

27 February 2024

Conniston Park Ltd  
C/- David Harford Consulting Ltd  
PO Box 603  
**Ashburton**

Via Email: david@dhconsulting.co.nz

Dear David,

**Private Plan Change Request (Ref: PC0003/23) – Conniston Park Ltd, Farm & Racecourse Roads, Ashburton**

Thank you for your application lodged on behalf of Conniston Park Ltd, requesting a change to the Operative Ashburton District Plan (Ref: PC0003/23). I have been engaged by the Ashburton District Council to assist with the processing of this Request.

In accordance with Clause 23(1) of Schedule 1 of the Resource Management Act 1991 (RMA), the following information is requested to better understand the potential effects of the proposal, the ways in which adverse effects may be mitigated and the nature of any consultation undertaken or required to be undertaken.

**Reliance on Concept Subdivision Scheme Plan**

1. The assessment of the proposed change in zoning, including various technical assessments, appears to be based on the scale of density shown in the Annexure 4 Concept Subdivision Scheme Plan ('Concept Plan'), rather than the full density that would be enabled through the Residential C zoning. In particular, the level of density in the Concept Plan is substantially lower than what the provisions in the District Plan enable, which allow for development down to 360m<sup>2</sup> per allotment. By contrast, the Concept Plan assumes 75% of allotments within the site would be 600m<sup>2</sup> or more. The Request, including several annexures have therefore only assessed the effects of the development of around 160 allotments, rather than assessing the full envelop of effects that could arise from the change in zoning. The Request also appears to rely on the detail contained in the Concept Plan in some instances, even though this is not linked to or guaranteed through the zone framework or Outline Development Plan ('ODP'). For example, the benefits of the proposal (paragraph 60 of the Request) appear to include matters which are related to the Concept Plan (particularly choice of section size and reference to where higher density is located). Paragraph 102 also refers to the ODP including medium and lower density areas, despite the ODP itself only including one overall "Proposed Residential Area".
  - Please update the application to assess the effects arising from the density of development that would be enabled through the Residential C zoning, rather than assessing a particular subdivision concept. This should include, but is not limited to, an updated Traffic Impact Assessment and updated Infrastructure Report. Please also update the application to remove matters that relate to the detail contained in the Concept Plan, but which are not guaranteed through the rezoning sought. It is recommended that these reports, along with the overall Request are updated and re-submitted as replacements.

### **Diversity and Demand for Residential Land**

2. The rezoning sought would increase the provision of Residential C capacity, but would reduce that of Residential D.
  - Please provide an assessment of the impact that this has on the overall diversity of residential opportunities (as anticipated in Objective 4.1.)
3. In paragraph 39 of the Request, it is stated that there is demand for future residential housing in Ashburton, with additional Residential C zoning providing for medium to lower residential density allotments.
  - Please provide additional information to demonstrate the demand that exists (for example, from a real estate agent and/or developer assessment).

### **Potential Reverse Sensitivity Effects**

4. The reverse sensitivity assessment identifies the potential for conflict to arise between those living on residential allotments and activities undertaken in adjoining rural areas. However, it is stated that complaints are not expected and that the *“location of the interface will change”*. Reference is also made to subdivision design and landscaping detail provided as part of the application, but such detail does not appear to form part of the Request. The conclusion also does not appear to consider the difference between the current Residential D zoning, and the Residential C zoning sought. In particular, the rezoning will facilitate a greater number of residential allotments being located at the rural interface. In most areas in Ashburton (including the plan change site), the boundary between residential and rural is zoned Residential D, with limited rural / Residential C interfaces. The Residential D zone, because it anticipates a much lower density than Residential C, as well as the presence of rural production activities within the zone itself, therefore acts as a buffer or transition area between the rural zone and residential activities. This will be removed by the rezoning, with an increase in the number of sensitive activities located near existing rural activities.
  - Please provide a more fulsome assessment of potential reverse sensitivity effects arising from the zone change, and consider if additional measures are required to manage the rural/urban interface so as to achieve Objective 4.2.

### **Rule Framework**

5. The Request proposes to adopt the Residential C framework for the site, incorporate the proposed ODP into Chapter 4 and include a new rule relating to the ODP in each of Chapters 4 (Residential) and 7 (Subdivision).
  - Please confirm that reference to Chapter 7 is meant to be to Chapter 9.
  - Please consider whether there are additional consequential changes required to Chapter 4 and 9 to support the new rules and provide consistency with the drafting approach used in the District Plan, such as an addition to the ‘Reasons for Rules’ in section 4.7, and ‘Assessment Matters’ in Section 4.11, as is provided for other areas subject to an ODP.

### **Iwi Management Plans and Consultation**

6. Section 74(2A) requires the Council to take into account any relevant planning document recognised by an iwi authority, when changing its district plan, (to the extent relevant to the resource management issues). The Request does not include an assessment of the Kati Huirapa Iwi Management Plan or the Mahaanui Iwi Management Plan (‘IMPs’).
  - Please provide an assessment of the Request against the relevant provisions in the IMPs.

- Please advise the outcomes of any consultation that has been undertaken with mana whenua. If no consultation has been undertaken, please consult with Aoraki Environmental Ltd.

#### **Wakanui Creek**

7. The Request proposes a higher density of development in proximity to an existing waterbody, which is likely to result in resource consents being required from the regional council and may result in adverse effects on this waterbody. Water bodies are also of significance to mana whenua.
  - Please provide a high level ecological assessment which considers the ecological values of the Wakanui Creek and the potential impacts of the increase in density on this waterbody. In particular, the assessment should identify if any additional mitigation measures are required in relation to this site, or if the existing Plan provisions (including future consenting processes) are sufficient to manage the effects resulting from the change in zoning.
  - Please advise what consents may be required from the Regional Council to facilitate the development anticipated under the zoning, and the activity status and policy framework applicable to these consents. This is necessary to confirm that there is nothing in the regional plan framework that is likely to preclude the development that is anticipated under the Residential C framework.

Please provide the requested information or provide written confirmation if you do not agree to provide the requested information. However, if the requested information is not provided, Council may reject the request or decide not to approve the plan change request, if it is considered that there is insufficient information to enable Council to consider or approve the request (clause 23(6) of Schedule 1).

Once all requested information is provided, Council will consider its adequacy and within 15 working days of receiving the information may require additional information relating to the request (clause 23(2) of Schedule 1) and/or commission a peer review report of any aspect of the request (clause 23(3) of Schedule 1).

Please do not hesitate to contact me if you have any questions or concerns regarding the above request or further processing of the application.

Yours sincerely



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