Structural and cosmetic damage from up to 15 years of construction vibration
2. Greater flood risk to old buildings with low floor levels

Adverse impact 1: Damage from prolonged construction vibration

Earthworks, compaction, roading, heavy machinery, and commercial and residential construction will send ground vibration into nearby buildings. This will cause cracking, movement of joinery and linings, and

⁸ [Appendix-4-Consultation-documents-and-records-with-Waimakariri-District-Council.pdf](#) p3

possible structural damage. In 2022 the NZ Herald reported on a homeowner that had successfully proved that a road being built nearby caused more than \$20,000 worth of damage to their house⁹.

What I currently experience When new houses were built on sections next to my property, we had weeks of rattling windows and small vibrations like earthquakes. The proposed development site is about the same distance from my home. My house is set further back from the road than many in the Village, yet it already vibrates when large trucks travel along Mill Road. We already realign cupboard joinery and paint over small cracks as normal upkeep of an old house.

At current levels this can be mitigated, but existing homeowners shouldn't have to keep repairing any damage caused by a sudden and significant increase construction vibrations from earthworks and heavy traffic servicing the proposed development. The developer has not shown that there will be no increase in cosmetic damage or structural damage to the more susceptible older houses due to the proposed development.

Appendix 12a shows the extraordinary amount of cut and fill required for this proposal, down to 3.5m in some locations. For zone A directly adjacent to land will be raised land up 1m, digging out 10329m³ of earth, then filling and compacting in 53,150m³ of earth. Requiring huge diggers and compacting machinery.

Who is affected: The original buildings along Mill Road and Whites Road are especially vulnerable due to their age and proximity to the development site. They are mostly timber framed and on shallow, possibly unreinforced, low foundations, and they sit closer to the road than newer homes making them susceptible to dynamic movements, cracking, subsidence.

⁹ [Homeowner wins battle to prove cracks caused by neighbouring road construction - NZ Herald](#)

Location of heritage buildings in immediate vicinity of proposed development site.



These properties are a few examples of why the sign says welcome to our historic village.

Duration and scale: The development is to be built over about 15 years. This is not a short construction disturbance. It is close to continuous exposure for a generation, so the risk of damage builds up over time.

Gap in the application: The Applicant has not assessed vibration effects on any neighbouring property, heritage or otherwise. There is no building condition survey, no vibration limits, no monitoring, and no way to fix damage. Without that assessment, the Applicant cannot show these effects are less than minor.

Adverse impact 2: Greater flood risk to heritage buildings

Nature of the impact: The Applicant's reports do not show that the development won't raise flood levels, make flooding last longer, or make existing buildings more sensitive to flooding.

Who is affected: Heritage buildings with floor levels only about 100 mm above ground, some about 166 years old, are especially exposed. Even a small rise in flood depth or duration could put water inside them and damage old timber, plaster and foundations.

Comparison with the development: The new development's floor levels will be set above expected flood levels. Many existing homes along Whites Road and Mill Road, as far as the start of Mill Road at Silverstream, sit well below those levels. If the development changes how water moves or is held across the area, these older homes will flood first, more deeply and for longer. The new homes would be protected while the existing community carries the risk.

Gap in the application: The flood assessment does not look at floor levels or the vulnerability of the heritage buildings next to the site.

Adverse impact 3: Loss of heritage character

Nature of the impact: The historic buildings are why the village sign reads “Welcome to our historic village.” Damage to them, or their gradual decline, would harm heritage values recognised at a national level. For the three that have Category 2 listing by Heritage New Zealand shows these buildings matter to New Zealand’s history.

Gap in the application: The Applicant offers no protection or relief for the heritage buildings clustered in the village.

What I ask of the Panel

1. Apply the same weight to buildings that aren’t formally listed but are of similar age and construction, because they are just as vulnerable.
2. Find that the Applicant has not shown these impacts are less than minor, because it has not assessed them.
3. If the Applicant has not shown that the flood risk to these homes won't increase, so raising them is the only way to make sure they aren't made worse off.
4. If consent is granted, impose conditions requiring at least:
 - Finished floor level surveys of all properties prior to construction, with owners’ agreement for all dwellings, shed and garages on Mill Road from 548 Mill through to 10 Mill Road, 419 Whites Road through to 232 Whites Road, 352 and 344 Bradleys Road.
 - All floor levels raised for surveyed properties, at the Applicant’s cost and with each owner’s agreement, for all dwellings, sheds, garages whose floor level is below the minimum floor level set for the new development. Including all consequential damage from raising the floor level.
 - Heritage-listed buildings would be raised using methods suited to heritage buildings, with Heritage New Zealand involved. This work would be finished before the development’s earthworks change flood flows in the area.
 - All pre-1900 dwellings receive formal archaeological authority from Heritage New Zealand where required
 - a complaints and response process for residents for the whole build period

- vibration limits based on a recognised standard (such as DIN 4150-3, with stricter limits for heritage structures), plus continuous monitoring starting from commencement to completion
- Repair of any damage at the Applicant's cost
- construction traffic routed away from Mill Road where possible.

13. Insurability Risk

We have done everything within our resources to strengthen and protect our historic home within the realms of what we already experience and can reasonably predict. We are concerned that the subdivision proposal adds additional risk of damage to our house. The applicant has been unable to show that this will not occur, insurance may no longer be affordable or even achievable in the future.

14. Conclusion

The ends do not justify the means.

A new consenting pathway does not change the physical effects on Ōhoka. Granting a fast-track approval for this development would signal that the lifestyle, community, safety and security of people already living in Ōhoka is acceptable 'collateral damage' for a proposal that primarily benefits private interests.

There is no housing crisis in the Waimakariri District. Median and average house prices are lower than in both Christchurch and Selwyn District, and the district already has 30 years of housing capacity in suitable locations.

Nor is the Ōhoka development an out-of-sequence proposal. It has never been in a queue for urban development.

The site itself is poorly suited to urban housing. It lies on a flood plain, was formerly a wetland, has a high water table, and sits on a clay pan with groundwater flowing beneath it.

Community opposition has been consistent and strong. Of the submissions made on the private plan change, 96% were opposed. More recently, a parliamentary petition titled "Remove Ōhoka Residential from Schedule 2 of the Fast-track Approvals Act 2024" gathered 3,109 signatures in just ten days, between 14 and 24 August 2026.

I implore the panel to find that the adverse impacts and economic disbenefits of this proposal are out of proportion to the site-specific net economic benefits being claimed, even after the proposed conditions are taken into account.

Thank you for considering all my comments.

Yours sincerely,

AJ, Richard, Emmerson and Soren Low (and Tolly the dog)

[REDACTED]

[REDACTED]



There has been considerable community opposition to the subdivision plans.

Photo: ALDEN WILLIAMS / The Press

How to Submit This Form

Your comments must be received by the Fast-track Team by 12 October 2026. Email is the preferred method — you can attach this completed form as a PDF or Word document.

Email (preferred): substantive@fasttrack.govt.nz — put “Ōhoka Residential Subdivision” in the subject line.

Post: Ōhoka Residential Subdivision Fast-track Application, Environmental Protection Authority, Private Bag 63002, Wellington 6140.