

BEFORE THE INDEPENDENT HEARINGS PANEL

UNDER

the Resource Management Act 1991

IN THE MATTER OF

the submissions of B & A Stokes on
the Waimakariri Proposed District
Plan (#214) and Variation 1 (#29)

AND

Hearing Stream 12E: Rangiora,
Kaiapoi, Woodend; Variation 1

OPENING LEGAL SUBMISSIONS ON BEHALF OF B AND A STOKES

Dated: 9 August 2024

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LAWYERS

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MAY IT PLEASE THE PANEL:

1 INTRODUCTION

- 1.1 These legal submissions are made on behalf of Brian and Anne Stokes (the **Stokes**) in relation to their submissions on the Proposed Waimakariri District Plan (**PDP**) and Variation 1 to the PDP (**V1**) regarding the zoning of their property located at 81 Gressons Road and 1375 Main North Road (the **Site**).¹
- 1.2 As notified, the PDP proposes to zone the 144ha Site as Rural Lifestyle Zone, with the northern portion (comprising 30ha adjacent to Gressons Road and Main North Road) subject to a Large Lot Residential (**LLR**) overlay.

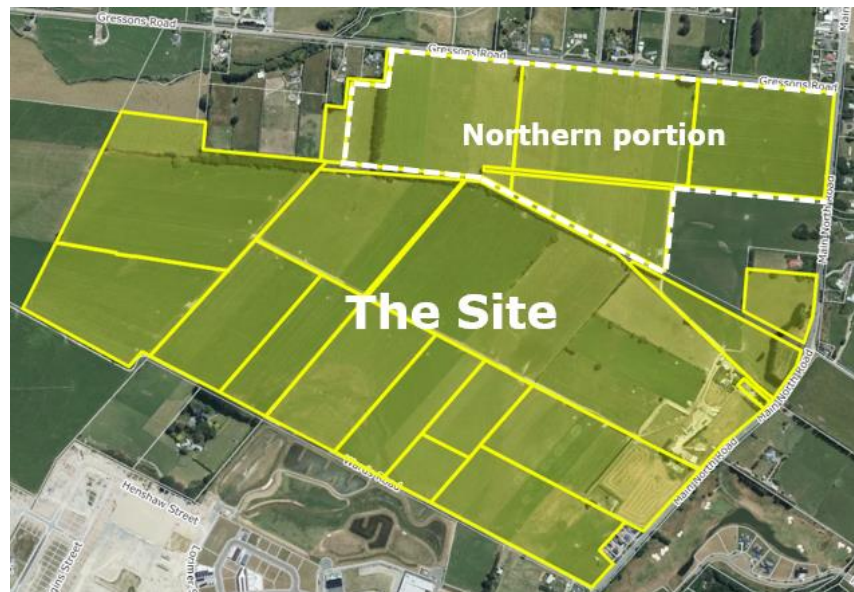


Figure 1 – The Site

- 1.3 The Stokes made three submissions on the PDP and V1:
- (a) The first submission sought to rezone the northern portion of the Site to LLR, with the balance left as Rural Lifestyle (#211).
 - (b) Following the receipt of further technical advice, the second submission sought a mixture of General Residential (**GR**) and/or

¹ Submission 214 on the Proposed Waimakariri District Plan (**PDP**); Submission 29 on Variation 1 (**V1**).

Medium Density Residential (**MDR**) zoning over the entire Site (#214).

(c) Thirdly, the submission on V1 (#29) sought a mixture of GR/MDR over the Site or, alternatively, MDR over the Site (being the Waimakariri District Council's (**WDC** or **Council**) selected method for implementing the MDR Standards).

- 1.4 Submissions #214 and #29 were accompanied by a suite of technical reports in support of that outcome, along with a draft Outline Development Plan (**ODP**) intended to guide future development.
- 1.5 As outlined in the primary evidence of Mr Clease, those submissions provide the Independent Hearings Panel (**Panel**) with a variety of options when determining the most appropriate planning zoning outcome for the Site.²
- 1.6 The preferred option for the Stokes is an MDR zoning across the whole Site, subject to an ODP and supporting narrative. That ODP and narrative was appended to Mr Clease's primary evidence, but has since been updated via his supplementary evidence in response to the feedback from Council's expert team and the cultural advice received from Mahaanui Kurataiao Limited (**MKT**).³
- 1.7 The MDRZ option (described in these submissions as the Proposal) is the focus of the evidence before the Panel. In particular, Mr Clease considers it to be the most appropriate outcome in terms of achieving the purpose of the Resource Management Act 1991 (**RMA**).⁴

The Proposal

- 1.8 The ODP has been developed in close consultation with the Stokes' experts and has sought to respond to (and in some cases, enhance) the existing features/values of the Site and its surrounds, while also aligning with the directions of the higher order RMA documents, particularly in relation to the provision of housing near commercial centres (here, the Ravenswood Key Activity Centre (**KAC**)).

² Primary Evidence of Jonathan Clease on behalf of B & A Stokes, 4 March 2024 (**Cleas EIC**) at [6.4].

³ Supplementary Evidence of Jonathan Clease on behalf of B & A Stokes, 2 August 2024 (**Cleas Supplementary**) at [5.3] – [5.7].

⁴ Cleas Supplementary at [6.2].

1.9 The key elements of that ODP are addressed in detail in the evidence of Mr Clease and the Stokes' other experts.⁵ In short, it would enable the delivery of approximately 1,900 lots at a target yield of approximately 15 households per hectare (**hh/ha**) supported by:

- (a) an extensive "blue/green" network throughout the Site, including:
 - (i) a significant open space along the eastern edge (described as the **Eastern SMA / Open Space**) which will have a stormwater function as well as landscaping, public amenity space and a dedicated ecological restoration area;
 - (ii) a central greenway through the Site which will serve to channel overland flows through the Site, while also serving as a landscaped feature with an adjoining pedestrian/cycle trail (described as the **Central Bypass**);
 - (iii) Stokes Drain which will be retained and enhanced to improve its ecological values, including through riparian planting; and
 - (iv) the retention and redirection of existing springs into an enhanced waterway along the southern boundary of the Site (the **Southern Waterway**) which will also be supported by a dedicated pedestrian/cycle trail;
 - (b) key vehicle, pedestrian and cycling linkages throughout the Site providing optimal internal connectivity as well as connections through to Ravenswood;
 - (c) a small community hub (approximately 1,000m²), intended to comprise convenience shops and/or a community facility such as a medical centre or pre-school; and
 - (d) specific edge treatments identified in the ODP and the supporting cross-sections, and described in the ODP narrative;
- (together, the **Proposal**).

⁵ Refer Clease EIC at [6.11].

- 1.10 As discussed further below, the Proposal (through the ODP) also provides for the separation and ongoing protection of a known wāhi tapu site adjoining the State Highway.
- 1.11 On the basis of these initiatives and with support from the evidence of the Stokes' other experts, Mr Clease has been able to conclude that:⁶
- (a) the Proposal is entirely consistent with, and will support WDC in fulfilling, the objectives and policies of the National Policy Statement on Urban Development 2020 (**NPS-UD**);
 - (b) the Proposal provides the potential to realise a net biodiversity gain along with other potentially significant enhancements to the ecological values of the Site's freshwater features. In that regard, Mr Clease concludes that the Proposal enables a form of development which can give effect to the National Policy Statement for Freshwater Management 2020 (**NPS-FM**), the National Policy Statement for Indigenous Biodiversity 2023 (**NPS-IB**), and the National Environmental Standards for Freshwater 2020 (**NES-F**); and
 - (c) the Site does not fall within the definition of "highly productive land" in the National Policy Statement on Highly Productive Land 2022 (**NPS-HPL**)⁷ and consequently the directions of that document do not apply to the Proposal. That conclusion is shared by Mr Wilson, the relevant section 42A reporting officer (**WDC Reporting Officer**).
- 1.12 In addition to the relevant national documents, Mr Clease has also assessed the Proposal against the relevant directions of the Canterbury Regional Policy Statement 2013 (**CRPS**), the objectives and policies of the PDP, the relevant provisions of the Mahaanui Iwi Management Plan (**IMP**), and strategy documents including the Waimakariri District Development Strategy 2048 and the Greater Christchurch Spatial Plan.⁸
- 1.13 In the context of that framework, he has also completed a section 32 and 32AA assessment of the Proposal and has concluded that, of the

⁶ Clease EIC at [1.8].

⁷ National Policy Statement for Highly Productive Land 2022, clause 3.5(7).

⁸ Clease EIC at [15.15] – [15.25].

options available to the Panel, the Proposal is the most appropriate way to achieve the objectives of the PDP and the purpose of the RMA.⁹

Overview of submissions

- 1.14 These submissions address the key legal matters relevant to the Panel’s decision on the Proposal, which relate to scope and the relevance of the NPS-UD. They also address the matters raised by the Council’s technical team in the section 42A report and the responses to those matters outlined in the evidence of Messrs Hall and Clease in particular.
- 1.15 Before turning to those matters, we provide some brief context relating to the Site and its location.

Site context

- 1.16 As illustrated in **Figure 2** below, the Site is the area of land which connects Ravenswood and its KAC to the south and Waikuku village to the north. The main entrance to Pegasus is located 300m south of the Site, with the Pegasus Golf Club and township located across the State Highway to the east.

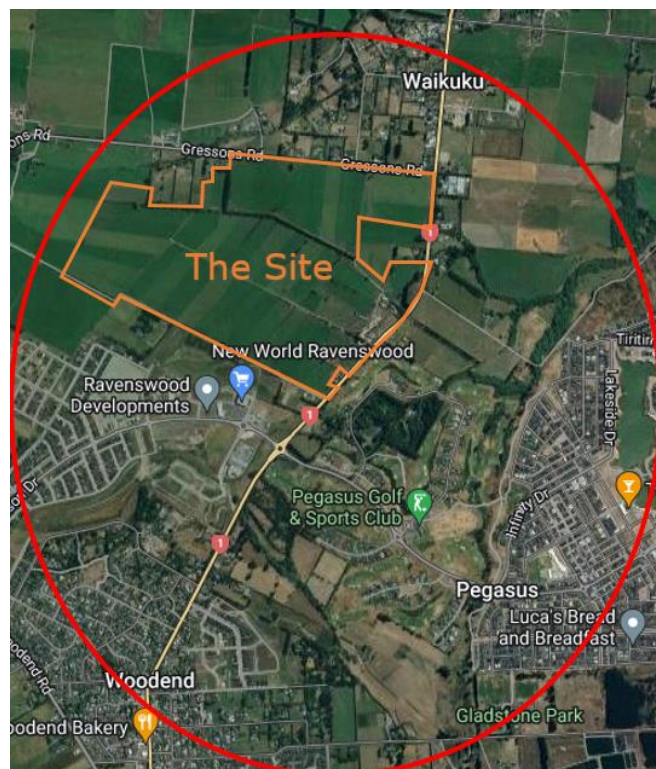


Figure 2 – Site location

⁹ Clease EIC at [6.3], Clease Supplementary at [6.2] and Appendix 3.

- 1.17 The Stokes family has been farming the Site since the early 1940s. In that time, the Stokes have witnessed considerable change in the use and character of the surrounding environment, particularly to the south (Ravenswood) and the east (Pegasus). Notwithstanding their history, Brian and Anne are however aware that they are comparative “newcomers” to this land, and that for Ngāi Tūāhuriri Rūnanga this Site forms part of a wider area that is of significant importance to their history, their identity and to the tribe as a whole. The importance of that wider area is made plain in the IMP, Te Whakatau Kaupapa – the Ngāi Tahu Resource Management Strategy, and the PDP itself.¹⁰
- 1.18 In recognition of that, the Stokes have sought to engage with Ngāi Tūāhuriri Rūnanga and other parties (namely, Te Kōhaka o Tūhaitara Trust and the Kaiapoi Pā Trust) in relation to the Proposal. Where that engagement has occurred, the Stokes have responded to the feedback received, including by planning infrastructure routes so as to avoid other known areas of significance for mana whenua. The known wāhi tapu site adjoining the State Highway has also been protected and separated from future urban development with a landscaped buffer. In addition, the expert team has looked to the IMP and other Ngāi Tahu environmental plans and strategies to inform its approaches to the existing waterways and springs on Site (including how those can be enhanced); biodiversity opportunities; and infrastructure/servicing for the Site.
- 1.19 In summary, the Stokes wish to transition this land into its next stage of use, being the provision of housing. In doing so however, they want to ensure that the life-sustaining natural features of the Site as well as the sacred wāhi tapu area are protected and, in some cases, enhanced. That directive has had a critical role in shaping the ODP and the supporting narrative which, if the Stokes’ submissions are successful, will help guide the future development of the Site.
- 1.20 The other feature of the Site which has had a particular role in shaping the ODP is its location within an extensive shallow overland flood flow path, extending from west to east across the central part of the Site. As

¹⁰ Under the PDP, the Site falls within Ngā Turanga Tupuna 013 and Site and Area of Significance to Māori 006. Te Whakatau Kaupapa – the Ngāi Tahu Resource Management Strategy, page 5-19, silent file 017; IMP, Appendix 6, Map SF2; CL4: Silent Files.

illustrated in Mr Clease's evidence, the presence of that flow path is not particularly unique to the Site in the Waimakariri district context, but has nevertheless required a tailored response in terms of the design and layout of the Proposal.¹¹ Those features and the way in which the Proposal has responded to them in terms of stormwater and flood management are addressed in detail in the evidence of Mr Hall.¹²

1.21 Through the measures in the ODP and the rule framework provided for in the PDP (also described in Mr Hall's and Mr Clease's evidence¹³), Mr Hall has confirmed that:¹⁴

- (a) Flood flows entering the Site from the west will be intercepted and redirected through the Site via dedicated channels (identified in the ODP) sized to accommodate a 0.5% Annual Exceedance Probability (**AEP**) event. Those flows will exit the Site through existing culverts under SH1 at a pre-development rate.
- (b) Stormwater runoff generated from within the Site will be directed into significant stormwater basins located in the Eastern SMA / Open Space area that will be sized and designed to attenuate flows from a 2% AEP event. Run-off will then be released through the existing culverts under SH1 via a choked pipe that will ensure that the flow rates remain approximately the same as pre-development levels.
- (c) The existing freshwater springs will be retained and redirected into Stokes Drain and the Southern Waterway, which will be subject to ecological enhancement through riparian planting before exiting the Site to the east via existing culverts.

1.22 The proposed separation of those systems within the Eastern SMA / Open Space (achieved using the Stokes Drain, the Central Bypass, and the Southern Waterway), along with their ecological enhancement, is intended to support water quality outcomes consistent with the directions of the NPS-FM, the CRPS and the IMP.

¹¹ Clease EiC at [11.20] – [11.22].

¹² Primary Evidence of Andrew Hall on behalf of B & A Stokes, 4 March 2024 (**Hall EiC**) at sections 8 and 9.

¹³ Clease EiC at section 16; Supplementary Evidence of Andrew Hall on behalf of B & A Stokes, 2 August 2024 (**Hall Supplementary**) at [5.10] and [5.23].

¹⁴ Hall EiC at [7.4], [8.3], [8.9], [9.5] and [9.6].

- 1.23 These elements have been identified in the updated ODP narrative as key components of the Proposal.

2 LEGAL FRAMEWORK

- 2.1 The Panel has already been addressed at length on the applicable legal framework which applies to its decision on submissions on the PDP, so we do not intend to repeat that again in any detail.¹⁵
- 2.2 Briefly, sections 31 – 32 and 72 – 76 of the RMA establish the core of that framework and the Panel’s task is to give effect to the relevant higher order documents and, within that context, identify the most appropriate suite of provisions for achieving the relevant objectives of the PDP and, ultimately, the purpose of the RMA.
- 2.3 In interpreting and applying this framework, the Environment Court has held that:
- (a) There is no presumption in favour of any particular zoning of a site, including no presumption toward the status quo.¹⁶
 - (b) Where the objectives of the PDP can be met by a less restrictive regime then that regime should be adopted - such an approach reflects the requirement to examine the efficiency and effectiveness of a proposal.¹⁷
 - (c) Lower order documents including regional policy statements and regional and district plans are required to “give effect” to these higher order documents, operating together as a “*cascade of planning documents, each intended, ultimately, to give effect to section 5, and Part 2 [of the RMA] more generally.*”¹⁸ The way in which that cascade is applied to a decision will depend on various matters, including the way in which the particular policy direction

¹⁵ We refer, for example, to the Legal Submissions on behalf of MacRae Land Company Limited, dated 12 July 2024, at [46]; citing *Colonial Vineyard Ltd v Marlborough District Council* [2014] NZEnvC 55, at [17]. See also *Save the Maitai Inc v Nelson City Council* [2024] NZEnvC 155 at [14].

¹⁶ *Infinity Group v Queenstown Lakes District Council* C010/2005 26 January 2005 at [54].

¹⁷ *Royal Forest & Bird Protection Society of New Zealand Inc v Whakatane District Council* [2017] NZEnvC 51 at [59], referring to *Wakatipu Environmental Society Inc v Queenstown Lakes District Council* C153/2004 at [56].

¹⁸ Resource Management Act 1991, sections 62(3), 67(3)(a), 75(3)(a). *Environmental Defence Society Inc v New Zealand King Salmon Company Ltd* [2014] NZSC 38 at [39].

is framed, and the timing of when particular documents within that hierarchy are released.¹⁹

- (d) For example, if a higher order document existed at the time a plan and/or policy statement was being prepared, there is a rebuttable presumption that the policy direction in that higher order document has already been particularised in that plan or policy statement. That presumption is, of course, removed where a higher order document has come later in time than the lower order document(s).²⁰

Scope

- 2.4 The powers, duties and discretion of the Panel in respect of the PDP are limited by the scope of the matters which have been “reasonably and fairly raised in submissions.”²¹ Decision-makers on Schedule 1 processes such as this are not however limited to simply granting or rejecting the relief sought by a submission.²² Instead, the scope of the Panel’s decision encompasses any amendment that falls between the “status quo” and the relief sought.²³
- 2.5 In the case of the Site, the “status quo” is the Rural Lifestyle zoning (and LLR Overlay over the northern portion of the Site) proposed through the notified PDP. The “relief sought” extends to the GR/MDR zoning applicable to the entire Site as requested by the Stokes through their PDP and V1 submissions (i.e. the Proposal). As a lower density option which “falls between” the status quo and the relief sought, rezoning of the entire Site as LLR is also within the Panel’s lawful jurisdiction. That option has been addressed in the supplementary evidence of Messrs Hall and Cleese.²⁴

¹⁹ *Environmental Defence Society Inc v New Zealand King Salmon Company Ltd* [2014] NZSC 38 at [90].

²⁰ *Appealing Wanaka Inc v Queenstown Lakes District Council* [2015] NZEnvC 139, at [43] – [44]; *Thumb Point Station Ltd v Auckland City Council* [2015] NZHC 1035 (HC) at [31].

²¹ *Countdown Properties (Northlands) Limited v Dunedin City Council* [1994] NZRMA 145 at [166], cited in *Royal Forest and Bird Protection Society Inc v Southland District Council* [1997] NZRMA 408 at page 9, and *Tussock Rise Ltd v Queenstown Lakes District Council* [2019] NZEnvC 111 at [51].

²² *Environmental Defence Society Incorporated v Otorohanga District Council* [2014] NZEnvC 70 at [14].

²³ *Re an application by Vivid Holdings C086/99*, at [18]; *CBD Development Group v Timaru District Council C043/99* at [10].

²⁴ Cleese Supplementary at section 7 and Hall Supplementary at section 7.

2.6 Within that context, there are two particular matters relating to scope that we wish to address.

V1

2.7 The first matter relates to the Stokes' submission on V1, seeking to rezone the Site to MDR.

2.8 As a general proposition, V1 is primarily concerned with intensification of "urban non-residential zones" and "relevant residential zones" identified in V1.²⁵ In that context, we agree that submissions on V1 seeking rezoning of new properties (beyond those identified in V1) will generally be out of scope. The exception to that, however, is where the rezoning of new properties is required to implement those intensification directives, and specifically in this instance, Policy 3 of the NPS-UD.

2.9 In the case of the Site, relevantly:

(a) The Ravenswood KAC is the equivalent of a Town Centre zone in the PDP and in V1.

(b) The Site is adjacent to that KAC.

(c) Policy 3(d) of the NPS-UD therefore requires the PDP to enable building heights and densities of urban form commensurate with the level of commercial activity and community services in that KAC. That requirement must be implemented irrespective of whether there is "at least sufficient development capacity" or not.²⁶

2.10 "Enable", according to a recent High Court decision, is strongly directive, i.e. more so than "encourage" or "promote".²⁷

2.11 Clearly, a Rural Lifestyle zoning does not give effect to the strong direction in Policy 3(d). Consequently, proper implementation of the NPS-UD, as directed by the RMA, requires an urban zoning for the Site which enables building heights and densities commensurate with the level of activity enabled within the KAC. That outcome, according to Mr Cleese, can be achieved through the MDR zoning sought in the Stokes'

²⁵ Resource Management Act 1991, sections 77G – 77R.

²⁶ National Policy Statement on Urban Development 2020 (**NPS-UD**), policy 2.

²⁷ *Southern Cross Healthcare Limited v Eden Epsom Residential Protection Society* [2023] NZHC 948 at [121].

Proposal.²⁸ In our submission, that relief is both within the scope of V1 as a necessary consequence of implementing Policy 3(d), and is appropriate.

- 2.12 We therefore disagree with the WDC Reporting Officer that the Stokes' request should be rejected on jurisdictional grounds. We note however that that issue becomes a moot point if the Panel accepts through consideration of the PDP submissions that GR/MDR zoning (as a relevant residential zone) is appropriate for the Site.

Wider area

- 2.13 The updated ODP and supporting narrative provided with Mr Clease's evidence applies only to the land held by the Stokes whānau. As illustrated in Figure 1 above, it does not include the five properties in the south eastern corner of the Site, and nor does it include the larger block further north along the State Highway (consistent with the Stokes' submissions).²⁹
- 2.14 Nevertheless, the updated ODP and supporting narrative has been designed to integrate with those properties, should they be rezoned either through the PDP or otherwise in future. As Mr Clease identifies, other submitters have requested the rezoning of these properties for residential purposes as part of a wider area.³⁰ Consequently, there is scope for the Panel to approve that outcome and the Stokes have confirmed that they would be happy to facilitate the amendment of the updated ODP to include those properties, should that be the Panel's preference.
- 2.15 The experts for the Stokes are however clear that the updated ODP as it currently stands, along with the proposed MDR zoning, is the most appropriate planning outcome for the Site, and will contribute to a well-functioning urban environment as envisaged by the NPS-UD and the CRPS.³¹

²⁸ Clease EiC at [14.90].

²⁹ Clease Supplementary at Appendix 1. Those properties are more specifically identified as 1271, 1273, 1275, 1277 and 1297 Main North Road (Lot 1 – 5 DP 16151); and 1355 and 1369 Main North Road (Part RS 3101).

³⁰ Clease EiC at [6.1] – [6.3]. See for example, submission 193 (Martin Pinkham) and submission 212 (CSI Property Limited) on the PDP.

³¹ Clease EiC at [6.1] – [6.3].

3 NPS-UD

Overview

- 3.1 Sitting alongside the other national policy statements at the top of the RMA hierarchy, the NPS-UD is a document that the PDP must give effect to, and which has particular relevance for the Panel's decision on this Proposal for two reasons:
- (a) It sets the key overarching directions relating to New Zealand's urban environments, including the form and location of urban development to achieve those directions.
 - (b) Through its "responsive planning" provisions (Objective 6 and Policy 8), it provides an additional "tool" for implementing those directions, enabling decision-makers to consider proposals which may not be anticipated by RMA documents, but which would nevertheless help realise the NPS-UD's vision for our urban environments. Put another way, RMA documents cannot always predict and respond quickly to the complex, dynamic, changing nature of our urban areas. In that context, the NPS-UD recognises that there may be alternative methods to achieve a well-functioning urban environment, i.e. beyond simply adhering to anticipated outcomes set out in existing RMA documents. Therefore it includes an additional pathway, via responsive planning provisions, to consider significant proposals which may also contribute overall to a well-functioning urban environment.
 - (c) In the Greater Christchurch context, the effect of those provisions is that, for those specific proposals, the directions of the CRPS as they relate to urban form within that area (being Chapter 6 and Map A in the CRPS in particular) no longer act as an automatic barrier to assessment of their merits.
- 3.2 While the CRPS (now over 10 years old) remains clearly relevant to the Panel's decisions on matters of urban form and development, we submit that particular caution is required to ensure that those CRPS provisions do not dilute or otherwise soften the step-change envisaged by the NPS-UD, and the way in which the directions of the NPS-UD are implemented in the PDP. In the case of any potential inconsistencies or tensions

between the NPS-UD and the CRPS, the law is clear that it is the NPS-UD which must prevail.³²

- 3.3 Before addressing the implications of the NPS-UD for the Proposal, we briefly outline our position on various interpretative matters which have been the subject of discussions in previous PDP hearings but which also have bearing on the Stokes' submissions.

Interpretative matters

The urban environment

- 3.4 The NPS-UD applies to planning decisions which affect an *urban environment*. We submit that for the purposes of the PDP, the relevant *urban environment* is Greater Christchurch, identified in Map A of the CRPS.
- 3.5 We say that because:
- (a) The *urban environments* for Tier 1 local authorities are identified in the Appendix to the NPS-UD.³³ "Christchurch" is listed in that Appendix as a *Tier 1 urban environment*. The Tier 1 local authorities in whose jurisdiction "Christchurch" falls are listed in that Appendix as WDC, Selwyn District Council and Christchurch City Council.
 - (b) Greater Christchurch (being the area identified in Map A of the CRPS) has been the focus of growth planning in this area by the three Canterbury local authorities and Canterbury Regional Council (along with their other partners) for nearly two decades, beginning with the Urban Development Strategy in 2007, including the CRPS, and continuing through to the Greater Christchurch Spatial Plan (approved earlier this year).
 - (c) Greater Christchurch has been accepted as the relevant *urban environment* for the purposes of the NPS-UD in multiple plan change decisions in Canterbury in the last three years.³⁴

³² *Appealing Wanaka Inc v Queenstown Lakes District Council* [2015] NZEnvC 139 at [43]-[44]; *Thumb Point Station Limited v Auckland City Council* [2015] NZHC 1035 at [31].

³³ NPS-UD, Appendix.

³⁴ Decision of the Independent Hearings Panel, Waimakariri District Plan, Private Plan Change 31, 27 October 2023, at [44]; Recommendation of Commissioner Caldwell, Proposed Plan

- 3.6 In our submission, that interpretation is also entirely consistent with the long-term lens that the NPS-UD requires for growth planning (30 years).
- 3.7 When contemplating potential urban growth across that timeframe, it is hardly surprising that the NPS-UD *urban environment* definition might capture some areas which have not yet transitioned from their previous rural character. By way of example, in 2001 Rolleston's population was 2,800.³⁵ By 2023, following various economic and social changes (including the earthquakes), the population was 29,600.³⁶ Much of that population has been accommodated in areas that, at one stage, would have been difficult to describe as "predominantly urban in character". In just over 20 years however (i.e. well short of the 30 year NPS-UD timeframe), that character has changed markedly.
- 3.8 We submit that the purpose of that *urban environment* definition is to set a generous parameter for the application of the NPS-UD that could accommodate those kinds of changes over a 30 year timeframe. Of course, that does not mean that all proposals which fall within an *urban environment* will be appropriate; some areas which are not "predominantly urban in character" may remain that way in perpetuity – however that approach provides an opportunity for those proposals to be considered carefully against those NPS-UD directives and the provisions of other relevant RMA documents.
- 3.9 Consequently, as it is located within Greater Christchurch, the Site falls within an *urban environment*. Within that *urban environment*, the Site is part of the Woodend/Ravenswood/Pegasus urban area.

Housing needs/typologies/markets

- 3.10 The NPS-UD is not simply concerned with the quantum of development capacity. In our submission, it is also concerned with enabling the provision of housing that varies in typology, price point, and location to meet the different needs of households that make up our communities.

Change 73, dated 1 March 2022, at [341]; Recommendation of Commissioner Caldwell, Proposed Plan Change 67, dated 10 January 2022 at [186] – [210].

³⁵ Statistics NZ, *Subnational population estimates (urban, rural), by age and sex*, at 30 June 1996 – 2023 (2023 boundaries), *Rolleston*, accessed 5 August 2024.

³⁶ Keiller MacDuff, *Population explosion tests Rolleston*, 13 May 2023, The Press.

- 3.11 That is clearly indicated in the NPS-UD definition of “well-functioning urban environment”.³⁷ It is also signalled in clauses relating to the provision of sufficient development capacity as well as the assessment and monitoring of housing demand and supply.³⁸ WDC’s submission on the discussion document supporting the draft NPS-UD equally acknowledges this critical component:³⁹

Council supports replacing the concept of "sufficient" capacity with one of enabling enough capacity to meet demand and the need to not only meet total demand capacity, but also the need to meet the demand within different diverse locations and housing types. This is important as the urban environment of Christchurch which consists of a range of individual townships, suburbs and Town Centres / Suburban Centres / Christchurch CBD which needs to be carefully considered in terms of responding to residential demand and supply.

- 3.12 In that context, we agree with the approach taken by Ms Hampson in evaluating supply and demand at the more localised level, and we disagree with Mr Yeoman’s suggestion that the provision of capacity in other urban areas of the Waimakariri district can be used to offset or otherwise address the identified shortfall in the Woodend/Pegasus/Ravenswood area.

Sufficiency, surplus and the responsive planning provisions

- 3.13 Where any shortfall in sufficient development capacity over the short, medium or long term is identified, the NPS-UD requires a pro-active response.⁴⁰ In the case of Woodend/Pegasus/Ravenswood (where Ms Hampson has identified a shortfall in housing capacity over the medium term⁴¹), that response must take the form of additional land “live zoned” for housing.⁴²

- 3.14 Where no shortfall is identified however, or where that shortfall can be met through other proposals, the NPS-UD is not any less relevant for

³⁷ NPS-UD, Policy 1.

³⁸ NPS-UD clauses 3.2, 3.9 and 3.37.

³⁹ Submission by the Waimakariri District Council on *Planning for successful cities: A discussion document on a Proposed National Policy Statement on Urban Development*, 1 October 2019, page 4.

⁴⁰ NPS-UD Objective 6(c), Policy 8 and Subpart 2.

⁴¹ Primary Evidence of Natalie Hampson on behalf of B & A Stokes, 4 March 2024 (**Hampson EIC**) at [7.9] and [7.27].

⁴² NPS-UD, policy 1 and clauses 3.2, 3.4.

planning decisions which relate to the urban environment. Identification of a shortfall is not, for example, a pre-requisite to engaging the “responsive planning” provisions. The existence of that shortfall may of course be relevant in assessing the “significance” of that development capacity, but there is nothing in the NPS-UD to suggest that those provisions can only be engaged to address a shortfall.

- 3.15 In his report, the WDC Reporting Officer expresses concerns about the “never-ending gateway” of the NPS-UD’s responsive planning provisions “potentially resulting in the substantial over zoning of land”.⁴³ Such an outcome, he opines, would not achieve a well-functioning urban environment.
- 3.16 As the Panel is well aware, a proposal can only be considered under the NPS-UD responsive planning provisions if it demonstrably contributes to a well-functioning urban environment.⁴⁴ That requires consideration of accessibility to community services and employment and the competitive operation of land and development markets.⁴⁵ Those provisions also require consideration of infrastructure – how it will be planned, funded and delivered to service the particular re-zoning proposal. In these respects, the NPS-UD imposes critical safeguards to protect against the adverse outcomes that Mr Wilson describes.
- 3.17 Furthermore, as Mr Wilson correctly identifies, the NPS-UD responsive planning provisions do not oblige decision-makers to automatically approve proposals which deliver significant development capacity.⁴⁶ They instead require decision-makers to be “responsive” to such proposals, paying “particular regard” to the development capacity that they will provide.⁴⁷ That direction leaves room for consideration of other RMA matters which may also be relevant to any given proposal – contamination, productive soils, freshwater or cultural matters, for example.
- 3.18 With those safeguards in place, the question then becomes what, if any, mischief arises as a result of providing (in the form of live zoning) *more*

⁴³ Proposed Waimakariri District Plan: Residential Rezonings, Officer’s Report for the Hearings Commissioners, dated 22 July 2024 (**Section 42A Report**) at [67].

⁴⁴ NPS-UD clause 3.8(2)(a).

⁴⁵ NPS-UD Policy 1.

⁴⁶ Section 42A Report at [64].

⁴⁷ NPS-UD clause 3.8(2).

than sufficient development capacity, if that surplus capacity meets all relevant criteria? Put another way, when surplus capacity otherwise meets those criteria, is there anything within the NPS-UD which should *prevent* it from being enabled?

3.19 For Mr Clease, the answer to that is 'no'.⁴⁸ To the contrary, in Ms Hampson's opinion, in terms of the directions of the NPS-UD, there are numerous advantages to providing what she describes as a "generous surplus" including:⁴⁹

- (a) greater economies of scale and lower costs of development due to the zoning of larger areas in shorter timeframes;
- (b) greater certainty of where growth will occur, leading to more efficient development and additional infrastructure planning and investment;
- (c) protecting land that is considered suitable for urban zoning from being developed/fragmented in the interim, for example, in being developed as rural lifestyle blocks;
- (d) reducing the necessity of smaller plan changes that ultimately achieve the same capacity, and lowering the total cost of housing development (which often is recouped through buyers purchasing sections); and
- (e) increasing competition in the housing market where land is developed at the same time as other zoned developments (with different owners).

3.20 In that context, we turn now to the specific implications of these NPS-UD provisions for the Proposal.

The Proposal

Responsive planning provisions

3.21 To qualify for consideration under these provisions the Proposal must:⁵⁰

⁴⁸ Clease Supplementary at [6.1(l)].

⁴⁹ Supplementary Evidence of Natalie Hampson on behalf of B & A Stokes, 2 August 2024 (**Hampson Supplementary**) at [7.3] – [7.8].

⁵⁰ NPS-UD Policy 8.

- (a) be unanticipated by RMA documents;
- (b) add significantly to development capacity; and
- (c) contribute to a well-functioning urban environment.

3.22 In regard to the first matter, the Site is not identified for development in the notified PDP or the CRPS and is therefore “unanticipated by RMA documents”.

3.23 Mr Clease has considered the second matter in his primary evidence, and concludes that the “significance” threshold would be achieved by the Proposal, which seeks to enable between 1,500 – 1,900 lots.⁵¹ That opinion is shared by Mr Wilson.⁵² In reaching that conclusion, Mr Clease also references the evidence of Mr Hall which confirms that there are no constraints on servicing the Proposal which cannot be addressed through planned upgrades and/or the funding and delivery of necessary connections by the developer.⁵³

3.24 The ways in which the Proposal will contribute to a well-functioning urban environment are comprehensively addressed in the evidence of the Stokes’ experts, and in Mr Clease’s evidence in particular.⁵⁴ In summary:

- (a) Enabling a variety of homes that meet the needs of different households. The Proposal provides for a range of housing densities, with higher density housing concentrated toward the Ravenswood KAC and the community hub, and lower density housing focussed toward the north and western boundaries of the Site. Both the range of densities and the location of those densities are described in the ODP narrative.
- (b) Good accessibility between housing, jobs, community services, natural spaces and open spaces, including by way of public or active transport. The Site’s location next to the Ravenswood KAC, Pegasus and adjoining State Highway 1 already ensures good accessibility from the Site to employment and community services

⁵¹ Clease EIC at [14.47].

⁵² Section 42A Report at [881].

⁵³ Hall Supplementary at [5.20]-[5.21].

⁵⁴ Clease EIC at [14.52] – [14.75].

both immediately around the Site and to Christchurch. As discussed in the evidence of Mr Rossiter, existing public transport services already provide connections from Christchurch to Pegasus and Woodend (with the closest stop some 300m away from the Site), and from Pegasus to Rangiora.⁵⁵ The potential for further connections through Ravenswood in future has already been accommodated within that development and within the Site itself the north/south roading linkages will be designed to facilitate future public transport. Through these initiatives, the Proposal is well-connected along transport corridors.⁵⁶ A comprehensive network of pedestrian and cycle connections is also proposed through the ODP, linking residential areas to open space and south toward the Ravenswood KAC. These connections will further encourage and enable reduced reliance on private-vehicle movements.

- (c) Support competitive land and development markets. Through the provision of significant development capacity (between 1,500 – 1,900 lots), Ms Hampson concludes that the Proposal will support a competitive land market across the main urban townships of the Waimakariri district and, if stages are released concurrently with other local developments, within the Woodend/Pegasus/Ravenswood market in particular.⁵⁷ By helping to address the identified shortfall in development capacity over the medium term, the Proposal will also limit the adverse impacts on the competitive operation of those markets.
- (d) Support reductions in greenhouse gas emissions. Through its proximity to commercial hubs, community facilities and existing public transport services, the Proposal is well located to support use of alternative travel modes for future residents, relative to other development proposal.⁵⁸ The Proposal also aims to further encourage reduced reliance on private vehicle trips by providing high-amenity cycleways throughout the Site which adjoin natural features of the Site (that will be enhanced through landscaping).

⁵⁵ Primary Evidence of Chris Rossiter on behalf of B & A Stokes, 4 March 2024 (**Rossiter EIC**) at [5.11] and [13.8].

⁵⁶ Refer NPS-UD, clause 3.8(2).

⁵⁷ Hampson Supplementary at [1.4(a)] and [7.6(e)].

⁵⁸ Supplementary evidence of Paul Farrelly on behalf of B and A Stokes, 4 March 2024 (**Farrelly Supplementary**) at [4.2] and [4.12].

The Proposal will also ensure that the internal roading network is designed to accommodate future public transport within the Site. Through these initiatives, Mr Farrelly concludes that the Proposal will support reductions in greenhouse gas emissions.⁵⁹ Mr Farrelly also concludes that the change in use of the Site to residential housing will also contribute to New Zealand's methane emissions reduction target in accordance with the Climate Change Response (Zero Carbon) Amendment Act 2019.⁶⁰

- (e) Resilience to the likely current and future effects of climate change.
The Proposal's primary contribution to this aspect of a well-functioning urban environment is through the proposed management of flood hazards. Mr Hall's evidence confirms that the modelling used to assess that risk and to inform the proposed response to it includes an allowance for the anticipated effects of climate change.⁶¹ Through the measures proposed in the ODP (outlined in Mr Hall's evidence⁶²), the Proposal will ensure the resilience of the development enabled on the Site to withstand those climate risks.

3.25 In summary, Ms Lauenstein concludes that the Proposal:⁶³

...completes a 'gap' in the urban environment comprising Pegasus to the east of SH1, Woodend and Ravenswood/the KAC to the south and Waikuku to the north. That in turn supports more integrated, balanced urban form, ensuring that existing and new residential areas (as enabled by the Proposal) are accessible to community and commercial services and open space. That accessibility along with the proposed infrastructure also supports walking and cycling over vehicular movement, which is a key aspect of the Proposal.

3.26 In light of that evidence, we submit that the Proposal will contribute to a well-functioning urban environment, as envisaged by the NPS-UD.

⁵⁹ Farrelly Supplementary at 44.30].

⁶⁰ Farrelly Supplementary at [4.13]-[4.16].

⁶¹ Hall Supplementary at [5.3].

⁶² Hall EIC at section 8.

⁶³ Primary Evidence of Nicole Lauenstein on behalf of B & A Stokes, 4 March 2024 (**Lauenstein EIC**) at [1.3].

3.27 Consequently, on the basis that it meets those criteria, the responsive planning provisions (Objective 6 and Policy 8) of the NPS-UD are engaged, and the CRPS directions relating to the location of urban form do not preclude the Panel from considering the merits of this Proposal. Those provisions go further, requiring that the Panel's decision must be responsive to the Proposal and must have particular regard to the development capacity that it will provide. "Particular regard" requires the Panel to recognise this matter as important to the overall decision, and therefore consider and carefully weigh it in coming to any conclusion.⁶⁴

Other NPS-UD provisions

3.28 As the Panel is well aware, Policy 2 of the NPS-UD directs that "at least sufficient development capacity" is provided in the short, medium and long term.

3.29 As a shortfall in housing capacity in the medium term has been identified by Ms Hampson,⁶⁵ additional capacity must be zoned through the PDP and the Proposal provides the opportunity for WDC to meet that policy requirement. As to where that additional capacity might best be located, the NPS-UD again provides clear direction; namely, Objective 3 directs district plans to "enable more people to live in...areas of an urban area in which one or more of the following apply:

- (a) The area is in or near a centre zone or other area with many employment opportunities.
- (b) The area is well-serviced by existing or planned public transport.
- (c) There is high demand for housing or for business land in the area, relative to other areas within the urban environment."

3.30 Objective 6(a) and (b) also require that decisions affecting urban environments are integrated with infrastructure planning and funding decisions, and are strategic over the medium and long term.

⁶⁴ *Marlborough District Council v Southern Ocean Seafoods Ltd* [1995] NZRMA 220 & 336 (PT) at 12.

⁶⁵ Hampson EIC at [7.9] and [7.27].

- 3.31 Through its location in proximity to existing and planned public transport services, and its proximity to the Ravenswood KAC, the Proposal aligns strongly with these directions. As Ms Hampson notes:⁶⁶

The Ravenswood KAC (as amended by PC30 to the Operative District Plan) will play an increasingly key role in supporting the economic and social wellbeing of residents in the Waimakariri District as it develops by providing a large, modern and comprehensively designed town centre.

Urban efficiency is maximised when centres are surrounded on all sides by dense residential neighbourhoods. When central to the trade catchment, a greater number of residents that are within a walkable distance to the centre is achieved, and accessibility for all catchment residents is maximised (i.e. travel distance by all modes is minimised with associated reductions in greenhouse gas emissions).

While rezoning alternative land around Woodend/Pegasus could address the expected shortfall of capacity in the medium-term, and would still increase the number of households in the KAC's trade catchment, only rezoning land immediately north of the Ravenswood KAC (including the land proposed) will unlock the urban efficiency able to be delivered by the Ravenswood KAC.

- 3.32 For her part, Ms Lauenstein in her evidence highlights the accessibility between the Site and key community amenities, including schools, shops and supermarkets, and significant recreational facilities. She concludes that:⁶⁷

From an urban design perspective the Proposal will contribute positively to the wider urban environment, encompassing the Ravenswood KAC, Woodend and Pegasus. It will complement and support the activities that have started to develop around the KAC Ravenswood, and will strengthen the urban fabric of the local community.

- 3.33 Importantly, these attributes of the Site and its suitability for accommodating urban development to support the Ravenswood KAC in particular have not gone unrecognised at the strategic planning level.

⁶⁶ Hampson EIC at [9.10], [9.13] and [9.17].

⁶⁷ Lauenstein EIC at [8.2].

As Mr Clease notes, the Site is located in an area identified by the Waimakariri District Development Strategy 2048 (a non-RMA document) as appropriate for accommodating future growth.⁶⁸ In that regard and in the context of the identified shortfall in housing capacity, a decision to enable that growth through the PDP is “strategic over the medium and long term”, as required by Objective 6(b).

3.34 In terms of alignment with infrastructure funding and planning decisions, there are currently no “live” or planned initiatives by WDC to service urban development on the Site specifically – which is unsurprising given it is not anticipated for that purpose in any RMA document. However, as outlined in the evidence of Mr Hall and Mr Clease, the costs of infrastructure for the Proposal (where they involve new infrastructure) will be funded by the developer.⁶⁹ There are also a range of mechanisms available for the Council to either recover or agree contributions for the additional demand generated by the Proposal, including for new infrastructure to provide capacity for that demand. These include both development and financial contributions as well as development agreements under the Local Government Act 2002. Put simply, there are a range of viable options for ensuring that the servicing requirements of the Proposal can be funded and delivered in a manner which aligns with, or at least does not compromise, Council’s own infrastructure planning.

3.35 Finally, the NPS-UD requires that planning decisions such as this, which relate to urban environments, take into account the principles of Te Tiriti o Waitangi.⁷⁰ That obligation (which mirrors the wording in section 8 of the RMA) has “procedural as well as substantive implications, which decision-makers must always have in mind”.⁷¹ In the plan-making context, those principles require, *inter alia*:⁷²

- (a) engagement with tangata whenua in good faith;
- (b) the protection of resources of importance to tangata whenua from adverse effects; and

⁶⁸ Clease EIC at [14.15] – [14.16].

⁶⁹ Clease Supplementary at [5.25] and Hall Supplementary at [5.24] – [5.29].

⁷⁰ NPS-UD, Objective 5.

⁷¹ *Te Korowai o Ngāruahine Trust v Hiringa Energy Limited* [2022] NZHC 2810 t [193], citing *Ngati Maru Trust v Ngati Whatua Ōrākei Whaia Maia Limited* [2020] NZHC 2768, [at 29], and *Environmental Defence Society Inv v New Zealand King Salmon Co Limited* [2014] NZSC 38 at [88].

⁷² *Aratiatia Livestock Limited v Southland Regional Council* [2020] NZEnvC 19 at [6].

(c) positive action to protect tangata whenua interests.

3.36 Through the development of the Proposal, the Stokes have sought to uphold these principles, including through seeking to engage with the Rūnanga as well as the Trusts with specific responsibilities in the area. The Stokes are committed to continuing those conversations, including in relation to the future of the sacred wāhi tapu site. The PDP will also provide the opportunity for formal engagement as part of any consenting process for major works on the Site, including earthworks and subdivision.⁷³

3.37 The Stokes have sought to protect that site through the Proposal and have planned future infrastructure connections so as to avoid specific areas identified by Kaiapoi Pā Trust and Te Kōhaka o Tūhaitara Trust as sacred. In recognition of the importance of freshwater and ecology to tangata whenua (expressed through the PDP, the IMP, and the NPS-FM), particular attention has been paid to those existing values on the Site, and the opportunities to protect (and in some cases, further enhance) them. Through the initiatives described further in his evidence, Mr Payne concludes that the Proposal provides the opportunity for an overall net biodiversity gain.⁷⁴

3.38 As outlined in Mr Cleese's evidence, the Stokes and their team have carefully considered the advice provided by MKT as part of the section 42A report, and have proposed amendments to the ODP narrative to achieve greater alignment with the Ngāi Tahu Subdivision Guidelines.⁷⁵

3.39 On that basis we submit that a decision to approve the Proposal through the PDP would account for, and align favourably with, the principles of Te Tiriti.

NPS-UD summary

3.40 In conclusion, the Proposal would support the PDP to give effect to the NPS-UD. For the reasons we have outlined, it is in a highly suitable location to provide significant additional housing capacity that is well-

⁷³ See for example, SASM-R4, which addresses subdivision within a Wāhi Tapu Overlay or Ngā Tūranga Tūpuna Overlay, or SUB-R5 which addresses subdivision containing a site or area of significant to Māori.

⁷⁴ Primary Evidence of Roland Payne on behalf of B & A Stokes, 4 March 2024 (**Payne EIC**) at [7.3(d)] and [7.8].

⁷⁵ Cleese Supplementary at [5.3] - [5.7].

connected to transport corridors, and has been carefully designed to contribute to a well-functioning urban environment. Whether it is used to meet the identified shortfall in development capacity in the medium term or whether it will contribute to a surplus in capacity, Ms Hampson is clear that the outcome of approving the zoning is only positive for the district.⁷⁶ In terms of the urban form and function of the Woodend/Pegasus/Ravenswood area and the wider urban environment, that opinion is shared by Ms Lauenstein and Mr Clease.⁷⁷

3.41 In light of that evidence, the Proposal is, in our submission, worthy of your support.

4 REMAINING MATTERS

Section 42A report

- 4.1 The outstanding matters in contention for the Proposal identified in the section 42A report relate to stormwater and downstream flooding effects, development yield and the available mechanisms for ensuring that infrastructure connections and upgrades will be delivered at the appropriate time.⁷⁸
- 4.2 Each of those matters have been addressed in the supplementary evidence of Mr Hall (stormwater/flooding) and Mr Clease (mechanisms and yield).⁷⁹ As a result of that evidence, some additional amendments have been made to the updated ODP and supporting narrative, namely:
- (a) confirmation that the target yield for the Proposal is 15 hh/ha in line with the PDP;
 - (b) identification that the existing culvert on State Highway 1 needs to be upgraded;
 - (c) amendments to the ODP narrative to:
 - (i) clarify the intended approach to stormwater/flood hazard management;

⁷⁶ Hampson Supplementary at [1.4] – [1.5] and section 7.

⁷⁷ Lauenstein EiC at [8.1] – [8.2] and Clease Supplementary at [8.1] – [8.2].

⁷⁸ Section 42A Report at [887].

⁷⁹ Hall Supplementary at sections 5 and 6; Clease Supplementary at [5.12] – [5.27].

- (ii) achieve closer alignment with the Ngāi Tahu Subdivision Guidelines; and
 - (d) shifting the north eastern access to the Site to the west of the intersection with Macdonalds Lane.
- 4.3 For her part, Ms Hampson has reviewed and responded to Mr Yeoman’s evidence in her supplementary evidence.⁸⁰ In short, she concludes that even with the development capacity enabled by other rezoning submissions in the Woodend area, further development capacity is needed to meet the identified shortfall over the medium term.⁸¹
- 4.4 Ms Hampson has reaffirmed her position that the Site is well-suited to providing that capacity from an economic perspective, given its close proximity to the Ravenswood KAC and the urban efficiencies that rezoning of the Site would provide.⁸² In that context, she does not agree with Mr Yeoman that identification of the Site as a Development Area (instead of the Proposal) is an appropriate outcome in light of the directions in the NPS-UD. Even if the development capacity provided by the Proposal is “surplus” rather than necessary (in terms of the requirements of Policy 2), the NPS-UD does not preclude the Panel from accepting the Proposal; in fact, as Ms Hampson identifies (and as set out earlier in these submissions) there are a number of advantages to having that surplus.
- 4.5 We commend her evidence to you in that regard.
- 4.6 Finally, we have not sought to respond to each aspect of Mr Wilson’s analysis of the NPS-UD and its interplay with the CRPS, although we note that Mr Cleese has addressed parts of it in his evidence.⁸³ Our position on that interplay, as it relates to the Proposal, is outlined above. In short:
- (a) As the lower-order document which precedes the NPS-UD, there can be no presumption that the CRPS gives effect to the NPS-UD, and it is clear that Change 1 to the CRPS did not purport to achieve

⁸⁰ Hampson Supplementary at section 6.

⁸¹ Hampson Supplementary at [1.4].

⁸² Hampson Supplementary at [1.5].

⁸³ Cleese Supplementary at [6.1(r)] and [6.1(v)].

that outcome, as acknowledged by Canterbury Regional Council itself:

Change [1] does not purport to, and nor it is required to, give full effect to the NPS-UD as it is has not been practicable for Environment Canterbury to fully implement the NPS-UD within the scope of this change being progressed through the streamlined planning process and within the timeframes available.⁸⁴

- (b) That absence of that presumption does not mean that the NPS-UD and the CRPS are automatically at odds with each other. Clearly, the CRPS remains clearly relevant to the Panel’s decisions (including on matters of urban form and development), and for his part, Mr Clease has provided a careful assessment of the Proposal against those relevant provisions.⁸⁵ We submit however that particular caution is required to ensure that the CRPS (now over 10 years old) does not dilute or otherwise soften the step-change envisaged by the NPS-UD, and the way in which the directions of the NPS-UD are implemented in the PDP.
- (c) That is particularly the case for the “responsive planning” provisions of the NPS-UD which are directed towards proposals which are not anticipated by RMA documents (such as the CRPS). As outlined above, those provisions effectively direct that non-compliance with the CRPS directions relating to the location of urban growth in Greater Christchurch can no longer preclude proposals which provide significant development capacity and contribute to a well-functioning urban environment. As set out in these submissions, the Proposal satisfies those criteria.

5 CONCLUSION

5.1 As the Environment Court has previously recognised:⁸⁶

the [RMA] is not drafted on the basis that activities are only allowed where they are justified; rather, the [RMA] proceeds on the basis that land use activities are only restricted where that is necessary.

⁸⁴ Report to the Minister for the Environment on Proposed Change 1 to Chapter 6 of the CRPC, March 2021, at [62].

⁸⁵ Clease EIC at [15.9] – [15.14].

⁸⁶ *Royal Forest and Bird Protection Society of New Zealand Inc v Whakatane District Council* [2017] NZEnvC 51, at [59] citing *Wakatipu Environmental Society Inc v Queenstown Lakes District Council* Decision C153/2004, at [56].

5.2 In our submission, the evidence of the Stokes' expert team demonstrates that, of the options available to the Panel, the Proposal is the most appropriate planning outcome for the Site, and will support the PDP in implementing the directions of the relevant higher-order documents including the CRPS and the NPS-UD. Nothing more restrictive is required.

DATED 9 August 2024



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