

Before an Independent Hearings Panel  
Appointed by Waimakariri District Council

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*under:* the Resource Management Act 1991

*in the matter of:* Submissions and further submissions on the Proposed  
Waimakariri District Plan

*and:* Hearing Stream 12D: Ōhoka rezoning request

*and:* **Carter Group Property Limited**  
(Submitter 237)

*and:* **Rolleston Industrial Developments Limited**  
(Submitter 160)

Reconvened hearing statement of evidence of Chris Sexton  
(Spatial analysis)

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Dated: 17 October 2024

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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



## **RECONVENED HEARING STATEMENT OF EVIDENCE OF CHRIS SEXTON**

### **INTRODUCTION**

- 1 My full name is Christopher Philip Sexton.
- 2 My area of expertise, experience, and qualifications are set out in my statement of evidence dated 5 March 2024 for this hearing stream.
- 3 I also provided evidence in my supplementary statement of evidence dated 18 June 2024.
- 4 The purpose of this evidence is to summarise the outcome of the expert conferencing I attended and respond to matters raised in the Officer's Report dated 9 October 2024 relevant to my expertise.

### **CODE OF CONDUCT**

- 5 Although this is not an Environment Court hearing, I note that in preparing my evidence I have reviewed the Code of Conduct for Expert Witnesses contained in Part 9 of the Environment Court Practice Note 2023. I have complied with it in preparing my evidence. I confirm that the issues addressed in this statement of evidence are within my area of expertise, except where relying on the opinion or evidence of other witnesses. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

### **LUMS CONFERENCING AND JWS**

- 6 Joint witness conferencing was held on 8 August 2024 at Waimakariri District Council offices in Rangiora. I attended joint witness conferencing with Mr Wilson and Mr Sellars to discuss the questions put forward by the Panel for hearing stream 12D on LUMS and greenfield development capacity.
- 7 Mr Wilson and I agreed upon a clear and robust methodology within the conferencing for analysing greenfield development capacity and development uptake within the areas monitored by Council. The methodology adopted was nearly identical to the methodology I utilised in my primary and supplementary evidence. Following the conferencing, Mr Wilson and I proceeded to undertake an exercise to adopt a joint position in terms of estimating remaining greenfield capacity.
- 8 The JWS and accompanying memorandum provided an agreed position between the experts in terms of outlining a valid alternative method for monitoring land uptake within the Waimakariri District.

Mr Wilson and I both agreed that the exercise we undertook did not replace the need for an economic model and only served as a basis for cross checking and as a sense check.<sup>1</sup>

- 9 The JWS clarified that feasibility was not considered in the capacity calculations undertaken by Mr Wilson and I<sup>2</sup>. Utilising developer intentions does not necessarily indicate that the development will eventuate. This shows that the land may be developed but doesn't guarantee it or confirm if its economically feasible. A separate feasibility study or model is required to see what is actually realistically expected to be realised (*RER*) to determine available capacity in terms of the NPS-UD, for which WDC relies upon WCGM22.
- 10 The JWS and joint capacity assessment serves to provide an alternative method for determining current greenfield capacity but should not be relied upon for compliance with the NPS-UD as it does not consider economic feasibility.

### **RESPONSE TO OFFICER'S REPORT**

- 11 Mr Willis in his s42A addendum states that Mr Wilson's memo referred to in his original s42A report is based on robust information.<sup>3</sup> While I agree that the basis of data was robust, the methodology for calculating future yield was not. As part of the conference a suitably robust methodology was developed and adopted.
- 12 Mr Willis then relies upon Mr Wilson's memo to state that there is no short or medium term shortfall in residential capacity at a district level, nor any likely long-term shortfall. I consider it incorrect to reach this conclusion on the based on Mr Wilson's memo given that Mr Wilson and I have both agreed that the LUMS work should not be relied upon for determining remaining capacity in terms of the NPS-UD<sup>4</sup>. It should only be used as a tool when cross checking an economic model such as WCGM22.
- 13 My primary evidence evaluated the WCGM22. I was able to find that utilising my methodology there were significant differences in terms of remaining capacity, and this difference highlights areas of WCGM22 that either need re-addressing or further explanation. As agreed by the experts in the JWS, a transparent methodology for

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<sup>1</sup> Paragraph 5 – LUMS JWS Appendix. Greenfield Plan Enabled Capacity Assessment

<sup>2</sup> Greenfield Plan Enabled Capacity Assessment – Paragraph 5

<sup>3</sup> Paragraph 25 – s42A addendum and Paragraph 154 of the original s42A report.

<sup>4</sup> LUMS JWS Paragraph 6 subsection D

determining greenfield capacity should be implemented that tracks housing market performance against bottom lines.

Dated: 17 October 2024

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Chris Sexton