

23rd November, 2020

Office of the Mayor of Auckland
Level 27
135 Albert Street
AUCKLAND 1010

Attention – Phil Goff, Mayor of Auckland

Dear Phil

Adverse effects to Residential Housing Sector of NES Freshwater Regulations.

Thank you for meeting us to discuss the above issue last week.

Fletcher Residential Limited (**FRL**) is one of New Zealand's largest residential home developers producing over 800 market, affordable and KiwiBuild homes each year. We are also one of the largest developers of land in Auckland, doing so to provide housing and new communities as quickly as possible in an environment where the shortage of quality housing is well known. By focussing on community building rather than simply housing, we are able to create great developments such as the award winning Kowhai Ridge and Waiata Shores, reinforcing our belief that developments which preserve the environment for recreation and future use is an attribute, not a liability.

FRL supports the intent of the Resource Management (National Environmental Standard for Freshwater) Regulations 2020 (Regulations) which came into effect on 3 September 2020. As a responsible and experienced developer, FRL recognises the importance, role and value of wetlands (natural and man-made) in water quality, biodiversity and aquatic ecology. We prepare and implement well considered ecological mitigation plans for all of our developments to address any loss of vegetation, watercourses and wetlands.

Two elements have however been introduced into the Regulations that were not consulted on – a broadening of the definition for 'natural wetland' and prohibiting any disturbance to these areas. FRL's view is that these two reforms will detrimentally affect land available for housing and result in poor outcomes for the master planning of communities. This needs urgent attention.

Further details of the issues with these reforms are as follows:

1. The definition of "wetland" has been significantly broadened and a wetland now includes low ecological value areas, that are wet sometimes, dominated by non-native species (i.e. buttercup and common rush). Photographs of some areas of low ecological value which are now captured in the definition of a wetland are attached as Appendix 1.

There are also interpretation issues with the new definition and FRL is receiving conflicting advice from different ecologists in respect of the same land. There are

instances where three different ecologists have considerably different views as to the areas affected.

Finally, on the issue of wetland definition, pasture is to be assessed as at 3 September 2020. As a result, there is a high degree of confusion around how applicants and Councils are expected to know the specific detail of exotic pasture species as at 3 September 2020 given that all areas now captured by the definition will not currently be mapped by Councils.

We anticipate that the interpretation issues above will lead to litigation of Council decisions and disputes between experts resulting in delays to housing projects;

2. In the past, land development had a consenting pathway if they involved reclamation or works near wetlands. This meant that the potential adverse impacts from a proposal were considered against the mitigation hierarchy of avoid, remedy, mitigate, offset and compensate to ensure 'no net loss' of biodiversity. Consent could be attained.

Under the new Regulations, disturbing these areas is now prohibited. Council has no discretion and must reject all consent applications involving wetland impact or disturbance. Resource consent applications are now being returned as Auckland Council is not even able to consider an application for a prohibited activity;

3. There were no transitional provisions and the Regulations took effect immediately. The status of activities changed overnight with no warning. Councils have not had any period in which to work through the implications of the new Regulations, applications for new housing developments are being rejected by Council and this is leading to immediate delays in the start of new housing necessary for the already constrained housing market; and
4. The Regulations' prohibition of the disturbance of all wetlands prevents owners from using their property for the purpose for which it was acquired. As no compensation is payable by the Government for the resulting loss, this is resulting in an unprecedented financial burden on developers who are no longer able to develop significant areas of land which previously had a consenting pathway for development.

The impact of the above Regulations on the housing market is significant and severe. Development of residential land holdings under the Regulations means avoiding all wetted areas with significant setbacks. This reduces the land area available for developments, impacts the supply of land (and as a result new housing) and has a detrimental impact on the design of developments.

FRL has identified at least seven sites within its current portfolio in Auckland which will be detrimentally impacted. FRL is anticipating reduced yields of 10 to 15% on all seven of these sites. Such reduction in yield is not only going to exacerbate the housing shortage further, but also drive up prices putting further pressure on housing affordability.

In addition, there are the following further impacts:

- There are already significant delays to the consenting of projects for the next couple of years while Councils and developers work through the new requirements;
- The wetted areas will need to remain undisturbed. Given that these areas will be scattered throughout developments, this will have a detrimental effect on master planning for communities. As it is unlikely that Council will want any of these areas as reserves (given their size and location), these areas will need to be included in areas transferred to private landowners. There will be no ability on landowners to trim, mow

or alter these wetlands or a setback around these areas within their properties. As such landowners will end up with pockets of “wetland” within their lawn / garden;

- The reduction in land availability, will mean that more land is required for housing, driving development further afield which will put even further strain on roads and infrastructure; and
- It is difficult to see how any major greenfield housing project will be able to use the fast track process under the Covid-19 Recovery (Fast-track Consenting) Act 2020 as if the project requires alteration to a “wetland”, it will not meet the relevant criteria.

FRL is seeking urgent legislative change to the Regulations to:

- Narrow the definition of Wetland so that it does not capture low value degraded areas of wetland and has a clear meaning; and
- Amend the activity status from “prohibited” to “non-complying” which will provide a consent pathway.

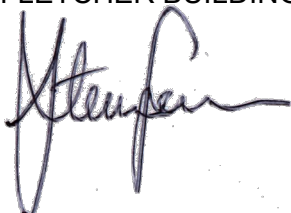
The above changes will still result in excellent ecological outcomes while accommodating activities within environmental limitations, and will avoid significantly disrupting and constraining housing development in NZ. Applying an effects management hierarchy, as originally proposed, is a balanced form of environmental management that aligns with the Freshwater Management Policy Statement. This ensures a practical approach to enable access to low value areas of degraded wetlands for development, in return for supporting enhancement of more significant areas.

We have also met with other group home builders and other interested parties on this very important industry issue. They share our concerns and are equally supportive of the legislative changes noted above to provide a more balanced approach.

As significant representatives of the residential sector, we seek to work collaboratively with Government to resolve this critical issue.

We believe that there is a current need for Auckland Council to assist with this approach to Government, and that by involving industry, Government and Council officials together on an urgent basis, the current impasse can be resolved.

Yours sincerely,
FLETCHER BUILDING



Steve Evans
Chief Executive
Residential and Development Division

cc Dame Fran Wilde – Chair, UDINZ

Appendix 1: Areas now captured as Wetlands



10 March 2021

Auckland Council - Office of the Mayor
Level 27
135 Albert Street
Auckland 1010



Attention: Phil Goff, Mayor of Auckland

Dear Mayor Phil

Adverse effects to Residential Housing Sector of NES Freshwater Regulations

We write on behalf of Hugh Green Limited ('HGL') to express our concerns regarding the effects of the NES Freshwater on the efficient and effective delivery of housing within Auckland's urban areas. We are aware that other residential development companies have contacted you recently to express their concerns. This is very much an industry-wide issue that unless addressed will impact on the supply of housing in Auckland.

In our letter below we provide two examples of development projects that occur before and after the NES Freshwater regulations coming into force. The first example is HGL's Redhills project at Massey and is now post-NES. This project has required a complete redesign following consent lodgement to address the NES requirements and we outline the key issues this has generated. The second example is pre-NES and is HGL's development of the Park Estate Rd, Hingaia. In this project HGL successfully addressed wetlands as part of the overall development using enhancement measures and off-set mitigation in compliance with the Auckland Unitary Plan.

We set out below a recommended approach to resolve these issues. We believe that there is a current need for Auckland Council to assist with this approach to Government, and that by involving industry leaders including ourselves, Government and Council staff together on an urgent basis, the current impasse can be resolved.

1. Hugh Green Limited's Landholdings

Hugh Green Limited is a long established management company of the Hugh Green Group who is a provider and developer of residential and business zoned land within the Auckland Region. Combined, the companies which fall under the Hugh Green Group umbrella own a range of business, residential and rural zoned properties, including sizeable landholdings strategically located to meet the needs of Auckland's population growth.

These landholdings include:

- Approximately 93 hectares of land zoned Mixed Housing Urban, Mixed Housing Suburban and Neighbourhood Centre at Park Estate Road, Papakura;
- Approximately 260 hectares of land zoned a mix of residential zones along with a Local Centre zone at Redhills, Massey;

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- Approximately 30 hectares of land zoned Mixed Housing Urban and a small area of Neighbourhood Centre zone at Flat Bush;
- Approximately 100 hectares of land zoned Future Urban zone and 257 hectares of land zoned Countryside Living at Weiti, Redvale;
- Approximately 15.5 hectares of business and industrial zoned land across Auckland; and
- Approximately 426 hectares of rural land in Helensville and Ardmore.

HGL are currently working on a number of significant residential zoned landholdings that contain stream and wetland areas; in particular the landholdings at Redhills, but also the landholdings at Park Estate Road in Hingaia.

We provide below as an example a summary of the impact that the NES Freshwater has had on development at Redhills, requiring complete redesign of the first stages (some 34ha) of subdivision and also a summary of development at Park Estate Road which obtained consents prior to the NES Freshwater being notified, which demonstrates the quality environmental outcomes that can be achieved when there is some flexibility within the planning framework to evaluate proposals on a case by case basis.

2. Issues with the NES Freshwater

HGL supports the intent of the Resource Management (National Environmental Standard for Freshwater) Regulations 2020 ('NES Freshwater') which came into effect on 3 September 2020. As a responsible and experience developer, HGL recognise the importance, role and value of wetlands in water quality, biodiversity and aquatic ecology. HGL prepares and implements comprehensive and considered ecological mitigation plans for all of their developments that involve works to or in proximity to streams, wetlands and significant ecological areas.

However, there are two key elements that have been introduced to the NES Freshwater post consultation on the regulations, which have and will have a significant effect on the efficient and effective development of their urban zoned landholdings for residential and commercial activities. These are:

- a) The definition of "natural wetland" has been broadened to now include areas of low ecological value that are wet sometimes and dominated by non-native species;
- b) The prohibited activity status for any works that would result in even partial drainage of these wetland areas, meaning that an assessment of appropriate mitigation or off-setting of effects cannot even be considered.

2.1. Definition of "natural wetland"

HGL has had the following issues arise to date with respect to the definition of a "natural wetland":

- The definition of "wetland" has been significantly broadened and a wetland now includes low ecological value areas, which are wet sometimes, dominated by non-native species (i.e. buttercup and common rush).
- Council has suggested that if a farm culvert has been in place for some time and the stream as a result has started ponding and creating a wetland-like environment, that this must be considered as a natural wetland as it occurred naturally following the installation of the culvert.

- Cattle pugged streams, which have widened and flattened over time to have wetland-like qualities such as typical wetland species and temporary ponding of water have been classified as natural wetlands.
- There are also interpretation issues with the new definition, for example how pasture is to be assessed and how applicants and Councils are expected to know the specific details of exotic pasture species given that all of these areas have not been mapped to date.

The difficulties with and broadness of the interpretations are considered to result in many low value wetted areas of land being deemed to be 'natural wetlands' that must be retained within any development. Typically, these areas are irregular, result in very disconnected or oddly shaped/sized areas of land, and ultimately make it highly difficult to efficiently and effectively develop the land in an economically viable manner in accordance with the land's zoning.

2.2. Prohibited Activity Status

A prohibited activity status is extreme, in that an application cannot even be made to, or considered by, Council. There is no scope to undertake a usual assessment under the Resource Management Act with respect to the scale of effects and any measures to avoid, remedy or mitigate under Part 2 of the Act. Therefore, even minor works to reshape a wetland to better fit within an urban environment cannot even be considered. There is also no scope to consider the ecological and hydrological function of the wetland, its contribution to the wider ecosystem and drainage patterns, and whether it is of such value that it merits retention, or alternatively, could be more effectively moved or altered in favour of a more appropriately located and/or higher value wetland.

There were no transitional provisions and the Regulations took effect immediately. The status of activities changed overnight with no warning. Councils have not had any period in which to work through the implications of the new Regulations, applications for new housing developments are being rejected by Council and this is leading to immediate delays in the start of new housing necessary for the already constrained housing market.

The Regulations' prohibition of the disturbance of all wetlands prevents owners from using their property for the purpose for which it was acquired. As no compensation is payable by the Government for the resulting loss, this is resulting in an unprecedented financial burden on developers who are no longer able to develop significant areas of land which previously had a consenting pathway for development.

3. Project Examples Involving Wetlands

3.1. Redhills, Massey

The first stage of HGL's development at Redhills, referred to as the Raphoe block, encompasses some 34ha of land zoned approximately 50/50 Terrace Housing and Apartment Buildings zone and Mixed Housing Urban zone.

A significant masterplanning exercise was undertaken for the Raphoe block and the wider HGL landholding of 256ha in total commencing in November 2019. This was an iterative process with a lot of Council engagement (including with various Council officers, specialists, stakeholders (e.g., Parks and Healthy Waters) and CCOs (Auckland Transport and Watercare Services Ltd)) that was progressed through the first few months of 2020.

This masterplanning informed the layout of key roads, reserves (parks and stormwater management areas), urban form aspirations, community facilities (including liaison with the Ministry of Education regarding the location of a primary school within the development) for Raphoe.

To begin to give effect to the masterplan, earthworks and streamworks resource consent applications were prepared for the Raphoe area and submitted to Council on 5 May 2020 (a copy of the subdivision plan underpinning these works is Attachment 1). These plans included:

- Bulk earthworks to establish key roads and suitable grades for residential super lots along with a suitable site for the MoE for a primary school;
- Reclamation and realignment of some stream tributaries within the site, with offset mitigation proposed by way of stream remediation within the site and stream enhancement of degraded streams on HGL's landholdings at Weiti;
- Reclamation of degraded wetland areas (streams pugged by cattle over time) within the site and environmental offsetting through enhancement of an existing larger wetland within the balance of HGL's Redhills landholding.

Examples of the 'natural wetlands' are shown in the images below:



Fig 1: NS 14 tributary November 2019



Fig 2: NS14 tributary March 2020 (dry)

The application was assessed by Council and determined to be an appropriate balance of maintaining and enhancing key streams and wetlands within the site; whilst enabling the reclamation of some streams and wetlands to achieve the efficient and effective use of the land for residential activities.

All s92 matters were responded to in July and a notification decision on the applications was close to being completed on 3 August when the NES Freshwater was gazetted. The NES Freshwater prohibits reclamation of wetlands, and therefore, we became aware that some of the works we were seeking consent for would be prohibited under the NES Freshwater. This was discussed with Council and as the commencement date for the NES was 3 September, it was agreed that a decision could be issued prior to the commencement of the NES on 3 September 2020. Earthworks consent (including wetland reclamation) was approved by council on 2 September 2020.

Subsequently, we received advice from Council that, although Council was able to grant the resource consent prior to the NES Freshwater coming into effect on 3 September 2020, the consent did not prevail over the prohibited activity status for wetland reclamation given a notification decision was made after the date that it was gazetted on 3 August 2020 (as per s43B(7) of the RMA). As such, we were advised that the consent could not be given effect to and that a variation would be required to remove the wetland reclamation.

The implications of this resulted in complete redesign of the subdivision (Attachment 2) including:

- Moving the site that was close to agreement with MoE for the primary school and getting the new site re-agreed with MoE;
- Adjusting key roads within the subdivision, including an additional bridge crossing over one of the wetlands to be retained as there was no other feasible way to provide a key access road within the subdivision;
- Adjusting the location of a previously agreed neighbourhood park and renegotiating acquisition of this with Council Parks;
- Completely recontouring the site to enable the wetland areas within the site to be retained original design had a cut/fill balance and revised design has a 70,000m³ fill deficit which has associated cost implications;
- Completely changing the stormwater management approach for the site to work in with the retained wetlands and maintaining their hydrological function, removing previously proposed headwater treatment basins and resulting in additional stormwater management devices being required within development lots when developed, which will further impact the development yields that can be achieved on the site;

These were not significant wetlands and were deemed to have low ecological value, being described as pugged streams (due to cattle) that had developed wetland characteristics in terms of vegetation and ponding of water. However, due to the broad definition of wetland, and the prohibited activity status that left no wiggle room for assessment of effects on merit, Council determined these wetlands must be retained.

As a result of the redesign, the net developable area reduced by approximately 1ha, which noting that this land has a Terraced Housing and Apartment Building zone translates to approximately 50 household units. . This would not have been required had the NES Freshwater and NPS Freshwater Management not come into force, or if those documents classified wetland reclamation as a discretionary or non-complying activity, enabling a consent to still be assessed and granted if the overall environmental outcome was deemed appropriate (which Council had previously determined was the case).

3.2. Park Estate Rd, Hingaia

HGL's landholding at Park Estate Road, Hingaia, is approximately 93ha of land which is currently being developed, with bulk earthworks currently in progress. This project demonstrates how development sites involving wetlands were responsibly designed, managed and consented in Auckland prior to the NES Freshwater coming into force.

This site contained a total of twenty wetlands which ranged significantly in size (between 120 m² and 5.7 ha) and in ecological value. Through the consenting for this development an evaluation of the wetland areas was undertaken to determine those areas of value that should be retained and enhanced, and those of lesser value that could be reclaimed, with mitigation provided through enhancement of the retained wetlands. Overall, this development included the reclamation of all or part of 13 wetlands (some 3.5 ha), alongside enhancement of all or part of 10 wetlands (some 9.7 ha). The wetlands reclaimed were those of small scale, separated from natural drainage networks and of low ecological value.

The authorisation for the reclamation of the small and dispersed wetlands enabled the road and block layout to be developed efficiently in a manner that wrapped development around the remaining wetlands whilst avoiding small or awkwardly shaped parcels of land between wetlands that would be difficult and/or inefficient to develop for residential activities and enabled an efficient roading pattern and connections to be provided for.

The reclamation of wetlands was assessed by Auckland Council as a non-complying activity under the provisions in E3 of the Auckland Unitary Plan. These provisions required an assessment approach similar to the effects management hierarchy specified in the National Policy Statement for Freshwater Management 2020, resulting in the retention and enhancement of approximately three-quarters of the total wetland area to offset loss of approximately one-quarters of this area.

This development was consented prior to the NES Freshwater and NPS Freshwater Management coming into effect, and therefore is proceeding in accordance with issued resource consents that have precedent over the new legislation. If the NES provisions were in effect prior to approval of resource consents, all 20 of the wetlands would need to be retained and accounted for as part of the development design. The developable area would reduce by more than 3.5 ha (which itself could support 50 to 100 additional dwellings) and inefficiencies related to access and servicing. There would also be no requirement or incentive for the poor quality of these wetlands to be enhanced.

This development is an example of what can be achieved when there is some flexibility in the planning framework to achieve positive, high quality environmental outcomes whilst also enabling efficient and effective development of zoned residential land for residential activities at densities that will assist to address the shortage of affordable housing in the Auckland Region. Such development cannot be achieved under the NES Freshwater, given the prohibited activity status for wetland reclamation and definition of 'wetland'.

4. Impact of NES Freshwater provisions

The impact of the above Regulations on the housing market is significant and severe. Development of residential land holdings under the Regulations means avoiding all wetted areas with significant setbacks. This reduces the land area available for developments, impacts the supply of land (and as a result new housing) and has a detrimental impact on the design of developments.

In addition, there are the following further impacts:

- There are already significant delays to the consenting of projects for the next couple of years while Councils and developers work through the new requirements.
- The wetted areas will need to remain undisturbed. Given that these areas will be scattered throughout developments, this will have a detrimental effect on master planning for communities. As it is unlikely that Council will want any of these areas as reserves (given their size and location), these areas will need to be included in areas transferred to private landowners. There will be no ability for landowners to trim, mow or alter these wetlands or a setback around these areas within their properties without resource consent.
- The reduction in land availability, will mean that more land is required for housing, driving development further afield which will put even further strain on roads and infrastructure; and
- It is difficult to see how any major greenfield housing project will be able to use the fast track process under the Covid-19 Recovery (Fast-track Consenting) Act 2020 as if the project requires alteration to a "wetland", it will not meet the relevant criteria.

5. Recommended Approach

To address these issues, HGL is seeking urgent legislative change to the Regulations to:

- Narrow the definition of Wetland so that it does not capture low value degraded areas of wetland and has a clear meaning; and
- Amend the activity status from "prohibited" to "non-complying" which will provide a consent pathway.

The above changes will still result in excellent ecological outcomes while accommodating activities within environmental limitations and will avoid significantly disrupting and constraining housing development in NZ. Applying an effects management hierarchy, as originally proposed, is a balanced form of environmental management that aligns with the NPS Freshwater Management. This ensures a practical approach to enable access to low value areas of degraded wetlands for development, in return for supporting enhancement of more significant areas.

Through your leadership we believe the implementation issues generated by the NES Freshwater provisions can be resolved through industry, Government and Auckland Council working together. HGL is happy to meet with you to discuss this approach.

Yours faithfully
Hugh Green Limited


Patrick Gavaghan
General Manager Property & Development

pd@hgs.co.nz
021 995800

Encl.

Copy to UDINZ

LEGEND:

- EXISTING STREAM
- EXISTING WETLAND
- INITIAL SUBDIVISION SCHEME
- REDESIGNED SUBDIVISION SCHEME
- RAPHOE STAGE BOUNDARY

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 100 WILSON ROAD
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 PH: +64 9 317 5999
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REF	REVISIONS	BY	DATE

PROJECT: **RAPHOE
 ENABLING SUBDIVISION CONSENT**

TITLE: **DEVELOPMENT PLAN COMPARISON**

ORIGINATOR:	DATE:	ISSUED:	DATE:	FLAT BY:	DATE:

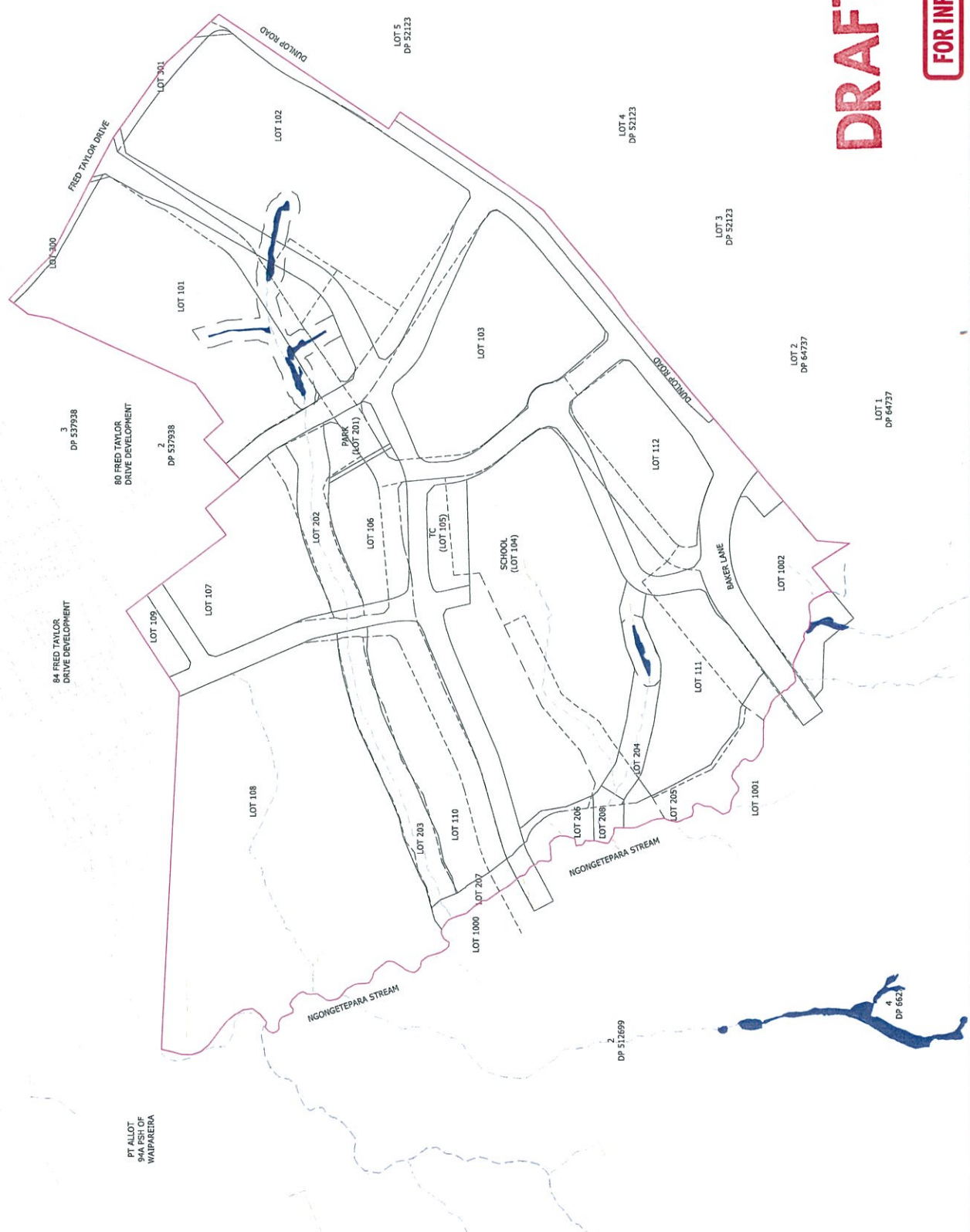
DRAWN:	DATE:	CHECKED:	DATE:	APPROVED:	DATE:

ISSUE FROM: **FOR INFORMATION**

SCALE:	REVISION
1:2000 - A1	A1
1:6000 - A3	

DRAWING NO: **147258-SK#108**

REV: **B**



DRAFT

FOR INFORMATION

REFER TO APPROVED MASTER DRAWINGS FOR ORIGINAL SIGNATURES. FILE: D:\VALUATION\DESIGN\2021\UNTEMP\TEMPLATE\HARGREAVES\NEWMARKET\SHARES\YOUNG\147258\147258-SK#108.DWG

NOTES

- LEVELS ARE IN TERMS OF MCKILAND VERTICAL DATUM 1946
 SOUTH ISLAND DATUM
 M 197 50 49327
 N 52.76
- COORDINATES ARE IN TERMS OF NZ GEODETIC DATUM 2000
 NORTH ISLAND DATUM
 M 197 50 49327
 N 52.76
- BOUNDARIES SHOWN ON THIS PLAN HAVE BEEN ADOPTED FROM UNRECORDED SURVEY PLANS AND HAVE NOT BEEN SURVEYED. A BOUNDARY DEFINITION SURVEY SHOULD BE CARRIED OUT TO ESTABLISH EXACT BOUNDARY POSITIONS ON SITE.
- ALL EASEMENTS, COVENANTS AND OTHER LEGAL INSTRUMENTS AFFECTING THIS PLAN HAVE BEEN RECORDED AND SHOWN ON THIS PLAN. AN INVESTIGATION OF THE MOST CURRENT LEGAL RECORDS SHOULD BE UNDERTAKEN PRIOR TO DESIGN AND CONSTRUCTION COMMENCING.
- THIS PLAN MAY NOT PROVIDE ENOUGH INFORMATION FOR HEIGHT TO BOUNDARY CALCULATIONS. WHERE ANY PROPOSED HEIGHTS ARE SHOWN ON THIS PLAN, THE CLIENTS LOCAL HEIGHT IN RELATION TO BOUNDARY CONTROLS, HARRISON GRISSON SHOULD BE CONSULTED.
- THESE NOTES ARE AN INTEGRAL PART OF THIS PLAN.
- THIS PLAN IS ISSUED FOR A SPECIFIC PROJECT AND MAY NOT BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS WITHOUT WRITTEN CONSENT OF HARRISON GRISSON.
- IF A PLAN HAS BEEN PREPARED FOR RESOURCE CONSENT PURPOSES ONLY, NO DETAILED DESIGN SHOULD BE UNDERTAKEN UTILISING THIS DATA.
- BOUNDARY BEARINGS AND DISTANCES AND AREAS SHOWN ARE SUBJECT TO A FULL LEGAL SURVEY AND APPROVAL BY LAND INFORMATION NZ.
- 20m ESPALADE OFFSETS HAVE BEEN CALCULATED FROM THE UNIMPURED FLOW MODEL, GENERATED DECEMBER 2019.
- LOTS 1000, 1001 AND 1002 WILL BE AMALGAMATED WITH LOT 2 DP 512699 AND ONE CERTIFICATE OF TITLE WILL ISSUE.
- LEGAL DESCRIPTION:
 LOT 4, DP 537938, LOT 1, DP 44747, LOT 1, DP 537938 AND LOT 4, LT 509852
 COMPILED IN CTS 895990 AND M9950/684
 TOTAL AREA 46,145sqm

HCG
 HUGH GREEN GROUP
 RAPHOE
 LEVEL 4, 35 ST GEORGES BAY ROAD
 PARNELL AUCKLAND 1042
 PH: 09 959 9999
 WWW.HARRISONGRISSON.CO.NZ

TYPE	AMENDED	DATE	BY
A	AMENDED PERMITS	5/11/20	SM
B	AMENDED BOUNDARIES	11/12/20	SM
C	AMENDED BOUNDARIES	5/11/20	SM
D	AMENDED BOUNDARIES	5/11/20	SM
E	AMENDED BOUNDARIES	5/11/20	SM
F	ESPALADE RESERVE RECALCULATED	10/12/20	SM
G	ESPALADE RESERVE RECALCULATED	10/12/20	SM
H	ESPALADE RESERVE RECALCULATED	10/12/20	SM
I	REVISIONS		
J	REVISIONS		
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M	REVISIONS		
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**HUGH GREEN GROUP
 RAPHOE**

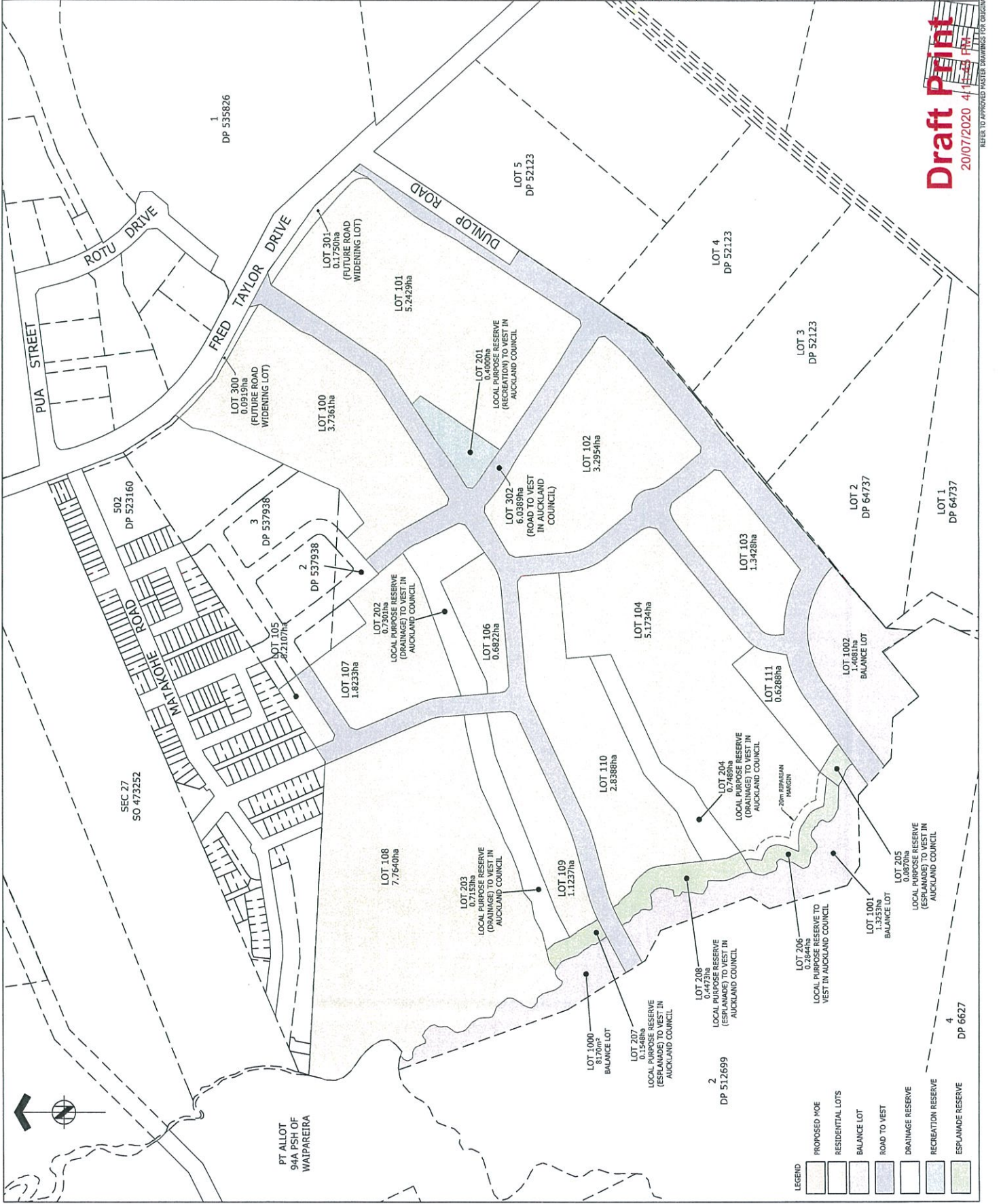
DRAFT
 RAPHOE ENABLING SUBDIVISION CONSENT
 PROPOSED SCHEME PLAN
 FOR DISCUSSION

OPERATING DATE	ISSUE DATE	ISSUE NO.	SCALE	CLIENT ISSUE
15.07.20	15.07.20	1	1:2000-A1 1:4000-A3	AI
15.07.20	15.07.20	2		REV

PROJECT No: 12000-A1
 1095-147559-042
 DRAWING No: 147258-SC01
 DATE: 20/07/2020 4:14:33 PM

Draft Print
 20/07/2020 4:14:33 PM

REFER TO APPROVED MASTER DRAWINGS FOR ORIGINAL SCHEMATIC. FOR: HARRISON GRISSON (LICENSÉE: 1095-147559-042)



147258-SC01

DATE: 20/07/2020 4:14:33 PM

NOTES

- LEVELS ARE IN TERMS OF AUCLAND VERTICAL DATUM 1946
- COORDINATES ARE IN TERMS OF NZ GEODETIC DATUM 2000
 NUTTER POINT STATION COORDINATES
 SK 57 50 49237
 SK 57 50 49237
 806023.11 mN
 352975.39 mE
- BOUNDARIES SHOWN ON THIS PLAN HAVE BEEN ADOPTED FROM THE UNRECORDED SURVEY PLANS AND HAVE NOT BEEN SURVEYED. A SURVEY SHALL BE CONDUCTED BY THE CLIENT TO ESTABLISH EXACT BOUNDARY POSITIONS ON SITE.
- ALL EASEMENTS, COVENANTS AND OTHER LEGAL INSTRUMENTS ASSOCIATED WITH THIS SITE MAY NOT BE SHOWN ON THIS PLAN. AN INVESTIGATION OF THE MOST CURRENT LEGAL RECORDS SHOULD BE UNDERTAKEN PRIOR TO DESIGN AND CONSTRUCTION COMMENCING.
- THIS PLAN MAY NOT PROVIDE ENOUGH INFORMATION FOR ARCHITECTS AND ENGINEERS TO DESIGN BUILDINGS OR BUILDINGS OR PART THEREOF. HEIGHT IN RELATION TO BOUNDARY CONTROLS, HARRISON GREENSON CONSULTANTS IS REQUIRED TO BE CONSULTED.
- THESE NOTES ARE AN INTEGRAL PART OF THIS PLAN.
- THIS PLAN IS INTENDED FOR A SPECIFIC PROJECT AND MAY NOT BE ALTERED OR USED FOR ANY OTHER PURPOSE WITHOUT THE PRIOR WRITTEN CONSENT OF HARRISON GREENSON.
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- LOTS 1000, 1001 AND 1002 WILL BE AMALGAMATED WITH LOT 2 DP 512699 AND ONE CERTIFICATE OF TITLE WILL ISSUE.
- LEGAL DESCRIPTION
 LOT 4 L1 502952
 LOT 4 L2 502952
 LOT 4 L3 502952
 LOT 4 L4 502952
 TOTAL AREA 48.14529ha



REGISTERED PROFESSIONAL ENGINEER
 LEVEL 4, 85 ST GEORGES BAY ROAD
 PARNELL, AUCKLAND 1022
 www.harrisongreenson.com

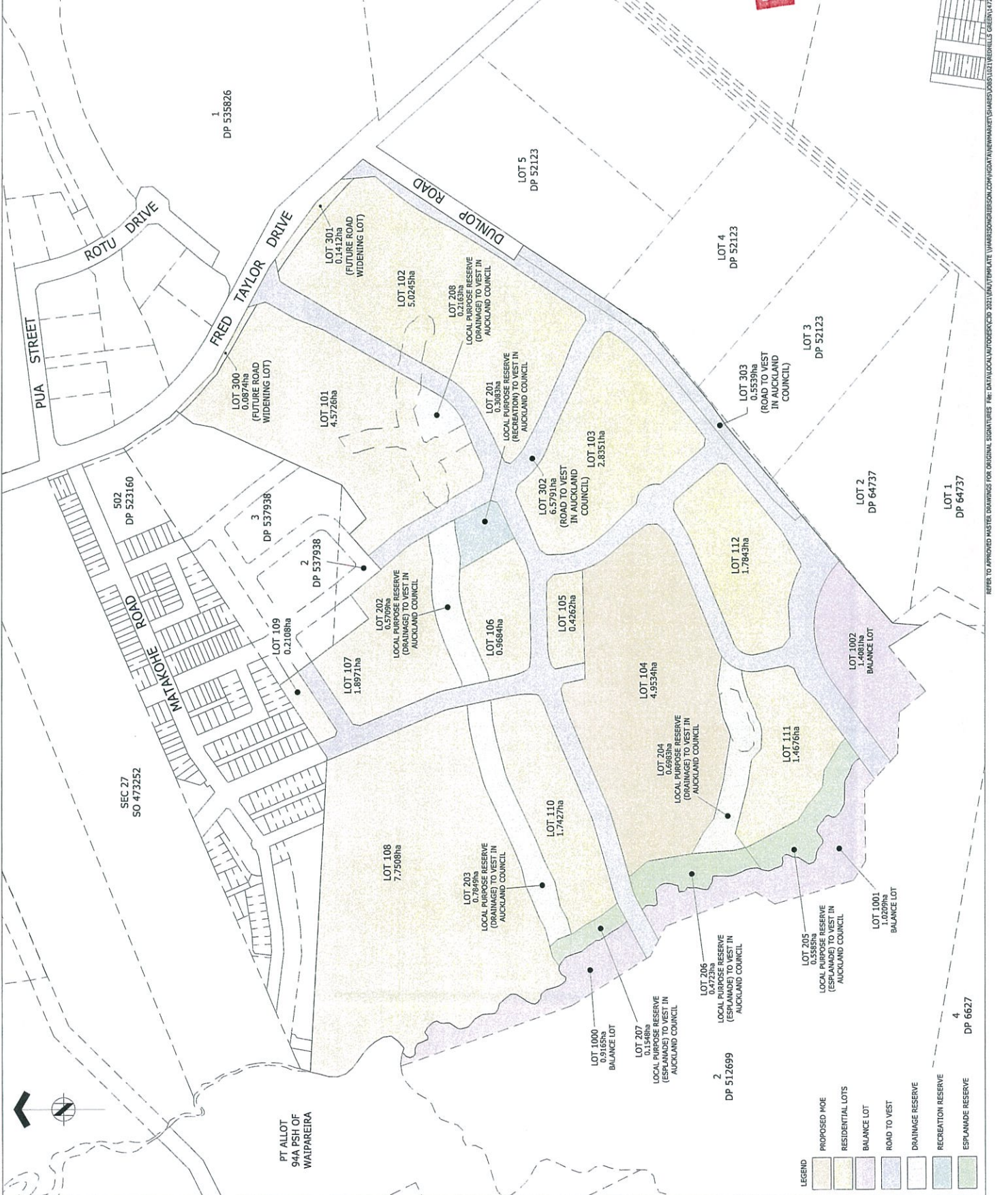
NO.	DESCRIPTION	DATE	BY	DATE
C	ISSUED FOR DISCUSSION	11/05/23	AMB	11/05/23
E	ISSUED FOR DISCUSSION	11/05/23	AMB	11/05/23
F	ISSUED FOR DISCUSSION	11/05/23	AMB	11/05/23

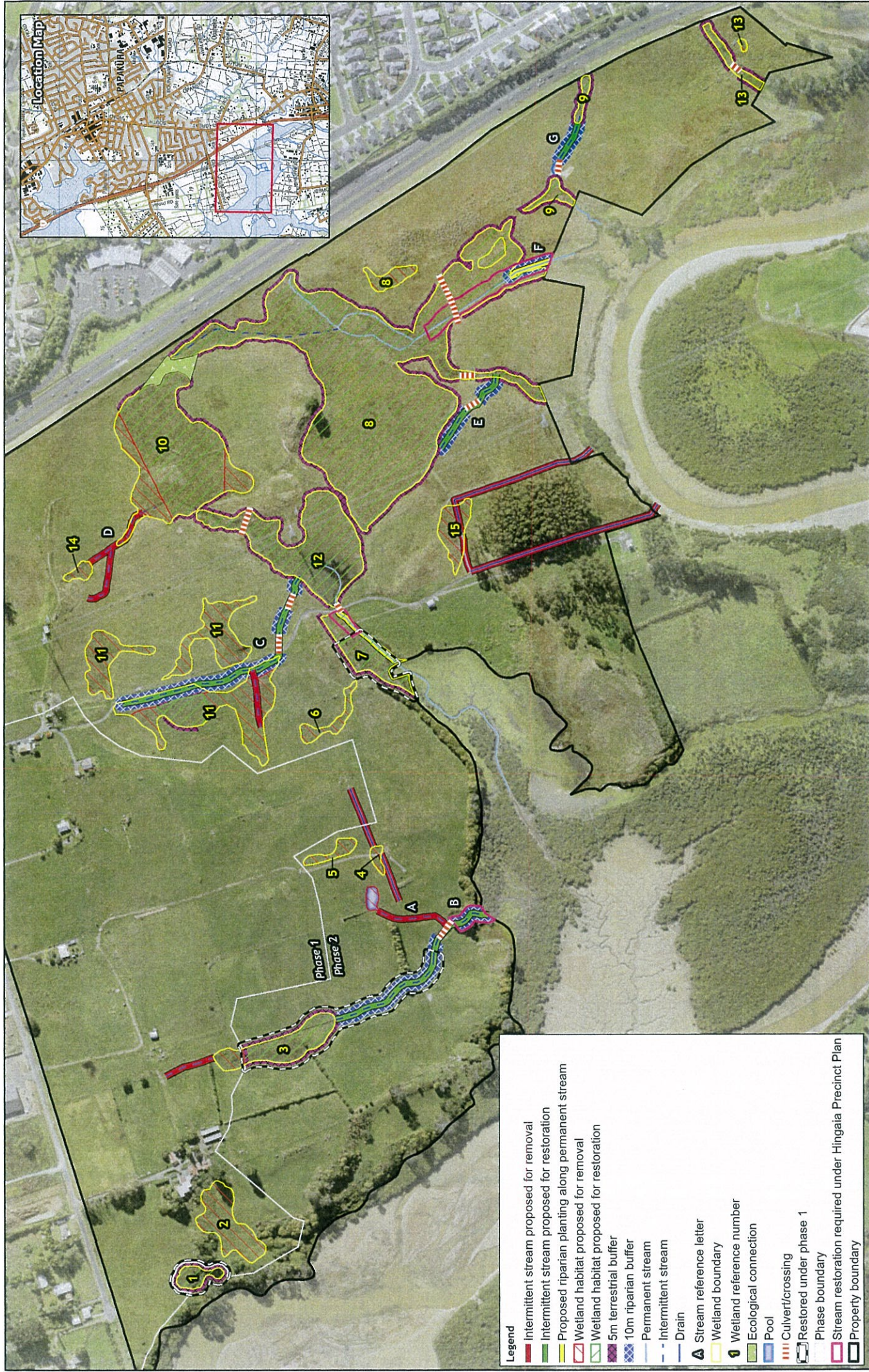
HUGH GREEN GROUP
 RAPHOE
 SUBDIVISION DEVELOPMENT PLAN
 FOR DISCUSSION



DATE	BY	DATE
DATE: 04.06.23	DATE: 15.01.21	DATE:
DATE: 04.06.23	DATE:	DATE:
DATE: 01.10.20	DATE:	DATE:
DATE: 01.10.20	DATE:	DATE:

SCALE:	CLIENT ISSUE
1:2000-A1	AL
1:4000-A3	REV
147258-SK#150	C





- Legend**
- Intermittent stream proposed for removal
 - Intermittent stream proposed for restoration
 - Proposed riparian planting along permanent stream
 - Wetland habitat proposed for removal
 - Wetland habitat proposed for restoration
 - 5m terrestrial buffer
 - 10m riparian buffer
 - Permanent stream
 - Intermittent stream
 - Drain
 - ▲ Stream reference letter
 - Wetland boundary
 - 1 Wetland reference number
 - Ecological connection
 - Pool
 - Culvert/crossing
 - Restored under phase 1
 - Phase boundary
 - Stream restoration required under Hingaia Precinct Plan
 - Property boundary

Figure 2. Proposed options for wetland and stream compensation for Phase 2 works at Park Estate Road, Hingaia

DRAFT

1-4,500
 www.wildlands.co.nz 0800 WILDZEE
 Scale:
 Date: 26/08/2019
 Cartographer: FM/TK/ZJN
 Format: ASR

Data Acknowledgment
 Map contains data sourced from LINZ
 Crown Copyright Reserved
 Report #: 4970
 Client: 1313
 Path: E:\GIS\Projects\Hingaia\MapDocs
 File: Figure Wetland Mitigation - Stage II.v5.mxd

National Policy Statement for Freshwater Management 2020

Implications for 68 Quaifes Road, Halswell

February 2021



NPS-FM 2020 – Impact on Quaifes Road development



- 68 Quaifes Road, Halswell, comprises an area of approximately 10 hectares, zoned for residential development.
- The consent application necessary to support development was submitted to Environment Canterbury on 14 September 2020 and rejected subsequently on 24 September 2020, noting the NPS-FM was relevant to the application and not appropriately addressed.
- At the date of writing, consents are still being sought through Ecan. Consequently, the construction programme has been considerably impacted and is now highly compromised as we head out of the best earthworking months.
- The areas of concern to Ecan are as indicated on Appendix 1 – being a ‘pond’ and a further depressed, boggy area located to the north-west of the pond. These areas have been excavated and modified over time by previous owners. Reports from terrestrial and aquatic ecologists indicate these areas are degraded and in poor health.
- Prior to the NPS-FM, the entire area now categorised as wetland under the new freshwater legislation would not have been defined as such as under the Canterbury Land and Water Regional Policy as it does not “support an indigenous ecosystem of plants and animals specifically adapted to living in wet conditions and provide a habitat for wildlife”. The pond area may have required retention pre NPS-FM due to it potentially being spring fed, however this has not been confirmed.
- Due to the broad definition of wetland in the Resource Management Act, which the NPS-FM (and NES-FM) refer back to, a much larger area is now deemed to be a wetland. The revised definition refers to a ‘natural ecosystem of plants.....that are adapted to wet conditions” which has been interpreted to include exotic vegetation. The north western section has/had willows growing in and around it.

NPS-FM 2020 – Impact on Quaifes Road development



- The site and surrounding land to the west, north and east of the site are all zoned Residential New Neighbourhood and are either developed or pending development. As with all developments within Christchurch City, stormwater is directed into a piped network which eventually discharges to stormwater basins for treatment. This results in the changing of drainage patterns on site and surrounding areas. The water in the pond is considered to be sourced by both groundwater seepage/spring and stormwater run-off. The north-west area is sourced solely from stormwater run-off. As such the extent of the pond and the depth of water will be impacted by the changing drainage patterns of the surrounding area as development occurs. As such, it is highly probable that the wetland area will lose most if not all of its water source and subsequently dry up (see Appendix 4 for Summer 2021 photos illustrating this point).
- Recommendations from our ecologists indicate the area of the pond should be reduced by filling some of the artificial excavation, creating a smaller and deeper wetland with lower volume, producing better water quality, better habitat structure and attracting less fouling by waterfowl – in all, a better environment for everyone (per the subdivision plan at Appendix 2). This, however, has also been resisted to date by Ecan.
- The entire wetland area as now defined is 2,420m². This area increases to 7,257m² when taking into account the 10m setback for earthworks and any vegetation removal. The area associated with Dalgety Drain is also now protected under the NPS-FM and this area encompasses 2,067m². This gives a total affected area of 9,324m²
- Under the Christchurch District Plan the zoning for the site is Residential New Neighbourhood, specifying a baseline density of 15 households per hectare. If this wetland was not there in its entirety, the result would be a minimum of 14 additional homes. Note, development to a higher density is enabled under zone provisions, and using an average lot size of 425m² (as is indicated in our Stage 1 subdivision plan), would generate around 22 additional homes.

NPS-FM 2020 – Impact on Quaifes Road development



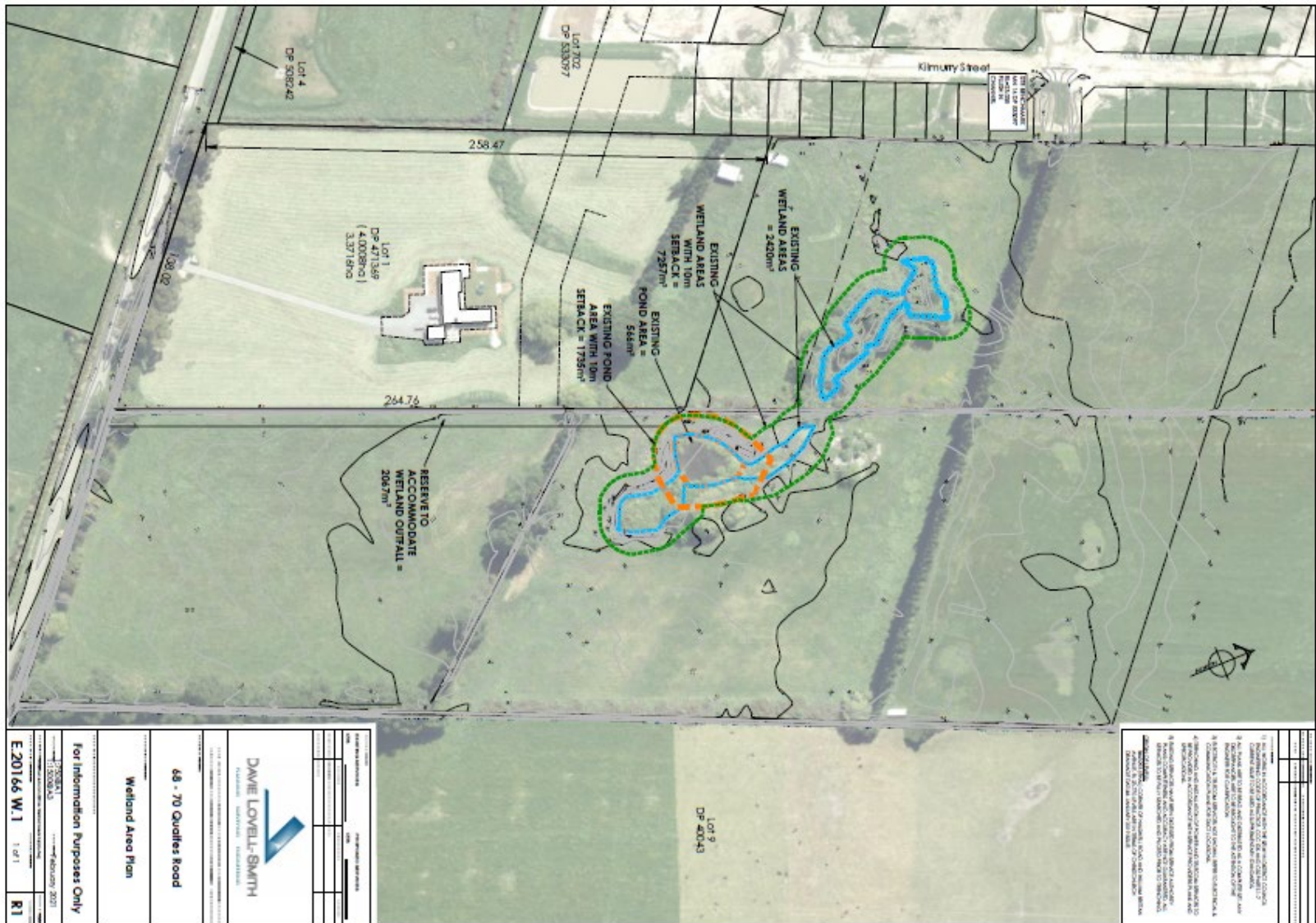
- As noted previously, there is a degree of uncertainty as to whether the wetland could have been removed in its entirety prior to the NPS-FM due to the potentially spring fed nature of the pond. If protection was afforded, the area likely to have been retained is highlighted in orange on the plan at Appendix 1. This encompasses an area of 566m² for the pond itself, increasing to 1,735m² when applying the necessary development setback.
- Under this scenario, the previous 'additional' house sites calculation would reduce from 14 to 11 under the baseline zone density provisions, and from 22 to 18 when using higher density calculations in alignment with the current Stage 1 subdivision plan.

Appendix 1

Areas of Interest



Appendix 1 – Areas of Interest



<p>DAVID LOVELL-SMITH PLANNING CONSULTANTS</p>	
<p>68 - 70 Quail's Road Wetland Area Plan</p>	
<p>For Information Purposes Only</p>	
<p>E20166 W.1 1 of 1 R1</p>	

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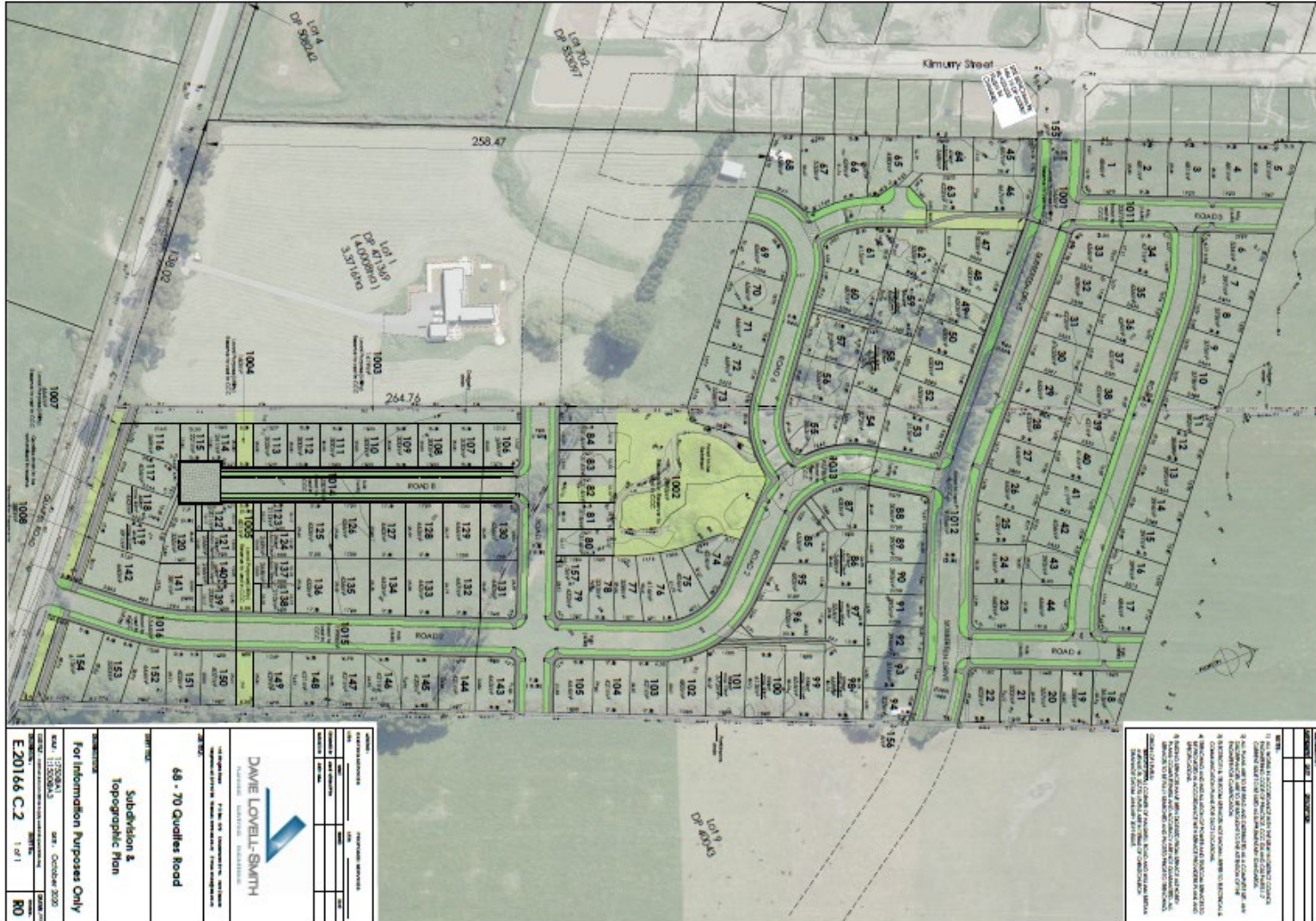
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Appendix 2

Proposed Subdivision Plan



Proposed Subdivision Plan

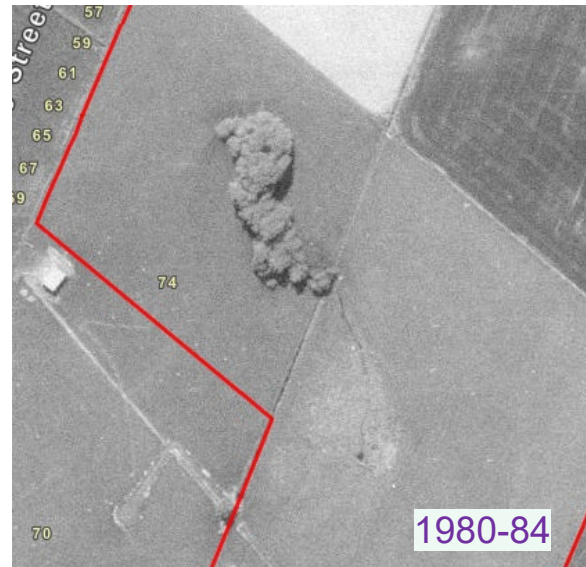


Appendix 3

Historical Imagery



Historical Imagery



Appendix 4

Site Photos



Site Photos – Winter 2020



24 July 2020



Northern extent of pond



Eastern side of the pond showing the earth mounding

24 July 2020



Wetted area, North West of pond, looking south east



Wetted area (North West of the pond), looking south east

Site Photos – Summer 2021



North-west of the pond looking north



Base of the 'pond'



North-west of the pond looking south



Main pond area looking south