

7 July 2025

Christchurch City Council
c/- Craig Friedel
Consultant Planner

Email: c.friedel@harrisingrierson.com

Dear Craig

Subject: PC23, 240 Spencerville Rd – Request for Further Information

Thank you for your Request for Further Information (RFI) received on 11th June 2025. Our response is set out below, with the numbering aligned with the corresponding RFI matter:

1. Clause 25, Schedule 1, RMA and S77G(1) incorporation of MDRS.

Chapman Tripp are currently preparing detailed legal advice on this matter, with the expectation that this will be provided to you next week. In summary, the application of MDRS is only required where there are no relevant Qualifying Matters engaged that would make MDRS inappropriate. For this plan change, and as set out in the Infrastructure report (Appendix B to the application), the site is subject to a number of constraints that would meet the threshold of being qualifying matters. These constraints include the lower terrace portion of the site being within a Flood Ponding Area and the upper terrace being subject to the need to meet a Finished Floor Level that requires both substantial filling to form compliant building platforms and that mitigate against higher density forms of housing across the entire development area. Reticulated services are also limited, with wastewater subject to the need for pump station maintenance/ upgrades that limit household numbers, and water supply needing to be via a self-contained bore-based system with on-site treatment which again limits the number of households that are able to be serviced.

It is noted that the proposed application of a RNN zone is entirely consistent with the approach adopted by Council for un-built RNN zoned areas in PC14. Council's position was supported by Council's S32 assessment that such an approach was appropriate.

As such, PC23 is considered to be able to be processed as a change seeking RNN zoning given the qualifying matters in play, combined with the need to deliver a planning framework that is coherent and consistent with how similar locations and zones have been treated by Council through PC14 under the same legislation.

2. Mapping

Appendix K has been updated (attachment 1 to the RFI response) to include the proposed amendments to the Planning Maps.

3. Size and delivery of the commercial hub

The current PC23 assessment includes reference to the proposed commercial/ community hub being no larger than 1,500m² GFA. The RFI is correct that this metric was adopted as a straight transfer of the 1,500m² of retail and hospitality floor area enabled under the operative SP Golf Zoning. This was done to ensure no concerns were raised regarding centre hierarchy/ retail distribution effects. Following the RFI, the size of the proposed centre has been revisited. It is still anticipated that the centre will fit comfortably within the size and role anticipated for a Neighbourhood Centre, as described in Policy 15.2.2.1 Table 12.1(E) i.e. "a small group of primarily convenience shops and, in some instances, community facilities". The size will be less than 3,000m² GFA. The applicant has engaged Fraser Colegrave to provide a memo setting out the maximum size of a neighborhood centre relative to the size of the anticipated plan change yield of

800 households. This memo will be provided to Council when available, but for now a centre of up to 3,000m² GFA is proposed. The scale of such centres is typically managed through subdivision processes where the lot for the centre is identified and the size of the centre is linked to the size of the lot and if need be a consent notice regarding maximum GFA is placed on the title. The ODP narrative in Appendix K has been updated to include specific reference to the size and role of the centre.

In terms of delivery, like any commercial zone (or indicative location of business on a greenfield ODP), delivery is dependent on the commerciality of development. That said, with a 'captive' market of 800 households at build-out, it is anticipated that a modestly scaled neighbourhood centre would be commercially attractive in providing facilities such as a preschool, café, and a small cluster of local shops.

4. Consultation with mana whenua

We have contacted Whitiōra and offered to share the plan change with them. We are yet to receive a response. As noted in the RFI, the applicant has previously engaged with mana whenua which has assisted in developing the plan change.

5. Consultation with the Canterbury Regional Council

As identified in the RFI, it is mandatory for the CRC to be served notice of the plan change at notification. Given that the majority of the site is an existing urban zone (and the RUFZ portion of the site is neither LUC3 HPL nor within a flood management area), pre-notification consultation with CRC is not considered to be necessary. The applicant is happy to engage with CRC following their submission (if any).

6. Transport policy assessment

Given that the site has an existing urban zoning, and more importantly given that no transport-related adverse effects were identified in the transport assessment (Appendix E of the application), the proposal is considered to be consistent with the strategic policy direction regarding transportation matters. The application included a detailed assessment against the relevant strategic policy framework that manages urban growth, urban form, and the requirements of a 'well-functioning urban environment', with this assessment including consideration of transport matters and connectivity.

7. Village amenity (and Matters 9 and 10 regarding interface treatment)

It is surprising that the Council does not consider the operative RNN rule package to be effective in delivering an appropriate level of amenity for greenfield development areas. It is considered that the RNN subdivision and landuse rules are well-proven in delivering effective outcomes through the subdivision and subsequent land use stages of development. Matters relating to road corridor configuration and street tree provision are routine matters assessed as part of subdivision consents.

The ODP narrative includes specific commentary regarding the interface of the site with the adjacent existing road network. As stated in the narrative, it is anticipated that the planting, fencing, and building setbacks will be delivered via consent notices on the titles of the lots fronting onto these interface areas. It is intended that the 'rural interface treatment' applies along the frontage of the development area with the adjacent road network. It is not intended to apply along the boundaries with open space areas, as there is no development to mitigate on these edges. The ODP includes a green line along the road edges with the key identifying this line as the 'proposed rural interface'. The geographic application of the interface is therefore shown on the ODP. The ODP narrative has been reviewed and is considered to be accurate in its description that the interface treatment is to only apply along the external road frontages (Clause 1(c)).

Matter 10 seeks clarification regarding the height of the planting within the interface area and the tool by which these minimum heights will be delivered. The intension of the interface planting is to create a green edge that is characterised by vegetation over built form. It is not intended to fully screen development or to act as a visually impermeable shelterbelt. The intended outcome is instead a roadside strip of mixed low level ground cover, low shrubs, and taller specimen trees to provide filtered views from the road edges into the site, with these views softened by vegetation in order to provide a peri-urban/ rural interface rather than a built outcome that is more suburban in appearance.

The ODP narrative has been amended to clarify that the height of *trees* within the interface area are to be maintained at least 5m in height).

8. **Anticipated use of the lower terrace/ open space area (also matters 13, 14, 16, 19, biodiversity feedback, 21, 22)**

A number of RFI matters relate to the anticipated use of the lower terrace open space area. These matters are addressed collectively here in order to provide a single comprehensive response. It is appreciated that the renders that formed part of the graphic attachment may have led to some confusion as to anticipated uses, noting that the renders were simply an artistic interpretation of one possible use (wetland restoration) rather than being one of several possible open space scenarios for this part of the site.

The site contains a subtle shift in contours with the effect of having, in broad terms, a lower terrace that is subject to heightened flood risks, and an upper terrace where flood risk is reduced. Housing is proposed on the upper terrace, with the lower terrace remaining unbuilt.

This spatial arrangement is generally consistent with the outcomes sought in the operative SP Golf Zone ODP which shows the lower terrace area as a golf course, with resort housing and facilities located on the upper terrace.

To be absolutely clear, no housing or other forms of built development are anticipated on the lower terrace – it is to be maintained as some form of un-built open space. The allocation of this space across various possible compatible activities, and the eventual ownership of this space, are matters that are anticipated to be resolved through the subdivision process (as is typical for land development in general). That said, the following uses (and end ownership) is broadly anticipated to occur:

- A) The three 'local parks' shown as green 'R' circles on the ODP are to be developed as urban parks with playground facilities and as such are expected to be vested in Council as local purpose recreation reserves. Following feedback in the RFI (Matter 19), the number of these local parks has been refined, with three now shown on the ODP. The local parks are proposed to be co-located with stormwater treatment and attenuation facilities in order to maximize passive recreation opportunities.
- B) The stormwater facilities are located along the boundary between the upper and lower terraces. Their primary purpose is the management and treatment of stormwater. As such, they are expected to be vested in Council as utility reserves. Whilst having a stormwater function, for much of the year they are expected to be largely dry and available for passive recreation by the community. As with other recent stormwater facilities, it is anticipated that where appropriate they would also include native planting that is compatible with their stormwater treatment function.
- C) Spencerville drain is an existing modified waterway that runs in a SW-NE direction near the bottom of the upper terrace. It is anticipated that this waterway will be restored and enhanced, with the steep banks graded back to provide a more natural function with enhanced ecological values. The stormwater basins will be kept separate from this waterway prior to stormwater having been treated. Whilst the size of the stormwater basins will only be finalised following detailed design, it is anticipated that they will largely fill in the area between the upper terrace and the restored Spencerville drain.
- D) The existing zoning of the site includes an extensive area that runs along the margins of the Styx River and that has an Open Space Waterway and Margins zoning (OSWMZ). The operative ODP shows a publicly accessible walkway along the river margin. It is important to emphasise that no changes are proposed to the OSWMZ extent or the ODP treatment of this area relative to the operative zoning. Whilst included within the 'site,' the plan change results in no change (and therefore no effects) on this area relative to the outcomes already sought through the Plan's operative zoning.

It is anticipated that the land within the OSWMZ will be vested with Council for reserve purposes. The land within this area will therefore ultimately be held through three legal mechanisms, namely road reserve (unformed), hydro parcel (reflecting the historic location of the Styx River), and reserve as fee simple, subdivided off from the parent titles as part of the subdivision process. The small portion of land on the far side of the Styx River between the River and Lower Styx Road will likewise retain its existing OSWMZ. The mechanism by which the land within the OSWMZ is

transferred to Council (esplanade reserve or fee simple as part of development contribution negotiations) will vary along the length of the corridor and will depend on the specific location of individual portions relative to the river margin and unformed road reserve. The existing bridge across the Syx River is expected to be transferred to Council for public use and access as part of this process, with this link shown on the ODP.

In response to matter 22(b), there is a separation of some 130m between the edge of the upper terrace development area and the closest edge of the Styx River. This is considered to be an appropriate setback for maintaining open space values along the river corridor. No housing is proposed within the existing OSWMZ.

- E) Publicly accessible walkways are proposed to link between the river margins and the development area (and Spencerville Road). The ODP has been amended to show the NE walkway running along the site boundary to more easily facilitate its transfer to Council as reserve. The ODP narrative has been amended to include specific reference to this walkway link.
- F) The final portion of the lower terrace open space area is the balance of the farmland located between the northern stormwater basins and the southern riparian margins. There are several options for the long-term management of this area. In broad terms they are: i) retained as privately owned farmland and used for pastoral grazing purposes; ii) either Council or another entity restores them as wetlands (noting that depending on the fill solution for the upper terrace the land developer may excavate material from the lower terrace to use as fill which would then result in a corresponding need to properly restore the excavated areas); iii) developed for recreation purposes by either Council should playing fields be needed (it is understood that there is limited demand for such at present), or a sports club that needs an extensive landholding for their sports/ recreation activity. The renders in the graphics package have been amended to show this central area as pasture rather than wetland to more accurately communicate its likely use, at least in the short-medium term.
- G) Walking and cycling links connecting the site to both Ouruhia Model School and the suburb of Prestons are able to be constructed within existing road or recreation reserves (Matter 14). The timing and funding of the actual construction is a matter for subdivision processes. The provision of mid-block cycle and pedestrian links from within the site to Turners and Spencerville Roads is likewise a detailed design matter to be resolved at subdivisions, the ODP narrative has however been amended to include reference to the consideration of such links.

To be clear, the retention of the lower terrace as an open space area is primarily a response to the flood hazard risk that this area is exposed to. It is not mitigation or compensation for effects, as the effects of developing the upper terrace for housing are considered to be acceptable without mitigation. That said, the retention of the lower terrace in some form of open space use undoubtedly provides a good level of amenity for future home owners and assists in the place-making and identity of the proposal as a well-connected rural village with an expansive open space outlook.

In response to the RFI commentary on biodiversity and Matter 21, development of the lower terrace area and the detailed design of stormwater basins, waterway restoration, routing and construction of walkways etc are all matters that are appropriately resolved via subsequent resource consent processes (subdivision, land use, regional), or as part of the negotiations with Council asset managers regarding the funding and design of facilities that are to be vested in Council. It appears that a number of questions (especially those relating to ecology) are focused on matters that can only be resolved/ answered through these subsequent detailed design stages. In short, the lower terrace is currently used for pastoral grazing, with riparian margins densely vegetated with what are largely exotic weed species. The plan change makes none of this worse as urban development is not contemplated within this area. The proposal conversely creates the potential for significant ecological benefits through stormwater basins, Spencerville drain restoration, and Styx margin restoration, whilst maintaining the potential for the central open space area to also be restored to wetland or a compatible open space activity in the future.

In response to Matter 13, careful consideration was given to the appropriateness of applying the RNN zone to the lower terrace area (as opposed to some form of rural or open space zone). On balance, the RNN zone was considered to be appropriate, noting that the development of RNN zoned land is invariably tied closely to the applicable ODP. The ODP for this site is clear that the lower terrace is to be used for some form of open space land use, with applications not in accordance with the ODP triggering the need for a resource consent and associated assessment. The Plan's rule framework controlling development in flood overlays provides a further layer of regulation to ensure appropriate

outcomes are delivered. Because the end use of the lower terrace is yet to be determined, rezoning it to some form of Rural, Open Space Recreation or Open Space Natural zone has the potential to foreclose other types of open space use that might be appropriate. The generic provisions of the RNN zone in contrast provide for any of farming, recreation, or conservation to occur. In settling on the RNN zone approach, reference was also had to the operative SP Golf Zone which covers the same lower terrace area and again is backed by an ODP that clearly shows the lower terrace being developed for a mix of recreation and environmental restoration uses despite the SP Golf zone being a type of urban zone.

11. ODP fixed vs flexible elements

Locationally, the general position of everything shown on the ODP map is where these elements are expected to occur i.e. everything shown on the map is broadly fixed. Development is required to be in accordance with the ODP.

In keeping with the general approach to ODPs across Greater Christchurch (CCC, SDC, WDC), the narrative provides further explanation/ context, and likewise identifies more qualitative matters such as the location of medium density housing typologies i.e. their location is as qualitative words rather than being shown graphically.

12. ODP ownership plan

An additional sheet has been added to the graphic attachment (sheet 7) which shows site ownership overlaid on the ODP. In a nutshell, the main SP Golf Zone is owned by two parties who are working together to advance the plan change. The four RUF zoned lifestyle blocks each owned by a separate party who have been consulted with. The ODP has been intentionally designed so that none of the key structuring elements are reliant on access to the four lifestyle blocks, and therefore the ODP outcomes can be delivered via land within the applicant's control.

15. Housing yield

The District Plan definition of 'net density' excludes large areas used for open space/ stormwater/ ecological restoration. In calculating yield, it is therefore only the upper terrace development area that is in play. A yield of 15 households/ hectares is considered to be readily achievable for the development area, just as it is for the majority of other RNN neighborhoods. Larger lots around the perimeter are expected to be offset against smaller lots located close to open space amenity in order to achieve the average yield. As a guide, perimeter lots are anticipated to be in the order of 600-700m², with the majority of internal lots around 450-500m² and short sections of terraces or other medium density typologies being around 200m²/ unit.

17. Urban design contextual analysis

The urban design and landscape reports (Appendix F and G) are considered to provide a clear assessment of the site context, design challenges, and the design response. It is unclear from the RFI what more information is needed to understand the proposal.

18. Low impact design response

Low impact design typically covers matters that form part of the subdivision consent process (or are matters for individual homeowners to determine as part of house design) rather than the high-level assessment necessary when considering plan change proposals. That said, the proposal responds to these matters as follows:

- Stormwater is treated through a naturalised system prior to discharge;
- On-site water supply is proposed;
- The restoration of Spencerville Drain is proposed, along with the vesting of land and potential ecological restoration of the land located within the OSWMZ;
- Native plants are anticipated to form a key part of the planting palette for the development area's street trees and public spaces. Confirmation of species selection is typically done in consultation with Council asset managers to ensure that they are comfortable with the species chose prior to the asset being vested.

- Wastewater is proposed to be connected to Council's reticulated network as a more environmentally appropriate solution for a site with a high ground water table than an alternative of on-site treatment and discharge via septic tank systems.

Stormwater matters

In addition to the primary RFI, Council also issued a supplementary RFI dated 23 June 2025 concerning stormwater matters. The confirmation that there are no RFI request regarding geotechnical or wastewater aspects is noted.

The stormwater RFI helpfully provides an update on Council's Styx flood modelling, with the updated model requiring a 400mm increase in the minimum finished floor level for future dwellings. As requested, the applicant is in the process of updating the infrastructure report (Appendix B of the application) to incorporate this new modeling and to address concerns raised in the stormwater RFI regarding the potential for salt water intrusion into the proposed stormwater basins, the associated size of these facilities, and the potential for filling to result in the displacement of floodwaters onto other properties. It is hoped to have this response to you within the next week.

Kind Regards

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Attachment 1 – Arborist Report

Attachment 2 – Updated Landscape Plan

Attachment 3 – Updated Site Plan

Attachment 4 – Updated Civil Plan

Attachment 5 - Lighting Plan

Attachment 6 – Shading Study