Before the Expert Panel

FTAA-2606-1253

Under	the Fast-track Approvals Act 2024
In the matter of	the substantive application for the Ōhoka Residential Subdivision project
Between	**Carter Group Limited**
	Applicant

MEMORANDUM OF COUNSEL FOR CARTER GROUP LIMITED REGARDING PROPOSED CHANGES TO THE PROJECT IN RESPONSE TO THE SECTION 53 COMMENTS

Date: 12 November 2026

Counsel for Carter Group Limited:
Jo Appleyard | Meg Davidson
Anderson Lloyd
Floor 2, The Regent Building, 33 Cathedral Square, Christchurch 8011
PO Box 13831, Christchurch 8141; or
DX Box WX10009 Christchurch
p + 64 3 379 0037
jo.appleyard@al.nz | meg.davidson@al.nz

anderson lloyd.

May it please the Expert Panel:

1 This memorandum is filed on behalf of Carter Group Limited (**Carter Group** or **Applicant**), the applicant for the Ōhoka Residential Subdivision project (**Application**).

2 Processing of the Application is presently suspended at the Applicant's request under s 64 of the Fast-track Approvals Act 2024 (**FTAA**). In requesting the suspension, the Applicant indicated that it would continue to progress the work required to respond to the comments received under s 53 and would, where practicable, provide information to assist the Panel to continue its consideration of the Application during the suspension.

3 Since the suspension commenced, the Panel has issued Minute 5 and Minute 6, seeking further information in relation to economics and groundwater, stormwater and flood risk. The Applicant and its relevant experts are working through those requests, together with the matters raised in comments received under s 53. Further analysis and technical work is being undertaken where required.

4 The Applicant understands that the Panel would be assisted by receiving relevant information as it becomes available, rather than awaiting the Applicant's complete response to all comments and requests for further information.

5 Against that background, the purpose of this memorandum is to keep the Panel and commenters informed of the direction of the work underway.

6 In particular, this memorandum:

(a) identifies key proposed amendments to the Project in response to matters raised in the s 53 comments;

(b) confirms the Applicant's position on certain matters raised in reports obtained under s 51 and the s 53 comments; and

(c) identifies further information and updated documents that the Applicant intends to provide.

7 For the avoidance of doubt, this memorandum is not intended to constitute the Applicant's complete response to the comments under s 55 of the FTAA. The Application remains suspended while the Applicant and its experts complete the further work required to respond comprehensively to the comments and the Panel's subsequent requests for information. The Applicant will provide its substantive response, together with the relevant

updated plans, technical material and proposed conditions, as that information becomes available.

PROPOSED AMENDMENTS TO THE PROJECT IN RESPONSE TO THE SECTION 53 COMMENTS

8 The Applicant has reviewed the comments received under section 53 and now signals a number of amendments to the Project in response to the matters raised. In some instances, detailed design and associated technical assessments remain underway. Updated plans and supporting technical assessments will be provided once the proposed amendments have been finalised.

Scheme plan and open space

9 The scheme plan will be amended in response to Waimakariri District Council's (**Council**) comments on open space and connectivity. A large neighbourhood reserve will be located within Stage 10. It will have two road frontages and be bordered on its other two sides by mid-sized residential lots. Neighbourhood park provision will be redistributed so that reserves are better located and more accessible, and some are delivered in earlier stages. Total neighbourhood reserve provision will be consistent with the Council's expectations. Green linkages will be widened to 10 metres. The esplanade reserve along the Ōhoka Stream tributary will be extended to Whites Road along the northern side. Stream alignments within the existing setback areas are also being refined, and provision will be made for overland flow paths where needed.

10 These changes respond in particular to the Council's concerns that the proposed neighbourhood parks did not form a "legible and well-distributed network" capable of delivering the neighbourhood recreation outcomes anticipated by Council's level of service framework, and that movement corridors and linkage reserves should be distinguished from neighbourhood park provision. The revised scheme plan will more clearly identify and provide for the different reserve functions within the development.[1]

Access and transport

11 The polo field access off Bradleys Road will be removed and replaced with access from within the development. The Bradleys Road shared path will be realigned around the neighbouring property (290 Bradleys Road), with a new crossing of the Ōhoka Stream. The internal road network will be adjusted, including widening some collector roads, to suit the revised

[1] Waimakariri District Council, Appendix 16 – Parks and Reserves, at [4.20]–[4.23].

retirement village boundary and to improve the road hierarchy and intersection layout.

12 The changes form part of the Applicant's response to the transport comments and further refinement of the internal transport network.[2] The Council's transport review records that, while minor design changes remain necessary, the proposal provides a "connected internal roading network suitable for vehicular, pedestrian, and cycling traffic to internal destinations".[3] The revised design will retain and refine that connectivity as the scheme plan is updated.

13 A further transport response is also being prepared in response to the matters raised in the s 53 comments, including in relation to the effects of the Project on the wider transport network.

Water supply infrastructure

14 The locations and extent of the bore sites and the water treatment plant site are being reconsidered in response to the Council's comments on infrastructure siting and integration.

15 In relation to bore sites, the Council's water supply review undertaken by Beca seeks confirmation that sufficient space is available for drilling, maintenance and future redevelopment, and clarification of their separation from residential lots. [4]

16 It also seeks confirmation that sufficient operational space is available for treatment, storage and pump station facilities and records that no information was provided on the proposed location and size of the water treatment plant.[5]

17 These matters are being considered as part of the revised layout. The wider issues concerning sustainable bore yield, water quality, treatment, storage, redundancy and resilience remain the subject of further technical work and will be addressed separately in the Applicant's response to the Panel's requests for further information as set out in Minute 6. Updated plans and

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2 Refer to comment from Philip and Michelle Driver (section 4); and Waimakariri District Council, Appendix 3 and 4 – Transport.

3 Waimakariri District Council, Appendix 3 and 4 – Transport, at [7.3].

4 Waimakariri District Council, Beca, Appendix 8 – Water Supply, [55(e)(i)–(v)].

5 Waimakariri District Council, Appendix 8 – Water Supply, at [40]–[42]; See also Waimakariri District Council, Appendix 1 – Recommendations.

any supporting technical assessments will be provided once that work is complete.

Retirement village

18 The retirement village site has been enlarged to approximately 8 hectares. The enlarged site can credibly accommodate an integrated retirement village and care facility. The plan will provide for approximately 190 independent living units and 40 care rooms or suites, subject to detailed operator design. It will include a central facilities precinct large enough for a range of operator models, and all parts of the village will have internal access to those facilities.

19 The revised indicative plan is intended to provide greater definition of the future form, scale and delivery of the retirement village. The Council's planning comments record that the Application presently provides only a "broad indication of development", with uncertainty regarding the number of units, built form, servicing requirements, staging and timing of delivery.[6] The indicative retirement village plan is provided as Appendix 1 (page 2) to this memorandum. Further evidence addressing the retirement village will be provided as part of the Applicant's response to Minute 5 (economics). That information will include specialist evidence addressing the design of the retirement village for its intended residents, including age-friendly and dementia-friendly design and relevant gerontological considerations.

Commercial centre

20 The approach to the commercial centre has been revised in response to comments seeking greater certainty as to its development. The Application previously provided for a range of future activities permitted within the Local Centre Zone under the partially operative District Plan. The Applicant now proposes a defined layout, range of activities, built form and landscaping for the centre. The scale and form of development will be commensurate with that anticipated within the Local Centre Zone.

21 The change in approach is intended to provide greater certainty to the Panel and commenters as to what is proposed for the commercial centre, and its resulting scale, character and likely effects, rather than relying on a broader envelope of activities that could potentially establish in the future.

22 The more specific approach will also provide greater certainty as to the activities and services that are proposed to establish. The Council's

[6] Waimakariri District Council's comments on a Substantive Application – Ōhoka Residential Subdivision, at [7.30]–[7.33], [7.30] and [7.32].

comments distinguish between providing an opportunity for commercial activities to establish and demonstrating that those activities will occur in a manner that delivers the benefits relied upon.

23 In particular, the retail and commercial services will be limited to 3,000m² GFA, and the total floor area of all activities will be less than 4,000m². The centre will be anchored by a small supermarket. It will also contain a medical centre, a licensed restaurant and a preschool, alongside several other activities to provide local convenience services.

24 A working draft of the proposed commercial centre plan is provided as **Appendix 1** to this memorandum (page 1). It is provided to indicate the Applicant's current design direction and is not yet the final plan for which approval will be sought. The finalised plan, together with any associated assessment and consequential amendments to the proposed conditions, will be provided as part of the Applicant's response to the s 53 comments and Minute 5 (economics).

Polo field

25 Like the commercial centre, the consenting approach to the polo field and associated facilities has changed. A specific layout will be proposed for the polo field, including a clubhouse, stables and other facilities associated with the sport.

26 The specific layout is intended to address the present uncertainty regarding the future form and operation of the polo activity. The Council's comments identify limited information regarding spectator facilities, associated buildings and structures, event frequency, traffic generation, parking demand, lighting, noise and operational management, as well as the relationship between the polo field and surrounding residential development.

27 This approach will provide greater certainty as to the location and scale of the facilities associated with the polo field and their relationship with surrounding development.

28 A specific polo grounds plan is currently being prepared and will be provided once finalised. The Applicant will also provide more information regarding the proposed form and operation of the polo activity.

OTHER MATTERS ARISING FROM THE SECTION 51 REPORTS AND SECTION 53 COMMENTS

Geotechnical Conditions

29 The Applicant has considered the geotechnical review prepared by Beca for Council.[7] Beca recommends that conditions address a liquefaction vulnerability assessment and additional deep geotechnical investigations across the site to support a quantitative liquefaction assessment. Beca recommends the following conditions of consent be imposed:

(a) A liquefaction vulnerability assessment should be undertaken in accordance with Planning and Engineering Guidance for Potentially Liquefaction-Prone Land (MBIE, 2017).

(b) Additional deep geotechnical investigations should be completed across the site to support a quantitative liquefaction assessment. These investigations should comprise a minimum of three investigations extending beyond 15 m depth and include in situ strength testing (e.g. SPT or CPT) and/or shear-wave velocity measurements.

(c) Based on the available information, the site appears suitable for development from a qualitative geotechnical perspective. However, a quantitative assessment of liquefaction hazard is required to adequately define the level of geotechnical risk and any associated mitigation measures.

(d) Further geotechnical investigation, assessment, and design should be undertaken to support the detailed design phase of the subdivision.

(e) Key geotechnical design assumptions for pavements, foundations, and earthworks should be verified during construction through appropriate inspection, testing, and quality assurance procedures.

30 The Applicant's geotechnical expert, Mr Thompson, agrees with the intent of the recommended conditions. On that basis, the proposed conditions in the application will be amended to reflect the Beca recommendations, noting that the exact wording of the conditions above may differ.

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7 Waimakariri District Council Appendix 12 – Geotechnical.

Wildlife Approval

31 The Applicant has considered the Department of Conservation's (**DOC**) section 51(2)(c) report. DOC records that, following post-lodgement engagement, the Applicant provided an updated Lizard Management Plan (**LMP**) and that the updated plan addresses DOC's feedback regarding the timing of habitat planting and ecostack creation. DOC records that it has "no outstanding concerns with the updated LMP" and is satisfied that it provides appropriate protection for lizards.[8]

32 DOC also records that the Applicant's proposed conditions are generally consistent with a typical wildlife approval of this nature. DOC has provided tracked changes at Appendix A to reflect the latest LMP and to include four additional standard conditions.[9]

33 The Applicant accepts the tracked amendments to the wildlife approval conditions recommended by DOC in Appendix A to its report. Those amendments can be incorporated into the wildlife approval conditions considered by the Panel.

Archaeological Authority

34 The Applicant has considered the section 51(2)(d) report prepared by Heritage New Zealand Pouhere Taonga (**HNZPT**). HNZPT recommends that the archaeological authority be granted subject to conditions.[10]

35 HNZPT records that it has been in discussions with the Applicant regarding the proposed archaeological authority conditions. It recommends amendments to the Applicant's 10 September 2026 condition set to ensure that the archaeological works are undertaken in a culturally appropriate way; mitigate adverse effects on archaeological values; allow information collected to be recorded and made accessible; and ensure that compliance can be monitored and measured.[11]

36 HNZPT has provided a modified set of conditions with tracked changes at Appendix A and a clean recommended set at Appendix B. The Applicant

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8 Department of Conservation, Section 51(2)(c) Wildlife Approval Report – Ōhoka Residential Subdivision, at [21]–[23].

9 Department of Conservation, Section 51(2)(c) Wildlife Approval Report – Ōhoka Residential Subdivision, at [28]-[29].

10 Heritage New Zealand Pouhere Taonga, Section 51(2)(d) Fast-track Approvals Act 2024 Report – Ōhoka Residential Subdivision, recommendation at [9].

11 Heritage New Zealand Pouhere Taonga, Section 51(2)(d) Fast-track Approvals Act 2024 Report – Ōhoka Residential Subdivision, at [22]-[23].

accepts those amendments and proposes that the Appendix B condition set form the basis of the archaeological authority conditions.

FURTHER INFORMATION TO BE PROVIDED

37 Further work is underway in response to the section 53 comments and the Panel's requests for further information, including to reflect the changes to the Project outlined above. Updated plans and supporting technical assessments will be provided as that work is completed.

38 The further information expected to be provided includes:

(a) an amended scheme plan;

(b) a specific polo grounds plan;

(c) updated waterway plans; and

(d) proposed design controls on the future retirement village development.

39 Further technical information is also being prepared in response to matters raised in the s 53 comments, including in relation to:

(a) contaminated land;

(b) freshwater ecology;

(c) wastewater servicing;

(d) water supply;

(e) transport;

(f) landscape and urban design; and

(g) planning.

40 Separate technical work is also being undertaken in response to Minutes 5 and 6. In particular:

(a) The economic response will address the matters raised by the Panel and in the s 53 comments in a coordinated manner, including further information concerning the retirement village and polo ground and the other matters relevant to the assessment of the Project's economic benefits and costs.

(b) The 'water' response will address the Panel's requests concerning groundwater, stormwater and flood risk, together with the related matters raised in the s 53 comments.

Timing

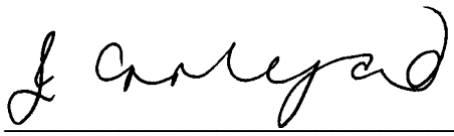
41 The Applicant presently intends to request that processing resume once it is in a position to file its substantive response to the s 53 comments under s 55.

42 The information provided with this memorandum will form part of the overall information relied on for that response. Further responses to the s 53 comments will be provided as the relevant work is completed, with the Applicant presently anticipating that it will be in a position to request that processing resume by the end of this month. More detailed responses to the questions and matters raised in Minutes 5 and 6 will then be provided separately following the resumption of processing. Those responses will also address relevant s 53 comments where the subject matter overlaps, allowing the economics and water-related matters to be addressed in a coordinated way.

43 Following the Applicant's responses, the Applicant anticipates providing an updated consolidated set of proposed conditions in mid-December 2026. The updated conditions will incorporate the amendments arising from the matters identified above and any consequential changes resulting from the further technical work and revised Project design.

44 The Applicant remains available to provide any further information or clarification the Panel may require in the meantime and will continue to keep the Panel updated as the outstanding work is completed.

Dated this 12th day of November 2026

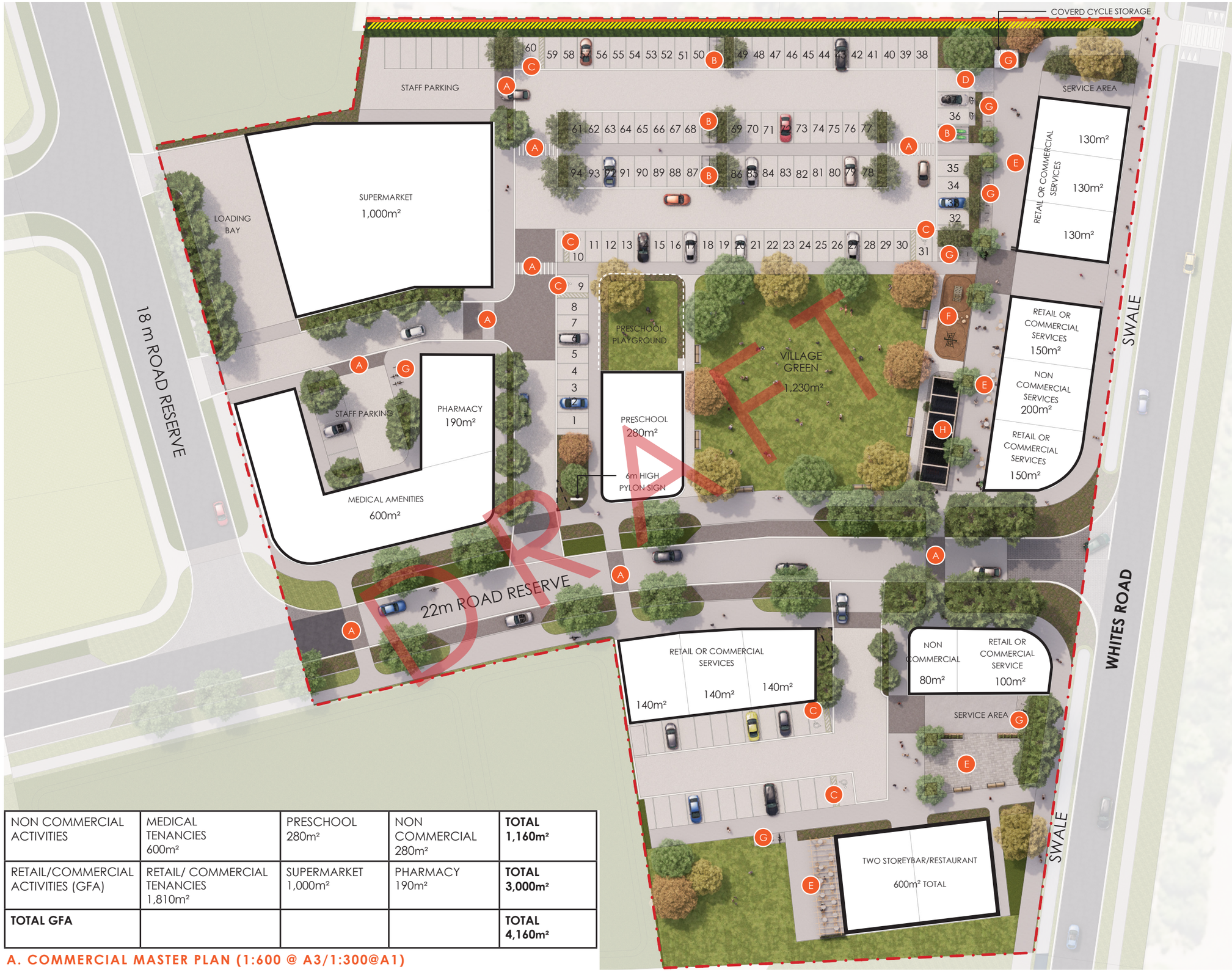


Jo Appleyard / **Meg Davidson**
Counsel for Carter Group Limited

APPENDIX 1

LEGEND

- COMMERCIAL BOUNDARY
- A PEDESTRIAN CROSSING
- B SUPERMARKET TROLLEY BAY
- C DISABILITY BAY
- D LOADING BAY
- E OUTDOOR SEATING AREA
- F PLAYGROUND LOCATION
- G CYCLE STORAGE (40 VISITOR, 28 STAFF)
- H COVERED OUTDOOR AREA (PERGOLA)
- ACOUSTIC CLOSEBOARD TIMBER FENCE
- BUFFER PLANTING C (REFER DCM OHOKA FAST TRACK APPLICATION PACKAGE_L)
- VISABILITY SPLAY (2.5m X 5m)
- LAWN
- BERM
- SWALE
- CONCRETE FOOTPATH
- PAVING
- PLANT MIX A (3m BUFFER PLANTING)
- PLANT MIX B
- LIME CHIP COLOURED CONCRETE



NON COMMERCIAL ACTIVITIES	MEDICAL TENANCIES 600m²	PRESCHOOL 280m²	NON COMMERCIAL 280m²	**TOTAL 1,160m²**
RETAIL/COMMERCIAL ACTIVITIES (GFA)	RETAIL/ COMMERCIAL TENANCIES 1,810m²	SUPERMARKET 1,000m²	PHARMACY 190m²	**TOTAL 3,000m²**
TOTAL GFA				**TOTAL 4,160m²**

A. COMMERCIAL MASTER PLAN (1:600 @ A3/1:300@A1)

client / project name: RIDL/OHOKA COMMERCIAL CENTRE
drawing name: **COMMERCIAL MASTER PLAN**
designed by: DCM/JR
drawn by: JR / AEG
original issue date: 4 NOVEMBER 2026
scale: 1:600 @ A3/1:300@A1

revision no:	amendment:	approved	date
A	Draft for comment	DCM	04/11/2026
B	Design Changes	DCM	10/11/2026
C	Design Changes	DCM	12/11/2026

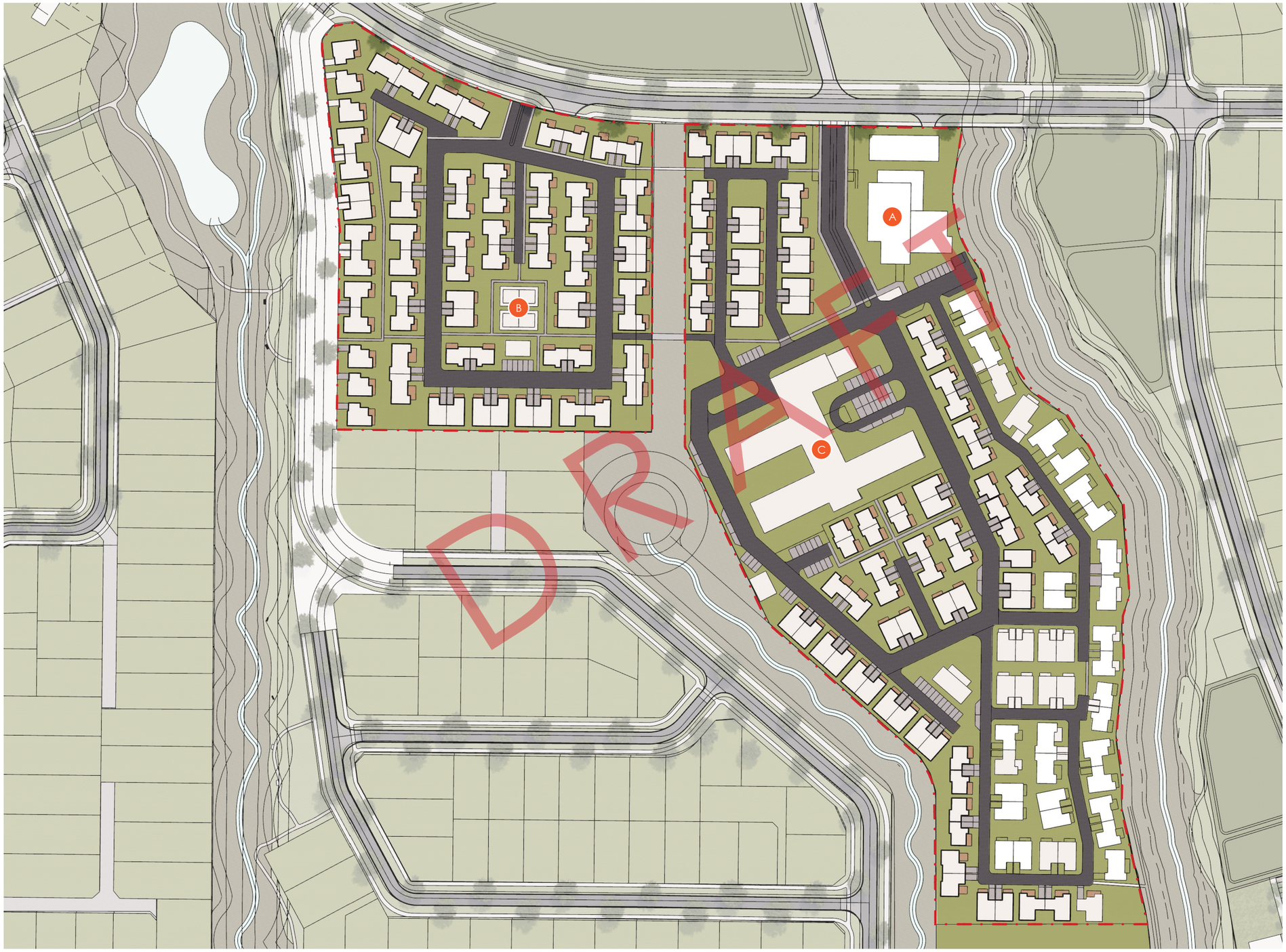
DCM URBAN DESIGN LIMITED
10/245 ST ASAPH STREET, ŌTAUTAHI / CHRISTCHURCH 8011
LEVEL 1/ 17 GARRETT STREET, TE WHANGANUI-A-TARA / WELLINGTON 6011
UNIT 1/11 UMBERS STREET, WANAKA
www.dcmurban.com

project no / drawing no: **2021_097B/001**

revision: C

LEGEND

- RETIREMENT VILLAGE BOUNDARY
- A CLUBHOUSE
- B PICKLEBALL COURT
- C CARE
- LAWN
- CONCRETE FOOTPATH
- ASPHALT



A. COMMERCIAL MASTER PLAN (1:2000 @ A3/1:1000@A1)

client / project name: RIDL/OHOKA COMMERCIAL CENTRE
drawing name: **RETIREMENT VILLAGE MASTER PLAN**
designed by: DCM/JR
drawn by: JR / AEG
original issue date: 4 NOVEMBER 2026
scale: 1:600 @ A3/1:300@A1

revision no:	amendment:	approved	date
A	Draft for comment	DCM	04/11/2026
B	Design Changes	DCM	10/11/2026
C	Design Changes	DCM	12/11/2026

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10/245 ST ASAPH STREET, ŌTAUTAHI / CHRISTCHURCH 8011
LEVEL 1/ 17 GARRETT STREET, TE WHANGANUI-A-TARA / WELLINGTON 6011
UNIT 1/11 UMBERS STREET, WANAKA
www.dcmurban.com

REGISTERED LANDSCAPE ARCHITECT

project no / drawing no: **2021_097B/002**

revision: C