

**BEFORE INDEPENDENT HEARING COMMISSIONERS APPOINTED BY THE
WAIMAKARIRI DISTRICT COUNCIL**

IN THE MATTER OF

The Resource Management Act 1991 (**RMA** or
the Act)

AND

IN THE MATTER OF

Hearing of Submissions and Further
Submissions on the Proposed Waimakariri
District Plan (**the Plan**)

AND

IN THE MATTER OF

Hearing of Submissions and Further
Submissions on Variations 1 and 2 to the
Proposed Waimakariri District Plan

AND

IN THE MATTER OF

Submissions and Further Submissions on the
Proposed Waimakariri District Plan by
Momentum Land Limited and
Mike Greer Homes NZ Limited

**EVIDENCE OF BRIAN WILLIAM PUTT
ON BEHALF OF MOMENTUM LAND LIMITED AND
MIKE GREER HOMES NZ LIMITED
REGARDING STREAM 12E REZONING OF LAND**

DATED: 9 May 2024

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INTRODUCTION

1. My name is **Brian William Putt** of Auckland. I am a qualified town planner with nearly 50 years' experience as a professional town planner and resource management consultant.
2. My role at this hearing on the Stream 12 matters arising from Variation 1 to the proposed Waimakariri District Plan (**the Plan**) Plan, is to provide an overview of the spatial planning backdrop to the purpose of expanding the Residential Zones around Kaiapoi and draw conclusions in respect of the evidence provided in support of the submissions of Momentum Land Limited (**MLL**) and Mike Greer Homes NZ Limited (**MGH**) whom I am assisting. I confirm that I have examined the areas subject to the MLL and MGH submissions on several occasions and I am aware of their relationships to the spatial characteristics of Kaiapoi.
3. I hold the qualifications of Bachelor of Arts and Post-Graduate Diploma in Town Planning, both from Auckland University. I also hold a Diploma in Accounting and Finance from Central London Polytech and I have been a full member of the New Zealand Planning Institute since 1977.
4. I am experienced in all aspects of New Zealand statutory and land use planning and specialised in recent years in development co-ordination, social and environmental reporting on major projects, due diligence analysis for development project investment purposes and the analysis and presentation of applications for resource consents. I regularly appear as an expert witness before District Councils, the Environment Court and less frequently, the High Court in matters of town planning and resource management litigation. In the least two years I have also been involved in Hearings Panels and as an advisor on the Covid Fast-Tracking of applications for resource consent. Since 1997 I have been on the editorial board of the *Salmon – RMA Annotated Text*.
5. The important starting point is to remember that the needs and constraints of an airport are not the sole determinant of the control and land use management structure. They are an important element in the decision-making but must still be balanced against the dynamics of the urban development initiative being promoted in this case by, in particular, the National Policy Statement on Urban Development (**NPS-UD**). In the case of Kaiapoi care must be taken to ensure that perceived minor effects that may arise from aircraft noise, does not impose

such a draconian constraint on development of attractive and urban capable land that parts of Kaiapoi result in suffering from urban blight.

6. I have read the Environment Court's Code of Conduct and agree to comply with it. My qualifications as an expert are set out above. The matters addressed in my evidence are within my area of expertise, however where I make statements on issues that are not in my area of expertise, I will state whose evidence I have relied upon. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in my evidence.
7. I confirm I have read the evidence of Patricia Harte and Mark Allan in support of the MLL and MGH submissions. I endorse their analysis and conclusions in respect of the sites identified in Kaiapoi in the request for rezoning of both submitters.
8. In preparing my evidence I have considered the following:
 - (a) The MLL and MGH submissions and further submissions on the Plan and Variation 1.
 - (b) the evidence prepared by:
 - (i) Mr Bruce Weir – urban design
 - (ii) Mr Danny Kamo – landscape
 - (iii) Mr Fraser Colegrave – economics
 - (iv) Mr Richard Brunton – flooding
 - (v) Mr Andy Carr – transport
 - (vi) Mr Manu Miskell – infrastructure
 - (vii) Mr Geoffrey Dunham – rural productivity
 - (viii) Ms Annabelle Coates – ecology
 - (ix) Ms Anna Sleigh – geotechnical
 - (x) Mr Mark Morley – contamination
 - (xi) Mr Mark Allan – Planning

- (c) The evidence for MGH prepared by –
 - (i) Mr Neil Charters – geotech
 - (ii) Dave Robotham – contamination
 - (iii) Geoff Dunham – soils
 - (iv) Jamie Verstappen – infrastructure
 - (v) Mat Collins – transport
 - (vi) Vikramjit Singh - urban design
 - (vii) Rory Langbridge – landscape
 - (viii) Greg Whyte – flooding
 - (ix) William Reeve – acoustic
 - (x) Fraser Colegrave – economics
 - (xi) Lydia Metcalfe – ecology
 - (xii) Patricia Harte – planning

- (d) Joint Witness Statement, dated 28 March 2024, regarding for the discussions on airport noise matters, certification, and the release of land in development areas

- (e) The evidence prepared for the Stream 10A hearing by Professor John-Paul Clarke (Aviation acoustic)

- (f) The National Policy Statement on Urban Development

- (g) The Canterbury Regional Policy Statement

- (h) The Plan and the Waimakariri 2048 District Development Strategy, July 2018, and

- (i) The Greater Christchurch Spatial Plan 2024.

2 I presented evidence to the Hearings Commissioners appointed by the Greater Christchurch Partnership in respect of the Draft Greater Christchurch Spatial Plan. I also provided evidence on behalf of several submitters on the Stream 10 and 10A Plan hearings, in particular giving advice on the appropriate noise contours to be placed over residential land in the Kaiapoi urban area to protect

the Christchurch International Airport operational needs. These two separate hearings have provided me with a broad appreciation of the difficulties facing the Waimakariri District Council in the absence of clear regional planning directions that reflect the purpose of the NPS–UD as implemented through the RMA Amendment Act 2021. The lack of coherence that I identified in my evidence to the draft Greater Christchurch Spatial Plan Hearings Panel and the specific noise and land use control evidence I presented to the Hearings Panel appointed by Waimakariri District Council remains very relevant to these hearings requesting an expansion to the residential zone format in Kaiapoi.

- 3 I acknowledge the difficult task which the Hearings Panel has in absence of any strong and directive regional planning guidance on the implementation of the NPS–UD intensification model, particularly utilising the Medium Density Residential Standards (**MDRS**) anticipated to be imposed where practicable within the Kaiapoi urban area. In my opinion, the hearings on the zoning issues relating to the submitters' lands forces the Panel to face the conundrum of addressing the noise contours and associated land use controls requested by Christchurch International Airport that conflict with the desire to implement the important housing intensification initiatives imposed by the NPS–UD.
- 4 In my evidence I am supporting the detailed analysis, advice and recommendations provided by Ms Harte and Mr Allan. My evidence provides a macro planning context which draws together the purpose of the NPS–UD and the land capacity/capability opportunities that arise in Kaiapoi and in relation to the identified submitters' properties. In this regard I also adopt the detailed economic and supply/demand evidence provided by Mr Fraser Colegrave. His evidence highlights the public interest and market wellbeing that is apparent and being exercised by the public in their choices for desirable and sustainable residential environments north of Christchurch but still within the Greater Christchurch area.

CONTEXT – NATIONAL POLICY STATEMENT – URBAN DEVELOPMENT AND KAIAPOI GROWTH POTENTIAL

- 5 The direction from the NPS-UD and the manner in which it is to be implemented through the Resource Management (Enabling Housing Supply and other matters) Amendment Act 2021 (**the Amendment Act**) affects Kaiapoi to the

extent that growth opportunities are required to be identified and provided with the appropriate zone reflecting the MDRS provisions either as set out in the NPS-UD or modified to suit local conditions provided the intensification intent is maintained. The submissions of both MLL and MGH achieve this purpose. The areas of land covered by the submissions have been demonstrated as capable and suitable for residential development. The MLL sites lie within the identified Kaiapoi Urban Area shown on Map A from the Canterbury Regional Policy Statement (**CRPS**) whereas the MGH site does not. Even so, in my opinion the analysis provided by Ms Harte and Mr Allan, including the evidence of experts that their analysis relies upon, firmly demonstrates the urban capability of the subject sites and has thoroughly answered the assessment checklists contained within s.32 and s.32AA RMA.

- 6 Furthermore, the economic and housing demand analysis provided by Mr Fraser Colegrave in his economist's evidence, demonstrates that public demand is apparent and not satisfied in this area. His conclusion is that the yield of sections and therefore future houses in the three subject areas, will help satisfy the growing demand for residential land use in Kaiapoi. In my opinion, Mr Colegrave's work is a more refined and up to date addition to the Waimakariri 2048 District Development Strategy. Mr Colegrave's work provides the level of specificity required to underpin the request for the residential zone changes in the submitters' submissions.
- 7 Most importantly, the submission requests and the evidence provided in support of them is fully consistent with the NPS-UD expectations to be considered in Kaiapoi. It is my conclusion from a statutory planning perspective, that the submitters, MLL and MGH, have offered a far more consistent response to the Amendment Act instruction of implementing the NPS-UD than is available in either the CRPS or in the Plan and Variations proposals.
- 8 In my opinion the Hearings Commissioners should feel confident in the analysis provided from a structural planning point of view on behalf of MLL and MGH as submitters and can endorse the relief sought by those submitters.

REGIONAL PLANNING AND SPATIAL PLANNING

- 9 The Spatial Planning Act 2023 gave a legislative purpose for the concept of spatial planning and provided a framework for a regional spatial plan strategy to be prepared. Although the Spatial Planning Act 2023 was repealed by the incoming coalition government, the framework it provided and promoted was effectively implemented by the regional strategy set out in the Greater Christchurch Draft Spatial Plan. My involvement in the hearings on the Greater Christchurch Draft Spatial Plan allowed me to understand how that plan would have fitted with the now defunct legislation.
- 10 Most of the Greater Christchurch Draft Spatial Plan met the purpose of the Spatial Planning Act but there were some matters that were seriously undervalued. In particular the transport link represented by State Highway 1 and the national rail network running north from Christchurch to Kaiapoi and Rangiora, was a seriously undervalued infrastructure element. Clearly rail network forms the basis of any planned future mass transit system but at present is not a financial or actual regional government commitment. That, however, does not undermine the strategic value of this transport infrastructure corridor. The more recent extension north of SH1 has demonstrated the importance of this corridor to the growth dynamic occurring at Kaiapoi and Rangiora.
- 11 Kaiapoi enjoys serviced capable land of easy or flat contour where residential/commercial/industrial development can readily take place. This is demonstrated in the comprehensive evidence portfolio supporting the MLL and MGH submissions.
- 12 Sadly, the CRPS has not been updated to reflect the NPS-UD in respect of recognising and planning how the potential northern public transport corridor which reaches Kaiapoi can be upgraded or at least planned for, in a manner that supports the important concept of ensuring that a well-functioning urban environment is available.
- 13 This obligation on the CRPS is set out in Objective 3 and Policy 1(c) of the NPS-UD. In my opinion, it has not been met.
- 14 The additions to the CRPS in response to the Amendment Act (and therefore, the NPS-UD) are minor changes found at Part 6.2.1a in Chapter 6 of the CRPS. In my opinion this has failed to meet the intention of the Amendment Act and

the NPS-UD which was to provide, at the regional level, a broad macro planning framework implemented through spatial planning and structure planning techniques. Fortunately, in this case, the MLL and MGH submissions and planning evidence from Ms Harte and Mr Allan have provided the appropriate level of structure planning within the identified spatial capabilities of Kaiapoi to fully support the urban zoning request.

- 15 I note the importance of NPS-UD Policy 8, which is effectively saying that decisions of local authorities can be responsive to plan changes that would add significantly to development capacity and contribute to supporting well-functioning urban environments even if these changes are not anticipated fully by higher order planning documents like the CRPS. In this case at least with respect to the MLL proposal to provide the subject sites with appropriate urban zones is not seen as out of sequence with the planned land release, because Map A of the CRPS identifies those sites as either Greenfield Priority Areas or Future Development Areas. In my opinion the Panel is in a good position relying on Policy 8 NPS-UD to take the initiative with the MLL and MGH land and rezone it for the requested residential purpose. This action will help bring the Plan into line with the intentions of the NPS-UD even without the direct support of the CRPS. Policy 8 allows this process to occur.

Planners' Joint Witness Statement – March 2024

- 16 I was unable to attend the Joint Witness Panel for the discussions on airport noise matters, certification, and the release of land in development areas. I have taken time to carefully review the discussion iterations and findings published as a Joint Witness Statement, dated 28 March 2024. In respect of the spatial planning overview into which the Plan and Variations are intended to fit, it is my opinion that the witness conferencing remains too narrowly focused.
- 17 In dealing with the airport noise matters, the experts have failed to consider the extensive evidence provided to the Plan Hearings Panel in respect of the Stream 10A matters. The evidential conclusion is simply that Christchurch International Airport Limited is an outlier by wishing to impose the Ldn 50 dBA contour as the threshold for residential land use constraint. In New Zealand at the three other international airports (Auckland, Wellington and Queenstown), the threshold is Ldn 55 dBA. The evidence provided by Professor John-Paul Clarke, a leading authority on airport planning from the University of Texas at Austin, was that Ldn 55 dBA was the accepted international standard except that over

most North American airports the level is often higher at Ldn 60 dBA or Ldn 65 dBA.

- 18 It was his evidence that the Ldn 55 dBA contour was the most practical and suitable standard to impose, without seriously blighting land in the vicinity of international airports that is otherwise capable of being used for residential purposes. At Kaiapoi, the imposition of the Ldn 55 dBA contour would remove the airport noise constraint from the town's urban areas.
- 19 Accordingly, in my opinion, the Joint Witness Statement does not directly assist these Plan hearings because the Panel has not yet provided any decision on the discrete matters of the Stream 10A Airport Noise hearings. Thus, the Joint Witness Statement spends a lot of time reviewing concerns that may be purely academic or answered by an early decision of the Panel on the Stream 10A matters. There is no unanimous agreement in the Joint Witness Statement that Regional Policy 6.3.5(4) exempts the Future Development Areas and Greenfield Priority Areas at Kaiapoi depicted on Map A from the imposition of the airport Ldn 50 dBA contour.
- 20 In my opinion the loose wording associated with both Regional Policy 6.3.5.4 and the unexplained difference on Map A between Future Development Areas and Greenfield Priority Areas should not be held against development opportunities on land which has demonstrated clear capability for residential development. In planning terms there is little to be differentiated between the concepts of Future Development Areas and Greenfield Priority Areas. In my opinion they have the same purpose in the broad spatial analysis implemented in the Regional Policy Statement. Overall, the presence of such indecision means the benefit of the doubt should go the submitters.

Conclusion

- 21 I have undertaken a macro planning review of these issues to avoid duplicating the comprehensive detail provided in the evidence of Ms Harte and Mr Allan who both rely on the various expert briefs mentioned in their statements. The evidence of Mr Fraser Colegrave, economist, is fundamentally important to the MLL and MGH submissions because it updates both regional and district land development projections using current market economic information. In all respects, in my opinion, the evidence presented in support of the MLL and MGH submissions provides all the elements of a traditional planning structure plan

supporting the introduction of residential zones over the subject land. In this way the evidence provides the appropriate s.32 and s.32AA RMA answers to the zoning request. The conclusion is positively in favour of the submitters' requests.

- 22 It is unfortunate that the CRPS is stuck in a past spatial development vision for Greater Christchurch. The CRPS has not, in my opinion, responded in an open-minded and flexible manner to the extraordinary pressures faced by Greater Christchurch from the earthquake events of 2011 including the strong and sustained population growth described by Mr Colegrave that has occurred north of Christchurch and later, in 2022, to the intensification initiative presented by the Amendment Act and the associated NPS-UD. From my association with the region over the past 30 years, it is apparent to me that Canterbury people are making choices about where and how they live as a result of their experiences with the earthquake events. Marketplace information firmly indicates, as Mr Colegrave points out, that people are voting with their feet and moving north to Kaiapoi and Rangiora as well as west to Rolleston into environments that were not so badly affected by the earthquake events and the resulting liquefaction, and where houses have historically offered better value for money.
- 23 It is against this societal backdrop that these changes to the Plan and the Variations need to be considered in a holistic way. There is clearly a new dynamic at play and the beneficiaries of that dynamic are the towns of Kaiapoi and Rangiora, which lie within the Greater Christchurch framework.
- 24 By endorsing the MLL and MGH submissions, which I support, there is no doubt in my mind that the environment of Kaiapoi will be enhanced and will offer a very pleasant residential living space which in planning jargon is a well-functioning urban environment. In this way, the Panel is implementing the NPS-UD purpose at Kaiapoi.



Brian William Putt

Town Planner

9 May 2024