

Before an Independent Hearings Panel
Appointed by Waimakariri District Council

under: the Resource Management Act 1991

in the matter of: Submissions and further submissions Variation 1 to the
Proposed Waimakariri District Plan

and: Hearing Stream 12D: Ōhoka rezoning request

and: **Rolleston Industrial Developments Limited**
(Submitter 60)

Summary of evidence of Jeremy Phillips

Dated: 2 July 2024

Reference: J M Appleyard (jo.appleyard@chapmantripp.com)
LMN Forrester (lucy.forrester@chapmantripp.com)

chapmantripp.com
T +64 3 353 4130
F +64 4 472 7111

PO Box 2510
Christchurch 8140
New Zealand

Auckland
Wellington
Christchurch



SUMMARY OF EVIDENCE OF JEREMY PHILLIPS

- 1 My full name is Jeremy Goodson Phillips.
- 2 I prepared a statement of evidence dated 5 March 2024 in support of the Submitters' rezoning request in their submission on Variation 1 to the Proposed Waimakariri District Plan (PWDP).

SUMMARY

- 3 In short, the relief sought by the submitter in their submission on the variation was equivalent to the relief sought in their submission on the PWDP, with the exception of the Medium Density Residential Zone (MRZ) sought over part of the land¹ instead of the originally proposed General Residential Zone (GRZ), which Mr Walsh now prefers be Settlement Zone (SETZ).
- 4 My evidence on Variation 1 relies on the evidence of Mr Walsh in regards the merits, and ultimately the appropriateness, of rezoning the land for urban purposes and identifying it as a new residential zone.
- 5 My evidence also acknowledges the absence of any specific evidence considering the implications of MRZ, insofar that this might increase the quantum or density of development assessed by Mr Walsh and others under GRZ or SETZ. On this basis, I am unable to conclude that MRZ is appropriate for parts of the submitter's land.

RESPONSE TO OFFICER'S REPORT

- 6 The Officer's Report addresses the submitter's rezoning request for MRZ and concludes that this submission should be rejected, and that the PWDP's RLZ and SETZ remains the most appropriate zoning².
- 7 Aside from noting the absence of detailed evidence on the implications of MRZ zoning and their findings on the general merits of the submissions of the PWDP seeking rezoning, the Officer's report questions the scope of the submission on Variation 1, acknowledging that the issue is unclear and complicated by the broad scope of the proposed district plan generally, and that the question of rezoning the land at Ōhoka is a 'live' matter insofar that it could become a 'relevant' residential zone³.
- 8 I defer to legal counsel as to the issue of scope. However, I do note that the Officer's report does not engage with the fact that the Panel have a very broad discretion to create new residential zones if they

¹ LLRZ, LCZ and OSZ was sought for the balance of the site.

² Officer's Report, paragraph 6.

³ Officer's Report, paragraph 356.

wish (i.e. irrespective of whether it is a 'relevant residential zone' currently or not) and to make recommendations that are not limited by the scope of submissions per Schedule 1, clause 99(2)(b) of the Act.

- 9 To the extent that scope issues arise due to Mr Walsh's *preference* for SETZ (rather than GRZ), if this zoning were the only barrier to creating a new residential zone under the Variation, the submitter's proposal could be readily amended to reinstate GRZ (rather than SETZ) as described in paragraph 41 of Mr Walsh's evidence.

Dated: 2 July 2024

Jeremy Phillips