

OFFICER'S REPORT FOR:

Hearing Panel

SUBJECT:

Proposed Waimakariri District Plan: Ōhoka Rezonings

PREPARED BY:

Andrew Willis

REPORT DATED:

Friday, 31 May 2023

DATE OF HEARING:

Hearing Stream 12D Ōhoka: 01 July 2024

Executive Summary

1. This report considers submissions received by the Council in relation to a rezoning request from Rolleston Industrial Developments Ltd (RIDL) [160.1] and [160.2] and Carter Group Property Ltd [237.1]. The report outlines recommendations in response to the matters that have emerged from these submissions.
2. RIDL [160.1] and Carter Group Property Limited [237.1] sought to rezone an area adjacent to the existing settlement of Ōhoka from Rural Lifestyle Zone (RLZ) to a number of specified urban zones to enable a residential development supported by a local commercial centre and open space. There were 30 further submissions on RIDL [160.1] (28 in opposition, one in partial support and one neutral). There were 16 further submissions on Carter Group [237.1] (14 in in opposition, one in partial support and one neutral).
3. RIDL [160.2] sought to rezone the existing Ōhoka Village from SETZ to GRZ. There were 28 further submissions in opposition to this submission and one further submission in partial support.
4. In addition to the above rezoning requests, RIDL [60.1] also sought that the submitter's land at Ōhoka be identified as Medium Density Residential Zone (MRZ) under Proposed Variation 1. There were seven further submissions in opposition to this submission and one neutral further submission.
5. The RIDL [160.1] and Carter Group Property Ltd [237.1] rezoning requests are very similar to the rezoning sought through Private Plan Change RCP031 (PC31) to the Operative District Plan that was heard by an Independent Hearing Panel (IHP) in the second half of 2023. For PC31 the IHP recommended that the Council decline the plan change request. The Council subsequently declined PC31.
6. Based on my assessment of RIDL [160.1], Carter Group Property Ltd [237.1], RIDL [160.2] and RIDL [60.1] to Variation 1, I consider that these submissions should be rejected. I consider that the Proposed Plan's RLZ and SETZ zonings remain the most appropriate to:
 - achieve the purpose of the RMA where it is necessary to revert to Part 2 and otherwise give effect to higher order planning documents, in respect to the proposed objectives, and
 - achieve the relevant objectives of the Proposed Plan, in respect to the proposed provisions.

Contents

Executive Summary.....	i
Contents.....	ii
Interpretation	iv
1 Introduction	1
1.1 Purpose	1
1.2 Author	1
1.3 Supporting Evidence	2
1.4 Procedural Matters	2
2 Statutory Considerations	5
2.1 Resource Management Act 1991.....	5
2.2 Section 32AA	5
2.3 Trade Competition	5
3 Consideration of Submissions and Further Submissions	6
3.1 Overview	6
3.2 Format for Consideration of Submissions.....	6
3.3 General context - Application of the National Policy Statement for Highly Productive Land	7
3.4 General context - Application of the National Policy Statement for Urban Development	7
3.5 General Context – Variation 1.....	9
3.6 Submissions – Rezone the Ōhoka RLZ Block [160.1] and [237.1]	10
3.7 Submissions – Re-zone the existing Ōhoka Village from SETZ to GRZ.....	67
3.8 Submissions – Variation 1 Rezoning	69
4 Conclusions	73

Appendices

Appendix A. Report Author's Qualifications and Experience
Appendix B. Recommended Responses to Submissions and Further Submissions
Appendix C. Evidence of Mr Foy on Economic Matters
Appendix D. Collective Evidence from the Council's Engineers and Greenspace
Appendix E. Evidence of Hugh Nicholson on Urban Design and Landscape
Appendix F. Evidence of Mr Ford on Farm Productivity
Appendix G. Beca report on Greenhouse Gas Emissions
Appendix H. Memo from Mr Wilson on Housing Uptake and Capacity

List of Tables

Table 1: Abbreviations iv
Table 2: Abbreviations of Submitters’ Names..... iv

List of Tables in Appendices

Table B1 to B2: Recommended responses to submissions and further submissions

Interpretation

7. Parts A and B of the Officer's reports utilise a number of abbreviations for brevity as set out in Table 1 and Table 2 below:

Table 1: Abbreviations

Abbreviation	Means
RMA	Resource Management Act 1991
CRPS	Canterbury Regional Policy Statement
ECan	Environment Canterbury/Canterbury Regional Council
DDS	District Development Strategy – 'Our District, Our Future – Waimakariri 2048'
FUDAs	Future Urban Development Areas
GCSP	Greater Christchurch Spatial Plan
GRUZ	General Rural Zone
IHP	Independent Hearing Panel
JWS	Joint Witness Statement
LCZ	Local Centre Zone
LUC	Land Use Classification
MoE	Ministry of Education
MRZ	Medium Density Residential Zoning
NPS	National Planning Standards
NPS-HPL	National Policy Statement on Highly Productive Land 2022
NPS-UD	National Policy Statement on Urban Development 2020
Ōhoka ODP	Ōhoka Outline Development Plan
Operative Plan	Operative Waimakariri District Plan
Proposed Plan	Proposed Waimakariri District Plan
PC31	Proposed Private Plan Change 31 at Ōhoka – RCP031
RLZ	Rural Lifestyle Zone
S32	Section 32 RMA Report
S42A	Section 42A RMA Report
SETZ	Settlement Zone
The Council	Waimakariri District Council / territorial authority
WDC	The Waimakariri District Council as a submitter

Table 2: Abbreviations of Submitters' Names

Abbreviation	Means
RIDL	Rolleston Industrial Developments Limited
Carter Group	Carter Group Property Limited

1 Introduction

1.1 Purpose

8. The purpose of this report is to provide the Hearing Panel with a summary and analysis of the submissions received from Rolleston Industrial Developments Limited (RIDL) [160.1] and [160.2] and from Carter Group Property Limited (Carter Group) [237.1] to rezone a property adjacent to Ōhoka to specified zones (as set out later in this report), and rezone Ōhoka Village from SETZ to GRZ. It also responds to RIDL's [60.1] submission on Variation 1 to rezone the GRZ portion of the site adjacent to Ōhoka to MRZ.
9. This report is prepared under section 42A of the RMA. It considers primary submissions and further submissions received by the Council seeking this Ōhoka rezoning, as well as proposed changes to the relevant objectives, policies, rules, appendices and maps.
10. This report discusses general issues or matters arising, makes recommendations as to whether submissions should be accepted or rejected, and concludes with a recommendation on whether changes should be made to the Proposed Plan based on the assessment.
11. The recommendations are informed by technical evidence prepared for the Council (which are identified later in this report and included in my appendices), the evidence provided by the submitter, and the evaluation undertaken by the author. In preparing this report I have had regard to recommendations made in other related s42A reports.
12. This report is provided to assist the Hearing Panel in their role as Independent Commissioners. The Hearing Panel may choose to accept or reject the conclusions and recommendations of this report and may come to different conclusions and make different recommendations, based on the information and evidence provided to them by submitters.
13. This report is intended to be read in conjunction with Officers' Report: Part A – Overview which contains factual background information, statutory context and administrative matters pertaining to the district plan review and Proposed Plan.

1.2 Author

14. My name is Andrew Willis. My qualifications and experience are set out in **Appendix A** of this report. In summary, I have an accredited planning degree, am a full member of the New Zealand Planning Institute and over 27 years' work experience in planning. My role in preparing this report is that of an expert planner.
16. I was the s42A author responding to PC31, which was a private plan change by RIDL to the Operative Waimakariri District Plan which sought similar rezonings to those assessed in this report on the Proposed Plan.
17. Although this is a Council Hearing, I have read the Code of Conduct for Expert Witnesses contained in the 2023 Practice Note issued by the Environment Court. I have complied with that Code when preparing my written statement of evidence and I agree to comply with it when I give any oral evidence.
18. The scope of my evidence relates to the submissions of RIDL [160.1], [160.2] and Carter Group [237.1] seeking rezoning in and adjacent to Ōhoka and further submissions on these

submissions. It also covers the Variation 1 submission of RIDL [60.1] seeking to apply the Medium Density Residential Zone (MRZ) to the subject site (adjacent to Ōhoka). I confirm that the issues addressed in this statement of evidence are within my area of expertise as an expert policy planner.

19. Any data, information, facts, and assumptions I have considered in forming my opinions are set out in the part of this evidence in which I express my opinions. Where I have set out opinions in my evidence, I have given reasons for those opinions.
20. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

1.3 Supporting Evidence

21. The expert evidence, literature, legal cases or other material which I have used or relied upon in support of the opinions expressed in this report includes the following:
 - The evidence of Rodney Yeoman (Formative) on market supply and demand;
 - The evidence of Shane Binder (Council) on transport matters;
 - The evidence of Chris Bacon (Council) on natural hazards;
 - The evidence of Colin Roxburgh (Council) on three waters servicing;
 - The evidence of Stuart Ford (Agribusiness) on the productive potential of the site;
 - The evidence of Hugh Nicholson (UrbanShift) on urban design and landscape matters;
 - The report by Beca on Ōhoka greenhouse gas emissions;
 - The memo on housing uptake and capacity by Peter Wilson (Council);
 - The evidence provided by the submitters' witnesses;
 - The Joint Witness Statement titled "Urban Environment (Planning) Day 1" dated 26 March 2024; and
 - The decision of the IHP on PC31 and the PC31 Joint witness statement in relation to development constraints dated 17 August 2023.
22. I have also undertaken a site visit to the site and the wider Ōhoka area (in May 2023).

1.4 Procedural Matters

23. In late 2021, RIDL lodged a private plan change request with the Council to amend the Operative District Plan (ODP). Following a Council request for further information and receipt of an updated plan change request (June 2022), PC31 was accepted for public notification by the Council (without modification) and formally notified on 9th July 2022.
24. The notified PC31 sought to rezone approximately 156 hectares of rural zoned land on Mill Road and Bradleys Road adjacent to Ōhoka to Residential 3 (700 residential lots), Residential 4A (100 residential lots), Residential 8 (a school, a retirement village or 45 residential lots) and Business 4 commercial land. This is shown on Figure 1 below:



Figure 1 –PC31's proposed zoning (the site is outlined by a red dotted line)

25. The Waimakariri District Council (WDC)¹ made a submission in opposition to PC31. This submission was prepared by an external lawyer, relying on external technical infrastructure input and external planning advice. I understand that there was no input into this submission from Council staff.
26. The PC31 hearing was held in August 2023 before an independent Hearing Panel (IHP). The s42A report (which I prepared) recommended to decline PC31. The IHP accepted my s42A report recommendation and declined PC31 in a decision dated 27 October 2023. The Council adopted the Commissioners' decision to decline PC31 at its Council meeting on 5 December 2023. RIDL appealed the PC31 decision to the Environment Court on 8 December 2023.
27. Consistent with PC31, WDC also made a submission in opposition to the RIDL and Carter Group Ōhoka submissions. I understand that this submission was prepared by an external lawyer and any advice supporting WDC's submission will rely on external technical advice. I understand that there was no input into this submission from Council staff.
28. RIDL [60.1] also sought the submitter's land at Ōhoka be identified as a new residential zone in Proposed Variation 1 and apply the Medium Density Residential Zone (MRZ) provisions. I understand that for efficiency, this submission has been allocated to this s42A rezoning report rather than the Variation 1 hearing.
29. There have been no pre-hearing conferences, clause 8AA (First Schedule, Part 1) meetings or expert witness conferencing in relation to these Ōhoka rezoning submissions specifically. However, at the time of writing this report there has been planner conferencing amongst the planners for all the rezoning requests on the definition of "urban environment" under the NPS-UD and to respond to Hearing Panel questions on various urban growth and development matters. This conferencing resulted in the JWS as set out earlier in my statement of supporting evidence in s1.3. I also understand that there have been attempts to undertake conferencing among the various economists involved in all the rezoning requests.

¹ I have referred to the Waimakariri District Council as a submitter as 'WDC' in this report to distinguish it from the Council as the respondent.

30. Because PC31 is so similar to the development sought through these submissions, I have included factual public transport and school information from Environment Canterbury (ECan) and Ministry of Education (MoE) submissions respectively on PC31. I note this factual information is in the public arena. In addition, in limited instances I have referred to the PC31 Hearing Panel decision report and I note Mr Walsh (the planner for RIDL and Carter Group) has also done this (e.g. paragraph 88) in his evidence, as well as the PC31 Joint witness statement in relation to development constraints, dated 17 August 2023.

31. The submitters' evidence package includes significant commentary on residential and commercial supply capacity and demand to support the rezoning request. The economic modelling evidence relied on in this report is exclusive of any other potential rezonings before the Hearing Panel. The outcomes of the other rezoning hearings therefore are likely to have implications for the assessment of the RIDL / Carter Group proposal. Relevantly, if some of the other rezoning submissions in those hearings are adopted then this would mean more capacity is available than is shown by the submitters' and Council's experts (including the supporting modelling).

2 Statutory Considerations

2.1 Resource Management Act 1991

32. The Proposed Plan has been prepared in accordance with the RMA and in particular, the requirements of:

- section 74 Matters to be considered by territorial authority, and
- section 75 Contents of district plans,

33. There are a number of higher order planning documents and strategic plans that provide direction and guidance for the preparation and content of the Proposed Plan.

2.2 Section 32AA

34. As I am not recommending any changes as a result of the submissions I have not undertaken an evaluation of the recommended amendments to provisions since the initial section 32 evaluation was undertaken in accordance with s32AA.

2.3 Trade Competition

35. The Ōhoka Residents Association [FS16] state in their further submission that the claim that RIDL would obtain no advantage in trade competition through their submission is false. I note that RIDL's supporting evidence raises concerns over future development opportunities in Kaiapoi and other locations in the District, and if the anticipated residential capacity is unable to be provided at Kaiapoi or elsewhere, this arguably strengthens RIDL's argument that insufficient development capacity has been provided by the Council under the NPS-UD and needs to be provided at Ōhoka. I consider that RIDL's concerns over development opportunities in other locations in the District are valid RMA concerns. As such, while RIDL benefits from this assertion, I do not consider it amounts to pure 'trade competition'.

3 Consideration of Submissions and Further Submissions

3.1 Overview

36. This report covers the following submissions and further submissions:

- RIDL [160.1]: rezone Ōhoka properties legally described as Lot 2 & 3 DP 318615, Lot 2 & Part Lot 1 DP 8301, Lot 2 DP 61732, Lot 1 DP 55849, Lot 2 DP55404, Part RS 2220, Lot 1 DP 318615 and Part Lot 1 DP 2267 General Residential Zone (GRZ) with a portion subject to an Education/Retirement Village Overlay, Large Lot Residential Zone (LLRZ), Local Centre Zone (LCZ), and Open Space Zone (OSZ). There were 30 further submissions on this submission (28 in opposition, one in partial support and one neutral). Based on the evidence of Mr Walsh (paragraph 40), I understand that the GRZ area is now proposed to be re-zoned to Settlement Zone (SETZ) and the OSZ is now proposed to be Natural Open Space (NOSZ).
- Carter Group Property Ltd [237.1]: rezone Ōhoka properties legally described as Lot 2 & 3 DP 318615, Lot 2 & Part Lot 1 DP 8301, Lot 2 DP 61732, Lot 1 DP 55849, Lot 2 DP55404, Part RS 2220, Lot 1 DP 318615 and Part Lot 1 DP 2267 a combination of GRZ (including an overlay providing for educational facilities and retirement village activities), LLRZ, LCZ, and OSZ. There were 16 further submissions (14 in opposition, one in partial support and one neutral). I understand that Carter Group is essentially seeking the same rezoning as RIDL [160.1]. As for RIDL [160.1], based on the evidence of Mr Walsh (paragraph 40), I understand that the GRZ area is now proposed to be re-zoned to Settlement Zone (SETZ) and the OSZ is now proposed to be Natural Open Space (NOSZ).
- RIDL [160.2]: rezone the Settlement Zone in Ōhoka to GRZ. There were 29 further submissions (28 in opposition and 1 in partial support).
- Variation 1 - RIDL [60.1]: rezone the land subject to [160.1] a combination of MRZ, LLRZ, LCZ, and OSZ. There were eight further submissions to this submission (seven in opposition and one neutral).

37. The following evaluation should be read in conjunction with the summaries of submissions and the submissions themselves. My recommendations on the submissions and further submissions are set out in **Appendix B**. Further submissions are not separately assessed in the body of this report, except where relevant to the assessment.

3.2 Format for Consideration of Submissions

38. For the rezoning request, I have considered the submissions in the following format:

- Matters raised by submitters;
- Assessment; and
- Summary of recommendations.

39. As I am not recommending any changes to the Proposed Plan as a result of the submissions assessed I have not included any recommended amendments to the Proposed Plan in the body of the report or as an appendix to this report.

40. As I am not recommending any changes to the Proposed Plan as a result of the submissions assessed I have not undertaken a s32AA evaluation.

3.3 General context - Application of the National Policy Statement for Highly Productive Land

41. Under clause 3.5(7) the NPS-HPL the Council must apply the NPS-HPL as if references to highly productive land were references to land that is zoned general rural (GRUZ) or rural production and is classified as LUC 1, 2 or 3 land, and is not identified for future urban development or subject to a Council initiated or adopted notified plan change to rezone it from general rural or rural production to urban or rural lifestyle. The Proposed Plan is required to give effect to the NPS-HPL.
42. The majority of the land within the subject site is identified as LUC Class 3, with a small area on the northwestern corner of Mill and Bradleys Roads being identified as LUC Class 2. However, as the Proposed Plan's zoning of the site subject to the RIDL and Carter Group submissions is Rural Lifestyle Zone (RLZ), the NPS-HPL does not apply. I note that Mr Walsh also comes to this conclusion (paragraph 190).

3.4 General context - Application of the National Policy Statement for Urban Development

43. The NPS-UD applies to an "urban environment" in the District. What constitutes an "urban environment" under the NPS-UD was the subject of a JWS dated 26 March 2024. As set out in the JWS, there were competing interpretations of where the "urban environment" is in the District amongst the attendant planners, thereby suggesting the interpretation and application of the NPS-UD is not clear.
44. In my opinion urban environments are those environments that meet the tests of the NPS-UD definition of "urban environment", which is:
- any area of land (regardless of size, and irrespective of local authority or statistical boundaries) that:*
- a) *is, or is intended to be, predominantly urban in character; and*
- b) *is, or is intended to be, part of a housing and labour market of at least 10,000 people.*
45. The "urban environment" definition is a conjunctive, two limb test. Unfortunately, the NPS-UD provides no specific guidance regarding when an area of land could be considered as being "predominantly urban in character" nor "part of a housing and labour market of at least 10,000 people".
46. In terms of plain ordinary meaning: "predominant" means constituting the main or strongest element; prevailing²; while "urban character" means characteristic of a city or town.³ Accordingly, to be "predominantly urban in character", the relevant areas of land must have as its main, strongest, or prevailing element the characteristics of a city or town. The determination of whether an area is "predominantly urban in character" is ultimately a matter

² The New Shorter Oxford English Dictionary (6th ed, Oxford University Press, 2007).

³ Ibid

of application of substantive judgement and expertise, having regard to particular facts and circumstances applying to that area. The exercise of such judgement could potentially be informed by input provided by a landscape architect or expert on urban character.

47. Importantly therefore, the Christchurch tier 1 urban environment, which must be an "urban environment", must necessarily exclude any areas of the Waimakariri District where there is no evidence that it is, or is intended to be, predominantly urban in character.
48. With regard to assertions⁴ that the Greater Christchurch area demarcates the "urban environment", in my opinion urban environments may be located within or outside of the Greater Christchurch geographical area depending on whether they meet the NPS-UD "urban environment" definition. In my opinion not all of the Greater Christchurch area currently meets the NPS-UD "urban environment" definition as I do not consider that all of Greater Christchurch is, or is intended to be predominantly urban in character. Specifically:
- It is clearly not all 'intended to be' predominantly urban in character in the CRPS which requires urban activities to be located within the existing urban areas, greenfield Priority Areas and FUDAs shown on Map A (e.g. Policy 6.3.1). There are also restrictions on rural residential development in the rural areas of Greater Christchurch (Policy 6.3.9). The remaining areas of Greater Christchurch therefore are not intended for urban activities or to be urban. I note that the Greater Christchurch Spatial Plan (GCSP) states that highly productive land within Greater Christchurch is to be protected for food and fibre production (for example 3.4 pages 24 & 58; and 5.4 page 25). In my opinion these highly productive rural areas are therefore not intended to be predominantly urban in character by the GCSP.
 - In terms of whether Greater Christchurch 'is' currently predominantly urban in character, in my opinion this character assessment is informed by the scale at which the assessment is undertaken and interpretation of the word 'predominantly'. I consider that evidence would be required to determine which areas of the District are predominantly urban in character. I have not been able to locate any rural / landscape character evidence presented as part of the CRPS Change 1 hearings to support the argument that all of Greater Christchurch meets the NPS-UD "urban environment" definition.⁵ In contrast, the 2018 Boffa Miskell Rural Character Assessment (which informed the Proposed Plan) did assess rural character within the entire Waimakariri District, including the District's area within Greater Christchurch. It did not conclude that the whole of that part of the District within Greater Christchurch is predominantly urban in character. Rather it identified areas of urban character and areas of rural character and indicated that the rural areas were not uniform, with different areas identified such as Coastal Plains, Lower Plains and Waimakariri River Plains (see Figure

⁴ See for example the evidence of Mr Phillips assed later in this report.

⁵ For example, there is no character evidence provided or referred to in the Report to the Minister for the Environment on Proposed Change 1 to Chapter 6 of the CRPS (March 2021) that would demonstrate that all of Greater Christchurch is predominantly urban in character. This may be because that change was initially promulgated in response to the NPS-UDC which did not include a character requirement in its "urban environment" definition.

2 below). I note that the majority of the district that is within Greater Christchurch is not 'greyed out' as existing 'urban' although large areas are.

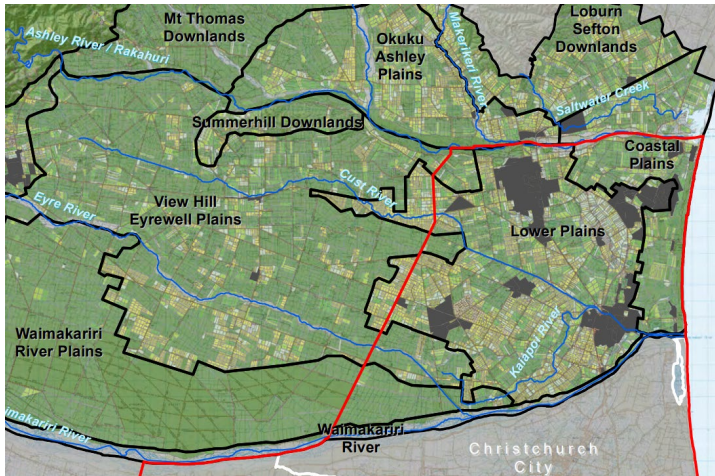


Figure 2: Rural Character Areas (2018 Boffa Miskell Rural Character Assessment)

49. I do however consider that all of Greater Christchurch may be part of a housing and labour market of at least 10,000 people but that evidence would be required to support that conclusion. I also consider that all of Greater Christchurch may meet the superseded NPS-UDC definition of “urban environment” which excludes the conjunctive urban character assessment. Ultimately, the determination of whether Greater Christchurch, or some other area is "part of a housing and labour market of at least 10,000 people" requires an exercise of substantive judgement and expertise, having regard to particular facts and circumstances that apply. The exercise of such judgement could potentially be informed an economist or market expert.
50. Where the NPS-UD applies (i.e. within an urban environment), this higher order document carries significant weight as the Proposed Plan must give effect to it. Of direct relevance to this s42A report are the responsive planning provisions (e.g. Objective 6(c) and Policy 8), which enable consideration of unanticipated or out of sequence development proposals. In my opinion, these responsive provisions enable consideration of urban development outside of the areas identified in the CRPS Map A for urban growth (existing urban areas, greenfield priority areas and FUDAs), subject to meeting the tests set out in the NPS-UD and with further assessment against the remaining provisions of Chapter 6 of the CRPS as required.
51. I have provided an assessment on the extent to which the proposed Ōhoka rezoning (under RIDL 160.1 and Carter Group 237.1 submissions) satisfies the Objective 6(c) and Policy 8 requirements and gives effect to the NPS-UD as a whole later in my report. In that section I have also examined whether Ōhoka is within the “urban environment”.

3.5 General Context – Variation 1

52. The Resource Management (Enabling Housing Supply and Other Matters) Amendment Act (the Amendment Act), which amends the NPS-UD and the RMA, came into force 20 December 2021. This legislation requires tier 1 councils (e.g. Auckland, Hamilton, Wellington, Christchurch, Waimakariri and Selwyn) to change their district plans to expressly include

specified medium density residential standards (MDRS), which include bulk and location, site coverage, open space and height rules, in relevant residential zones.

53. Variation 1 is an Intensification Planning Instrument (IPI) that is progressing through a new process introduced by the Amendment Act, called the Intensification Streamlined Planning Process (ISPP). This process is primarily set out in clause 95(2) of Part 6 of Schedule 1 of the RMA.
54. The Variation 1 s32 analysis (s3.1) describes the scope of Variation 1 and states that it applies to all relevant residential zones to which the Amendment Act requirements apply as set out in the National Planning Standards. S4 of the Amendment Act (incorporated into s2 RMA) defines a relevant residential zone as the following:
- (a) Means all residential zones; but
 - (b) does not include-
 - (i) a large lot residential zone;
 - (ii) an area predominantly urban in character that the 2018 census recorded as having a resident population of less than 5,000, unless a local authority intends the area to become part of an urban environment;
 - ...
 - (iv) to avoid doubt, a settlement zone.
55. I have assessed the matter of scope in response to the RIDL [60.1] submission later in my report where I respond to this submission point directly.

3.6 Submissions – Rezone the Ōhoka RLZ Block [160.1] and [237.1]

3.6.1 Matters raised by submitters

56. RIDL [160.1] and Carter Group [237.1] seek to rezone Ōhoka properties legally described as Lot 2 & 3 DP 318615, Lot 2 & Part Lot 1 DP 8301, Lot 2 DP 61732, Lot 1 DP 55849, Lot 2 DP55404, Part RS 2220, Lot 1 DP 318615 and Part Lot 1 DP 2267 GRZ with a portion subject to an Education/Retirement Village Overlay, LLRZ, LCZ, and OSZ.
57. On the basis of the evidence of Mr Walsh (paragraph 40), I understand that the GRZ area is now proposed to be rezoned to Settlement Zone (SETZ) and the OSZ is to be Natural Open Space Zone (NOSZ).
58. The site location is shown in Figure 3 below. The proposed zoning and other features (including internal roads, reserves and stormwater management areas) are shown on the submitters' ODP included as Figure 4 below. These figures are both sourced from Mr Walsh's evidence. I have also included the Proposed Plan's zoning for the area as shown on Figure 5.



Figure 3 - Aerial photograph indicating subject land (Original Source: Canterbury Maps)

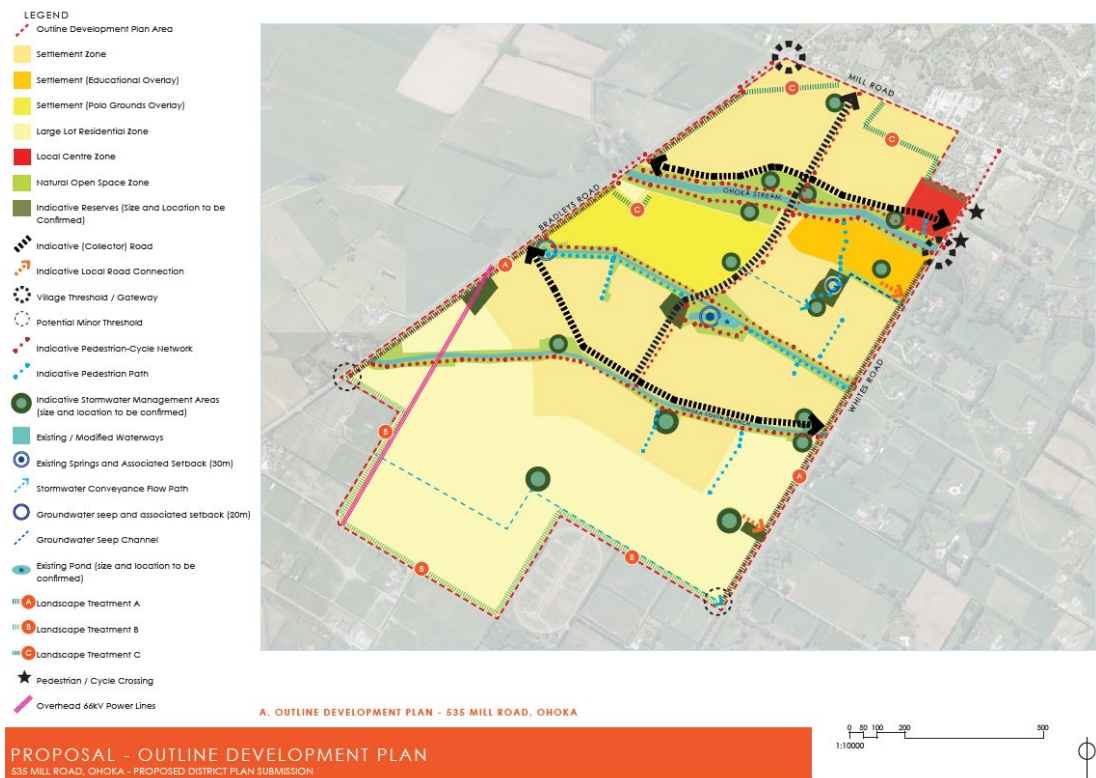


Figure 4 – Proposed Mill Road Ōhoka Outline Development Plan (Source: p123 Mr Walsh's evidence)

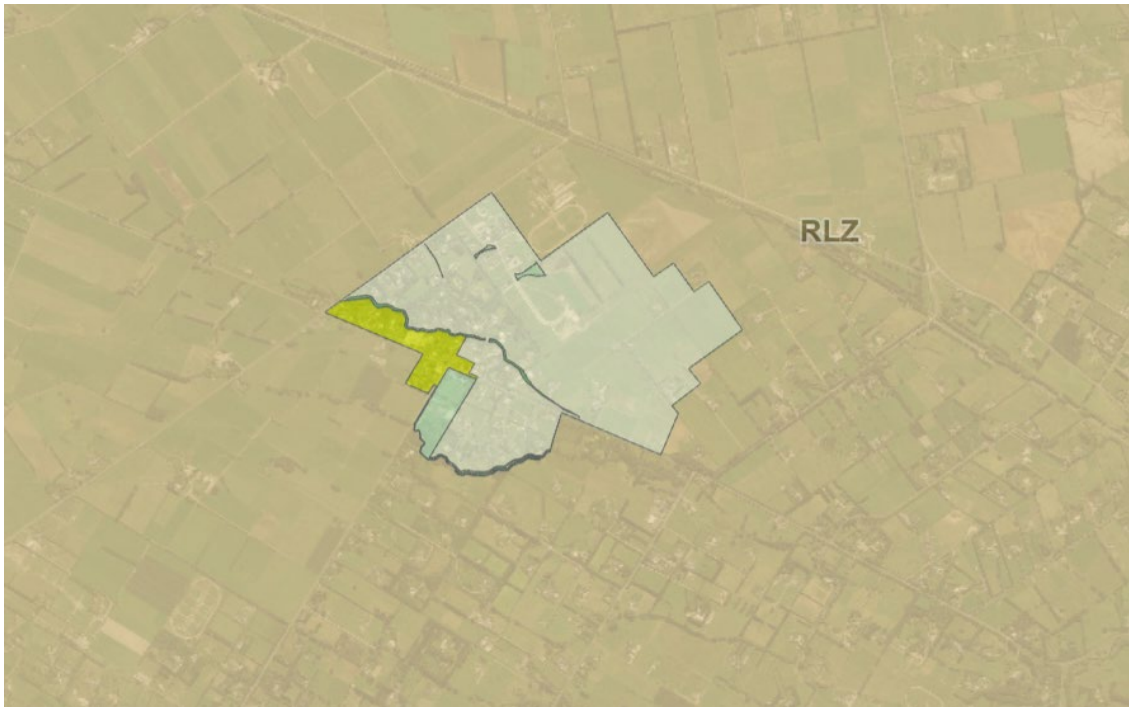


Figure 5 – Proposed Plan's zoning for Ōhoka (Yellow = SETZ; Green = OSZ; Pale Green = LLRZ)

59. I understand that for the most part, the current land use of the site is a dairy farm and cattle breeding, with the farmhouse and farm buildings in a cluster towards the western corner and an additional cluster of farm buildings near the boundary of 531 Mill Road.
60. There were 30 further submissions on the RIDL [160.1] submission: 28 were in opposition; one was in partial support; and one was neutral. There were 16 further submissions on the Carter Group [237.1] submission: 14 were in opposition; one was in partial support; and one was neutral.
61. Matters raised in opposition include:
- Increased flooding and drainage issues;
 - Loss of rural character and outlook;
 - Loss of amenity values of Ōhoka Village and surrounding areas;
 - Increased traffic and congestion, noise;
 - Contravention of the Waimakariri Rural District Character Assessment, 6 June 2018;
 - Increased GHG emissions and contravention of New Zealand's Emissions Reduction Plan;
 - The loss of productive land;
 - Contravention of the NPS-UD;
 - Negative impacts on the local schools and Community; and

- Lack of infrastructure to support development.
62. The support in part submission was from David Cowley [FS41] who also submitted seeking to provide for large lot residential development with a minimum lot size of 1000m² and an average lot size of not less than 2000m². I understand that the primary submission by David Cowley will be considered as part of Hearing Stream 12E.
63. The neutral submission was from Transpower [FS92] who stated that if the submission is allowed they seek:
- the retention of the Rural Zone over the area of land that is traversed by the National Grid, including an appropriate buffer;
 - that Transpower is to be consulted as part of any application for subdivision consent for the site; and
 - that the development proposal includes explicit direction that the landscape treatments in the vicinity of the National Grid must be designed and implemented to achieve compliance with NZECP 34:2001 and the Electricity (Hazards from Trees) Regulations 2003 (including when planting reaches maturity).

3.6.2 Assessment

64. My assessment of this submission is arranged in subsections, covering the following:
- Land contamination and geotechnical matters;
 - Ecology;
 - Transport;
 - Three waters servicing;
 - Natural hazards;
 - Greenspace;
 - Urban design, character and landscape matters;
 - Farm productivity;
 - Greenhouse gas emissions and vehicle kilometres travelled;
 - Local centre zone considerations;
 - Residential supply and demand;
 - Planning constraints analysis;
 - Statutory documents;
 - Relevant NPS and NESs;
 - CRPS, GCSP, Iwi Management Plan and DDS; and
 - The Proposed Plan
 - S32 assessment.

3.6.2.1 Land contamination and geotechnical matters

65. Mr Walsh states (in paragraphs 212 to 215 of his evidence) that a geotechnical assessment undertaken by Tetra Tech Coffey concludes that the site is “TC1-like”. In addition, a Preliminary Site Investigation, also undertaken by Tetra Tech Coffey (and appended to the evidence of Mr Crooks), found the presence of Hazardous Activities and Industries List (‘HAIL’) activities on the site. Mr Crooks concludes that the *“rezoning request and proposed development is considered low risk due to the relatively small scale and low risk of the potentially contaminating activities identified. Residual risk will be addressed by the planned detailed site investigation followed by remediation (if required) prior to development”*.
66. Mr Walsh states that a Detailed Site Investigation will be carried out at subdivision consent stage as required by the ODP. This investigation will identify what (if any) remediation is required to satisfy the requirements of the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.
67. I accept the evidence provided by the submitter and consider that these matters can be adequately addressed at subdivision and building design stage. I consider that there are no contamination or geotechnical issues that would obstruct the rezoning request.

3.6.2.2 Ecology

68. Ms Drummond's evidence for the submitters is focussed on aquatic ecology which is not surprising given the presence of waterways on the site and that the land component is highly modified by the agricultural production occurring on it. Ms Drummond (paragraph 11) refers to the AEL aquatic ecology survey of the site undertaken in 2021. The survey mapped the waterways and waterbodies on site, summarised ecological values, and recorded four fish species: the native longfin eel; the shortfin eel; the upland bully; and the introduced brown trout. She notes that no rare fish were recorded, and the report provides confidence that Canterbury mudfish do not occupy the site waterways. Of the three native fish species recorded, the longfin eel has a national conservation status of ‘declining’ but remains well distributed in Canterbury. The shortfin eel and upland bully have a conservation status of ‘not threatened’ (Dunn et al., 20172). As part of the aquatic ecology survey and associated report, buffer distances were recommended for all waterways and waterbodies. I accept the AEL report findings.
69. In his planning evidence (paragraph 56) Mr Walsh comments on how the development of the site provides potential for ecological restoration and enhancement of waterbodies which are described in the evidence of Ms Drummond. I accept that the proposal, if done in accordance with the ODP and the recommendations in Ms Drummond's evidence, can provide environmental enhancement in the selected water bodies and freshwater ecosystems within the site. I am not aware of any other ecology issues from the proposal.

3.6.2.3 Transport

70. A number of further submissions have raised concerns over traffic safety and congestion. Mr Walsh considers the transport implications in paragraphs 58 to 62 of his planning evidence. In his transport evidence (beginning at paragraph 15), Mr Fuller assesses the proposed rezoning, its size, access points, likely traffic generation, its impacts on the transport network and

required upgrades and speed limit changes and threshold treatments. Beginning at paragraph 37, Mr Fuller comments on the internal layout of the site, including walking and cycling issues and opportunities.

71. Mr Fuller concludes (paragraph 10) that subject to appropriate upgrades, the traffic generated by the proposed rezoning can be accommodated by the surrounding transport network and that these required upgrades should be expected to occur independently to the rezoning to provide safety and capacity improvements to accommodate background traffic growth. Mr Fuller identifies the required upgrades in his paragraphs 10.1 to 10.5, these being:
- 10.1 Tram Road / Bradleys Road intersection (already planned and funded by the Council);
 - 10.2 Tram Road / Whites Road intersection;
 - 10.3 Flaxton Road / Threlkelds Road intersection;
 - 10.4 Tram Road Interchange; and
 - 10.5 Tram Road widening and corridor safety upgrades (already planned by the Council).
72. I note that for PC31 a transport infrastructure JWS dated 22nd August 2023 was provided by the relevant transport experts (Mr Fuller for the Applicant, Mr Binder for the Council and Mr Metherell for WDC as a submitter). Of note, this JWS included the following agreements with regard to intersection safety and capacity:
- a) **Bradleys Road / Tram Road Intersection:** The experts agree that there should be a development threshold of no more than 450 Lots being developed ahead of a roundabout upgrade to the Bradleys Road / Tram Road intersection and a rule/mechanism to this effect should be prepared by the planners;
 - b) **Tram Road / Whites Road Intersection:** The experts agree that the planners should prepare a rule/mechanism requiring safety and capacity matters to be assessed and resolved prior to the development of any more than 250 lots;
 - c) **Mill Road / Ōhoka Road Intersection & Flaxton Road / Threlkelds Road Intersection:** Safety improvements are identified. The experts agree that the required upgrades would need to be provided before occupation of dwellings and/or commercial buildings at the Plan Change site, and a rule/mechanism to this effect should be prepared by the planners, with the JWS identifying two approaches for the rule.
73. Of the above JWS agreed traffic improvements, I note that the Tram Road / Whites Road Intersection imposed a limit of 250 lots and that this limit could theoretically stop the development from any further growth past this number. My understanding is that the resolution to this intersection could require a roundabout⁶ but that the Tram Road Motorway interchange likely requires bridge widening and the approval of Wakai Kotahi.⁷ The PC31 Hearing Panel considered this and noted that if capped at 250 sections in the medium term there is uncertainty as to the timing and delivery of a commercial centre for the site (paragraph 110). At paragraph 222 the Hearing Panel stated:

⁶ See paragraph 247.1 in Mr Walsh's statement of evidence

⁷ Waka Kotahi did not submit on RIDL [160.1], nor [237.1], but did further submit in opposition to RIDL [60.1].

“Although we did not hear directly from Waka Kotahi, ultimately, it’s a matter for them as the relevant roading authority as to the type and timing of any upgrades. For our purposes there is no certainty that the solutions proposed by Mr Fuller would be actioned by Waka Kotahi and there is a high likelihood that the development would be stalled at 250 residential allotments in the medium term.”

74. I note that rules to cover the above section thresholds were proposed by Mr Walsh for these matters as part of his supplementary evidence for PC31, but these do not appear to be included in his recommended changes in his Appendix 3 (for this hearing), nor addressed in his evidence. I note Mr Fuller states (paragraph 12) that *“the rezoning will include a mechanism for confirming the extent of traffic effects at the time of seeking subdivision and this will allow a discussion regarding the specific nature of delays and safety effects associated with the relevant stage of development against the actual traffic growth and road network upgrades that have occurred at the relevant time.”* Mr Walsh states that to ensure that upgrades are implemented when required, the ODP provides for assessment at subdivision stage (paragraph 249).
75. I have reviewed the ODP and ODP narrative and, while I found a statement on transport network upgrade requirements, this did not appear to be linked to subdivision and there was no obvious rule requiring this to occur. From my reading it appears that there are no longer any intersection upgrade requirements linked to the stages of development despite the clear agreement in the JWS that this was required. I note that Mr Binder states in his evidence (paragraph 15) that the assumptions that underly the PC31 joint witness statement in relation to transport infrastructure (attachment D to his evidence) remain unchanged, and the conclusions reached are still valid. As such, this appears to be an omission. I anticipate that the submitters’ experts will be able to clarify this at the hearing.
76. Mr Fuller also notes (paragraph 13) that the site is within the Council’s planned walking and cycling network and that there is also the ability to use Main Drain Road to travel to / from Kaiapoi subject to accommodating cyclists with the upgrade to the Skew Bridge, which is funded for improvements in the Council’s Long Term Plan in 2028/2031).
77. In his evidence (paragraphs 16 to 22) Mr Milner comments on public transport matters, identifying the current bus routes and timetabling between Christchurch, Kaiapoi and Rangiora and notes that there are currently no connections to Ōhoka/Mandeville. He also comments on the school bus routes and timetabling (in paragraphs 23 to 27) which operate in the vicinity of the subject site, servicing Ōhoka School and Kaiapoi High School.
78. Given the absence of a public transport service to the site Mr Milner comments on the proposed privately funded (by the submitter) bus service from the site if it was rezoned (paragraphs 30 to 35). In summary the submitter is proposing to operate a mid-sized, wheelchair accessible electric bus fitted with bike racks from the site for a half-hourly weekday peak service between Ōhoka and Kaiapoi, timetabled to connect to/from Metro city express bus (Route 92) services in both directions. Mr Milner states that this timetable and the connection with the express Route 92 bus, allows a user in the AM peak to board a bus at Ōhoka and arrive at the Bus Interchange in Christchurch 50 minutes later while for the PM peak return trip, it would take a user approximately 1 hour from the Bus Interchange in Christchurch to arrive back at Ōhoka. Mr Milner states this service will be privately funded for up to 10 years, to support public transport in Ōhoka from occupation of the first new homes

until a more substantive Ōhoka community is established that will be capable of supporting and sustaining a publicly supported bus service (funded by ECan) in the longer term.

79. In paragraph 41 Mr Milner considers that the proposed rezoning of the Site will be 'well-served by existing or planned public transport' and will achieve 'good accessibility for all people ...by way public transport' (in accordance with the NPS-UD Objective 3(b) and Policy 1(a)(c)).
80. Mr Walsh also comments on connectivity and accessibility (paragraphs 238 to 246). He acknowledges that the site may not be as highly connected compared to a location adjoining a larger urban centre. He also acknowledges that the site is not within a walkable distance of Kaiapoi, Rangiora and Christchurch, and it is not within a cyclable distance for many people (certainly not in respect of Christchurch). However, he considers that it is well connected along transport corridors, including by proposed public transport and comments that there are few feasible or practicable alternative locations where development capacity can be provided closer to the district's main towns and noting that the proposal provides for demand for housing outside the main towns.
81. Mr Binder has reviewed the evidence presented by Mr Fuller and Mr Milner and provided a response in **Appendix D**. Mr Binder has also included his PC31 evidence which responds in detail to the transport components of that plan change.
82. In his evidence for this hearing (paragraphs 2 and 3), Mr Binder states that at a high level, the changes proposed in these submissions do not address the concerns he raised previously in both evidence in chief and summary evidence prepared for the PC31 hearings last year and that he still considers that locating a large residential development far from established urban centres and "day-to-day" trip destinations, regardless of the activities proposed on-site, fails to:
- Support the local and regional policy directions to make best use of the existing transport network;
 - Encourage non-motorised and public transport over private motor vehicles;
 - Reduce GHG emissions or VKT;
 - Provide a safe roading environment for all users; and
 - Mitigate adverse impacts from increased traffic.
83. Mr Binder elaborates on transport network safety matters (beginning at paragraph 11). In summary:
- Multiple independent metrics have identified elevated traffic safety risks on the two primary corridors (Tram Road and Mill Road) used to facilitate the bulk of these vehicular trips and it is inappropriate to site the proposed development so that it would substantially increase vehicular trips on these two corridors;

- It is highly unlikely that the speed limit reductions proposed by Mr Fuller⁸ will be considered by the Council;
 - Intersection safety improvements will likely be required, specifically roundabouts at Whites Rd / Tram Rd and Threlkelds Rd / Flaxton Rd, generally in line with the PC31 joint witness statement, but that the Council has not previously evaluated these two intersections to indicate that they would require upgrades of this magnitude due to existing or otherwise projected future traffic. He understands these improvements have not been proposed in the Long-Term Plan (LTP) or Infrastructure Strategy;
 - There are improvements along Tram Road which have been identified in the Infrastructure Strategy (but not proposed for funding within the next ten years), which could be required sooner if this development is approved.
84. Regarding non-motorised travel, Mr Binder quotes from his PC31 evidence (paragraph 9) stating that the surrounding roading network used to access “day-to-day” activities has almost no safe separated facilities and should the proposed development be approved, considers it appropriate that the developer provide safe non-motorised connections to enable travel to the regional key activity centres, as these connections have no identified Council funding.⁹ He also notes that regardless of the state of the surrounding roading network, the distance to reach key activity centres remains far higher than the average New Zealand walking or cycling catchment and does not consider that the proposed development will generate measurable non-motorised mode share and thus will not enable the regional and national policy obligations to reduce private motor vehicle travel.
85. For public transport specifically, Mr Binder states (paragraph 4) that:
- “I consider that single-occupant vehicle travel is necessitated for almost all “day-to-day” trips for employment, education, and shopping. I further consider that most single-occupant vehicle trips generated by the proposed development will continue to the Christchurch CBD (or Rangiora and Kaiapoi town centres) with plentiful parking supply, rather than being used as a “first- and last-km” connection to public transport.”*
86. Mr Binder notes (paragraph 5) that there are existing areas of higher density residential development lacking in PT services that are more likely to viably support long term PT services, and that much of this is closer to existing Metro services and therefore will not require additional travel times on top of existing schedules. He considers that providing PT services to these areas to be of higher benefit and potentially lower cost than providing new service to a new development relatively isolated from existing services. As such, Mr Binder considers it unlikely that publicly-funded public transport service would be initiated to service the Ōhoka area, with or without the proposed re-zoning.
87. Consistent with his evidence for PC31, Mr Binder also questions the attractiveness of the proposed PT service. He states (paragraph 7) that there is ample research both in New Zealand and abroad that adding transfers to a public transport journey decreases rider satisfaction and

⁸ Evidence of Nicolas Fuller, paragraphs 28, 35

⁹ Mr Binder elaborates on the funding matter in his paragraph 10 stating that no funding has been proposed or secured for any of the links shown in Mr Fuller's evidence and Council is not presently pursuing any of the connections shown in the approved Walking & Cycling Network Plan in this area.

the overall attractiveness of the PT mode, in particular on low-frequency routes such as the Waimakariri Metro services. Mr Binder considers that this perceived disbenefit, coupled with the actual disbenefit of an additional 15 minutes each way, are likely to make any new PT service to or from the Ohoka area unattractive when compared with driving a personal vehicle. He also concludes (paragraph 6) that such a service is unlikely to be financially viable based on existing demand coupled with this proposed development, in addition to noting that this viability is further at risk as he understands that the proposed development is unlikely to be fully populated within this ten-year period.

88. Mr Binder also questions whether the proposal will result in a reduction in greenhouse gas emissions. Referring to his PC31 evidence, he estimates (paragraph 21):

“...the transport-related GHG emissions from the development, based on present-day evidence, to be far in excess of the existing agricultural GHG emissions from the site, regardless of the assumptions made. I consider that the magnitude of these GHG emissions results directly from the distance between the Plan Change area and major urban destinations, the requirement to travel for services, and opportunities not likely to be available in Ōhoka, and the resulting private motor vehicle generation. I consider it unacceptable to ignore the creation of new GHG emissions (from new construction, energy use, as well as my calculations on transport) and claim minor reductions when evaluating whether the Plan Change will support a reduction in GHG emissions.”

89. As a reference for his conclusions, Mr Binder states that (based on 2018 Census data) even with the existence of the Mandeville Village and its ability to ostensibly serve the “day-to-day” needs of the Mandeville-Ōhoka area, only 4.0% of the residents in that area walked, cycled, or took public transport in their trips, i.e. there was a very heavy reliance on private vehicles (paragraph 22).
90. Overall Mr Binder does not support the RIDL [160.1] and Carter Group [237.1] submissions from a transport impacts perspective, stating (paragraph 25) that he had serious concerns around the effects of on road safety and emissions and over-dependence on private motor vehicle use necessitated by the location of such substantial development in Ohoka under PC31, and he considers that these concerns remain substantively unmitigated.
91. Mr Binder does not consider that the transport effects of the proposed rezoning are acceptable as he considers it inappropriate to route the development's new traffic through intersections that are likely to experience higher road safety risk, have not been budgeted for within Council's long-term plans, and are not proposed for any improvements in the foreseeable future (paragraph 26). Mr Binder disputes Mr Farrelly's assessment that the proposal will lead to a reduction in GHG emissions and Mr Milner's conclusion that the proposed development will be “well-served by existing or planned public transport”. He considers that the site will be poorly connected for walking and cycling and will likely contribute significantly to VKT and GHG emissions in excess of what could be anticipated from additional residential growth collocated with Rangiora, Kaiapoi, or Woodend (paragraph 27). Overall, he considers that the proposal will not “achieve good accessibility for all people...by way [of] public transport” in accordance with the NPS-UD (paragraph 26).
92. I accept the evidence of Mr Binder. I also note that there is currently no mechanism proposed in the submission or submitters' evidence that would require the submitter to provide the bus service proposed for the full 10 years.

93. Mr Nicholson has also assessed the connectivity and accessibility of the proposal in section 7 and section 8 of his evidence (see **Appendix E**). He considers that the proposed ODP would provide an appropriate level of internal connectivity (within the site). However, he notes the road network that connects the site with the wider district consists of narrow high-speed rural roads which lack separated pedestrian or cycle paths, or public transport facilities such as bus routes, stops and shelters and that the narrow gravel verges and the speed of passing traffic make walking or cycling unpleasant and at times dangerous. He concludes (paragraph 7.5) that while Ōhoka has a reasonable level of connectivity for private vehicles, a well-functioning urban environment also requires networks of connections for pedestrians, cyclists and public transport, and that these are lacking, noting the sites isolated location (paragraph 7.6).
94. In Section 8 Mr Nicholson comments specifically on active and public transport options. He notes that the site of the rezoning request is located approximately 25kms from central Christchurch, 9km from central Kaiapoi, and 9.5kms from central Rangiora, and agrees with Ms Lauenstein and Mr Falconer (experts for RIDL and Carter Group) that these are reasonably accessible distances using private vehicles, however, Mr Nicholson considers that a well-functioning urban environment requires provision for active and public transport. He considers that even if safe pedestrian and cycle connections were provided by the developer, the distances to the nearest centres would significantly exceed the average walking trip of 1.0km, and the average cycle trip of 4.0km identified in the New Zealand Household Travel Survey (NZHTS) and would not consider them easily walkable or cyclable (paragraph 8.8).
95. Noting that some daily shopping needs could be met in the proposed commercial centre but that most opportunities for specialist retail, secondary or tertiary education, recreation, community services and employment will not be available in Ōhoka, and given the distance from the larger centres, and the lack of alternative transport options, Mr Nicholson considers that potential residents of the rezoning request area would be largely dependent on cars on a daily basis (paragraph 8.10). Mr Nicholson considers the proposed rezoning does not contribute to a well-functioning urban environment as defined by Policy 1 of the NPS-UD, and in particular does not have good accessibility between housing, jobs and community services, by way of public or active transport.
96. I agree with Mr Nicholson. The relatively isolated nature of the site means future residents will be reliant on private motor vehicles for connectivity and as such I consider the site is not well connected and does not contribute to a well-functioning urban environment. I note Mr Walsh's comment that there are few feasible or practicable alternative locations where development capacity can be provided closer to the district's main towns (presumably based on his constraints analysis). I disagree with Mr Walsh that there are few alternative growth options as set out in my assessment of his constraints analysis later in this report. However, I also note that there are a number of rezoning proposals before the Hearing Panel should additional capacity be required, including some that are better connected to existing centres.¹⁰

¹⁰ To be covered in Hearing Stream 12E

3.6.2.4 Three Waters Servicing

97. A number of further submissions have raised concerns over infrastructure. The following technical evidence has been provided on three waters servicing:
- Eoghan O’Neill (Stormwater and Wastewater) on behalf of RIDL and Carter Group;
 - Tim McLeod (Infrastructure) on behalf of RIDL and Carter Group;
 - Carl Cedric Steffens (Water Supply) on behalf of RIDL and Carter Group;
 - Bas Veendrick (Hydrology) on behalf of RIDL and Carter Group;
 - Colin Roxburgh (Three Waters Infrastructure) on behalf of the Council.
98. For potable water, based on the evidence of Mr Walsh (paragraphs 65) I understand that this is proposed to be supplied via new deep bores within the site and supported by the transfer of existing water-take consents to Council or potentially a new community water supply take. A new water supply headworks for treatment, storage and pumping would be developed and could be integrated with the existing Ōhoka water supply network. In paragraphs 224 to 226 Mr Walsh considers the issue of providing the required volume without unacceptable levels of drawdown, referring to the evidence of Mr Steffens, and identifies that water supply is viable via a number of options.
99. For wastewater, I understand from the evidence of Mr Walsh (paragraphs 64 and 227) that effluent is proposed to be reticulated to the Rangiora Wastewater Treatment Plant either via gravity reticulation or a low-pressure sewer system, but that a low pressure option is preferred. The new wastewater reticulation system would collect wastewater from site and convey it to the treatment plant via a new dedicated rising main.
100. For stormwater, Mr Walsh states (paragraph 67) that stormwater management facilities are proposed within the site to provide for treatment and attenuation prior to discharge into natural waterways and drainage channels. Mr Walsh elaborates on this in paragraphs 222 and 223 in response to submitters concerns, referring to the evidence of Mr Throssell and Mr O’Neill.
101. Given the highly technical nature of the evidence I have relied on Mr Roxburgh to review this (his evidence is attached to my s42A report as **Appendix D**). Based on Mr Roxburgh’s review, it appears that the supply of drinking water is not in contention. It also appears that the site can be serviced for wastewater, but that there are some inherent challenges with this that will need to be overcome. Based on the technical evidence I anticipate that the wastewater challenges are likely able to be overcome through appropriate design at the more detailed planning and design stage.
102. The main outstanding servicing matter relates to stormwater. Mr Roxburgh (Stormwater section) considers that there are potential challenges in gaining a consent from the Regional Council for stormwater systems that intercept the groundwater table.¹¹ This results in a

¹¹ ECan are understood to interpret interception of groundwater and resulting evaporation of the water / uptake by plants to be a groundwater take, which in an over-allocated groundwater zone is considered to be a prohibited activity.

proposal to avoid any interception of groundwater (refer to the evidence of Mr. McLeod, paragraph 27.1) by constructing the stormwater basins almost entirely above ground. Mr Roxburgh considers this is an unusual concept and creates issues relating to the method of attenuating runoff.

103. Because of this, Mr Roxburgh notes that within the site, there are some areas of the site that cannot fall into the basins due to them being raised. This has resulted in approximately 20% of the site (26.4 hectares out of the total site area of 126.4 hectares) proposed to have no attenuation before the runoff is discharged to the receiving environment. Mr Roxburgh states that while efforts have been made to demonstrate that the 50-year ARI flow will be no greater in the post development scenario, it is unclear whether the downstream and surrounding environment can adequately convey the full 50-year ARI flow, without some properties being negatively impacted, and further work is required to demonstrate this. He states that given the weight of evidence presented at the PC31 hearing from the downstream and surrounding community on flooding issues, as well as knowledge of these issues from asset management and operational staff at the Council, this matter warrants significant further investigation.
104. Mr Roxburgh states that given the significance of the issues further reassurance that these already negative effects will not be exacerbated is required at this stage, i.e. at the rezoning stage rather than at the subdivision stage, to confirm the viability of the proposal. Mr Roxburgh states that if the current proposal is shown to have the potential to worsen the effects in the wider community, the amount of attenuation required may need to be greater, or there may need to be upgrades to the downstream system. Without knowing what additional mitigations may or may not be required, and at what scale, Mr Roxburgh cannot be confident in the overall viability based on the information available.
105. Regarding raingardens, Mr Roxburgh notes that the submitter evidence acknowledges that the raingardens may intercept groundwater and that therefore these need to be lined to avoid permeability. Mr Roxburgh refers to Christchurch City Council (CCC) guidelines¹² that state that raingardens are not suited to areas with high groundwater and to avoid the use of non-permeable lining. Mr Roxburgh is concerned that there is a track record within the district of systems that are designed within the water table but planned to exclude groundwater not functioning as planned, with groundwater ultimately finding a way to enter the system during the design life of the system being constructed, therefore design intents that are reliant on this assumption are not being achieved. He points out that this risk of ingress of groundwater has been highlighted by Mr. McLeod for RIDL in his evidence (paragraph 17) with respect to gravity wastewater systems. However, the same factors that present a risk of groundwater ingress for a gravity wastewater are also relevant for a gravity stormwater system, including for raingardens and their associated pipework.
106. Mr Roxburgh does not think the rain garden / bioscape concept at a site with a high-water table such as the subject is suitable, for the following reasons;
- The most applicable available guidance document recommends against them;
 - The level of treatment achieved by the raingardens may be compromised;

¹² The Rain Garden Design, Construction and Maintenance Manual published by the Christchurch City Council (May 2016)

- This may provide a path for groundwater interception, which is intended to be avoided by this design proposal;
- Downstream infrastructure designed to be dry most of the time may instead have a constant flow of water through it, potentially creating maintenance issues;
- While the above could theoretically be avoided if groundwater can successfully be excluded as intended, there are numerous cases within the district where systems are designed within the water table with the intention of excluding groundwater, that later fail. Examples include lined stormwater basins within the groundwater table that are now operated as wet basins, and septic tank effluent pumping systems that let in high volumes of groundwater when levels are high, even though they are designed in concrete chambers designed to exclude groundwater getting in, or sewerage getting out. Mr Roxburgh notes evidence has been provided by the applicant stating their concerns over inflow and infiltration with a concrete pipe gravity sewer system; and it is not clear to him why this same concern does not apply to a concrete sealed stormwater system, which would be vulnerable to the same issues; and
- A lack of clear evidence of systems such as these being successfully operated within the groundwater table, hence assurances that they will function as intended appear to be theoretical only, rather than based on real world examples.

107. Finally, I note Mr Roxburgh raises concerns about the ODP and that these need to be resolved. The identified issues are:

- The Indicative Stormwater Management Areas (SMAs) are indicative only, with size and location to be confirmed later;
- There appears to be a Stormwater Conveyance Flow Path through private property; and
- There is no obvious provision for a water supply headworks, or water supply bores.

108. I note that the issue of the interception of groundwater was the subject of considerable debate through the PC31 hearing and was the subject of a Joint Witness Statement (JWS). Mr Roxburgh's PC31 stormwater concerns still persist with this new proposal. I appreciate that this issue arises from the ECan interpretation of the relevant Land and Water Regional Plan (LWRP) rule and I agree that this interpretation results in an impractical situation. However, irrespective of the merits of the interpretation of the LWRP I do not consider it appropriate to rezone a site for urban development if the site is unable to be fully serviced and this is unknown at this time based on Mr Roxburgh's evidence. I note that if problems arise in the future with any part of the stormwater management system then this creates risk for the existing and future residents and the Council where this risk impacts on Council infrastructure. This might require costly intervention and it is unclear who would bear those costs.

3.6.2.5 *Natural hazards*

109. A number of further submissions raised flooding as an issue. In his RIDL evidence Mr Throssell provides background on the 2D hydraulic model prepared by PDP using TufLOW modelling software and the effects of flooding as a result of any filling required to meet the minimum floor levels set for this site and concludes (paragraph 13) that Ōhoka is prone to low hazard flood events, similar to those experienced in June 2014, July 2022 and July 2023 (between 10-year and 50-year events) and that the stormwater solution within the site will provide

mitigation of any additional stormwater generated by the site for events of these magnitudes. For more significant events, modelling of the 200-year event shows the flood hazard is still low for areas south of Mill Road/downstream of Whites Road and moderate for areas north of Mill Road (paragraph 14).

110. In his evidence Mr Bacon has assessed the evidence provided by Mr Throssell (see **Appendix D**). Mr Bacon acknowledges that he previously raised concerns during the PC31 hearings process that the proposed raised flood attenuation areas had not been adequately accounted for in the PDP model constructed by Mr Throssell, but that these concerns were subsequently allayed as part of the expert joint witnessing process and he is now satisfied that the Proposed Plan model is fit for purpose.
111. Mr Bacon agrees with Mr Throssell (paragraph 7) that conveyance of floodwaters through the site is the main issue with regards to flood management and mitigating effects from flooding during large flood events. Mr Bacon agrees with Mr Throssell's assessment (in Mr Throssell's evidence paragraphs 62 to 68) that there is likely to be no change or impact on the compliance with recommended freeboard requirements for existing dwellings downstream of the proposed development. However, he notes that further work may be required as part of a resource consent process to confirm this.
112. Mr Bacon notes that the Proposed Plan's model shows the flood effects from the development in the 200-year ARI event to be less than 20mm across all habitable dwellings with only two non-habitable sheds showing an increase greater than 20mm (24mm and 28mm). He agrees with Mr Throssell (in paragraph 73 of Mr Throssell's evidence) that these effects are less than minor. He considers that further modelling will be required at the detailed design phase to confirm these effects are still less than minor with the final subdivision surface and if they are confirmed as being more than minor, that further refinement of the proposed flood channels through the development can be undertaken to resolve the flooding issues.
113. Based on the advice of Mr Bacon, I accept that flooding issues on the site and the immediate surrounds can be managed. I note however that Mr Bacon's evidence does not consider downstream flooding issues in Kaiapoi so I am unsure if this will be an issue.

3.6.2.6 Greenspace requirements

114. Mr Read has assessed the neighbourhood park provision shown on the ODP and accompanying narrative contained in Mr Walsh's evidence (see **Appendix D**). While he considers that the provision of three neighbourhood parks is sufficient to fully meet community access requirements for residents within the proposed ODP area he considers these are not large enough. Mr Read states:

"Council's guideline requirement is that most residents be within a 500m radius or 10-minute walk of a neighbourhood park, with no significant barriers to impede this access. To account for density, the guideline also specifies one hectare of neighbourhood park land per 1000 residents. This equates to approximately two hectares of this category of park space within the proposed ODP area. This is more than double the combined size (0.9188ha) of the three pocket parks currently proposed. One of these parks also appears to incorporate a stormwater management function. Under Council levels of service, stormwater facilities should not occupy part of the predominantly flat well-drained land required for a neighbourhood park. Considering the above points, the size and location of required neighbourhood park land should be re-evaluated. Where feasible, the differing sites (Parks,

SMA, Linkages) should still be sympathetically aligned and connected to support the wider design and amenity objectives of the plan change.”

115. If the Panel was minded to recommend the approval of the rezoning submissions then an amended ODP is required that responds to the concerns raised in Mr Read's evidence. The remainder of the matters raised should be able to be dealt with at subdivision stage.

3.6.2.7 Urban design, character and landscape

116. A number of further submissions raised loss of rural and Ōhoka Village character and outlook concerns. In his evidence (beginning at paragraph 54) Mr Walsh describes the urban design features of the proposal, commenting on ecology, urban structure, character, connections open space and diversity. In his evidence (paragraphs 48 and 49) Mr Walsh refers to the preparation and application of development controls and guidelines and an independent design approval process.¹³
117. Mr Nicholson has commented on the urban design and landscape components of the proposal in his evidence (attached as **Appendix E**). In his opinion the proposed development is not well connected to the existing Ōhoka village and does not consolidate it (section 6). In paragraph 6.15 he states: *“In my opinion the rezoning request would not contribute to a consolidated urban form for Ōhoka, but rather would create a ‘peninsula’ of urban land extending south from the existing township surrounded on three sides by rural and rural residential land.”* He also notes (paragraph 9.2) that this would extend Ōhoka 1.8 km southwards to within 300 metres of the neighbouring Mandeville residential zones, and would effectively bridge the gap between Ōhoka and Mandeville. I agree with Mr Nicholson, although I note that this peninsula may only be temporary as other future developments may follow this proposal if accepted.
118. In section 10 Mr Nicholson comments on the Ōhoka village character, referencing SD-O2 which seeks to recognise existing character and amenity values and the DDS which includes a strategic aim of retaining a “small settlement character”. In contrast he notes (paragraph 10.2) that the proposed rezoning proposes an additional 848 residential allotments and that with the average Waimakariri household size of 2.6 persons, indicates that the rezoning might increase the population of Ōhoka by approximately 2,200 people. He considers this would be a population increase of more than 700% and corresponds to the growth of a village into a small rural town with associated physical, economic, social and environmental changes (for comparison the populations of Oxford and Pegasus are 2,200 and 3,300 respectively).
119. In paragraph 10.11 Mr Nicholson states that the existing character of Ōhoka with 200-300 residents is intrinsically different from a settlement of more than 2,200 people and he does not consider that these changes meet the policy directions of the Proposed Plan or the DDS in ‘recognising’ or ‘retaining’ the existing character of Ōhoka. He considers that these changes are not necessarily ‘bad’ but would be evident in the increased geographic and social scale,

¹³ I have commented later in my report specifically on the proposed urban design rules contained in Mr Walsh's evidence.

increased traffic, suburban densities and built form, and the loss of rural character and outlook.

120. In Section 13 (paragraph 13.5) Mr Nicholson states that the requested rezoning would have a moderate impact on both the landscape character and the visual impact as a result of the change from 36 four-hectare rural residential lots (if the site was subdivided in accordance with the RLZ subdivision provisions) to 850 residential lots, reflecting the changes from a moderately-open rural / rural-residential landscape with larger scale open spaces and natural features, and a smaller number of built elements, to a suburban landscape with shorter views, enclosed spaces and a greater number of built elements. This in contrast to Mr Compton-Moen and Mr Milne's assessment impact being low-moderate.
121. I agree with Mr Nicholson's conclusions. I acknowledge the urban design approach proposed in the ODP and narrative and the proposed design and landscaping requirements which seek to ensure the new development is sympathetic to the character of Ōhoka. However, in my opinion the changes that will occur from this proposal will result in a significant character change for Ōhoka from that which exists presently that is clearly contrary to the DDS and SD-O2 in the Proposed Plan. In my opinion these effects need to be considered against the positive benefits that would accrue from increased housing supply if this increased capacity is confirmed as being needed and that Ōhoka is the right location to meet that demand.

3.6.2.8 Farm Productivity

122. A number of further submissions raised the loss of productive farmland as a concern. This matter was also considered as part of PC31. In his evidence Mr Walsh assesses the loss of productive farm potential (beginning at paragraph 189). Relying on the evidence of Mr Akehurst, Mr Mthamo, Ms Drummond, Mr Milne, Mr Falconer and Ms Lauenstein, he concludes (paragraph 211) that the benefits of rezoning the site for urban residential use outweigh the costs relating to the loss of productive land. Mr Walsh concedes that the current use of the site is viable for primary production activities, while acknowledging the constraints identified in Mr Mthamo's evidence, but then argues that the primary productive value of the site would be diminished even if the rezoning proposal was refused given the highest and best use of the land anticipated by the Proposed District is for rural lifestyle purposes.
123. Mr Ford has assessed the productive potential of the subject site and the evidence of Mr Mthamo and concludes that the current rural land use is viable and that there is no compelling productivity argument to convert it to urban activities (paragraph 72.3). I also note that Mr Yeoman assessed agricultural production matters in his original PC31 evidence (section 4.3.1). In his statement of evidence to this hearing Mr Yeoman concludes that from an economic perspective the zoning would not be appropriate taking into account the lost agricultural production as part of that assessment (paragraph 3.22).
124. I accept Mr Ford's assessment and consider the subject site is currently productive. Despite the NPS-HPL not applying, I consider that this matter is a relevant consideration under the RMA and when considering the requirements to create a well-functioning urban environment and I note Mr Walsh includes this matter in his constraints assessment. I also note that the Proposed Plan seeks to retain primary production opportunities on RLZ zoned land (see SD-O4 and PLZ-P2).

125. I acknowledge that the primary productive value of the site would be diminished if the land was converted to 4ha rural lifestyle purposes as stated by Mr Walsh. However, I consider this is not certain to happen and also that productive potential can still occur on 4ha blocks (albeit in a more restricted manner) and is anticipated in the RLZ provisions in the Proposed Plan. I also note that the NPS-HPL status and the sites zoning may evolve once ECan undertakes its review of HPL land in Canterbury (in accordance with NPS-HPL s3.4). I note that the PC31 Hearing Panel considered the matter of 4ha blocks stating (paragraph 452):

“We have considered the issue of whether, if declined, the site would simply be developed for rural lifestyle (an outcome that is currently anticipated by the operative and proposed plans), resulting in a loss of rural productivity and inefficient housing outcomes. We consider that the risks of simply saying yes to PC31 because a large area of contiguous land is on the market and it can be overlaid with a well-designed ODP, is not sufficient to overcome the national policy directives with regard to planning decisions not only contributing significant development capacity but also contributing to well-functioning urban environments.”

126. I note that the Hearing Panel has other rezoning requests before it that also seek to provide additional residential capacity. In my opinion if the Panel considers more capacity is required, the Panel should be mindful of the loss of productive potential on this large contiguous and currently productive site compared to the other rezoning requests when making their rezoning recommendations. I understand that a summary overview of the recommended rezonings and the capacity provided for future urban growth from all the s42A rezoning reports will be provided by Mr Wilson's Hearing Stream 12E s42A report.

3.6.2.9 Greenhouse gas emissions

127. In his evidence (paragraph 250) Mr Walsh states that the proposal will result in an increase in vehicle kilometres travelled (VKT) and associated transport related GHG emissions as is expected with any greenfield development. He considers what is more important to determine is whether the increase in VKT is of a greater and unacceptable magnitude compared to providing the required development capacity elsewhere (or via a rural residential / lifestyle approach). I agree with Mr Walsh that with increased urban growth comes increased VKT and GHG emissions and that a comparative analysis is required.
128. However, I disagree that the comparison should not be to an expansion of a main urban area (paragraph 250 of Mr Walsh's evidence). In my opinion, if demand and capacity matters for Ōhoka are assessed on the basis of it being part of the Greater Christchurch 10,000 people housing and labour market, then its VKT and GHG emissions should similarly be compared against other urban growth options proposed within that same housing and labour market.
129. I agree with Mr Walsh (paragraph 252) that it is likely that the improved local offering of goods and services as part of the proposal within walking and cycling distance of existing and future residents will offset some of the anticipated increase in VKT and GHG. However, given that the experts generally accept that future Ōhoka residents will still rely on Rangiora, Kaiapoi and Christchurch for schooling, work and other services there will inevitable be an increase in these metrics, unless the residents are actually located in Rangiora, Kaiapoi or Christchurch.

130. For PC31 the Council provided evidence from Mr Binder and Mr Buckley on VKT and GHG emissions matters. For this hearing the Council has sourced expertise from Beca which is attached in **Appendix G**. Key findings from the Beca report are:

- The average daily light vehicle trip distance for Ōhoka is 15km (based on 2028 modelled results from the Christchurch Transportation Model V21a). This is in excess of the modelled daily trip distances for Rangiora, Woodend, Pegasus and Kaiapoi – see Figure 6.
- The emissions from the existing agricultural use is estimated to be some 1,230 tonnes CO₂-e per annum, while enabled vehicle emissions associated with the development are estimated to be significantly higher at some 8,656 tonnes per annum;
- The vehicle emissions for Ōhoka would be higher than locations closer to existing centres such as Kaiapoi, Rangiora, Woodend or Pegasus, but could be lower than locations even further from the main Christchurch urban areas such as Mandeville, West Melton or Burnham – see Figure 7.

131. The report concludes (page 13) that:

“Given these high-level findings, it is considered that there is insufficient evidence to support the submitters claim that the proposed development at the Ōhoka rezoning site “supports a reduction in GHG emissions” (as per NPS-UD Policy 1(e)). This review indicates that the GHG emissions associated with this proposal would be higher than either the existing agricultural land use or similar scale development in planned growth areas in existing centres such as Kaiapoi, Rangiora, Woodend or Pegasus. Only if compared against similar development in areas even more remote from the main Christchurch urban areas would this site be likely to have lower GHG emissions.”

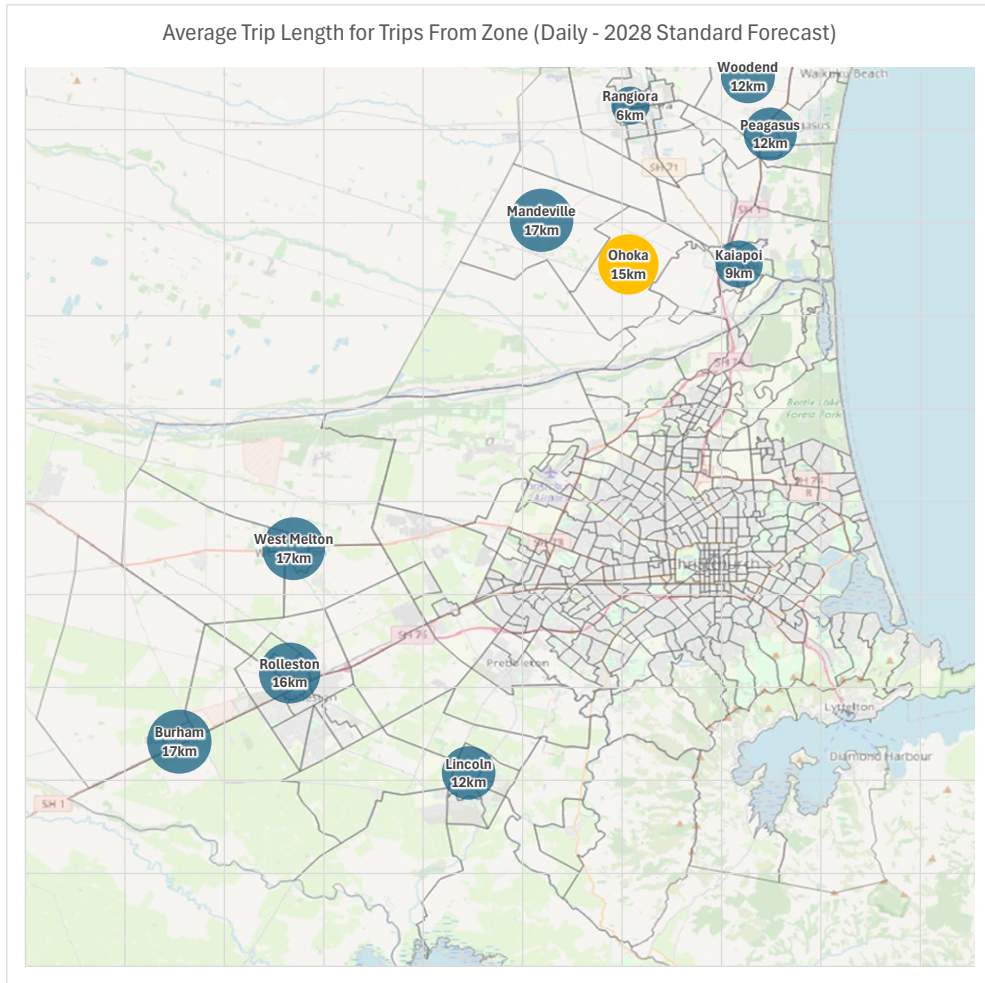


Figure 6 - Daily Average Trip Length from Zone around Greater Christchurch Region (based on 2028 modelled results)

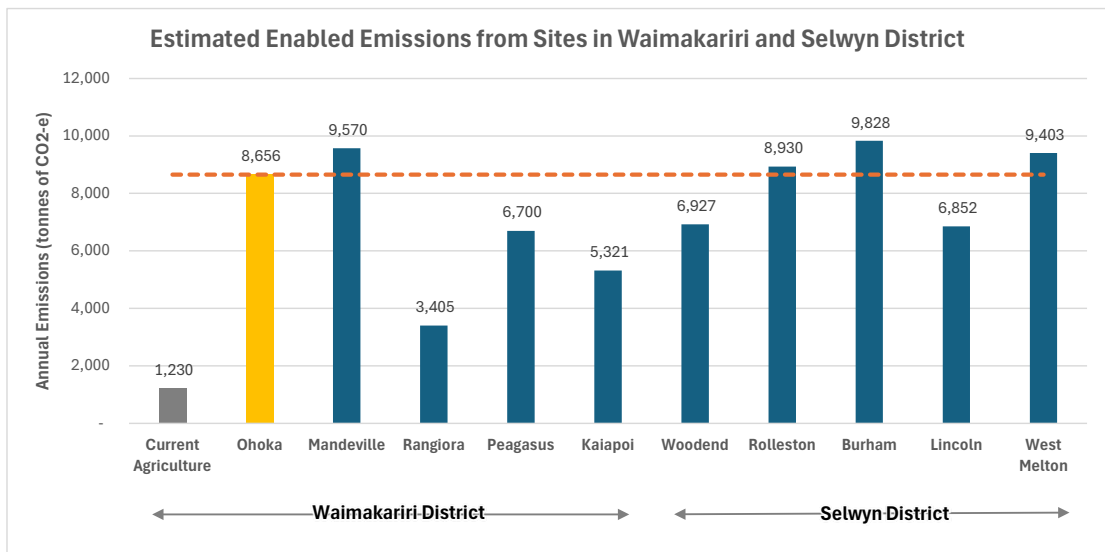


Figure 7 – Beca Ōhoka Greenhouse Gas Review – Comparative Emissions

132. I accept the Beca report's findings and note that this is consistent with the findings of Mr Buckley and Mr Binder for the Council on PC31 and supports the CRPS and GCSP approach to co-locating future urban growth with Rangiora, Kaiapoi and Woodend / Pegasus.

3.6.2.10 Electricity and Telecommunication and the National Grid

133. A number of further submissions have raised lack of infrastructure concerns. Mr Walsh states (paragraph 68) that there is sufficient power for the development from the existing electricity network bordering the site and telecommunications can be provided underground to future allotments from an existing fibre network in Mill Road. I am not aware of any specific reason why these services could not be provided to service the development, noting there were no submissions from infrastructure providers stating this, and as such I am comfortable these services can be provided.
134. In his evidence (paragraph 71) Mr Walsh states that activities, development and earthworks proximate to the 66kV electricity transmission lines that run through the western part of site are subject to rules EI-R51 to EI-R56 and that these rules seek to manage effects on the National Grid and major electricity distribution lines. I note that there is a neutral submission from Transpower in relation to the National Grid seeking the retention of the Rural Zone over the area of land that is traversed by the National Grid, including an appropriate buffer; that Transpower is to be consulted as part of any application for subdivision consent for the site; and that the development proposal includes explicit direction that the landscape treatments in the vicinity of the National Grid must be designed and implemented to achieve compliance with NZECP 34:2001 and the Electricity (Hazards from Trees) Regulations 2003 (including when planting reaches maturity).
135. Mr Walsh addresses this further submission (at paragraph 233) stating that:
- "The ODP provides for the latter two of Transpower's requirements. I do not consider it necessary or appropriate to retain rural zoning beneath the National Grid. There are numerous examples within the district and throughout the country where land beneath the National Grid is zoned for development. For example, this same corridor traverses General Industrial zoned land at Southbrook further to the north. Further, retaining rural zoning would be anomalous and result in a narrow corridor of land not easily able to be used for rural zone purposes."*
136. I note this matter was also debated for PC31 and I understood that the parties were to agree an approach. Based on the further submission and Mr Walsh's comments it appears that this matter is not entirely resolved. I agree with Mr Walsh regarding zoning under the corridor, however I have no strong opinion on this matter.

3.6.2.11 Local Centre Zone considerations

137. The rezoning proposal includes an area of Local Centre Zone (LCZ). Mr Walsh states in paragraphs 42 and 45 that the proposed LCZ is intended to be the location of the village centre for Ōhoka, serving the local community with day-to-day goods and services. A cap of 2,700m² gross floor area of retail activities is proposed to apply to the LCZ, which is the same as for the Mandeville LCZ. Alongside local convenience shops, the masterplan for the village centre / LCZ envisions car parking (including a park and ride facility), a pub, and provision for the hosting of the Ōhoka farmers market during the winter when ground conditions are not suitable at

the Domain. The retail cap would not apply to the Ōhoka farmer's market. Development within the LCZ would be of a high amenity standard with generous tree planting.

138. I support the provision of an LCZ area with suitable activities to support the proposed new community. I consider this will alleviate some of the travel otherwise required to access day to day services, as well as act as a focal point for the community.
139. I note that the size of the centre was the subject of debate through the PC31 process. In his evidence (beginning at paragraph 3.26), Mr Yeoman agrees with Ms Hampson's conclusions about the proposed 2,700m² retail GFA cap and there being only one centre.¹⁴ However, he is concerned about the area of land that is proposed to be zoned LCZ, considering that the 2.2ha proposed is a large area of land relative to the GFA cap and relative to the Mandeville Village which has the same retail GFA cap but is only 1.2ha in area.
140. Mr Yeoman considers (paragraph 3.30) that it would be better if some of the requested 2.2ha of LCZ land was used for a different purpose, such as additional residential zone and that allowing an LCZ of 1.2ha would easily accommodate the floorspace cap recommended by Ms Hampson. Mr Yeoman also suggests including rules in the SETZ to ensure that further commercial and retail activity cannot be located in the proposed SETZ.
141. I accept the evidence of Mr Yeoman that the 2,700m² retail GFA cap is appropriate and agree that the LCZ size should be reduced, noting it is far in excess of the Mandeville Village area. I also note that Mr Walsh (his Appendix 3) has proposed restrictions in the SETZ to restrict various commercial activities¹⁵ occurring elsewhere in the proposed development and in the existing Ōhoka SETZ area. I support these changes as they apply to the proposed rezoned area (see my comments under Proposed Plan as to their application in the existing Ōhoka SETZ area).

3.6.2.12 Residential Supply and Demand

142. In his evidence (paragraphs 85 onwards) Mr Walsh refers to the Greater Christchurch Partnership updated housing development capacity assessment for the sub-region dated March 2023 and its capacity conclusion for Christchurch, Selwyn and Waimakariri Districts. Mr Walsh also refers to the Waimakariri Residential Capacity and Demand model ('WCGM22').
143. I agree with Mr Walsh when he states (paragraph 87) that the matter of residential development capacity within the district is of central importance to consideration of the proposed rezoning. I also agree that whether or not feasible and sufficient development capacity is provided in the district was the subject of extensive analysis throughout the PC31 plan change process.
144. While I accept that the Hearing Panel for PC31 found that there is a high likelihood that the WCGM22 overstates residential capacity and recommended that Council revisit the matter (Mr Walsh, paragraph 88), I note that this was informed by new August 2023 evidence (Mr Walsh, paragraph 89) which was provided via the submitters closing legal submission. Mr Yeoman (paragraph 2.4) considers this was significant new evidence and notes that the

¹⁴ In PC31 there were two LCZ areas proposed.

¹⁵ Specifically: SETZ-R15 health care facilities; SETZ-R17 Convenience activity; SETZ-R18 Veterinary facility; SETZ-R19 Food and beverage outlet; SETZ-R20 Supermarket

Council did not respond to this new information provided at the end of the hearing. As such, this new information is being responded to through this hearing in Mr Yeoman's evidence.

145. I disagree that the PC31 Hearing Panel recommendation to revisit the supply matter has not been acted on (Mr Walsh paragraph 88). Firstly, there has been insufficient time to separately respond to this late October 2023 recommendation, and secondly and more importantly, the Council is currently going through a full district plan review where urban rezonings are the subject of submissions and are before the Proposed Plan's Hearing Panel in Streams 12A to 12E. This review process was ongoing at the time of the PC31 hearing and is ongoing now. Therefore, the Council is responding to the Panel's recommendation generally.
146. Regarding overall capacity across the District, Mr Yeoman states in Appendix A to his evidence (paragraph 5.22 and 5.23) that:

"the comparison of the residential land capacity to demand, as required by the NPS-UD, suggests that there is sufficient capacity to meet expected demand in Waimakariri over the medium and long terms for residential land.

There is demand for 4,970 dwellings in the medium term and 11,700 in the long term. The WCGM22 estimates a capacity of 5,940 dwellings in the medium term and 14,450 in the long term. This means that there is sufficient capacity within the urban areas to meet expected demand for both the medium (10 years, 2023-2033) and long term (30 years, 2033-2053) (Figure 5.2)."

	2023-2033 Short- Medium	2023-2053 Long
Urban Environment Dwelling Situation		
Demand +Margin	4,970	11,700
Feasible Supply	5,940	14,450
Sufficiency	970	2,750

Table 1 - Figure 5.2 from Mr Yeoman's Evidence: Rangiora, Kaiapoi, and Woodend residential land sufficiency

147. I note from Mr Yeoman's evidence (paragraph 5.19) that he considers the NPS-UD is prescriptive in terms of the assessment method that councils must adopt, which means that the WCGM22 inherently underestimates capacity, which is consistent with Mr Wilson's memo (**Appendix H**) assessed below in this report.
148. With regard to the merits of the capacity arguments presented in Mr Walsh's evidence (relying on the evidence of Mr Akehurst and Ms Hampson, Mr Sellars and Mr Jones), Mr Yeoman responds to the matters raised. Of particular note, Mr Yeoman states (paragraph 4.3) that the evidence across Mr Akehurst, Ms Hampson, the WCGM22, and himself shows the same broad outcomes for the three main towns in the District when comparing demand to capacity as required in the NPS-UD. That is, there is unlikely to be a shortfall within Rangiora, there may be a tight situation in Kaiapoi, and that there is potential for a shortfall in Woodend/Pegasus. However, I understand that across the three areas collectively there is no shortfall.

149. In regard to the other matters remaining in contention, I note the following from Mr Yeoman's evidence (section 3, unless separately stated):
- It is highly unlikely that such a large amount of urban demand would be attracted to rural areas (such as Ōhoka). No other economist in the hearings has presented evidence that would support the position that there is demand for large scale development that is not co-located with the three main towns;
 - Rural areas (such as Ōhoka) are not inherently generating demand in and of themselves, instead this demand is being generated by the presence and proximity of the land to Christchurch, as the main urban centre and this growth could easily be provided for within a location near one of the three main towns, Rangiora, Kaiapoi, or Woodend/Pegasus;
 - There has been very little real estate transaction activity within Ōhoka and most buyers looking in the area would also be considering other large lots in other rural areas outside of Rangiora, Kaiapoi, and Woodend. There is not "high demand for housing in Ōhoka" and there is no data provided by the submitter's experts which supports these claims;
 - The average lot will be relatively unaffordable (at over \$550,000 per lot) and as such dwellings built in the area will not improve affordability within the wider market as they will have a sales price of over \$1 million;
 - It is too early to gauge the impacts of the MDRS. However, available data from developments since the MDRS has become operative shows that more intensification is being achieved than estimated in the WCGM22, not less. While the full 3x3 MDRS typology of development may not be commercially feasible in Waimakariri, other types of denser developments are already occurring and developers are already building more intensively, both within brownfield areas and the new greenfield areas. The split between standalone dwellings and attached dwellings has continued to change, with attached dwellings reaching over 21% in the last 12 months (Appendix A of Mr Yeoman's Evidence). At the same time the share of dwellings that are standalone decreased from 92% in 2019 to less than 79% in 2024. This trend has been observed in all the high growth Tier 1 councils in New Zealand. This means that the demand for lower density dwellings and smaller settlements, including Ōhoka will continue to decline in the future;
 - Mr Sellars demand estimate should be disregarded - no economist has adopted his estimate of demand, and the RIDL economists (Mr Akehurst and Ms Hampson) have "ignored" his assessment;
 - Mr Sellars method to estimate capacity in the Future Development Areas underestimates capacity as compared to what the developers intend;
 - The concerns arising from Mr Sexton's evidence do not make a material difference to the modelled capacity. In addition, the WCGM22 has been shown to be conservative as compared to what developers have achieved over the last two years since it was developed and these underestimations are far larger than the issues noted by Mr Sexton;
 - Even if there is found to be a need for more capacity in the medium term then there are other alternatives proposed in the Stream 12 hearings that should also be considered.
150. Clearly the matter of demand in the district, and in Ōhoka specifically, remains in contention across the economists. I am mindful that conferencing is occurring amongst the economists

but there is not yet an output to inform this s42A report. In the absence of that, according to Mr Yeoman's evidence it appears that there is no modelled capacity shortfall in the district overall, but there is a potential shortfall in Woodend/Pegasus area individually. In my opinion, if there is a capacity shortfall confirmed it would need to be addressed through the Proposed Plan's review. This does not mean that the capacity needs to be provided at Ōhoka, but rather that the capacity needs to be provided from amongst the rezoning submissions before the Hearing Panel.

151. In addition to the evidence from the economists Mr Wilson has provided a memo (**Appendix H**). In this memo Mr Wilson notes that the Council tracks the potential capacity of greenfield developments and the uptake of dwellings within them and that the Council has undertaken this tracking quarterly since June 2016. The tracking is referred to as the Land Uptake Monitoring Survey (LUMS).
152. Mr Wilson sets out the findings of the greenfield developments and multi-unit intensification and infill that has occurred. Mr Wilson considers that for multi-unit intensification and infill, outside of greenfield areas, land capacity is not a realistic constraint, given that lot sizes in the traditional residential zones are large, and thus capable of supplying multi-unit intensification and infill without the need to alter regulatory settings (paragraph 15). He notes that Mr Yeoman has modelled the available capacity for multi-unit intensification and infill in Rangiora, Woodend, and Kaiapoi as over 80,000 additional dwellings, indicating that land capacity is not an issue.
153. After assessing capacity and as built development, Mr Wilson concludes (paragraph 28) that on greenfields capacity alone, in the absence of infill and any additional rezonings, the district has capacity to achieve its short to medium term targets out to 2031, with a competitiveness margin of 20% for the 15 hh/ha scenario.
154. In paragraph 38 of his memo Mr Wilson concludes on the basis of current capacity, as reported by the land use monitoring survey, and known areas of future land proposed for development, that there is no short to medium term shortfall at a district level, nor any likely long term shortfall. He considers that there is also flexibility in the long term, as the additional capacity potentially available over and above the demand scenario does not require the development of all of the FDAs. This flexibility also provides for scenarios where demand may be higher than anticipated, or other events that cannot be predicted.
155. Mr Yeoman has reviewed Mr Wilson's memo and considers (paragraph 2.7) that this independent assessment also shows that recently completed greenfield developments in the three towns have averaged at well over 15 dwellings per hectare and that the amount of multi-unit developments has provided a significant amount of capacity in the three towns. He considers that both of these results concur with his own assessment of development activity in this evidence, and that the WCGM22 underestimates feasibly capacity.
156. On the basis of the evidence of both Mr Yeoman and Mr Wilson, it appears that there is sufficient capacity to meet the expected demand. If this was confirmed, the key capacity constraints driver for accepting the RIDL [160.1] and Carter Group [237.1] submissions is removed and there is therefore no capacity need for this rezoning.
157. I note that the evidence of Mr Walsh relies in a number of places on demonstrating a capacity shortfall and that where there is a shortfall the NPS-UD mandates or requires this shortfall to be addressed. For example, in paragraph 94 he states that:

“The identified medium-term development capacity shortfall is a problem that requires a solution. The NPS-UD obligates Council to, among other things, change any planning documents that wholly or partly result in the development capacity insufficiency as soon as possible..” [Clause 3.7 of the NPS-UD]

158. I agree with Mr Walsh that when a shortfall is identified, the NPS-UD requires this to be addressed. However, it is less clear what happens if a shortfall is not identified. Both Mr Wilson and Mr Yeoman have determined that there is sufficient capacity in the District. However, I note that the NPS-UD requires ‘at least’ sufficient development capacity, suggesting that additional capacity could be provided if warranted. In my opinion, without a clear capacity requirement driving the rezoning, the need to be responsive under Policy 8 is significantly lessened.
159. I note that Mr Walsh’s assessment of the proposal has been done in the context of a shortfall occurring. For example, a shortfall is referenced in Mr Walsh’s assessment of the risk of acting or not acting (paragraph 309), stating that as there is a shortfall there may be some risk associated with not acting (i.e. refusing the proposal). Shortfalls are also referenced in relation to his VKT assessment (paragraph 250), his comments on the loss of productive farmland (paragraphs 196 and 197) and to justify the proposed additional Ōhoka specific objectives stating:
- “In the context of the identified shortfall in residential development capacity and the requirements of the NPS-UD, the proposed objective is highly relevant. The objective resolves the shortfall as it relates to demand for housing within the urban environment outside the district’s main urban centres.”*
160. In my opinion, if the Hearing Panel found there to be no shortfall then Mr Walsh’s conclusions that rely on this would need revisiting.
161. Mr Walsh also comments on the Council’s (and the Greater Christchurch Partnership) approach of accommodating growth in the main centres, with reference to the evidence of Mr Jones that there are market segments that do not wish to live in the main centres (paragraph 96) and considers that it is preferable to expand existing urban areas compared to additional rural residential development (paragraph 97) because it:
- *“concentrates the population which in turn increases the viability of providing day-to-day type goods and services, local schooling, healthcare facilities, and local reserves and recreation facilities;*
 - *leverages the social fabric and networks of existing communities;*
 - *provides more affordable housing options;*
 - *makes efficient use of existing infrastructure (acknowledging that upgrades would likely be required); and*
 - *provides for higher densities which:*
 - *is a more efficient use of land,*
 - *provides for walkable communities and the ability to service the population with public transport, and*

- *are less carbon intensive.”*

162. I agree with Mr Walsh that it is preferable to expand existing centres for the reasons he states. However, I consider that these benefits would be greater when associated with larger towns such as Rangiora, Woodend or Kaiapoi and I consider some of the listed benefits will not accrue from an expansion of the rural village of Ōhoka. In particular:

- I understand that the existing Ōhoka school is at capacity and that there are no guarantees a new school will be developed as part of the RIDL proposal. In addition, there is no certainty that a health care facility will establish as part of the RIDL proposal. However these facilities do already exist in the established towns of Rangiora, Kaiapoi and Woodend / Pegasus;
- For PC31 (and to a much lesser extent for the equivalent Proposed Plan submissions), the local community overwhelmingly demonstrated through its submissions in opposition that it does not support the rezoning proposal. I am therefore surprised that leveraging off the social fabric and networks of existing communities is listed as a benefit;
- Based on the evidence of Mr Foy for PC31, the Ōhoka development will not be affordable. This is in contrast to the developments likely to be located around Rangiora and Kaiapoi which are also likely to be higher density and therefore more affordable;
- Development in and around Rangiora, Kaiapoi and Woodend would make even more efficient use of existing infrastructure, relative to the significant new infrastructure required to service the proposed 850 new households in Ōhoka;
- The densities proposed in the rezoning are lower than those likely to be provided in the existing greenfield and FUDAs identified in the GCSP, which is an even more efficient use of the land, even less carbon intensive and much more walkable and more able to be served by publicly funded public transport.

163. I note that if the Panel considers insufficient capacity is provided, then there are a range of rezoning submissions before the Hearing Panel which could be accepted to provide this additional capacity.¹⁶ In my opinion, the Hearing Panel needs to assess the merits of the various rezoning proposals before them on a comparative basis. I understand that this analysis will be provided in the s42A report for Hearing Stream 12E by Mr Wilson.

3.6.2.13 Constraints Analysis

164. In his evidence Mr Walsh identifies a number of planning constraints to growth in the District (paragraphs 100 to 146 and Appendix 4). I consider this is a useful exercise and one that planners usually do when considering urban growth options spatially. I note that Mr Walsh's constraints assessment was included as part of PC31 and that there was a planners JWS¹⁷ dated 17th August 2023 covering it.

¹⁶ I note that PC31 Hearing Panel determined that there is time to address any capacity shortfall via the current District Plan review process [451].

¹⁷ The participants were Mr Walsh for the Applicant, Ms Mitten for ECan, Mr Boyes for the Council as a submitter, and Andrew Willis for the Council

165. As set out at the beginning of the JWS (page 4), the experts did not discuss the weighting or significance of the constraints (e.g. the significance of flooding in Kaiapoi), only that they existed or didn't exist as a constraint due to a policy basis. My opinion of the significance or weighting of the constraint is set out below.
166. Before responding to the constraints identified, I consider it important to note that there are also opportunities from developing within the areas covered by constraints (for example more efficient servicing and support for PT). I also note that there are constraints and opportunities from development on the subject site. An assessment of relative merits of developing the subject site versus other areas of the district requires a comprehensive assessment of all the constraints and opportunities applying to both sites, and I note that the GCSP and CRPS Chapter 6 have already undertaken this exercise in identifying areas for future urban growth associated with Rangiora, Kaiapoi and Woodend / Pegasus.

3.6.2.14 Flooding in Kaiapoi

167. In paragraphs 109 to 115 Mr Walsh identifies that a large portion of the Kaiapoi FUDA is identified as a high hazard area and proceeds to examine the avoidance approach of CRPS Policy 11.3.1 to high hazard areas. Firstly, based on the Council's modelling, I agree that currently a large portion of the Kaiapoi FUDA is classified as a high hazard area, as are parts of existing Kaiapoi. Secondly, I agree that CRPS Policy 11.3.1 seeks an avoidance first approach to inappropriate development (while recognising in subclause (6) areas already zoned or identified as a "Greenfield Priority Area"), while CRPS Policy 11.3.2 has a management approach such as through minimum floor levels.
168. In my opinion, if nothing was done to address high flood hazards in a FUDA then houses should be avoided in these locations as per the CRPS and consistent with Mr Walsh's opinion. However, if the land is raised sufficiently, and the site's flood assessment is remodelled in the same way it was initially modelled, it will no longer be identified as 'high hazard' under the CRPS definition of high hazard – i.e. it no longer exhibits the same flooding characteristics and flood risks. Subsequent development of this site will not be occurring in a high hazard area and therefore does not need to be avoided.
169. One of the reasons I recommended (through the Proposed Plan Natural Hazards development process) against identifying high flood hazard areas on the planning maps is that the flood hazard status of land can change. I consider it is important to note that past greenfield developments in Kaiapoi that also previously contained high flood hazard areas (e.g. Beach Grove and Silverstream) have used land raising, compensatory storage, pump stations and other mitigation as a way to manage flood hazard on-site, such that they are no longer high hazard. I note that Mr Bacon states this in his evidence.
170. The same approach is anticipated to continue to apply to the Kaiapoi FUDA. Given the Kaiapoi FUDA is large and undeveloped, I anticipate that land raising and other mitigation can occur. Flooding issues were not considered to be determinative by the Council for using this area of land and this is why it has been identified as a FUDA. I note that the Proposed Plan Kaiapoi Outline Development Plan (DEV-K-APP1) expressly identifies the flooding issues in this area and mitigation requirements.
171. I am unclear on what basis raising land would be considered to be non-complying under the Operative or Proposed District Plan as suggested by Mr Walsh (paragraph 115). The land raising for Beach Grove was progressed under the Operative District Plan and was obviously

not declined. Under the Proposed Plan, land raising is not considered to be natural hazard mitigation works and as such would not be captured by the natural hazard provisions.

172. Whilst I consider that there are technical solutions available to manage flood concerns, I consider that the flood status of the Kaiapoi FUDA will have implications for the financial viability of development on these sites and note that neither I nor Mr Walsh have sought to quantify these costs. I understand that the developers with an interest in the Kaiapoi FUDA are well aware of the flooding issues and the requirements to address these. I consider the financial viability issue can be considered in Hearing Stream 12E where I understand the Kaiapoi FUDA is being considered.

3.6.2.15 Noise

173. In paragraphs 122 to 129 of his evidence, Mr Walsh considers noise constraints, referring to the Airport Noise Contour and Woodford Glen Speedway at 39 Doubledays Road and CRPS Policy 6.3.5. I agree that the CRPS is important for this assessment. I understand that the interpretation of the application of CRPS Policy 6.3.5 and its exclusions for Kaiapoi was considered at the Kaiapoi specific hearing. I do not wish to add further to that matter.
174. However, I do wish to comment on the merits of including an updated airport noise contour in the Proposed Plan in advance of a change to the CRPS. I note that CRPS Policy 6.3.11(3) refers to ECan undertaking a review of Chapter 6 and that as part of that, remodelled air noise contours may be requested for the purposes of information. I note that neither the Policy nor its methods states that the remodelling is for the purposes of inserting a new contour or that this can be done outside of a review of Chapter 6 by ECan. In my opinion, if that was the intention in the Policy then it would have needed to clearly state that as otherwise a normal RMA process would be anticipated.
175. I note Mr Miller and Mr Kyle have suggested in their evidence (as referenced in Mr Walsh's evidence) that the wording of Policy 6.3.5(4) does not refer to the contour shown on Map A and that the policy is concerned about where aircraft noise over 50 dB Ldn is experienced rather than the contour land that is indicated on Map A. I understand this argument, however the lack of the reference in the policy to the mapped contour was not done purposefully to enable the approach Mr Miller and Mr Kyle have proposed. Rather, it was omitted because it was not needed. In my opinion the contour referenced in the policy must be the noise contour shown on Map A, otherwise how would anybody know where it applied, including Territorial Authorities when giving effect to the CRPS. As stated in the JWS for the PC31, if the contour changed but not the contour location on Map A this would cause confusion as there would be two inconsistent contours which both need to be given effect to.
176. As noted in the JWS for PC31, requiring a CRPS change to incorporate updated air nose contours is appropriate as if the contours were to change markedly, such that large swathes of Greater Christchurch were no longer able to be developed or intensified, this change should go through a notified plan change as the Greater Christchurch Council's and community may wish to modify Policy 6.3.5 and apply a different approach for airport noise management.

3.6.2.16 Liquefaction

177. In paragraphs 140 to 143 Mr Walsh assesses susceptibility to liquefaction, stating that CRPS Policy 11.3.3 seeks that new subdivision, use and development in areas susceptible to liquefaction be managed to avoid or mitigate adverse effects and that the Proposed Plan takes

a similar approach but is limited to subdivision. Mr Walsh then considers that new development should be discouraged in areas where damage from liquefaction is possible unless his suggested tests in paragraph 142 are met.

178. Firstly, I note the CRPS expressly enables management to avoid or mitigate the adverse effects of liquefaction. Secondly, I note that liquefaction is a hazard that can easily be managed. I understand that the Building Act can adequately manage the risks of liquefaction on urban development and I note that even red-zoned areas can have urban development on them, subject to appropriate ground repair. Across Greater Christchurch development is being proposed on land with various susceptibility to liquefaction. In my opinion, the liquefaction risk identified for the Waimakariri District is not sufficient to decline a subdivision proposal. In my opinion liquefaction risk can be easily managed through the subdivision and building consent process and should not be determinative of where development should occur.

3.6.2.17 Coastal Hazards

179. In paragraphs 116 to 121 Mr Walsh comments on coastal erosion, sea water inundation and tsunami. I agree with Mr Walsh that that land subject to sea water inundation is already incorporated in the flood hazard modelling. I note that coastal erosion is not an issue for the district for at least the next 100 years as the coast is accreting. This is why the Proposed Plan's natural hazards chapter does not cover coastal erosion. This just leaves tsunami risk.
180. Mr Walsh correctly points out that there is no tsunami specific policy in the CRPS (paragraph 120). This is because it is difficult to undertake regulatory planning for such infrequent, but possibly severe impacts. As part of developing the Proposed Plan's Natural Hazards Chapter ECan's advice to me was that the tsunami information available was not sufficiently robust to use it for planning purposes for the Proposed Plan. I continue to accept this advice.

3.6.2.18 Productive soils

181. In paragraphs 130 to 134 Mr Walsh identifies productive soils as being a constraint and refers to the NPS-HPL and its application to soils zoned rural. I agree with Mr Walsh that these are constraints. However, I do not consider that this means that urban development is automatically precluded. Rather an assessment is required for each proposal to consider its merits and I note that the NPS-HPL expressly provides a pathway for urban development required under the NPS-UD for these situations. I also note that much of the area in the eastern part of the District is zoned RLZ and excluded from the application of the NPS-HPL, in the same way as the subject site in Ōhoka is. I consider that while productive soils are a constraint to urban development, this constraint also applies to the subject site in Ōhoka which Mr Ford has confirmed is productive.

3.6.2.19 Sites and Areas of Significance to Maori

182. In paragraphs 135 to 139 Mr Walsh assesses sites and areas of significance (SASM) to Māori, including the Kaianga Nohanga Special Purpose Zone. For SASM areas, Mr Walsh notes that while these do not preclude development, they create a level of uncertainty for larger scale urban development. I agree with Mr Walsh. My understanding of the proposed rules applying to SASM areas is that subdivision (SUB-R5) and earthworks (SASM-R4) would trigger restricted discretionary activity consent requirements. However, I do not see these rules as determinative of where new subdivisions can go and I note that large parts of the eastern half

of the district are covered by these overlays, including in areas of recent development such as Beach Grove, Ravenswood and Pegasus.

183. For the Kaianga Nohanga Special Purpose Zone, Mr Walsh considers that the purpose of the zone and the land ownership within it create potential development barriers and uncertainty for larger scale urban development. I agree with Mr Walsh that it might, but this is not certain. In addition, I note that more than half of the Kaianga Nohanga Special Purpose Zone is actually in freehold ownership by descendants of the original grantees of Kemps Deed and non-descendants – it is not multiple owned Māori land or land held under the Te Ture Whenua Māori Act 1993. I understand that the proposed planning provisions enable a range of urban activities (such as papakāinga and residential, health care facility) to develop as permitted activities within activity and built form standards, with the Tuahiwi Precinct and Large Lot Residential Precinct providing for urban purposes (mainly residential). The objectives and policies do not preclude resource consent applications for larger scale urban development. In my opinion the area does not have the barriers that Mr Walsh identifies. I also note that this area is purposefully not included in the Council's residential capacity assessments, but can be considered in addition to it. As such, even if there are constraints, these have no actual bearing on the Council's capacity modelling.

3.6.2.20 Other constraints

184. In paragraph 144 Mr Walsh identifies highly fragmented land, particularly in different ownership as a constraint. I agree with Mr Walsh that this is a constraint. However, I consider that this is not determinative of where urban growth should occur.

3.6.2.21 Kaiapoi growth constraints

185. In paragraphs 145 to 146 Mr Walsh questions the long term viability of Kaiapoi due to flooding issues affecting greenfield land and lack of demand for intensification within the town. I agree that there are issues affecting development within Kaiapoi and I have addressed this in relation to flooding and liquefaction earlier. However, I consider that intensification is occurring based on the evidence provided by Mr Yeoman (e.g. paragraph 3.57) and Mr Wilson. I also note that in my summary statement to PC31 (Appendix 3 of that statement) I identified many examples of infill development occurring in Kaiapoi.
186. In my opinion Mr Walsh's argument that rezoning the subject site could, to an extent, help mitigate the economic challenges that Kaiapoi may face if it cannot grow, very speculative.

3.6.2.22 Reserves

187. In his evidence (paragraphs 106 to 108) Mr Walsh identifies the three types of reserves in the Proposed Plan, being Natural Open Space, Open Space and the Sport and Active Recreation Zone and notes that proposed open space zoned land and/or reserves are not typically available for development, that it would not be appropriate in most instances to develop this land and that for these reasons, proposed open space zoned land is included as a constraint on development.
188. I agree with Mr Walsh that it is generally not appropriate to develop reserves and I agree that these are constraints. However, I understand that no urban growth is proposed within or on reserves, nor is there any needed to meet the required capacity provision under the NPS-UD.

Statutory Documents

189. RMA s75 requires District Plans to not be inconsistent with Regional Plans and to give effect to any National Policy Statement, the New Zealand Coastal Policy Statement and the Regional Policy Statement. The New Zealand Coastal Policy Statement is not relevant to the site, given the site is not located in or near the coastal environment.

3.6.2.23 NPS for Renewable Electricity Generation 2011 & NPS for Electricity Transmission 2008

190. Mr Walsh's evidence (paragraph 328) states that the proposal does not involve nor is it located in the proximity of a renewable electricity generation activity. I agree.
191. In paragraph 329 Mr Walsh states that the site is traversed in the western corner by 66kV electricity transmission lines, meaning the National Policy Statement for Electricity Transmission 2008 is relevant. He states that any development will comply with required setbacks and restrictions relating to works and activities near the transmission lines and that for this reason the proposal is consistent with the policy statement. I accept Mr Walsh's conclusions.

3.6.2.24 NPS for Freshwater Management

192. In paragraph 330 Mr Walsh states that stormwater and wastewater discharges will be dealt with at subdivision; however, no practices or effects are anticipated that would be inconsistent with the National Policy Statement for Freshwater Management 2020. I accept Mr Wash's conclusion.

3.6.2.25 National Environmental Standard for Assessing and Managing Contaminations in Soil to Protect Human Health

193. As identified earlier under land suitability, I consider that any contamination risk of developing the land for urban purposes can be effectively managed under the NESCS at the subdivision consent stage of the process.

3.6.2.26 National Policy Statement for Highly Productive Land ('NPS-HPL')

194. As set out in my section 3.7, the NPS-HPL does not apply. I note that Mr Walsh also comes to this conclusion (paragraph 190).

3.6.2.27 National Policy Statement for Urban Development 2020 (NPSUD)

195. Mr Walsh states that the NPS-UD is of principal relevance to this plan change (paragraph 331). I agree that this policy statement is crucial for the submission. Mr Walsh states if the NPS-UD did not apply, or the proposed rezoning is not consistent with it, there would be strong grounds for refusal but that he is confident that the NPS-UD does apply, and that the request is consistent with it. In his view, the key considerations are:
- will the proposal provide significant development capacity in an appropriate location (Objective 6(c), Policy 8 and Clause 3.8);
 - will the proposal contribute to a well-functioning urban environment (Objective 1, Policy 1, Clause 3.8, Clause 3.11);

- is the site able to be adequately serviced with infrastructure (Objective 6, Policy 10, Clause 3.5); and
- is it well-connected along transport corridors (Clause 3.8).

196. Mr Walsh provides an assessment of the proposal against the NPS-UD, under the subheadings of: enablement of residential growth; the responsive planning provisions; a well-functioning urban environment; changing urban environments; and local authority decisions. Given the significance of the NPS-UD to the proposal I have assessed its provisions in detail below under my own subheadings. This is drawn from my evidence on PC31 given the similarity in the proposals. As there is some repetition across the NPS-UD provisions, there is also some repetition in my assessment.

Is Ōhoka and the subject site within the “urban environment”?

197. In my opinion whether a site is within the “urban environment” for the purpose of the NPS-UD relies on it meeting the two-limbed conjunctive “urban environment” definition provided in the NPS-UD. Based on the evidence presented I consider it is not clear as to whether the subject site meets this definition. However, I consider that on the balance of probabilities it likely does, and that it would be appropriate to assess it on that basis.¹⁸ I have elaborated on my reasoning for this conclusion below. In doing so I note that the analysis and application of the NPS-UD “urban environment” definition is relatively novel in the Waimakariri District and is not helped by competing planning documents at different levels of the planning hierarchy being developed at different times, along with changing definitions of the urban environment at the NPS level. I consider the analysis is very interpretative and that others may reach different conclusions on the same evidence.

198. If the Panel is minded to recommend accepting the rezoning submissions relying on the NPS-UD ‘responsive provisions’, then in my opinion the panel would have to be satisfied that the subject site is within the “urban environment”, otherwise the NPS-UD responsive provisions would not apply.

Clause (a) - Is the site and wider area predominantly urban in character or intended to be?

199. I have reviewed the urban design evidence provided by RIDL and Carter Group.¹⁹ From my review none of the evidence provided describes the site and wider area as being predominantly urban in character. Rather, they all identify the rural character of the site and the receiving environment (excluding the Ōhoka Village component). For example, Mr Compton-Moen states: “overall, the receiving environment has a rural, semi-open character.” Mr Nicholson describes the site and wider area as follows (paragraph 5.6): “*the rezoning request site consists primarily of grazed fields and is rural in character. The surrounding areas are a mixture of rural and rural residential properties that could be described as rural or semi-rural in character.*” I note the 2018 Boffa Miskell Rural Character Assessment and my conclusions on that in section 3.4 of my report. I also note the decision of the PC31 Hearing Panel who concluded [paragraph 52] that “*the Ōhoka township is not in and of itself, nor is it*

¹⁸ In my RCP01 s42A report I considered insufficient evidence had been provided to be definitive but that it was likely that Ōhoka was within the urban environment for the purposes of the NPS-UD.

¹⁹ Evidence of Mr Compton-Moen (Landscape); Evidence of Garth Falconer (Urban Design); Evidence of Tony Milne (Landscape).

intended to be (as provided for in the operative and proposed District Plan), predominantly urban.”²⁰

200. Given these findings and my conclusions on the directive consolidated approaches to growth in the CRPS and GCSP I do not consider that the subject site and indeed the wider RLZ zoned area is currently predominantly urban in character or intended to be by those planning documents for the purposes of the NPS-UD “urban environment’ definition. However, I do consider the existing limited settlement of Ōhoka has urban characteristics and note that it is identified as ‘urban’ in a number of planning documents, including the CRPS. I also note that RIDL and Carter Group intend the subject site to be predominantly urban in character, thereby potentially satisfying the ‘character limb’ if it is open to a developer (as opposed to the Council) to ‘intend’ an area to be predominantly urban in character.²¹

Clause (b) Is the site and wider area part of a housing and labour market of 10,000 people or intended to be?

201. I have reviewed the economic evidence supplied by RIDL and Carter Group. Mr Akehurst does not provide economic evidence to demonstrate that the subject site is or is intended to be within a housing and labour market of 10,000. Rather, in paragraph 34 he refers to Mr Phillips’ evidence to demonstrate that it is part of the “urban environment”. Mr Akehurst does seem to suggest (e.g. in paragraphs 44 and 59), that Ōhoka and other areas outside the three main towns have their own housing market that needs to be provided for separately, rather than relying on or being within the housing markets associated with Rangiora, Kaiapoi and Woodend (and Christchurch). Ms Hampson does not provide any economic evidence that demonstrates that the subject site is within or is intended to be within a housing and labour market of at least 10,000 people. Rather, Ms Hampson (in paragraphs 28 to 31) refers to Mr Walsh’s evidence and the CRPS and the Proposed Plan’s definition of urban environment to support her assessment.
202. While there is little submitter economic evidence on this matter, I consider it is probable that the existing settlement of Ōhoka and the site subject to the rezoning submissions is within a housing and labour market of 10,000 people, being grouped with Rangiora, or Kaiapoi or Christchurch or all of these places. The increase in traffic movements identified in Mr Fuller’s evidence (paragraph 16) confirms that there will be significant levels of commuting to the District’s centres and Christchurch, presumably for work, schooling and other needs. I also note Mr Yeoman considers it could be part of a labour and housing market of 10,000 people (paragraph 2.3).
203. I do not agree with most of Mr Phillips various arguments provided in his evidence to justify his opinion that Ohoka and the subject site is within the urban environment.²² However, as I have concluded that it likely is and would be appropriate to assess it on that basis, and that

²⁰ The Panel did however determine that for the purposes of the application of the NPS-UD policy 8, the application site is both within an urban environment of Waimakariri District and Greater Christchurch (paragraph 54).

²¹ Who determines if an area is intended to be predominantly urban in character is not explained in the NPS-UD.

²² For example: his argument (paragraphs 22 and 23) that the NPS-UD Appendix 1’s reference to ‘Christchurch’ is arguably a reference to Greater Christchurch; his assertion that the pre NPS-UD Our Space’s statement that the ‘geographic area of focus for the update’ equates to ‘urban environment’ under the later NPS-UD.

this is also covered in the urban environment JWS, I have not commented further on most of these arguments.

204. I do note however that even if the existing settlement of Ōhoka is shown or described as urban in the Operative Plan, Proposed Plan and GCSP, this supports the argument that Ōhoka itself is urban, but it does not support the argument that all of the land around Ōhoka (including the subject site) is therefore 'urban'. I also note that the Council has already stated the Proposed Plan's definition of "urban environment" is inaccurate (Mr Buckley's Strategic Directions s42A report) and I note that the definition lists Oxford, Ashley and Sefton, all of which are outside of Greater Christchurch and may not meet the NPS-UD Definition. I consider that if the Proposed Plan's definition of the urban environment was found to be determinative then it would be inconsistent with Mr Phillips (paragraph 34) suggestion that Greater Christchurch is the "urban environment".

NPS-UD Objective 1 and Policy 1 - Does the proposal contribute to a well-functioning urban environment?

205. The need to contribute to a well-functioning urban environment is specified in Objective 1 and Policy 1 (together with Policies 6(c) and 8) of the NPS-UD. Policy 1 sets out what constitutes (as a minimum) a well-functioning urban environment, and requires that planning decisions contribute to such environments. A well-functioning urban environment must meet all of the clauses in the policy. These provisions are set out below and each of the clauses in Policy 1 are then examined in turn.

Objective 1: *New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.*

Policy 1: *Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum:*

- (a) *have or enable a variety of homes that:

 - (i) *meet the needs, in terms of type, price, and location, of different households; and*
 - (ii) *enable Māori to express their cultural traditions and norms; and**
- (b) *have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and*
- (c) *have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and*
- (d) *support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and*
- (e) *support reductions in greenhouse gas emissions; and*
- (f) *are resilient to the likely current and future effects of climate change.*

206. I consider that the Policy 1 requirements are a minimum set of criteria which must be met in a positive or at least a neutral way. I do not consider that Policy 1 requires a balancing exercise and that it is enough to meet one criterion and not substantially detract from the others.²³

Clause (a) – a variety of homes

207. Regarding clause a), in Mr Walsh's evidence (paragraph 168) he states that the proposal provides for a greater variety of housing at higher density compared to the current stock in the Ōhoka area. I note that different residential zones (LLRZ and SETZ) are provided in the proposal which will provide for some housing choice to meet housing needs. However, these are the same zones already proposed for the existing Ohoka settlement and as such the additional variety may not be significant. While there are no areas identified for medium density housing in the proposal, I consider that one development does not have to provide for a full range of housing types on its own.

Clause (b) – a variety of business sector sites

208. Mr Walsh states (paragraph 170) that the provision for local convenience goods and services for existing and future residents of Ōhoka is made via the proposed LCZ including hosting of the farmers market during winter months. A variety of sites will be made available to meet demand and therefore business needs at the local scale. Beyond Ōhoka, the nearby Rangiora, Kaiapoi and Christchurch provide wider offerings.
209. I consider that it is not possible to fully achieve clause b)'s requirement in a single development. I accept Mr Walsh's assessment.

Clause (c) – good accessibility

210. Mr Walsh (paragraph 171) considers that the proposal provides good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport noting the findings in the evidence of Messrs Fuller and Milner and his assessment regarding connectivity and accessibility at his paragraphs 238 to 246. He further notes that Policy 1 does not specify what form the accessibility should take; it simply states at the end of the policy "including by way of public or active transport".
211. In my opinion, given the site is associated with Rangiora, Kaiapoi and Christchurch, being located within their housing and labour market, good connectivity with those areas is crucial. It is clear to me that the majority of the residents will regularly attend work, school or access services that aren't available on the site or in Ōhoka. PC31's s32 anticipated that most of the future working age residents of the plan change area will be employed in Kaiapoi or Rangiora, or most likely in Christchurch (paragraph 175 of the s32). As such, good accessibility to these areas is critical to support a well-functioning environment.
212. The application does not identify any current PT services for the subject site, but proposes a limited 10 year privately funded service. As set out in the evidence of Mr Binder (paragraph 5) referred to earlier in my report in the transport section, it is unlikely that a publicly funded

²³ I note that the PC31 Hearing Panel also concluded this in their decision (paragraph 102)

public transport service would be provided to service the proposed development.²⁴ Furthermore, given the remoteness of the site, the length of trip required and the need to transfer at Kaiapoi, Mr Binder considers a public transport service would not be well patronised (paragraph 7).²⁵ Mr Nicholson has also identified the constraints for cycling and walking to Rangiora, Kaiapoi and Christchurch (as referenced in my report earlier). I do not consider it viable to cycle 8km to Kaiapoi to use the Park and Ride scheme. As such, I do not agree with Mr Walsh that the site has good connectivity for all people between housing, jobs and community services.

213. I note that reducing private motor vehicle dependency is important for improving sustainability by reducing emissions and the significant adverse effects of downstream traffic within Christchurch City. The Greater Christchurch Partnership have adopted the Regional Mode Shift Plan to support this. New urban growth areas and development should be of a form which enables viable PT services. The appropriate urban form, and provision for PT in new urban growth areas and development, is critical in achieving those outcomes.
214. Based on Mr Binder's advice and my conclusions outlined earlier on transport matters, I conclude that the proposal will not have good accessibility for all people between housing, jobs and community services, including by way of public or active transport and therefore the proposal does not meet clause c) in Policy 1, and correspondingly does not contribute to a well-functioning environment for accessibility aspects. I do however accept that the development would provide good accessibility to natural and open spaces by active transport, within the immediate vicinity of the development and within the site.
215. I note that the PC31 Hearing Panel (paragraph 234) considered that the proposal does not achieve the accessibility requirements set out in the NPS-UD (Objective 3(b) and Policy 1(c)) and therefore does not contribute to a well-functioning urban environment as required by NPS-UD Objective 1 and Policy 8. I do acknowledge however that PC31 did not include the privately funded 10-year bus proposal.

Clause (d) - competitive operation of land and development markets

216. Mr Walsh assesses this clause in his paragraphs 172 and 173. He states that Mr Akehurst discusses how the proposal supports the competitive operation of land and development markets and that Mr Ackhurst considers that approval of the rezoning proposal will avoid or minimise the impacts of monopolistic competition with respect to residential land and suggests that this represents a significant economic benefit. Mr Walsh also notes that the submitter has not previously been active in the district, therefore, its entry to the market would increase competition. Further, the submitter is not a house builder, therefore the properties it sells will allow for greater competition in the construction sector.
217. With regard to the competitive operation of land and development markets, I understand that there are a number of developers operating in the District and that there are a number of rezoning proposals before the Hearing Panel from developers. As stated in Mr Yeoman's PC31 evidence (section 4.1.7), the addition of a new development within the District can be

²⁴ ECan's PC31 submission [507] stated (in paragraph 33) that the area is not rated for PT services as it is beyond the current urban Public Transport rating district.

²⁵ ECan's PC31 submission stated that the limited nature of the commuter park and ride at the Kaiapoi service will not provide a realistic, attractive, or viable transport choice for most potential residents at the subject site.

expected to generate some additional competition, however given the scale of development potential in the rest of the District and the Greater Christchurch area the change in competition will not be material.

218. While I accept that the submitter has not previously been active in the Waimakariri district, I note that Ōhoka is part of Greater Christchurch's housing and labour market and that the submitter is already active in that housing and labour market (e.g. through their developments in the Selwyn District). As such, I am unsure of the extent to which this proposal will increase competition in the Greater Christchurch housing and labour market and more directly in the District.
219. Based on Mr Yeoman's advice, I consider that the proposal will support the competitive operation of land and development markets as required by clause d), however this will not be material.

Clause (e) - support reductions in greenhouse gas emissions

220. A key issue for the NPS-UD, as set out in Policy 1 and Objective 8, is that New Zealand's urban environments support a reduction in greenhouse gas emissions. Mr Walsh accepts and relies on Mr Farrelly's evidence which assess the proposal in respect of this matter (paragraph 174). Mr Walsh notes that Mr Farrelly concludes that it supports reductions in GHG emissions due to the "removal of dairying activity from the land, and the practical steps being undertaken by the submitters to support a reduction in emissions arising from the development". Mr Walsh considers that the proposal is consistent with this clause given it provides necessary development capacity in a consolidated manner (serviced with public transport) which is more efficient from a carbon perspective compared to providing capacity via a more dispersed rural residential / lifestyle approach.
221. In my opinion there are two key components of urban land use that contribute to greenhouse gas emissions; the impact of private vehicle usage when compared to active transport and public transport, and the construction and operation of housing and consumption of energy. Transport emissions is one of the key reasons for locating new development where public transport infrastructure already exists, or is planned to be serviced, and locating development alongside employment opportunities.
222. As set out in my transport section, the Beca report clearly shows that the proposal will not support a reduction in greenhouse gas emissions. Rather, the proposal contributes more greenhouse gas emission than would a similar sized development co-located in the District's main towns.
223. I therefore consider that the proposed level of development at this location would not contribute to a reduction in GHG due to the anticipated increase in vehicle kilometres travelled (VKT) from the development due to the limited employment opportunities in Ōhoka and the limited alternative travel choice to private vehicles. I note from the evidence of Mr Binder that a viable and sustainable public transport service is unlikely for this proposal and this is a barrier to meeting the VKT target set out in the Emissions Reduction Plan.
224. I note that the PC31 Hearing Panel (paragraph 211) did not find the comparison between the loss of dairying from the site compared to increased GHG emissions from the construction and occupation of the plan change site to be particularly helpful. They considered the assessment was not a case about dairying versus houses, but rather whether the proposed plan change

would support a reduction in greenhouse gas emissions. I also note that there is no guarantee that the agricultural activities currently occurring on the subject site will not establish in another location given that the activity is profitable and there is demand for dairy products. The Beca report also considered this reduction as a baseline scenario not valid and in any case found that the reduction in agricultural emissions was far exceeded by the additional transport emissions.

225. Given the evidence of BECA and Mr Binder in relation to VKT, public transport and greenhouse gas emissions, I do not consider that clause (e) is given effect to by the proposal.

Clause (f) – resilience to climate change

226. In his evidence Mr Walsh states (paragraph 179) that the proposal achieves resilience to the effects of climate change through:

- the distance of Ōhoka from coastal areas susceptible to sea level rise and storm surges;
- the ability to avoid the potential effects of flooding; and
- the attributes of the proposal discussed in Mr Farrelly's evidence.

227. In his evidence, Mr Bacon states he is satisfied with the flood risk for the site and I understand that the flood modelling includes an allowance for climate change. As such I agree with Mr Walsh that the proposed rezoning will be resilient to the effects of climate change.

228. I note Mr Walsh also comments about the merits of the site relative to other rezoning areas which are susceptible to the predicted effects of climate change (paragraphs 176 to 178). I responded to Mr Walsh's constraints evidence earlier in my report.

Conclusion regarding Objective 1 and Policy 1

229. Based on my assessment, the proposal partially meets:

- Policy 1(a) - a variety of houses;
- Policy 1(b) - a variety of business opportunities; and
- Policy 1(d) - contributes to a competitive land and development market.

230. I consider it fully meets Policy 1(f) resilience to climate change.

231. However, I consider the proposal does not meet:

- Policy 1(c) - has good accessibility; nor
- Policy 1(e) - supports a reduction in greenhouse gas emissions.

232. Overall, it is my opinion that the proposal will not contribute to a well-functioning urban environment as defined under Policy 1. I note that the PC31 Hearing Panel also determined that PC31 did not contribute to a well-functioning environment (paragraph 118 of the decision).

Objective 2 – Does the proposal improve housing affordability?

233. Objective 2 seeks that planning decisions improve housing affordability by supporting competitive land and development markets. Given the site sizes it appears unlikely that the proposal will provide affordable housing. Mr Walsh accepts this (paragraph 168) noting that the houses will not be within the 'affordable' range. However, he considers that they will be more affordable than the existing housing in Ōhoka which comprise predominately rural residential and rural lifestyle properties and that further additional dwelling stock enabled by the proposed rezoning would assist with housing affordability district wide by introducing more competition into the market as addressed by Mr Akehurst.
234. Mr Jones (paragraph 23) estimates that for smaller residential sections (approximately 600m²) in the Ōhoka area these would generally sell for around \$550,000. Mr Yeoman (paragraph 3.35) considers these will be relatively unaffordable and as such dwellings built in the area will not improve affordability within the wider market as they will have a sales price of over \$1 million.
235. Whilst I agree that the potential housing may be more affordable than the existing Ōhoka housing, based on Mr Yeoman's advice I do not consider that this proposal improves housing affordability as the sections and housing will be relatively unaffordable. As such, I do not consider the proposal will give effect to this objective.

Objective 3 - Is the proposed location near a centre zone or area of employment; well serviced by PT; or where there is high demand for housing or business land?

236. Objective 3 of the NPS-UD seeks that:

Regional policy statements and district plans enable more people to live in, and more businesses and community services to be located in, areas of an urban environment 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.*

237. Mr Walsh addresses this objective in his evidence (beginning at paragraph 181). He states (paragraph 182) that the rezoning proposal is consistent with Objective 3 as it enables more people to live within an expanded Ōhoka settlement, noting that the existing settlement is an urban area within the Greater Christchurch urban environment. He considers that all three subclauses are met given the rezoning:

- includes a centre zone, and is otherwise in an existing urban area near areas with many employment opportunities including Christchurch, Kaiapoi and Rangiora;
- includes a planned public transport service linking Ōhoka to Kaiapoi; and
- has high demand for housing in the area, relative to other areas within the urban environment as demonstrated in the evidence of Messrs Akehurst and Jones.

238. I consider there is nothing particularly special about the existing employment opportunities in Ōhoka as opposed to other parts of the District. A location within Ōhoka is not 'in' or particularly 'near' to Kaiapoi, Rangiora or Christchurch, where there are many employment

- opportunities, when assessed relative to other development locations and rezoning proposals attached to those centres. As such, it is my opinion that the proposal does not demonstrate compliance with clause (a) any more than other similarly sited proposals and is likely to less meet this clause when compared to new development sites adjacent to Rangiora, Kaiapoi and Christchurch where the employment opportunities are anticipated. In his PC31 evidence Mr Yeoman agreed that the area is not close to main commercial or employment opportunities (section 4.3.4).
239. In my opinion, while the proposal includes a small business area and is not too distant from the Mandeville centre, the commercial employment opportunities provided by these areas are not 'many' as required by Objective 3(a). Certainly, there are employment opportunities within the rural environment, however these are unlikely to be any greater for the subject site relative to other parts of the District.
240. I note that the PC31 s32 (paragraph 175) stated that *"...in terms of employment, apart from those who work from home and the few who may be employed in Ōhoka, most of the future working age residents of the plan change area will be employed in Kaiapoi or Rangiora, or most likely in Christchurch"*. As such the area is not in or near a centre zone or other area with many employment opportunities but rather relies on commuting to other centres.
241. Regarding being well-serviced by existing or planned PT, this was assessed earlier under Policy 1. My conclusion, based on the evidence of Mr Binder, was that the proposal is not well serviced by existing or planned PT and therefore the proposal does not meet clause (b)
242. Regarding whether there is high demand for housing or business land in this area relative to other areas within the urban environment, I do not doubt that there are many enquiries for housing in and around Ōhoka, and that the type of residential development enabled by the proposed rezoning would be attractive to people who seek properties in the east of the district close to Christchurch, Rangiora and Kaiapoi. However, Mr Jones does not provide any data to support his opinions so it is not possible to assess if this demand is 'high'. I note that in his evidence (beginning at paragraph 3.33) Mr Yeoman disagrees with Mr Jones that there is high demand.
243. Responding to Mr Akehurst's demand assessment for Ōhoka, Mr Yeoman (paragraph 3.14) states that he does not consider that the rural areas are inherently generating this demand in and of themselves, and instead this demand is being generated by the presence and proximity of the land to Christchurch, as the main urban centre. He considers that it is highly unlikely that such a large amount of urban demand would be attracted to these rural areas. He notes that no other economist in the hearings has presented evidence that would support Mr Akehurst's belief that there is demand for large scale development that is not co-located with the three main towns.
244. Finally, I note that the clause requires a relativity test, i.e. there is high demand relative to other areas within the urban environment. As proposed by the submitter's experts, the other areas within the urban environment include Rangiora, Kaiapoi and Woodend in the District, and also Christchurch, Rolleston, Lincoln, West Melton, etc in Selwyn. I have not seen any evidence to suggest that the Ōhoka demand is high relative to these locations (other than Mr Jones (paragraph 8.3) most searched suburbs statement, which was limited to rural suburbs, where Ōhoka was the fourth most searched suburb).

245. Based on the evidence available, it is my opinion that the proposal does not meet this objective 3(c) requirement.
246. Overall, based on the evidence provided I consider that the proposal does not give effect to the requirements in Objective 3.

Objective 4

247. Objective 4 recognises urban environments, including their amenity values, will develop and change over time in response to the diverse and changing needs of people, communities, and future generations and is elaborated further by Policy 6. Certainty Ōhoka will change with this proposal, however the proposed rezoning must also be assessed against the other provisions in the NPS-UD.

Objective 6 - Is the proposal integrated with infrastructure; strategic and supply significant development capacity?

248. Under Objective 6, local authority decisions on urban development affecting urban environments are:
- (a) integrated with infrastructure planning and funding decisions; and
 - (b) strategic over the medium term and long term; and
 - (c) responsive, particularly in relation to proposals that would supply significant development capacity.

249. Clauses (a) and (b) are addressed in turn below, while clause (c) is considered under the Policy 8 assessment further below.

Clause (a) - Is the Development Integrated with Infrastructure Planning and Funding Decisions?

250. Mr Walsh addresses this requirement under the heading Local Authority Decisions, at paragraph 342 where he states "In terms of the infrastructure aspect of the objective, the infrastructure and transport evidence has demonstrated that the proposal can be effectively integrated with infrastructure planning, funding and delivery."
251. Based on the evidence presented for PC31, I understand that WDC's Long Term Plan (2021 – 2031) ('LTP'), is based on current projected growth for the area and that the demand growth uses the existing zoning under the Operative District Plan and therefore does not consider the rezoning proposal. I understand that the planned upgrades and extension projects identified in the LTP will not have capacity to service the proposed new development area and that no Development Contributions are currently included in the Developments Contribution Schedule to fund any infrastructure required to service the rezoned site. I am not aware of any agreement on funding between the Applicant and the Council on three waters infrastructure. That said, I anticipate that this could occur and the LTP could be changed.
252. For transport, the submitter has identified that there are a number of road upgrades required. I understand some of these would be beneficial with or without the Ōhoka development. While these upgrades have been identified, I understand that currently there is no agreement in place with the Council to undertake or budget for these, but I also understand that there could be in the future. While PC31 included rule triggers for intersection upgrades (as

discussed in my transport section), I have been unable to identify an obvious mechanism to trigger these upgrades in the current proposal.

253. In his evidence (paragraph 13 onwards) Mr Binder assesses the roading upgrade requirements and responsibilities for these. In particular, I note that he does not agree Mr Walsh's or Mr Fuller's new conclusions that the responsibility for the intersection improvements has shifted from the developer, as concluded previously in PC31 (paragraph 17 Mr Binder's evidence). In paragraph 20 Mr Binder considers it appropriate that the development should be responsible for funding new improvements not presently identified for road safety reasons (e.g., the Whites Road / Tram Road and Threlkelds Road / Flaxton Road roundabouts) in place of relying on a future independent LTP process. Further, he considers the applicant should also lead construction of any previously-identified improvements which are brought forward due to increased traffic generated by the development. As such, it appears that there is not currently agreement on the provision of required transport infrastructure with the Council and therefore it cannot be argued that transport infrastructure is currently integrated with Infrastructure Planning and Funding Decisions.
254. I understand that public transport services are unplanned and not funded in any future programmes for the site and I understand their provision is unlikely.
255. Overall, in my opinion it has not been demonstrated that the development is integrated with infrastructure planning and funding decisions and therefore does not currently meet this objective. However, with the exception of PT and roading changes requiring Waka Kotahi funding, I expect that integration with infrastructure planning and funding could occur through the Council's usual planning processes.

Clause (b) - Is the proposal strategic over the medium term and long term?

256. Mr Walsh assesses this requirement in paragraph 341 stating:
- "The responsive decision-making directive has the potential to create some tension with the requirement to be strategic over a medium and long term. The RPS, Our Space, GCSP and DDS set out the strategic direction for growth over the medium and long term. While expansion of Ōhoka is not part of the growth strategy, I consider it is required to address an identified shortfall of development capacity. Identification of the site as a suitable candidate for growth has been carried out in a strategic way. It involved identification of a development capacity shortfall, and identification of suitable areas to accommodate growth by way of mapping constraints and opportunities. On this basis, I consider that enablement of this proposal would be strategic and therefore consistent with this aspect of the objective."*
257. I agree with Mr Walsh that the CRPS, Our Space, GCSP, DDS and the Proposed Plan do not identify Ōhoka as an area for urban growth. I also agree that there is some conflict between being responsive to development that is unanticipated by RMA planning documents, yet at the same time being required to assess if the proposal is strategic over the medium term and long term, as it is Council planning documents that usually demonstrate this strategic nature (and plan for it). However, I do not consider these are mutually exclusive. Given the obvious lack of planning for significant urban growth in Ōhoka in the Council's strategic planning documents, in my opinion it is necessary for the submitter to demonstrate why the proposal is considered 'strategic in the medium and long term'.

258. Some examples of why a rezoning proposal could be considered strategic in the medium term and long term could include:
- It is co-located with another development proposal or existing community thereby enabling critical mass to support a more preferred outcome, such as to support new transport or infrastructure initiatives (e.g. reticulated network extensions) or natural hazard mitigation works;
 - It can take advantage of future transport changes, such as light rail, or a new bridge;
 - It enables relocations from a nearby natural hazard-affected area;
 - It makes use of a brownfield site that has recently become available;
 - It avoids developing in more significant areas of productive land;
 - It is co-located with another development proposal that requires a significant nearby workforce.
259. I am not convinced by Mr Walsh's arguments on the strategic nature of the proposal. I agree that the site is less subject to natural hazard constraints and not to airport constraints (as identified in Mr Walsh's constraints analysis) but so are many other areas of the District and indeed Greater Christchurch, which is the housing and labour market Ōhoka is within. Unlike some of those other sites, the subject site has significant transport constraints and is rurally productive, which arguably makes it non-strategic. I note that in their decision, the PC31 Hearing Panel (paragraph 366) stated that PC31, with its current transportation constraints, is not strategic in the medium or long term. Overall, I consider the proposal does not give effect to NPS-UD Objective 6(b).
260. Based on the demand and capacity modelling evidence provided by Mr Yeoman and Mr Wilson I consider that the demand driver for this rezoning is lessened or is no longer relevant. I also note that the Hearing Panel has other rezoning options should they consider further capacity is required. In my opinion, the Ōhoka proposal should be tested against the other rezoning proposals as to the extent to which it is strategic in the medium and long term. It may well be that other rezoning proposals are found to be more strategic.

Policy 6 – Does the proposal give effect to Policy 6

261. I also note that clauses (a) and (b) of Policy 6 apply to the "*planned urban built form anticipated by those RMA planning documents that have given effect to this National Policy Statement.*" Based on my assessment of the CRPS, GCSP and Proposed Plan, the planned urban built form does not include the proposed Ōhoka development – it is not anticipated.

Clause (c) refers to well-functioning urban environments which I addressed earlier under Policy 1. Clause (d) refers back to the NPS-UD and the contribution that will be made to realise development capacity. I have assessed this contribution across my assessment. Clause (e) refers to the effects of climate change which I have already assessed under Policy 1.

Policy 8 – Does the proposal provide significant development capacity?

262. Policy 8 reinforces the requirement for local authorities to be responsive (clause (c) of Objective 6) to plan changes that would add significantly to development capacity and contribute to well-functioning urban environments, even if the development capacity is:

- (a) unanticipated by RMA planning documents; or
 - (b) out-of-sequence with planned land release.
263. Therefore, it is necessary to confirm whether the proposal will add significantly to development capacity. I consider that the provision of 850 is significant and I note Mr Yeoman also considers this to be so. However, I note that development capacity is defined as:
- “...the capacity of land to be developed for housing or for business use, based on:*
- (a) the zoning, objectives, policies, rules, and overlays that apply in the relevant proposed and operative RMA planning documents; and*
 - (b) the provision of adequate development infrastructure to support the development of land for housing or business use.”*
- Development infrastructure is defined as:*
- “... to the extent they are controlled by a local authority or council controlled organisation (as defined in section 6 of the Local Government Act 2002):*
- (a) network infrastructure for water supply, wastewater, or stormwater*
 - (b) land transport (as defined in section 5 of the Land Transport Management Act 2003)*
264. I note that clause (a) refers to the zoning and other provisions that apply in the relevant proposed and operative RMA planning documents and that this proposal is not anticipated by those documents, however Policy 8 clearly provides for unanticipated development. It appears there is some tension across these two provisions
265. Based on the definition of significant development capacity, it is not sufficient to simply provide for 850 lots. In order to significantly contribute to development capacity the lots also need to be serviced with development infrastructure. If they cannot be serviced then the development capacity identified cannot be provided accordance with Objective 6 and Policy 8.
266. As stated earlier in my three waters infrastructure section, I consider that it is not clear that stormwater can be adequately provided. In my opinion there is sufficient uncertainty that it cannot currently be argued that the proposal adds significantly to development capacity. I therefore consider that the proposal has not demonstrated that it gives effect to Objective 6 and Policy 8 of the NPS-UD on this matter.²⁶
267. While different to ‘development infrastructure’ I also note that NPS-UD clause 3.5 requires that local authorities must be satisfied that ‘additional infrastructure to service the development is likely to be available’. Clause 1.4 defines ‘Additional infrastructure’ to mean:
- (a) *public open space*
 - (b) *community infrastructure as defined in section 197 of the Local Government Act 2002*

²⁶In the PC31 decision the Panel determined that if the development was not likely to be served by adequate development infrastructure, then the development would not provide “significant development capacity” and would not benefit from the direction in policy 8 (paragraph 62). However, the Panel was satisfied that the site could be adequately serviced with three waters infrastructure (paragraph 173).

- (c) *land transport (as defined in the Land Transport Management Act 2003) that is not controlled by local authorities*
- (d) *social infrastructure, such as schools and healthcare facilities*
- (e) *a network operated for the purpose of telecommunications (as defined in section 5 of the Telecommunications Act 2001)*
- (f) *a network operated for the purpose of transmitting or distributing electricity or gas*

268. In my experience these matters are usually able to be provided in response to demand although it may not always be timely and at the level of service that the community would desire. With the exception of schooling (see below), I am not aware of any specific reason why these could not be provided to service the development.
269. I note that the Ministry of Education (MoE) made a submission on PC31 stating that the entirety of the plan change area of PC31 is outside of the Projected Infrastructure Boundary (refer to Map A, Chapter 6 of the CRPS) and consequently is not growth that was anticipated. MoE stated that the unplanned growth and intensification associated with PC31 may result in adverse effects on Ōhoka School, Kaiapoi High School and Rangiora High School given school aged children likely to attend these schools. The Ministry did not expressly seek the proposal be approved or declined, rather it sought (in addition to other matters) that *“the potential inconsistencies between Policy 8 of the NPS-UD and the CRPS are satisfactorily resolved particularly as it relates to development capacity and well-functioning urban environments”*. I note the capacity issues raised, but I also note that the Ministry did not advise that additional capacity cannot be provided in response to need.
270. In support of Policy 8, the NPS-UD sets out three aspects local authorities need to consider when determining if a plan change proposal should be considered under the responsive planning policies (refer to Subpart 2 – Responsive planning, clause 3.8). Specifically, every Local Authority must have particular regard to the development capacity provided by the plan change if that development capacity:
- (a) *would contribute to a well-functioning urban environment; and*
 - (b) *is well-connected along transport corridors; and*
 - (c) *meets the criteria set under subclause (3).*
- (3) Every regional council must include criteria in its regional policy statement for determining what plan changes will be treated, for the purpose of implementing Policy 8, as adding significantly to development capacity.*
271. I have assessed whether the proposal contributes to a well-functioning environment (subclause (a)) earlier under my assessment for Policy 1 and concluded that it did not. Regarding subclause (b), I have earlier assessed whether the proposal is well connected along transport corridors and concluded that it is not. Regarding subclause (c) and clause (3), I note that ECan is yet to include criteria in its CRPS. In the absence of that criteria, I have considered this matter against the relevant objectives and policies of the NPS-UD.
272. As I consider that the proposal does not contribute to a well-functioning urban environment and is not well connected along transport corridors, in my opinion the Council does not need

to have particular regard to the development capacity provided by the submissions of RIDL [160.1] and Carter Group [237.1].²⁷

Objective 8 – Does the proposal reduce GHGs and provide climate change resilience?

273. Under Objective 8, New Zealand's urban environments:
- (a) support reductions in greenhouse gas emissions; and
 - (b) are resilient to the current and future effects of climate change.
274. These matters were considered earlier in my report under the Policy 1 assessment and greenhouse gas assessment where I concluded that:
- The proposal will not support a reduction in greenhouse gas emissions;
 - the proposed onsite development can be resilient to the likely current and future effects of climate change.

3.6.2.28 Canterbury Regional Policy Statement and the GCSP

275. The Proposed Plan is required under Section 73(4) of the Act to give effect to the CRPS. Within Greater Christchurch, the CRPS's Chapter 6 provisions are directive around where urban growth and urban activities are to be located, generally limiting these to existing urban areas, greenfield priority areas and FUDAs. Unplanned urban expansion outside of these areas is to be avoided. The Proposed Plan must give effect to the CRPS, however as set out earlier, the NPS-UD is relevant when assessing urban growth, including growth that is not expressly provided for in the CRPS.
276. As the rezoning and development proposed in the RIDL and Carter Group submissions is outside of existing urban areas, greenfield priority areas and FUDAs and does not meet any of the other urban developments anticipated in Policy 6.2.2, in my opinion it is contrary to the Chapter 6 CRPS directive growth provisions (e.g. Policy 6.3.1 and Map A). I note Mr Walsh also comes to this conclusion (paragraph 81).
277. The relevant CRPS provisions are assessed in paragraphs 344 to 355 of Mr Walsh's evidence. This includes consideration of objectives (6.2.1, 6.2.2, 6.2.4, 6.2.5, 6.2.6, 15.2.1 and 16.2.1, as well as the objectives in s7), policies (6.3.1, 6.3.2, 6.3.3 6.3.4, 6.3.5 6.3.6, 11.3.2 and 16.3.1), and anticipated environmental results (in Table 3). Mr Walsh concludes (paragraph 364) that the proposal is generally consistent with the objectives of the RPS recognising the tension with those objectives and policies that are directive in terms of the location of greenfield growth in Greater Christchurch. Except where I have outlined below, I generally agree with Mr Walsh's assessment of the CRPS.
278. For completeness, I note other provisions may also be relevant to a lesser extent as set out below, however I have not assessed these additional chapters as I am not aware of any particular issues on these topic areas that the proposed rezoning creates, or because the assessment is better undertaken as part of the subdivision and development stage:

²⁷ I note that the NPS-UD refers to 'plan change' whereas this is a submission on a Proposed Plan.

- Chapter 9 ecosystems and indigenous biodiversity;
 - Chapter 10 beds of rivers and lakes and their riparian zones; and
 - Chapter 17 contaminated land.
279. In his evidence Mr Walsh states (paragraph 353) that the evidence of Messrs Milne, Falconer Compton-Moen and Ms Lauenstein find that the proposal retains the key characteristics of Ōhoka and is acceptable in terms of landscape change and visual amenity impacts and that this assessment demonstrates consistency with various provisions of the statutory documents that seek the maintenance and enhancement of character (particularly relating to small settlements) and amenity values.
280. I am not clear on which particular CRPS objective and / or policy Mr Walsh is referring to in his assessment. Based on the evidence provided by Mr Nicholson I consider that there will be significant character and landscape change.
281. In assessing the CRPS's transport provisions Mr Walsh (paragraph 356) states that given the distance of the plan change site to the larger urban centres, the proposal is not completely consistent with the relevant CRPS transport provisions. However, that accounting Mr Fuller's evidence, the proposal achieves a level of consistency that he considers is acceptable given there are few feasible or practicable alternative locations where development capacity can be provided closer to the district's existing urban centres.
282. I do not agree with Mr Walsh's assessment against Objective 6.2.4 *Integration of transport infrastructure and land use* and Policy 6.3.4 *Transport effectiveness* as being 'not completely consistent'. Under Objective 6.2.4, transport infrastructure is to be prioritised so that it maximises integration with the priority areas and new settlement patterns while:
- (1) managing network congestion;
 - (2) reducing dependency on private motor vehicles;
 - (3) reducing emission of contaminants to air and energy use;
 - (4) promoting the use of active and public transport modes;
 - (5) optimising use of existing capacity within the network; and
 - (6) enhancing transport safety.
283. Policy 6.3.4 requires an efficient and effective transport network, including by providing patterns of development that optimise use of existing network capacity and ensuring that, where possible, new building projects support increased uptake of active and public transport, and provide opportunities for modal choice.
284. It is clear to me from the evidence presented by both the Council's and submitter's experts that the proposal will rely heavily on private vehicles for transport and that this will have adverse network effects, including congestion, and require various network upgrades, including currently unplanned upgrades. I consider that the relatively remote location of the development will increase the reliance on private motor vehicles, increase contaminant emissions and energy use, and not support increased uptake of active and public transport or modal choice. As such I consider the proposal is more accurately assessed as being contrary to these provisions.

285. As to whether not meeting the provisions is acceptable, I agree with Mr Walsh that if there were few feasible or practicable alternative locations where development capacity could be provided closer to the existing urban centres then a reasonable argument could be made that not meeting these provisions may be acceptable. However, I do not consider that Mr Walsh has sufficiently demonstrated that there are few feasible or practicable alternatives and indeed I note that the Hearing Panel has a number of alternative rezoning submissions before it should it determine that a capacity shortfall exists.
286. Mr Walsh has assessed energy Objective 16.2.1 (paragraph 362 and 363) and concluded that the proposal is consistent with this objective. The Energy Chapter Policy 16.3.1 simply seeks to promote the efficient end-use of energy, while objective 16.2.1 seeks that:
- “Development is located and designed to enable the efficient use of energy, including:*
- 1. maintaining an urban form that shortens trip distances*
 - 2. planning for efficient transport, including freight*
 - 3. encouraging energy-efficient urban design principles*
 - 4. reduction of energy waste*
 - 5. avoiding impacts on the ability to operate energy infrastructure efficiently.”*
287. The explanation and reasons states that this objective seeks that development is located and designed to enable the efficient use of energy, including maintain an urban form that shortens trip distances. The use of energy can be made more efficient if development is designed and located to reduce the need to commute over significant distances, and services are closer to the population base. Transport planning can encourage more efficient options such as public passenger transport or efficient freight transport (for example, transport of freight by rail and sea may be more efficient than transporting by road).
288. I note that managing trip distances or Vehicle Kilometres Travelled (VKT) has increasingly becoming important for network efficiency and greenhouse gas emissions and influenced the settlement proposed patterns in the CRPS Chapter 6 Map A and the GCSP. As set out in my Transport section, the Beca report (attached at **Appendix G**) indicates that average daily trip distances from the Ōhoka site are in excess of the trip distances from the District's main urban towns. Based on this information, in my opinion the proposal will not shorten trip distances as required under 16.2.1(1) relative to other urban growth options, however the remainder of the objective can be met or is not relevant.
289. Mr Walsh has not assessed Policy 6.3.12 *Future Development Areas*, presumably because the proposal is a rezoning rather than the creation of a Future Development Area. However, I note that this policy contains relevant guidance for what the CRPS expects to occur in future residential developments. I consider that the proposal does not promote the efficient use of land as it does not provide opportunities for higher density living, including mixed-use developments and housing choices for a range of dwelling types (6.3.12(2)) and as such does not give effect to Policy 6.3.12.

CRPS Conclusion

290. I generally agree with Mr Walsh's assessment of the CRPS except where outlined above. I consider that the proposal is clearly contrary to the CRPS Chapter 6 directive growth provisions

(e.g. Policy 6.3.1 and Map A). I consider the proposal does not give effect to Objective 6.2.4 and Policy 6.3.4 for transport matters, nor components of energy Objective 16.2.1 and does not fully give effect to Policy 6.3.12 in future development areas (as it is outside of the CRPS's stated development areas).

The Greater Christchurch Spatial Plan

291. In my opinion another relevant matter to have regard to when assessing rezoning proposals is the Greater Christchurch Spatial Plan (GCSP). In 2022, the Greater Christchurch Partnership and the Crown established an Urban Growth Partnership for Greater Christchurch and developed the GCSP.
292. The GCSP is the NPS-UD Future Development Strategy (FDS) for Greater Christchurch, including the District. For rezoning requests outside of the Greater Christchurch Urban Area (for example in Oxford), this is not a relevant consideration.
293. I note that the GCSP does not identify Ōhoka, nor its surrounds for future urban growth.²⁸ Rather, for rural areas it includes goals to protect highly productive land within Greater Christchurch for primary production. As such, in my opinion the rezoning and development proposed in the RIDL and Carter Group submissions is clearly inconsistent with the growth directions specified in the GCSP. I note that Mr Walsh (paragraphs 81 and 371) also concludes that the proposal does not align with the GCSP as the site is not identified as a location for future growth.
294. Mr Walsh assesses the GCSP in paragraphs 369 to 371 of his evidence. While he notes the site is not identified as a location for future growth in the document, he states that the 'Areas to protect, avoid and enhance' section shows Ōhoka as a location with very few constraints (consistent with his constraint mapping included in his evidence). He also notes that the proposed rezoning may support, and be supported by, potential future mass transit extending out to Belfast to transport future residents into Christchurch. In my opinion, while the future mass transit is of interest, this is currently too speculative to be relied upon to support the current proposed rezoning submissions.²⁹ In addition, in my opinion it is not clear how a Belfast terminus justifies the Ōhoka development more than new developments occurring closer to Belfast.

3.6.2.29 Mahaanui – Iwi Management Plan 2013

295. Section 74(2A) requires Council to take into account relevant planning documents recognised by an iwi authority, to the extent that its content has a bearing on resource management issues. Mr Walsh has assessed the Mahaanui Iwi Management Plan in paragraphs 317 to 325. I agree with his conclusion that the proposal will not have an adverse impact on the cultural values of iwi as set out within IMP.

²⁸ Map 2: The Greater Christchurch spatial strategy, page 23

²⁹ If the Ōhoka development could be tied in with mass rapid transit, this could be an example of the proposal being strategic in the medium and long term.

3.6.2.30 District Development Strategy

296. In my opinion another relevant matter to have regard to when assessing rezoning proposals is the District Development Strategy (DDS). The DDS was adopted in July 2018 and guides anticipated residential and business growth in the district. The strategy forms part of the ongoing process to ensure that growth management, within the Waimakariri and Greater Christchurch context, is current and forward looking. The anticipated outcomes from the DDS have been incorporated within the zonings, objectives and policies of the Proposed District Plan.
297. The DDS states that growth in the District centres around seven key strategic themes being the environment, growing communities, rural areas and small settlements, connections, economy, centres and community spaces and places. The strategy had significant community input, and directions signalled in the Strategy were underpinned by environmental and cultural constraints and opportunities, expert advice, and background reports.
298. Of relevance to Ōhoka, I note that the DDS sets a strategic aim of retaining the character of the District's existing small settlements.³⁰ The DDS states that Ōhoka, along with Sefton, Ashley, Cust and Tuahiwi, responds to its historic context and location within the District and states that:³¹

"These small settlements have not experienced the same growth pressures as the District's larger centres. There have been 106 building consents issued for new houses in the period 2006 to 2016 for the Residential 3 Zone, with the majority of these in Waikuku (35), followed by The Pines Beach/Kairaki (30), then Ashley (17). Community feedback sought to limit further growth in these settlements to protect their unique character, and avoid natural hazard impacts for beach settlements. These comments reflect policies within the operative District Plan that seek to maintain the compact form of the settlements.

The growth approach identified [in the DDS] enables existing vacant areas in the small settlements to develop and provides for some further 'organic' expansion opportunities, generally consistent with historic growth rates. By focusing most new greenfield and intensification development in the District's larger towns, the character of the District's small settlements will generally be retained. This approach accords with the majority of feedback received on small settlements and the constraints that apply to some of them. By focussing most new development outside of the small coastal settlements, the identified natural and cultural values in these settlements are protected and desired outcomes for the area achieved."

299. As such, in my opinion the rezoning and development proposed in the RIDL and Carter Group submissions is clearly inconsistent with the growth directions and character aspirations specified in the DDS for Ōhoka (and carried through in the Proposed Plan's zoning and approach to urban growth). I note that Mr Walsh (paragraphs 81 and 375) also concludes that the proposal does not align with the DDS as the site is not identified as a location for future growth.

³⁰ DDS, Section 2.5 page 20.

³¹ Ibid

3.6.2.31 The Proposed Plan – requested changes

300. In his evidence Mr Walsh (paragraph 41) states that the SETZ zoning was chosen over the GRZ zoning as in the context of the Proposed Plan provisions this was the simplest and most effective way of drafting the development area provisions. In addition, the SETZ suits the proposal better in terms of the minimum lot size for that zone and the type of development intended. He states that if the Panel preferred GRZ zoning (instead of SETZ) for those areas of the site, an amended set of provisions could be prepared. I consider there is scope within the original submission to seek SETZ, as this relief does not seek provision for more development than the relief sought in the original submissions. I understand the issue of scope in this respect will also be covered in legal submissions.
301. In the National Planning Standards (NPS) the SETZ is grouped with the rural zones and described as follows:
- “Areas used predominantly for a cluster of residential, commercial, light industrial and/or community activities that are located in rural areas or coastal environments.”*
302. In contrast, the National Planning Standards describe the GRZ as *“areas used predominantly for residential activities with a mix of building types, and other compatible activities.”*
303. I consider that applying the SETZ would be unusual for a development of this size, noting that the other SETZ in the Proposed Plan cover the small beach settlements and inland rural settlements such as Ashley, Sefton and Cust. If the Panel was minded to recommend approval of this rezoning, then given the scale of the development (850 households) and inclusion of commercial areas, possibly a school and a retirement village then in my opinion, this is not a ‘cluster’ of urban activities (as per the NPS), rather it is a full urban area greater in size than Oxford, which has a GRZ zoning applying. I therefore consider a GRZ zoning would be more appropriate and consistent with the zoning pattern in the Proposed Plan.
304. Mr Walsh states (paragraph 72) that if the proposed rezoning of the site were approved, the current SETZ provisions would not be entirely fit for purpose given they provide for commercial activities within the zone. Given a LCZ is proposed to provide for the day-to-day goods and services needs of the local community, exclusions are proposed. Mr Walsh identifies Proposed Plan amendments in paragraph 73 (and Appendix 3) of his evidence. These appear to apply not just to the site subject to RIDL [160.1] and Carter Group [237.1] but also to the existing Ohoka SETZ zoned area as well. In summary these are:
- an objective providing for expansion of the Ōhoka settlement while achieving the outcomes outlined in his report;
 - three associated policies concerning character and amenity matters, residential density, and matters relating to development of the local centre;
 - four rules specifically permitting anticipated activities including a parking lot in the LCZ, education and polo facilities in the relevant overlays, and a retirement village;
 - a rule discouraging minor residential units;
 - an urban design rule applying to all proposed buildings, structures and development;

- two standards relating to residential density in the SETZ and LLRZ, and four built form standards requiring tree planting on all residential sites, native planting on LLRZ properties, a 10-metre setback from residential sites of any polo related structures, and a maximum height limit of 8 metres relating to the LCZ;
 - Exclusions to the SETZ rules which provide for (as permitted or restricted discretionary activities) a range of small-scale commercial activities, because commercial activities are proposed to only be exclusively provided in the LCZ. These exclusions are proposed to rules: SETZ-R15 Health Care facilities; SETZ-R17 Convenience activity; SETZ-R18 Veterinary facility; SETZ-R19 Food and beverage outlets; SETS-R20 Supermarket; and SETZ-R22 Retirement Village, resulting in these all becoming fully discretionary activities by virtue of SETZ-R30 (any other activity);
 - Exclusions for certain LCZ activities which are not considered appropriate for the Ōhoka LCZ including trade supplier and yard-based activities;
 - A minor amendment to the SETZ objective that resolves a slight tension between the proposed rezoning and the objective as currently proposed; and
 - An amendment in respect of the interpretative diagram relating to the banks of water bodies.
305. With regard to the proposed amendment to Figure NATC-1 Interpretation of banks of water bodies, I am not clear if there is scope to make this change within the RIDL and Carter Group submissions. However, I note Mr Wilson has proposed changes to this Figure as set out in his s42A report for Natural Character. If the Panel is minded to accept the rezoning submissions this matter will need to be resolved through further assessment.
306. With regard to the proposed amendment to the existing SETZ-O1 objective, Mr Walsh's recommended change is as follows:
- Existing settlements are recognised and retain their existing characteristics, while providing for a mixture of commercial and residential use on larger sites.*
307. Mr Walsh states (in paragraph 290) that:
- “as currently worded, the objective seeks that the existing settlements remain unchanged over the lifetime of the plan. I consider that this is an unrealistic expectation and that it is more important that new development retains the characteristics of the settlement. The proposed amendment is particularly minor and does not have any fundamental implications other than resolving a slight tension in respect of the proposed objective for the Ōhoka development area. Given the minor nature of the proposed change, I do not provide any further assessment.”*
308. In my opinion the objective does not seek that the settlements remain unchanged, rather that their character is retained. In my opinion settlements can grow and evolve whilst still retaining their character, although I note that large changes such as those resulting from the requested rezoning would not retain existing character. I consider that changing 'character' to 'characteristics' changes the focus of the objective – 'character' is not the same as 'characteristics', although character is informed or influenced by characteristics. I consider this change weakens the objective's requirement to retain existing character, which is more consistent with the DDS and the Operative District Plan. I therefore do not agree with Mr

Walsh that this is a “particularly minor” change, nor that that it is “more important that new development retain the characteristics of the settlement”. It is also not clear to me that there is scope within the RIDL [160] and Carter Group [237] submissions for this change which sought a change in zone for the subject site (and existing Ohoka SETZ), not a change to SETZ-O1. I am also unsure of the scope for this change which applies beyond Ōhoka and would for example include Sefton, Ashley and Cust. I consider the submitter would need to demonstrate that there is scope for this change from across the various RIDL and Carter Group submissions on the Proposed Plan. If the panel was minded to recommend accepting the rezoning request, in my opinion this change should only apply to Ōhoka as it is Ōhoka's character that the submitter is proposing to alter.

309. With regard to the remaining proposed amendments, I consider these are acceptable when confined to the subject site. If the Panel is minded to recommend accepting the rezoning request then these amendments should be included in the Proposed Plan for the subject site. However, I note that Mr Walsh is seeking that these also apply to the existing Ōhoka Village. This would mean that the listed activities would become fully discretionary in both the proposed development and the existing Ohoka Village. I am unsure if there is scope for these changes. I have reviewed the RIDL [160] and Carter Group [237] submissions, and cannot see any reference to changing the SETZ provisions themselves, just the zones. As some of these activities are also permitted or restricted discretionary in the GRZ (for example: GRZ-R15 Health care facilities; GRZ-R20 Retirement village) there is no scope provided for some of these changes from seeking that alternative zone. As I am recommending rejecting these submissions, I have not worked through in detail this scope matter and note this exercise could be undertaken if required. I also note this could be addressed by the submitter at the hearing.
310. With regard to the merits of restricting these commercial activities, I generally agree that if there is a sufficiently sized LCZ (as proposed by the submitter) then the additional flexibility to provide for these activities in the SETZ is unnecessary. This would particularly apply to SETZ-R17 Convenience activity; SETZ-R19 Food and beverage outlets; and SETS-R20 Supermarket. However, I note that Mr Walsh has not proposed to change SETZ-O1 to remove the reference to a mixture of commercial activities, nor change SETZ-P1(2) which provides for small scale commercial services that service the local beach and/or rural communities, nor SETZ-P1(4) which provides for a pleasant residential environment interspersed with commercial activities. As such, the proposed rule changes in Mr Walsh's evidence (his Appendix 3) would not implement SETZ-O1 nor SETZ-P1. As I am recommending rejecting RIDL [160.1] and Carter Group [237.1] (along with RIDL [160.2]), I have not explored this issue further.
311. I am comfortable with the proposed Ōhoka development area rules applying to the subject site, however I am unsure of the vires of proposed Rule DEV-O-R1 Urban Design which refers to design guidelines that have not been written. I also note Mr Walsh's suggestion (paragraph 49) that these would be administered through an independent design approval process with professionals appointed by a residents' association. Mr Nicholson raises some concerns over this process (section 12) which may need to be resolved before DEV-O-R1 Urban Design is confirmed. As I am recommending to reject the rezoning submissions I have not assessed this matter further in my report.
312. I am also unsure how the narrative contained in DEV-O-APP1 – Ōhoka Outline Development Plan is required to be given effect to. Usually there is a corresponding rule that requires a development to proceed in accordance with the ODP (and ODP narrative) or else the proposal triggers a resource consent (for example DEV-EKP-R3 East Kaiapoi Development Area Outline

Development Plan which triggers a discretionary consent for non-compliance). I have not been able to locate such a rule for the Ōhoka provisions in Mr Walsh's Appendix 3.

313. I also note the apparent lack of a subdivision trigger for roading upgrades identified earlier in my transport section. In my opinion this would also need resolving.

3.6.2.32 Section 32 assessment of the proposal

314. Mr Walsh includes a s32 assessment in his evidence (beginning at paragraph 275) where he evaluates the scale and significance of the rezoning proposal, and evaluates the proposed objectives, policies and methods. I note that his assessment on the suitability of the proposed Ōhoka-specific objective (paragraphs 286 to 288) is largely assessed against a capacity shortfall, as opposed to whether the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of the Act. I therefore consider this assessment component to be incomplete.
315. Mr Walsh assesses the provisions from paragraph 291 assessing the options for commercial provisions, urban design assessment and the status quo. I have no comments on Mr Walsh's options assessment.
316. Beginning at paragraph 306 Mr Walsh assesses the benefits and costs of the proposal when assessing efficiency and effectiveness, including environmental, economic, social and cultural effects, concluding in paragraph 307 that the potential benefits of the proposal outweigh the potential costs, acknowledging the difficulties in quantifying the impact in terms of the change the existing community would experience. I generally agree with his identified costs and benefits, however I note that this assessment considers the status quo versus the proposal and that the benefits and costs of providing the additional housing and commercial activity in a more connected location has potentially the same or greater benefits and fewer costs (e.g. less loss of character, farm productivity and greenhouse gas emissions). Many of the identified benefits would accrue irrespective of the rezoning location (e.g. benefit to Council from a larger rating base, value of construction activities and additional supply of housing) and I note that some of the benefits are uncertain (e.g. provision of schooling and retirement living).
317. In paragraphs 310 and 311 Mr Walsh assess the proposal against the objectives of the Proposed Plan, concluding that *"the proposed rezoning generally accords with the objectives and policies of the Proposed Plan while acknowledging certain objectives and policies discourage the type of urban growth proposed and associated loss of productive farmland."*
318. Except where I have commented below, I generally agree with Mr Walsh's assessment of the proposal against the Proposed Plan's objectives that he has assessed.
319. I do not agree with Mr Walsh when he states (responding to SD-O2) that the proposed expansion of Ōhoka represents a consolidation of and integration with an existing urban environment, nor that it recognises existing character and amenity values. In my opinion Ōhoka is a small rural village and the wider area is largely rural in character not urban. I consider that the proposal will dwarf the Ōhoka village and create a new town that will be bigger than Oxford. In my opinion this is less consolidation / integration and more the creation of a new settlement, which is contrary to SD-O2(1) and (2) and the proposed approach to growth in the District Plan and its planning maps. I generally agree with his remaining assessment for SD-O2.

320. I disagree with Mr Walsh's assessment that the proposal is not contrary to SD-O4 as rural land will not be managed to ensure that it remains available for productive rural activities. Rather it will be converted to urban activities. I note Mr Ford has confirmed that the site is economically viable for farming activities and that Mr Walsh accepts that evidence. While I do acknowledge that productive potential of the site will be reduced if it is subdivided into 4ha lots as is enabled in the RLZ, I note that the RLZ still has primary production as its purpose (see RLZ-O1 and RLZ-P2).
321. Mr Walsh states that the proposal largely accords with UFD-P2 which tightly controls where new residential development areas locate. I disagree with Mr Walsh as the proposal does not really concentrate or attach to an existing urban environment under UFD-P2(a) (as discussed above), rather it creates a new urban environment where there was previously a small rural village and rural activities. In addition, it does not have good accessibility between housing and jobs including way of active and public transport (UFD-P2(c), and does not support a reduction in greenhouse gas emissions (UFD-P2(g)). I also consider it does not take into account the need to provide for intensification under UFD-P2(e) as there is none included in the proposal, nor concentrate higher density housing in locations focussing on the proposed activity node of the LCZ, school and open space – rather the site contains no medium density areas. I accept that the proposal accords with some of UFD-P2 (e.g. it will provide its own infrastructure under UFD-P2(b)).
322. With regard to TRAN-O1, the transport evidence has confirmed that the proposal will contribute to traffic issues that will require a number of road and intersection upgrades and I note that these do not appear to be staged in accordance with the proposal's development stages. I do accept that these can be resolved but consider any changes requiring Waka Kotahi approval (who further submitted against RIDL [60.1]) are uncertain at this time. Mr Walsh notes that given the location of Ōhoka relative to key urban centres in the district and Christchurch, the proposal is unlikely to reduce dependency on private motor vehicles. As such, the proposal meets most but not all of this objective.
323. Mr Walsh states that the future subdivision will meet SUB-O1. I note the SUB-O1(2) requires subdivision to achieve an integrated pattern of land use and urban form that consolidates urban development and maintains rural character except where required for, and identified by, the District Council for urban development. The proposal is not identified by the Council for urban development and as such the proposal must consolidate urban development and maintain rural character. As indicated previously, in my opinion this proposal will not consolidate urban development as it is not attached to a main town and is located within a largely rural environment, and based on the evidence of Mr Nicholson (paragraph 13.5) it will have a moderate impact on both the landscape character and the visual impact of the area.
324. Mr Walsh considers the proposal is consistent with RESZ-O1 and in particular, notes it will provide additional housing options in a location assessed as appropriate within the district. Based on my assessment the location is not appropriate and as such I do not agree with Mr Walsh that this objective is met.
325. Mr Walsh states that the proposal would not be consistent with SETZ-O1 as the scale of change that the proposal would bring will not 'retain' the 'existing character' of Ōhoka. I agree with Mr Walsh, although I consider the proposal is contrary to this objective, noting that Mr Walsh is seeking to amend SETZ-O1.

326. I note the Mr Walsh did not comment on UFD-P3 - identification / location and extension of large lot residential zone areas, nor UFD-P7 – Mechanism to provide additional commercial and mixed-use zones. I consider the proposal is consistent with both these policies.
327. Overall, I consider that the proposal accords with many of the relevant Proposed Plan objectives assessed. However, I consider it is not consistent with or is contrary to objectives and policies which discourage relatively remote and unconsolidated urban growth, and its associated poor accessibility, loss of productive farmland, loss of small settlement character and increases in greenhouse gas emissions.

3.6.2.33 Conclusion

328. Whether the proposal gives effect to the directive provisions of the CRPS (and is consistent with the GCSP) is not in dispute - both myself and Mr Walsh agree that the proposal does not give effect to these.³² That the NPS-UD responsive planning provisions provide a pathway to step outside the directive provisions in Chapter 6 of the CRPS (and the GCSP and DDS) is also not in dispute – both Mr Walsh and I agree on that.³³
329. As such, the determination of the rezoning request relies on firstly, satisfying the responsive planning provisions for the NPS-UD which are Objective 6(c) and Policy 8 and the matters contained in section 3.6 as assessed earlier in my report, and then secondly a merits assessment on the proposal with reference to the relevant technical evidence and relevant planning instruments as set out in Mr Walsh's evidence and my s42A report. Even if the NPS-UD responsive provisions are satisfied, the Hearing Panel can still decline the proposal if it fails in its merits test, as the NPS-UD only requires Council's to be responsive to (Policy 8) and have particular regard to (c3.8(2)) plan changes that add significantly to development capacity and contribute to well-functioning urban environments. As the PC31 Hearings Panel found, even if the 'door is opened' via NPS-UD Policy 8, the application still needs to be considered on its merits (paragraph 40 of the Decision).
330. If the proposed rezoning does not meet the requirements of the responsive planning provisions, then in my opinion that pathway provided under the NPS-UD cannot be utilised. In that instance the Proposed Plan would have to give effect to the directive provisions of the CRPS and according to both Mr Walsh and myself the rezoning would very clearly not give effect to these provisions. I consider in that situation the proposed rezonings would need to be declined.
331. I note that Mr Walsh considers the proposal does meet the NPS-UD responsive planning requirements, whereas I do not for the reasons provided in my assessment under the NPS-UD. In summary, in my opinion: the proposal will not contribute to a well-functioning urban environment; it is not clear that significant development capacity will be provided (due to the identified stormwater issues); and the proposal is not sufficiently well connected along transport corridors.

³² For example see paragraph 346 in Mr Walsh's evidence.

³³ For example see paragraph 346 and 347 in Mr Walsh's evidence.

332. In addition to not meeting the NPS-UD responsive planning requirements, in my opinion the proposal also does not give effect to the other relevant NPS-UD requirements in Objective 3(a), 3(b) and 3(c), Objective 6(a) and (b), nor Objective 8(a).
333. I also consider the proposal does not give effect to the CRPS chapter 6 directive objective and policy requirements around growth and is inconsistent with GCSP and DDS on urban growth, the protection of primary production and settlement character. Overall, in my opinion the proposed rezonings are not the most appropriate means to achieve the purpose of the RMA.

3.6.3 Summary of recommendations

334. I recommend that the RIDL [160.1] and Carter Group [237.1] submissions are **rejected**.

3.6.4 Recommended changes to the Proposed Plan

335. No changes are recommended.

3.7 Submissions – Re-zone the existing Ōhoka Village from SETZ to GRZ

3.7.1 Matters raised by submitters

336. RIDL [160.2] seeks to rezone the existing area of Ōhoka (zoned SETZ) to GRZ. There were 29 further submissions, 28 in opposition and 1 in partial support.
337. Matters raised in opposition include:
- The development would be completely contrary to objective SETZ-01;
 - Rezoning will create a sprawling development from Manderville in the south to Kaiapoi West in the east;
 - The loss of productive land;
 - Destruction of the Ōhoka rural landscape and rural values;
 - Environmental impacts;
 - Loss of Ōhoka Village's amenity values;
 - Negative impacts on both the historic village and community;
 - Noise pollution;
 - Increase flooding risk, including due to climate change;
 - Increased traffic and traffic safety concerns;
 - Lack of required infrastructure, including power and roading;
 - Negative impacts on the local schools and community;
 - Goes against the stewardship values of Kaitiakitanga;
 - Do not support a satellite town; and

- High density housing would detract from existing dwellings.

338. The support in part submission was from David Cowley [FS41] who also submitted seeking to provide for large lot residential development with a minimum lot size of 1000m² and an average lot size of not less than 2000m². I understand that the primary submission by David Cowley will be considered as part of Hearing Stream 12E.

3.7.2 Assessment

339. In his evidence Mr Walsh (paragraph 72) states that the submitter initially proposed that the existing Ōhoka SETZ be rezoned GRZ, but that this is no longer proposed. While it appears this submission point is no longer being proposed, I have assessed the merits of the submission based on the information available, noting that there is no submitter evidence provided in support of the submission point.

340. As set out earlier in my evidence, the National Planning Standards (NPS) the SETZ is grouped with the rural zones³⁴ and described as follows:

“Areas used predominantly for a cluster of residential, commercial, light industrial and/or community activities that are located in rural areas or coastal environments.”³⁵

341. In contrast, the National Planning Standards describe the GRZ as *“areas used predominantly for residential activities with a mix of building types, and other compatible activities.”*

342. In the Operative Plan the Ōhoka Village was zoned Residential 3 and described in the explanation under Policy 17.1.1.2 as follows:

“The Residential 3 Zone reflects the view of the community that the beach settlements and small rural towns are different in character from the four main towns in the District. These differences largely stem either from their origins as holiday settlements, their small size, and low density of building. Servicing constraints such as at Allin Drive/Queens Avenue, Waikuku Beach which limit subdivision potential have the effect of maintaining the particular character of some settlements and towns.”

343. In my opinion a SETZ zoning is generally consistent with the Operative Plan's zoning and with the scale, character and activities of the existing Ōhoka Village. A SETZ zoning in Ōhoka is consistent with the Proposed Plan's zoning for other small rural villages such as Ashley, Sefton and Cust. I consider a GRZ zoning is less applicable to the existing Village, noting that the GRZ applies in the District's main towns.

344. If the Panel was minded to **reject** the RIDL [160.1] and Carter Group [237.1] submissions and retain the RLZ zoned submission site as RLZ, then in my opinion it would be appropriate to retain the SETZ-zoning for the existing Ōhoka Village as this zoning best matches the scale, character and activities of the existing Ōhoka Village and is consistent with other SETZ-zoned rural villages.

³⁴ National Planning Standards, Page 16, District Plan Structure Standard

³⁵ National Planning Standards, Page 37, Zone Framework Standard

345. If the Panel was minded to **accept** the RIDL [160.1] and Carter Group [237.1] submissions and rezone the RLZ-zoned submission site subject to SETZ, then in my opinion it would be inappropriate to rezone the existing SETZ-zoned village to GRZ. Rather the same zoning (SETZ) should be applied throughout the expanded and existing Village area. However, if the Panel preferred a GRZ zoning for the site subject to the RIDL [160.1] and Carter Group [237.1] submissions, then a GRZ zoning for all of Ōhoka would make more sense as Ohoka would no longer be a “cluster of residential, commercial, light industrial and/or community activities that are located in rural areas”. Rather, the resultant urban area would have a population larger than Oxford, which is zoned GRZ.
346. Noting that this submission is no longer being pursued, the absence of supporting evidence, the submissions in opposition and my recommendation to reject RIDL [160.1] and Carter Group [237.1], I recommend that this submission is rejected.

3.7.3 Summary of recommendations

347. I recommend that the submission from RIDL [160.2] is **rejected**.

3.7.4 Recommended changes to the Proposed Plan

348. No changes are recommended.

3.8 Submissions – Variation 1 Rezoning

3.8.1 Matters raised by submitters

349. RIDL [60.1] sought to rezone the Ōhoka site which is subject to RIDL [160.1] a combination of MRZ, LLRZ, LCZ, and OSZ. Relief is sought to enable the equivalent outcomes as sought in the PC31 request, and accordingly, consequential changes may be required to other provisions in the Proposed Variation in order to provide the requested relief. Essentially this submission is seeking the same zoning as RIDL's [160.1] rezoning submission except that GRZ is replaced by MRZ. The submission notes that the PC31 site is not subject to any identified Qualifying Matter in Proposed Variation 1.
350. There were seven further submissions in opposition and one neutral further submission. Matters raised in the further submissions include:
- Loss of amenity values of Ōhoka Village and surrounding areas;
 - Increased greenhouse gas emissions and contravention of New Zealand's Emissions Reduction Plan;
 - Contravention of the Waimakariri Rural District Character Assessment 2018;
 - Contravention of the NPS-UD;
 - The loss of productive land;
 - Lack of proper infrastructure, including power;
 - Negative impacts on the local schools and Community;
 - Increased traffic and congestion and traffic noise;

- Loss of Ōhoka's rural character and outlook;
 - Trade competition;
 - Increased flooding and drainage issues; and
 - Destruction of the night sky.
351. The Council [FS6], states that its further submission has also been made reiterating the Council's opposition to the rezoning, for the reasons set out in its submission on PC31. Referring to the RIDL submission, the further submission also states that the non-identification of qualifying matters in the land identified by RIDL is irrelevant as the land is not subject to the MDRS as notified and therefore an assessment of qualifying matters has not been undertaken (as opposed to there being no qualifying matters identified that are needed to apply to the site). The Council seeks that the whole of RIDLs submission be disallowed, so that the Variation 1 / Proposed Plan zoning for Ōhoka is maintained as Rural Lifestyle zone: RLZ.
352. Waka Kotahi [FS3] states that as per their original submission on PC31 Waka Kotahi do not support rezoning of Rural Lifestyle zoned land at Ōhoka to residential zones as this location is not well connected to any existing urban areas and does not support well consolidated residential growth.
353. In their neutral submission, Transpower [FS2] noted that the National Grid is a qualifying matter and traverses the subject site. Transpower stated that if the submission is allowed they seek: the retention of the Rural Zone over the area of land that is traversed by the National Grid, including an appropriate buffer; that Transpower is to be consulted as part of any application for subdivision consent for the site; and that the development proposal include explicit direction that the landscape treatments in the vicinity of the National Grid must be designed and implemented to achieve compliance with NZECP 34:2001 and the Electricity (Hazards from Trees) Regulations 2003 (including when planting reaches maturity).

3.8.2 Assessment

354. I note that the Ōhoka Village is zoned Settlement Zone (SETZ) and the subject site is zoned RLZ in the Proposed Plan. As such, it appears that these zones are excluded from the application of the Amendment Act as neither of these zones are within the definition of "*relevant residential zone*"³⁶. I note that the Variation 1 s32 analysis (s3.1 and Table 1) also specifically states that the parts of Ōhoka zoned SETZ are not within Variation 1's scope.

³⁶ ***relevant residential zone-***

(a) *means all residential zones; but*

(b) *does not include-*

a. *a large lot residential zone:*

b. *an area predominantly urban in character that the 2018 census recorded as having a resident population of less than 5,000, unless a local authority intends the area to become part of an urban environment:*

355. A variation (or plan change) is distinct from a full plan review, as the former only seeks to change an aspect of a proposed plan. In the case of a variation, case law has confirmed that Council has no jurisdiction to consider a submission point if it falls outside the scope of the variation due to it not being "on" a variation.
356. There are various legal tests applying for determining whether a submission is "on" a variation or plan change. The application of this existing case law is evolving and is somewhat complicated by this instance due to:
- a) The nature of the proposed district plan having wide scope to consider and identify areas where future residential activity is to occur; and
 - b) The RIDL submission [160.2] to the PDP seeking that the Ōhoka area be rezoned primarily to General Residential Zone (GRZ), which means the zoning of the land at Ōhoka may be a 'live' matter that if accepted by the Panel could become a 'relevant residential zone' and hence subject to the MDRS provisions.
357. I also note that the relief sought by the submitter complicates whether the submission is "on" the variation or not. The original submission sought a primarily GRZ zone to apply to the bulk of the submitter's property. However, I now understand that the submitter's position is that they seek a SETZ zone apply to this area as set out in the evidence of Mr Walsh, with the detailed provisions of the SETZ to apply at Ōhoka as set out in Appendix 3 of Mr Walsh's evidence (including the outline development plan showing the zonings sought). As set out earlier, the SETZ is specifically excluded from having the MDRS provisions applying to them.
358. I also note Ōhoka is not a relevant residential zone for the purposes of the Amendment Act as Ōhoka does not have a population of 5000 people and the Council does not intend the area to become part of an urban environment.³⁷ As such, the Amendment Act does not require the Council to incorporate the MDRS into Ōhoka.
359. I am therefore unclear to what extent RIDL submission [160.2] would now bring the Ōhoka site within the scope of Variation 1. I am conscious that Variation 1 matters are being covered in Hearing Stream 12E and I anticipate that the matter of scope for various submissions will be further assessed through that hearing. Accordingly, rather than setting out my understanding of scope and what the submitter is now seeking, I have instead addressed my evidence to the merits of the zoning sought in the submission point.
360. Mr Phillips has provided evidence in support of the RIDL [60.1] submission but did not address the scope matter. In his evidence (paragraph 14) Mr Phillips adopts the evidence of Mr Walsh in relation to the site becoming urban. Mr Walsh does not consider the appropriateness of MRZ for the SETZ / GRZ part of the site, but does address the merits of rezoning the land for urban purposes. I note that an MRZ zoning (along with MDRS provisions) would enable residential development at a far higher density than provided for under the SETZ, but there is no evidence covering the implications of this for three waters servicing and transport, the

c. *an offshore island:*

d. *to avoid doubt, a settlement zone*

³⁷ See clause (b)(ii) of the definition of "relevant residential zone".

flooding consequences of increased impervious surfaces, nor character and connectivity implications.

361. In paragraph 15 Mr Philips states *“In the absence of evidence that assesses the implications of enabling increased density by way of MRZ, I am unable to conclude that this zoning is appropriate for parts of the subject land”*.
362. In the absence of more detailed evidence that assesses the implications of MRZ zoning and supports its application, and the matters raised in further submissions, I recommend that this submission is rejected.
363. In coming to this conclusion, I am also mindful of my assessment of RIDL [160.1] and Carter Group [237.1] submissions which sought a combination of GRZ (changed to SETZ), LLRZ, LCZ, and OSZ for the subject site. My conclusions as to the general merits of that proposal are also relevant to this submission.

3.8.3 Summary of recommendations

364. I recommend the submission from RIDL [60.1] is **rejected**.

3.8.4 Recommended changes to the Proposed Plan

365. No changes are recommended.

4 Conclusions

366. Submissions and further submissions have been received in support of, and in opposition to the Proposed Plan. Having considered all the submissions and further submissions, and reviewed all relevant statutory and non-statutory documents, I recommend that the Proposed Plan is not amended.

367. I consider that the Proposed Plan's zoning is the most appropriate means to:


- achieve the purpose of the Resource Management Act 1991 (RMA) where it is necessary to revert to Part 2 and otherwise give effect to higher order planning documents, in respect to the proposed objectives, and
- achieve the relevant objectives of the Proposed Plan, in respect to the proposed provisions.

Recommendations:

I recommend that:

1. The Hearing Commissioners accept, accept in part, or reject submissions (and associated further submissions) as outlined in **Appendix B** of this report.

Signed:

Name and Title		Signature
Report Author	Andrew Willis Planning Consultant for the Waimakariri District Council	

Appendix A. Report Author's Qualifications and Experience

I hold the following qualifications: Bachelor of Science in Ecology and a Masters of Science in Resource Management (my masters degree is an accredited planning degree). I am a full member of the New Zealand Planning Institute (NZPI) and a former Deputy Chair of the NZPI Board. I am also an accredited hearings commissioner. I received a Distinguished Service Award from NZPI in 2017 for contributions to planning and the planning profession and been awarded NZPI and SOLGM practice awards for planning projects I have worked on.

I have over 27 years' experience working as a planner for local and central government (in New Zealand and the UK), as well as planning consultancies. I have been the director of Planning Matters Limited (a town planning consultancy) since its inception in 2012. I have been engaged by the Waimakariri District Council on planning projects since 2017 as a consultant planner within the Development Planning Unit.

My relevant work experience includes, amongst other matters:

- Preparing the s42A report for RCP031 (PC31)
- Drafting the commercial and industrial chapters of the Proposed Plan and their s42A reports;
- Drafting the Natural Hazards Chapter of the Proposed Plan and the s42A report;
- Drafting the Strategic Directions chapter of the Proposed Plan;
- Drafting the Waimakariri Residential Red Zone Recovery Plan;
- Drafting the Kaiapoi Town Centre Plan;
- Drafting various chapters of the CRPS 2013;
- Co-drafting the Land Use Recovery Plan and Chapter 6 of the CRPS;
- Drafting various chapters of the Proposed Timaru District Plan;
- Hearing submissions (as an independent hearings commissioner) on various chapters of the proposed Selwyn District Plan and proposed plan changes to the Mackenzie District Plan.

Appendix B. Recommended Responses to Submissions and Further Submissions

The recommended responses to the submissions made on this topic are presented in the Tables below.

Tables B1 to B2: Recommended responses to submissions and further submissions

Appendix B. Recommended Responses to Submissions and Further Submissions

The recommended responses to the submissions made on this topic are presented in Table B 1 below.

DRAFT

Table B 1: Recommended responses to submissions and further submissions Proposed District Plan

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
160.1	Rolleston Industrial Developments Limited	Planning Maps	Rezone Ohoka properties legally described as Lot 2 & 3 DP 318615, Lot 2 & Part Lot 1 DP 8301, Lot 2 DP 61732, Lot 1 DP 55849, Lot 2 DP55404, Part RS 2220, Lot 1 DP 318615 and Part Lot 1 DP 2267 General Residential Zone with a portion subject to an Education/Retirement Village Overlay, Large Lot Residential Zone, Local Centre Zone, and Open Space Zone (as indicated in map in Annexure B of submission) as per the pending private plan change request for this land.	3.6	Reject	As set out in the report.	No
FS36	JW & CE Docherty		<i>Oppose</i> <i>Allowing residential , commercial, educational and retirement village development on this land will have adverse affects on the properties we own on the east side of Whites Road. These include flooding, loss of rural character, loss of amenity values, increased traffic, noise etc.</i>		<i>Accept</i>		
FS38	I.W & L.M Bisman		<i>Oppose</i> <i>Already covered comprehensively in earlier submission and our stance has not changed. To be disallowed.</i>		<i>Accept</i>		
FS41	David Cowley		<i>Support in part</i> <i>Allow the submission, except where inconsistent with the relief sought by David Cowley's submission. In particular, Policy ResZ P14 and the subdivision and large lot residential zone provisions which should be amended to provide for a Large Lot Residential zone for the land the subject of the Cowley submission (and potentially other land) with a minimum lot size 1000m² average lot size not less than 2000m².</i>		<i>Reject</i>		
FS48	Waimakariri District Council		<i>Oppose</i> <i>The Council seeks that the relevant submission points be disallowed, so that the PWDP zoning for Ohoka is maintained as Rural Lifestyle zone: RLZ.</i>		<i>Accept</i>		
FS51	Philip & Michelle Driver		<i>Oppose</i> <i>We OPPOSE the proposed Private Plan Change RCP031 535 Mill Road, Ohoka for the following reasons:</i>		<i>Accept</i>		

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<p>1. Contravenes Waimak Rural District Character Assessment , 6 June 2018, see attachment Item 1.1, 1.12 ,2.1 ,4.1 ,4.2 ,5.1 ,5.2</p> <p>2. Fails to maintain amenity values of Ohoka Village, see attachment Item 1.8, 1.9, 3.1</p> <p>3. Does not take account of constraints imposed by existing properties lying within the proposed zone change area. see attachment Item 1.2, 1.11</p> <p>4. Contravenes NZ's Emissions Reduction Plan - May 2022, see attachment Item 1.3, 1.13</p> <p>5. Contravenes Environment Canterbury Regional Development Plan 2018, see attachment Item 1.4</p> <p>6. Contravenes National Policy Statement on Urban Development 2020, see attachment Item 1.5</p> <p>7. Contravenes Canterbury Regional Policy Statement 2013 July 2021, see attachment Item 1.6</p> <p>8. Will contribute to the loss of production land in the region. 1.7</p> <p>9. Ground is not suitable for residential development1.10</p>				
FS56	Elizabeth Liddell		<p>Oppose</p> <p>I wish for this request and submission by RIDL to be disallowed in full by the council, for the reason that the land in Ohoka is highly productive. If this proposal from RIDL was to go ahead it would not be in compliance with the principles outlined in the recent (October 2022) National Policy statement for Highly Productive Land.</p> <p>This submission from RIDL will destroy the Ohoka rural landscape and environment.</p> <p>The charming historic Ohoka Village's amenity value with its surrounding rural outlook will be lost forever if the rural zoning is changed from Rural Lifestyle Zone to General Residential Zone.</p> <p>There will also be noise pollution, flooding risk, traffic safety issues with increased traffic. I have previously submitted these reasons on my submission opposing RCP031.</p>		Accept		
FS59	Mervyn Emms		Oppose		Accept		

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<i>Please disallow this plan change in its entirety.</i>				
FS60	Martin Hewitt		<p><i>Oppose</i></p> <p><i>Any changes to the zoning to allow and increased density of development will have a detrimental affect on the Ohoka area and the residents. The infrastructure is not there or planned to be there to support this change.</i></p> <p><i>I seek that the whole of submission 160 be disallowed.</i></p>		Accept		
FS61	Catherine Mullins		<p><i>Oppose</i></p> <p><i>Please disallow this plan change in its entirety.</i></p>		Accept		
FS62	Oxford Ohoka Community Board		<p><i>Oppose</i></p> <p><i>The key issues for the Community are storm water, flooding, water supply, waste water, power grid, insufficient local roads and increased congestion, with negative impacts on the local schools and Community. The loss of the rural character of the area would impact residents negatively. For further information please refer to our attached submission opposing plan change 31.</i></p>		Accept		
FS65	James Armstrong		<p><i>Oppose</i></p> <p><i>Wish for the council to disallow this submission in full, as the land in Ohoka should remain zoned Rural Lifestyle Zone as it is high quality productive land and changing it to General Residential Zone would be a waste of the land and spoil the existing rural landscape and outlook.</i></p> <p><i>it would be a waste of the land, when it is good productive land and soils. With the current Rural Lifestyle zoning, the land can be used productively to produce niche market crops off the land and also be used to grow and supply feed for stock eg Hay.</i></p> <p><i>The rural outlook which currently neighbours and is attached to the historic Ohoka Village will be ruined if the rural zoning is changed from Rural Lifestyle Zone to General Residential Zone.</i></p> <p><i>Both the Ohoka village and historic Ohoka hall are symbols of a rural environment and small close-knit community. The proposed submission to change to General Residential Zoning would have negative impacts on both the historic village and community.</i></p>		Accept		

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<p><i>The amenity value of the Ohoka historic village would be destroyed if it was surrounded by General Residential Zoning housing and large commercial property developments like a Retirement Home Facility.</i></p> <p><i>With the proposed submission to change to General Residential zoning there is also flooding risks, safety issues with increased traffic. I have previously submitted these reasons on my submission opposing RCP031.</i></p>				
FS69	Sarah Maria Brantley		<p><i>Oppose</i></p> <p><i>Reference is made to my submission on opposition to Private Plan Change 31, attached as Schedule 1.</i></p>		Accept		
FS70	Beverley Gail Brantley		<p><i>Oppose</i></p> <p><i>Reference is made to my submission on opposition to Private Plan Change 31, attached as Schedule 1.</i></p>		Accept		
FS71	Albert George Brantley		<p><i>Oppose</i></p> <p><i>Reference is made to my submission on opposition to Private Plan Change 31, attached as Schedule 1.</i></p>		Accept		
FS72	Steven Holland		<p><i>Oppose</i></p> <p><i>1. Lack of infrastructure to support development - traffic - pedestrian, cyclist, rider, and driver safety 2. Traffic emissions 3. Flooding and drainage issues 4. Goes against the stewardship values of Kaitiakitanga 5. Environmental Impacts 6. Loss of special amenity.</i></p> <p><i>I oppose submission 160 in its entirety.</i></p>		Accept		
FS73	Michelle Holland		<p><i>Oppose</i></p> <p><i>Negative impact on Ohoka - Environmental impact - Lack of infrastructure - Ohoka already suffers from flooding and stormwater issues -Increased traffic, emissions and road safety concerns - Development would go against the values of Kaitiakitanga. - Ohoka would loose it's semi-rural heritage special amenity.</i></p> <p><i>I oppose submission 160 in its entirety.</i></p>		Accept		
FS74	Val & Ray Robb		<p><i>Oppose</i></p>		Accept		

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<i>We like living in a small semi-rural village & the sense of community this provides. Our historic village has special character that the proposed development would detract from. As residents it is obvious to us that Ohoka has insufficient roading, water supply, stormwater, wastewater, power supply and public transport infrastructure to support urban development. We expect flood events to be more common due to climate change we're worried about the impact of a high water table & water run-off. I oppose submission 160 in its entirety.</i>				
FS75	Edward & Justine Hamilton		<i>Oppose</i> <i>We oppose anything that will allow any amendments and variations.</i> <i>We seek council to disallow any submissions in relation to the above.</i>		Accept		
FS84	Ohoka Residents Association		<i>Oppose</i> <i>ORA oppose any and every amendment requested to the Proposed District Plan that supports RIDL's hugely unpopular, unwanted and inappropriate satellite town to be developed in Ohoka. We want the Council to disregard all submissions from RIDL, The Carter Group Limited and Chapman Tripp that are designed to facilitate RCP031. Development.</i>		Accept		
FS92	Transpower		<i>Neutral</i> <i>If the submission is allowed:</i> <i>- retain the Rural Zone over the area of land that is traversed by the National Grid, including an appropriate buffer;</i> <i>- require Transpower to be consulted as part of any application for subdivision consent for the site;</i> <i>- include explicit direction landscape treatments in the vicinity of the National Grid must be designed and implemented to achieve compliance with NZECP 34:2001 and the Electricity (Hazards from Trees) Regulations 2003 (including when planting reaches maturity).</i>				
FS98	Mary Koh		<i>Oppose</i> <i>Allowing residential, commercial, educational and retirement village development on this land will have adverse affects on the</i>		Accept		

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<i>properties I own on the east side of Whites Road. These include flooding, loss of rural character, loss of amenity values, increased traffic, noise etc.</i>				
FS108	JW & CE Docherty		<i>Oppose Allowing residential, commercial, educational and retirement village development on this land will have adverse affects on the properties we own on the east side of Whites Road. These include flooding, loss of rural character, loss of amenity values, increased traffic, noise etc.</i>		Accept		
FS112	Gordon C Alexander		<i>Oppose Reference is made to my submission in opposition to Private Plan Change 31.</i>		Accept		
FS119	Andrea Marsden		<i>Oppose The rural nature of Ohoka will be lost forever with the adoption of RCP031. Flood risks, traffic noise and air pollution will all increase in the area giving significant rise to road safety issues. My previous submission is attached for reference.</i>		Accept		
FS120	Christopher Marsden		<i>Oppose The adoption of RCP031 will destroy another quintessential village in NZ. The sheer volume of houses it proposes will turn Ohoka village into an urban setting and entirely damage the character of the area, Ohoka is rural not a GRZ.</i>		Accept		
FS128	Rob Hall		<i>Oppose The rural nature of Ohoka will be lost forever with the adoption of PPC 031. Flood risks, traffic noise and air pollution will all increase in the area giving significant rise to road safety issues. My original submission referred to here is attached for reference.</i>		Accept		
FS130	David & Elaine Brady		<i>Oppose Existing subdivisions are rural residential providing a rural tree studded ambience as existing now. Higher density housing would detract from existing dwellings.</i>		Accept		
FS132	Jan Hadfield		<i>Oppose Opposition I have made my reasons clear relating to the private plan change and the reasons given in that submission need to be</i>		Accept		

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<p>taken account of also in relation to the Council's plan change which RIDL have also submitted on as a second tier to address its proposed development, in addition to the private plan change it has commenced.</p> <p>Disallowed The magnitude of the proposed changes on the Ohoka village is unacceptable. In light of the submissions the views already expressed on the private plan change remain unchanged in terms of their effect on Ohoka and the Ohoka community.</p>				
FS136	Emma Wood		<p>Oppose</p> <p>I oppose submission 160 in its entirety.</p>		Accept		
FS137	Ohoka Residents Association		<p>Oppose</p> <p>ORA oppose any and every amendment requested to the Proposed District Plan that supports RIDL's hugely unpopular, unwanted and inappropriate satellite town to be developed in Ohoka. We want the Council to disregard all submissions from RIDL, The Carter Group Limited and Chapman Tripp that are designed to facilitate RCP031. Development.</p>		Accept		
160.2	Rolleston Industrial Developments Limited	Planning Maps	Rezone Settlement Zone in Ohoka to General Residential Zone.	3.7	Reject	As set out in the report.	No
FS36	J W & CE Docherty		<p>Oppose</p> <p>CT/RIDL's proposed amendment would result in the development which is completely contrary to objective SETZ-01.</p>		Accept		
FS38	I.W and L.M. Bisman		<p>Oppose</p> <p>Already covered comprehensively in earlier submission and our stance has not changed. To be disallowed.</p>		Accept		
FS41	David Cowley		<p>Support in part</p> <p>Allow the submission, except where inconsistent with the relief sought by David Cowley's submission. In particular, Policy ResZ P14 and the subdivision and large lot residential zone provisions which should be amended to provide for a Large Lot Residential zone for the land the subject of the Cowley submission (and potentially other land) with a minimum lot size 1000m² average lot size not less than 2000m².</p>		Reject		

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
FS48	Waimakariri District Council		<p><i>Oppose</i></p> <p><i>The Council seeks that the relevant submission points be disallowed, so that the PWDP zoning for Ohoka is maintained as Rural Lifestyle zone: RLZ.</i></p>		Accept		
FS51	Philip & Michelle Driver		<p><i>Oppose</i></p> <p><i>Rezoning the farm is going to create a sprawling development from Manderville in the south and Kaiapoi West in the east.</i></p>		Accept		
FS56	Elizabeth Liddell		<p><i>Oppose</i></p> <p><i>I wish for this request and submission by RIDL to be disallowed in full by the council, for the reason that the land in Ohoka is highly productive. If this proposal from RIDL was to go ahead it would not be in compliance with the principles outlined in the recent (October 2022) National Policy statement for Highly Productive Land.</i></p> <p><i>This submission from RIDL will destroy the Ohoka rural landscape and environment.</i></p> <p><i>The charming historic Ohoka Village's amenity value with its surrounding rural outlook will be lost forever if the rural zoning is changed from Rural Lifestyle Zone to General Residential Zone.</i></p> <p><i>There will also be noise pollution, flooding risk, traffic safety issues with increased traffic. I have previously submitted these reasons on my submission opposing RCP031.</i></p>		Accept		
FS59	Mervyn Emms		<p><i>Oppose</i></p> <p><i>Please disallow this plan change in its entirety.</i></p>		Accept		
FS60	Martin Hewitt		<p><i>Oppose</i></p> <p><i>Any changes to the zoning to allow and increased density of development will have a detrimental affect on the Ohoka area and the residents. The infrastructure is not there or planned to be there to support this change.</i></p> <p><i>I seek that the whole of submission 160 be disallowed.</i></p>		Accept		
FS61	Catherine Mullins		<p><i>Oppose</i></p> <p><i>Please disallow this plan change in its entirety.</i></p>		Accept		

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
FS62	Oxford Ohoka Community Board		<p><i>Oppose</i></p> <p><i>The key issues for the Community are storm water, flooding, water supply, waste water, power grid, insufficient local roads and increased congestion, with negative impacts on the local schools and Community. The loss of the rural character of the area would impact residents negatively. For further information please refer to our attached submission opposing plan change 31.</i></p>		Accept		
FS65	James Armstrong		<p><i>Oppose</i></p> <p><i>Wish for the council to disallow this submission in full, as the land in Ohoka should remain zoned Rural Lifestyle Zone as it is high quality productive land and changing it to General Residential Zone would be a waste of the land and spoil the existing rural landscape and outlook.</i></p> <p><i>it would be a waste of the land, when it is good productive land and soils. With the current Rural Lifestyle zoning, the land can be used productively to produce niche market crops off the land and also be used to grow and supply feed for stock eg Hay.</i></p> <p><i>The rural outlook which currently neighbours and is attached to the historic Ohoka Village will be ruined if the rural zoning is changed from Rural Lifestyle Zone to General Residential Zone.</i></p> <p><i>Both the Ohoka village and historic Ohoka hall are symbols of a rural environment and small close knit community. The proposed submission to change to General Residential Zoning would have negative impacts on both the historic village and community.</i></p> <p><i>The amenity value of the Ohoka historic village would be destroyed if it was surrounded by General Residential Zoning housing and large commercial property developments like a Retirement Home Facility.</i></p> <p><i>With the proposed submission to change to General Residential zoning there is also flooding risks, safety issues with increased traffic. I have previously submitted these reasons on my submission opposing RCP031.</i></p>		Accept		
FS69	Sarah Maria Brantley		<p><i>Oppose</i></p>		Accept		

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<i>Reference is made to my submission in opposition to Private Plan Change 31, attached as schedule 1.</i>				
FS70	Beverley Gail Brantley		<i>Oppose Reference is made to my submission in opposition to Private Plan Change 31, attached as schedule 1.</i>		Accept		
FS71	Albert George Brantley		<i>Oppose Reference is made to my submission in opposition to Private Plan Change 31, attached as schedule 1.</i>		Accept		
FS72	Steven Holland		<i>Oppose 1. Lack of infrastructure to support development - traffic - pedestrian, cyclist, rider, and driver safety 2. Traffic emissions 3. Flooding and drainage issues 4. Goes against the stewardship values of Kaitiakitanga 5. Environmental Impacts 6. Loss of special amenity. I oppose submission 160 in its entirety.</i>		Accept		
FS73	Michelle Holland		<i>Oppose Negative impact on Ohoka - Environmental impact - Lack of infrastructure - Ohoka already suffers from flooding and stormwater issues -Increased traffic, emissions and road safety concerns - Development would go against the values of Kaitiakitanga. - Ohoka would loose it's semi-rural heritage special amenity. I oppose submission 160 in its entirety.</i>		Accept		
FS74	Val & Ray Robb		<i>Oppose We like living in a small semi-rural village & the sense of community this provides. Our historic village has special character that the proposed development would detract from. As residents it is obvious to us that Ohoka has insufficient roading, water supply, stormwater, wastewater, power supply and public transport infrastructure to support urban development. We expect flood events to be more common due to climate change we're worried about the impact of a high water table & water run-off. I oppose submission 160 in its entirety</i>		Accept		

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
FS75	Edward & Justine Hamilton		<p><i>Oppose</i></p> <p><i>We oppose anything that will allow any amendments and variations.</i></p> <p><i>We seek council to disallow any submissions in relation to the above.</i></p>		Accept		
FS84	Ohoka Residents Association		<p><i>Oppose</i></p> <p><i>ORA oppose any and every amendment requested to the Proposed District Plan that supports RIDL's hugely unpopular, unwanted and inappropriate satellite town to be developed in Ohoka. We want the Council to disregard all submissions from RIDL, The Carter Group Limited and Chapman Tripp that are designed to facilitate RCP031. Development.</i></p>		Accept		
FS98	Mary Koh		<p><i>Oppose</i></p> <p><i>CT/RIDL's proposed amendment would result in the development which is completely contrary to objective SETZ-01.</i></p>		Accept		
FS108	J W & CE Docherty		<p><i>Oppose</i></p> <p><i>CT/RIDL's proposed amendment would result in the development which is completely contrary to objective SETZ-01.</i></p>		Accept		
FS112	Gordon C Alexander		<p><i>Oppose</i></p> <p><i>Reference is made to my submission in opposition to Private Plan Change 31.</i></p>		Accept		
FS119	Andrea Marsden		<p><i>Oppose</i></p> <p><i>The rural nature of Ohoka will be lost forever with the adoption of RCP031. Flood risk, traffic noise and air pollution will all increase in the area giving significant rise to road safety issues. My previous submission is attached for reference.</i></p>		Accept		
FS120	Christopher Marsden		<p><i>Oppose</i></p> <p><i>The District Plan covers the area where we live, Ohoka. RIDL have proposed a Plan Change 31 for this area and adopting unlimited applications and non-notifications will open the system up to exploitation.</i></p>		Accept		
FS128	Rob Hall		<p><i>Oppose</i></p>		Accept		

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<i>The rural nature of Ohoka will be lost forever with the adoption of PPC 031. Flood risks, traffic noise and air pollution will all increase in the area giving significant rise to road safety issues. My original submission referred to here is attached for reference.</i>				
FS130	David & Elaine Brady		<i>Oppose</i> <i>Existing subdivisions are rural residential providing a rural tree studded ambience as existing now. High density housing would detract from existing dwellings.</i>		Accept		
FS132	Jan Hadfield		<i>Oppose</i> <i>Opposition I have made my reasons clear relating to the private plan change and the reasons given in that submission need to be taken account of also in relation to the Council's plan change which RIDL have also submitted on as a second tier to address its proposed development, in addition to the private plan change it has commenced.</i> <i>Disallowed The magnitude of the proposed changes on the Ohoka village is unacceptable. In light of the submissions the views already expressed on the private plan change remain unchanged in terms of their effect on Ohoka and the Ohoka community.</i>		Accept		
FS136	Emma Wood		<i>Oppose</i> <i>I oppose submission 160 in its entirety.</i>		Accept		
FS137	Ohoka Residents Association		<i>Oppose</i> <i>ORA oppose any and every amendment requested to the Proposed District Plan that supports RIDL's hugely unpopular, unwanted and inappropriate satellite town to be developed in Ohoka . We want the Council to disregard all submissions from RIDL, The Carter Group Limited and Chapmann Tripp that are designed to facilitate RCP031. Development.</i>		Accept		
237.1	Carter Group Property Limited	Planning Maps	Rezone the land a combination of General Residential Zone (including an overlay providing for Educational facilities and retirement village activities), Large Lot Residential Zone, Local Centre Zone, and Open Space Zone.	3.6	Reject	As set out in the report.	No
FS3	Albert Brantley		<i>Oppose</i>		Accept		

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<p><i>Carter Group Property Limited is requesting this change to the proposed District Plan zoning for the land in question to facilitate creation of an extensive housing development by an associated company, Rolleston Industrial Development Limited, in the immediate vicinity of the Ohoka Village by way of Private Plan Change31 to the Operative District Plan.</i></p> <p><i>PPC31 has received considerable opposition from the local community, including myself. I have objected to PPC31 in its entirety, and I also object to the zoning change under the proposed District Plan requested by the Carter Group Property Limited.</i></p>				
FS36	J W & CE Docherty		<p><i>Oppose</i></p> <p><i>Rezoning this land as submitted by CGPL essentially duplicates the relief sought under point 160.1. We oppose the submission as it will adversely affect the properties we own, as detailed above, and will also adversely affect the rural character of Ohoka.</i></p>		Accept		
FS41	David Cowley		<p><i>Support in part</i></p> <p><i>Accept submission to extent consistent with relief sought by David Cowley submission on PC31, and any other relevant documents including Variation 1 and the Proposed District Plan.</i></p>		Reject		
FS48	Waimakariri District Council		<p><i>Oppose</i></p> <p><i>The Council seeks that the whole of the submission be disallowed, so that the PWDP zoning for Ohoka is maintained as Rural Lifestyle zone: RLZ.</i></p>		Accept		
FS62	Oxford Ohoka Community Board		<p><i>Oppose</i></p> <p><i>The key issues for the Community are storm water, flooding, water supply, waste water, power grid, insufficient local roads and increased congestion, with negative impacts on the local schools and Community. The loss of the rural character of the area would impact residents negatively. For further information please refer to our attached submission opposing plan change 31.</i></p>		Accept		
FS69	Sarah Maria Brantley		<p><i>Oppose</i></p>		Accept		

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<p><i>I wish the proposed RLZ Zoning for the land outlined by the map attached to the CGPL submission, be retained in the District Plan.</i></p> <p><i>The reasons for this request are outlined in my submission to PPC31 attached as Schedule 1.</i></p>				
FS70	Beverley Gail Brantley		<p><i>Oppose</i></p> <p><i>I wish the proposed RLZ Zoning for the land outlined by the map attached to the CGPL submission, be retained in the District Plan.</i></p> <p><i>The reasons for this request are outlined in my submission to PPC31 attached as Schedule 1.</i></p>		Accept		
FS71	Albert George Brantley		<p><i>Oppose</i></p> <p><i>Carter Group Property Limited is requesting this change to the proposed District Plan zoning for the land in question to facilitate creation of an extensive housing development by an associated company, Rolleston Industrial Development Limited, in the immediate vicinity of the Ohoka Village by way of Private Plan Change31 to the Operative District Plan.</i></p> <p><i>PPC31 has received considerable opposition from the local community, including myself. I have objected to PPC31 in its entirety, and I also object to the zoning change under the proposed District Plan requested by the Carter Group Property Limited.</i></p>		Accept		
FS75	Edward & Justine Hamilton		<p><i>Oppose</i></p> <p><i>We oppose anything that will allow any amendments and variations.</i></p> <p><i>We seek council to disallow any submissions in relation to the above.</i></p>		Accept		
FS84	Ohoka Residents Association		<p><i>Oppose</i></p> <p><i>ORA oppose any and every amendment requested to the Proposed District Plan that supports RIDL's hugely unpopular, unwanted and inappropriate satellite town to be developed in Ohoka. We want the Council to disregard all submissions from RIDL, The Carter Group Limited and Chapman Tripp that are designed to facilitate RCP031.</i></p>		Accept		
FS92	Transpower		<p><i>Neutral</i></p>		Accept		

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<p><i>If the submission is allowed:</i></p> <ul style="list-style-type: none"> - retain the Rural Zone over the area of land that is traversed by the National Grid, including an appropriate buffer; - require Transpower to be consulted as part of any application for subdivision consent for the site; - include explicit direction landscape treatments in the vicinity of the National Grid must be designed and implemented to achieve compliance with NZECP 34:2001 and the Electricity (Hazards from Trees) Regulations 2003 (including when planting reaches maturity). 				
FS98	Mary Koh		<p><i>Oppose</i></p> <p><i>Rezoning this land as submitted by CGPL essentially duplicates the relief sought under point 160.1. I oppose the submission as it will adversely affect the properties I own, as detailed above, and will also adversely affect the rural character of Ohoka.</i></p>		Accept		
FS108	JW & CE Docherty		<p><i>Oppose</i></p> <p><i>Rezoning this land as submitted by CGPL essentially duplicates the relief sought under point 160.1. We oppose the submission as it will adversely affect the properties we own, as detailed above, and will also adversely affect the rural character of Ohoka.</i></p>		Accept		
FS119	Andrea Marsden		<p><i>Oppose</i></p> <p><i>I attach my previous submission outlining the full objections. Essentially the addition of 850 houses into Ohoka will destroy the rural nature of the village and give rise to increased flood risks, traffic noise and pollution.</i></p>		Accept		
FS120	Christopher Marsden		<p><i>Oppose</i></p> <p><i>An additional 850 houses in Ohoka will change the character of this rural village and give rise to increased flood risks, traffic noise and destroy the night sky as already outlined my previous submission objecting to RCP031.</i></p>		Accept		
FS137	Ohoka Residents Association		<p><i>Oppose</i></p> <p><i>ORA oppose any and every amendment requested to the Proposed District Plan that supports RIDL's hugely unpopular, unwanted and inappropriate satellite town to be developed in</i></p>		Accept		

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<i>Ohoka. We want the Council to disregard all submissions from RIDL, The Carter Group Limited and Chapman Tripp that are designed to facilitate RCP031.</i>				

Table B 2: Recommended responses to submissions and further submissions Variation 1: Housing Intensification

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
60.1	Rolleston Industrial Developments Ltd	Planning Maps	<p>Amend the planning maps so as to zone the subject land a combination of MRZ, LLRZ, LCZ, and OSZ as indicated in Appendix 2 (see full submission for map).</p> <p>The nature of this submission is such that relief is sought to enable the equivalent outcomes as sought in the PC31 request, and accordingly, consequential changes may be required to other provisions in the Proposed Variation in order to provide the requested relief.</p>	3.8	Reject	As set out in the report.	No
FS 2	Transpower		<p><i>Neutral</i></p> <p><i>Transpower is a submitter on Proposed Private Plan Change 31. The National Grid is a qualifying matter and traverses the subject site. Transpower's submission on Proposed Plan Change 31 seeks a range of relief in order to:</i></p> <ul style="list-style-type: none"> <i>- establish a clear and appropriate expectation of future land use in the vicinity of the National Grid;</i> <i>- provide greater clarity for plan users;</i> <i>- give effect to Policies 1, 2, 10 and 11 of the NPSET;</i> <i>- give effect to the Policy 4 of the NPSUD;</i> <i>- give effect to Policy 16.3.4(2) of the CRPS;</i> <i>- retain the existing considerations and obligations in the NESETA Regulations;</i> 				

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<p>- meet the requirements of section 32 and 75 of the RMA; and therefore</p> <p>- achieve the purpose of the RMA.</p> <p>For these reasons, Transpower seeks the same relief in respect of the Proposed District Plan.</p> <p>Consistent with Transpower's relief in relation to PC 31, if the submission is allowed:</p> <p>- retain the Rural Zone over the area of land that is traversed by the National Grid, including an appropriate buffer;</p> <p>- require Transpower to be consulted as part of any application for subdivision consent for the site;</p> <p>- include explicit direction landscape treatments in the vicinity of the National Grid must be designed and implemented to achieve compliance with NZECP 34:2001 and the Electricity (Hazards from Trees) Regulations 2003 (including when planting reaches maturity).</p>				
FS 3	Waka Kotahi NZ Transport Agency		<p>Oppose</p> <p>As per the original submission on Proposed Plan Change 31 Waka Kotahi do not support rezoning of Rural Lifestyle zoned land at Ohoka to residential zones as this location is not well connected to any existing urban areas and does not support well consolidated residential growth.</p> <p>Reject the rezoning as per the submission on Plan Change 31.</p>		Accept		
FS 6	Waimakariri District Council		<p>Oppose</p> <p>The Council opposes the entire RIDL submission. The reasons for the Council opposition are:</p> <ul style="list-style-type: none"> The RIDL submission seeks changes to Variation 1 that would include MDRS for parts of the land that RIDL's submission on the PWDP seeks to rezone to provide for equivalent outcomes as sought in Plan Change 31 to the operative Waimakariri District Plan (PC31). Specifically, the land that RIDL seeks to rezone 		Accept		

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<p><i>General Residential Zone: GRZ (previously Residential 3 and Residential 8 under the operative District Plan), which would become Medium Density Residential Zone: MDRZ, if the rezoning occurs and the submission is accepted.</i></p> <ul style="list-style-type: none"> • <i>A submission was made by the Council in opposition to PC31 seeking that it be declined. The reasons for the Council's opposition are set out in its submission which can be found at the following web link: Council submission on PC31</i> • <i>A further submission has also been made on RIDL's submission on the PWDP, reiterating the Council's opposition to the rezoning, for the reasons set out in its submission on PC31.</i> • <i>The Council also comments that the non-identification of qualifying matters in the land identified by RIDL is irrelevant as the land is not subject to MDRS as notified and therefore an assessment of qualifying matters has not been undertaken.</i> <p><i>The Council seeks that the whole of RIDL's submission be disallowed, so that the Variation 1/PWDP zoning for Ohoka is maintained as Rural Lifestyle zone: RLZ.</i></p>				
FS 8	Philip & Michelle Driver		<p><i>Oppose</i></p> <p><i>We OPPOSE the proposed Private Plan Change RCP031 535 Mill Road, Ohoka for the following reasons:</i></p> <ol style="list-style-type: none"> <i>1. Contravenes Waimak Rural District Character Assessment , 6 June 2018, see attachment Item 1.1, 1.12 ,2.1 ,4.1 ,4.2 ,5.1 ,5.2</i> <i>2. Fails to maintain amenity values of Ohoka Village, see attachment Item 1.8, 1.9, 3.1</i> <i>3. Does not take account of constraints imposed by existing properties lying within the proposed zone change area. see attachment Item 1.2, 1.11</i> <i>4. Contravenes NZ's Emissions Reduction Plan - May 2022, see attachment Item 1.3, 1.13</i> <i>5. Contravenes Environment Canterbury Regional Development Plan 2018, see attachment Item 1.4</i> 		Accept		

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<p>6. Contravenes National Policy Statement on Urban Development 2020, see attachment Item 1.5</p> <p>7. Contravenes Canterbury Regional Policy Statement 2013 July 2021, see attachment Item 1.6</p> <p>8. Will contribute to the loss of production land in the region. 1.7</p> <p>9. Ground is not suitable for residential development1.10</p>				
FS 9	Oxford-Ohoka Community Board		<p>Oppose</p> <p>The key issues for the Community are lack of proper infrastructure to deal with storm water, flooding, water supply, waste water, power grid, insufficient locals roads and increased congestion with negative impacts on the local schools and community. The loss of the rural character of the area would impact residents negatively. For further information please refer to our attached submission opposing plan change 31.</p>		Accept		
FS 16	The Ohoka Residents Association		<p>Oppose</p> <p>We would like to register our objection to any submission proposed by any person or entity with any connection to Rolleston Industrial Developments which could be construed as aiding RCP031 in any way. The Ohoka Residents Association, and the residents of Ohoka individually, committed significant time and resource to submitting on RCP031. Our position on the character of Ohoka and our objection to the proposed development on the grounds that it would destroy Ohoka's rural character, has not changed. We believe the claim that Rolleston Industrial Developments would obtain no advantage in trade competition through their submission to be false.</p> <p>Disallow the entire original submission.</p>		Accept		
FS 21	Andrea Marsden		<p>Oppose</p> <p>Adoption of the Proposed Plan Change 31 in Ohoka will change the character of this rural village and give rise to increased flood risks, traffic noise and destroy the night sky as already outlined my previous submission objecting to</p>		Accept		
FS 22	Christopher Marsden		<p>Oppose</p> <p>Adoption of the Proposed Plan Change 31 in Ohoka will change the character of this rural village and give rise to increased flood</p>		Accept		

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<i>risks, traffic noise and destroy the night sky as already outlined my previous submission objecting to PPC 31.</i>				

Appendix C. Evidence of Mr Yeoman on Economic Matters

IN THE MATTER OF

the Resource Management Act 1991

AND

IN THE MATTER OF

Submissions and further submissions in relation to
the proposed Waimakariri District Plan 12D Ōhoka
Rezoning

Statement of Evidence of Rodney George Yeoman

on behalf of Waimakariri District Council

(Economics)

1. INTRODUCTION

Qualifications and experience

- 1.1 My full name is Rodney George Yeoman. I am a Director of Formative Limited, an independent consultancy specialising in economic, social, and urban form issues.
- 1.2 My qualifications are degrees of Bachelor of Commerce (Econ) and Bachelor of Laws from the University of Auckland. I also hold a Postgraduate Honours in Economics from the Australian National University. I am a member of the New Zealand Association of Economists, and the Resource Management Law Association.
- 1.3 I have 18 years consulting and project experience, working for commercial and public sector clients. I have applied these specialties throughout New Zealand, and in Australia, across most sectors of the economy, notably assessments of district plan policies and rules, urban form, land demand, housing, and other local government issues.

Code of conduct

- 1.4 Whilst I acknowledge that this is not an Environment Court hearing, I confirm that I have been provided with a copy of the Code of Conduct for Expert Witnesses contained in the Environment Court's Practice Note dated 1 January 2023. I have read and agree to comply with that Code. This evidence is within my area of expertise, except where I state that I am relying upon the specified evidence of another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

Scope of Evidence

- 1.5 I have been asked by Waimakariri District Council ("WDC" or "Council") to provide evidence regarding the economic effects associated with a number of submissions that request changes to the notified Proposed District Plan ("PDP"). This evidence relates to the Rolleston Industrial Developments Limited/Carter Group Property Limited ("RIDL/CGPL") submission only. I will be providing overall evidence on growth, supply, demand, and capacity in the context of hearing 12E and other submissions within Rangiora, Kaiapoi, and Woodend.
- 1.6 I acknowledge that the outcomes of the other rezoning hearings are likely to have implications for the assessment of RIDL/CGPL proposal. Relevantly, if some of the other submissions in those hearings are adopted then this would mean more capacity is available than is shown by the applicant's experts, WCGM22, or in this statement.
- 1.7 This evidence reviews and responds to the Rolleston Industrial Developments Limited/Carter Group Property Limited ("RIDL/CGPL") submission that requests changes to zoning in Ōhoka, from Rural Lifestyle Zone ("RLZ") to residential and commercial zones, which from an economic perspective is similar to the zoning proposed in Plan Change 31 ("PC31").
- 1.8 I prepared a brief of evidence dated 7 August 2023 which assessed the economic aspects of

the PC31 proposal. My evidence for this rezoning request is substantially similar to that and I will not repeat its contents here. Instead, I provide that evidence attached to this evidence as Appendix B.

1.9 I otherwise provide further comment in light of the Commissioner’s recommendation on PC31 dated 31 October 2023.

1.10 I also provide comment on the new aspects of the submitters new proposed Outline Development Plan and evidence filed in this hearing. I have reviewed economic evidence from Mr Akehurst and Ms Hampson, real estate evidence from Mr Jones and Mr Sellars, and spatial evidence from Mr Sexton. I have not reviewed the transport, urban design, greenhouse gas, or agricultural expert evidence, and acknowledge that they may have economic aspects.

2. COMMISSIONERS’ RECOMMENDATIONS

2.1 The commissioners for PC31 considered that the development that would be enabled by the plan change request did not give effect to either National Policy Statement on Urban Development (“NPS-UD”) or Canterbury Regional Policy Statement (“CRPS”) [455]. The following key findings relate to economics:

- (a) **Urban Environment:** Ōhoka is part of the Urban Environment for the purposes of Policy 8 of the NPS-UD [54]. The commissioners considered that Ōhoka was not predominantly urban as required in element (a) of Urban Environment definition [52], but is within the housing and labour market of 10,000 people as required in element (b) of Urban Environment definition [53].
- (b) **Capacity Assessment:** based on supplementary evidence from the submitter’s experts there was a likelihood that Waimakariri Capacity for Growth Model (“WCGM22”) has overstated residential capacity [81].
- (c) **Planning Approach:** there is time to address any capacity shortfall via the current District Plan review process [451].
- (d) **Well-Functioning:** the development would not contribute to a well-functioning Urban Environment [118]¹.
- (e) **Merits of Proposal:** even if the ‘door is opened’, then the application still needs to be considered on its merits [40] and that PC31 is not the most appropriate means to achieve the purpose of the RMA [456].

2.2 First, I consider that the Urban Environment definition is important for the purposes of the spatial extent of the demand and capacity assessment required in the NPS-UD (Policy 2 and

¹ They found that the development does not provide for a variety of housing to meet needs [107], uncertainty about providing sites for business sectors [110], does not have good access to public transport [114], uncertain if it will support competitive operation of land and development markets [115], and will not support reduction of greenhouse gas emissions [117]

clauses 3.19-3.30). This is important for economists because it sets the scope of the assessment, both in terms of measuring sufficiency and in terms of the economic merits of a proposed development.

- 2.3 There is more discussion on the Urban Environment in my PC31 evidence (Appendix B [40.3]). I still consider that Ōhoka is not predominantly urban, although I agree that it could be considered to be part of a labour and housing market of 10,000 people. In my opinion, Ōhoka is not part of an Urban Environment as defined in the NPS-UD because it does not pass both of the conjunctive elements of the NPS-UD definition.
- 2.4 Second, in the Submitter's closing legal submissions they introduced significant supplementary evidence which in part provided an assessment of capacity and a comparison to the WCGM22. I was not given the chance to respond to this new evidence, and I do not agree with the approach adopted by the submitter's experts. In the absence of a response the commissioners found a potential overestimation of capacity.
- 2.5 I have reviewed the recent growth trends, projected growth, developer intentions and recent building consent data since the model was developed in 2022 in Appendix A. This information shows that the WCGM22 is conservative, as it consistently **overestimates** demand and **underestimates** capacity. As part of the assessment summarised in Appendix A I have reviewed the WCGM22.
- 2.6 My assessment was ground-truthed via a review of developer intentions for large greenfield sites and recent building consents for smaller brownfield sites.² This comparison shows that the WCGM22 results are conservative, and that recent developments (post-PC31) have been of higher average densities than the WCGM assumed, and that the model is likely to underestimate the density of new residential development that is likely to be achieved by the market in the future.
- 2.7 I also have reviewed Mr Wilson's memo on the Land Use Monitoring (LUM) which is attached to the s42A reporting officer's evidence. This independent assessment also shows that recently completed greenfield developments in the three towns have averaged at well over 15 dwellings per hectare. Also that the amount of multi-unit developments has provided a significant amount of capacity in the three towns. Both of these results concord with my own assessment of development activity in this evidence, and that the WCGM22 underestimates feasibly capacity.
- 2.8 Therefore, I consider there is a lower risk of a shortage of residential capacity eventuating in the medium (2023-2033) or long term (2023-2053) in the three main towns than is shown in the WCGM22. Nevertheless, the NPS-UD sufficiency test is framed as a minimum level of development capacity required, not a maximum.
- 2.9 Further, the NPS-UD has a wider set of objectives beyond simply providing the bare minimum capacity that is sufficient to meet expected demand. This means that Council

² It would be exceedingly costly to undertake a full field survey of all residential sites in the District. No other council undertakes a detailed field survey. Even Statistics New Zealand, with all its resources and statutory powers, does not visit every site during Census.

could allow for more urban capacity than the minimum required to accommodate expected growth, in order to meet the objective of the NPSUD to provide “at least sufficient” capacity and to contribute to well-functioning urban environment. The provision of additional capacity, as proposed by rezoning submitters, can be assessed according to the merits of each proposal in the context of the wider policy framework, but this does not mean that all additional developments should be adopted as being beneficial.

- 2.10 Third, I agree with the commissioners that any potential shortfall can be dealt with, via a comprehensive assessment of options that will occur in this District Plan Review. There may well be additional rezoning that will provide more capacity via the Stream 12 rezoning hearings, and I have been asked to assess a number of requests for additional residential zoning that have been made.
- 2.11 Fourth, I have reviewed the new material presented by the submitter and still consider that the proposed development is unlikely to contribute to the well-functioning Urban Environment, for the same reasons I identified in my PC31 evidence and would not pass Policy 8 test.
- 2.12 Finally, I agree that regardless of whether there is sufficient capacity or not, that the rezoning requested by RIDL/CGPL should still be assessed on its merits in the context of the wider policy framework which includes the CRPS and the District Plan. From an economic perspective that assessment should be undertaken in relative terms, as compared to the alternatives which are clearly presented by submitters requesting rezoning in the other Stream 12 hearings. In my opinion, from economic perspective there are other residential rezoning requests in hearing Stream 12, which are better alternatives for providing more capacity should the Hearings Panel consider more is required, irrespective of whether there is any shortfall.
- 2.13 I now move to an assessment of the submission, and focus on the new materials presented by the submitter’s experts.

3. ROLLESTON INDUSTRIAL DEVELOPMENTS LIMITED/CARTER GROUP PROPERTY LIMITED (160/237)

- 3.1 In this section I review the RIDL/CGPL decision sought and the economic evidence presented.

Decision sought

- 3.2 The submitter seeks to have 535 Mill Road, Ōhoka rezoned to a mix of residential and commercial zones. The submitter now seeks that the site be zoned a combination of Settlement Zone (“SETZ”), Large Lot Residential Zone (“LLRZ”), and Local Commercial Zone (“LCZ”), with overlays providing for educational facilities and retirement village activities.
- 3.3 While the revised proposal seeks SETZ rather than the General Residential Zone that was previously proposed in PC31, the same residential development outcomes (i.e. potential dwelling yield) are achieved as were proposed in PC31. According to the submitter’s

experts, the rezoning of the land to SETZ could enable a subdivision that would yield between 850 to 1,057 additional dwellings, which is the same range that was suggested in PC31. The submitter has reduced the provision of commercial zone from two centres to a single 2.2ha LCZ.

- 3.4 The following discussion focusses on Mr Akehurst's and Ms Hampson's economic evidence. I also provide brief comment on real estate evidence from Mr Jones and Mr Sellars, and spatial evidence from Mr Sexton. I acknowledge that other experts touch on economic issues, but I have refrained from covering this material in order to limit my statement to the key economic issues.

Residential Land Economic Evidence – Mr Akehurst

- 3.5 Mr Akehurst makes the following key points:

- (a) That the Urban Environment should be defined to include all land within the Greater Christchurch Area, and not be defined as the three main towns Rangiora, Kaiapoi, and Woodend [23]-[25].
- (b) There is a shortfall in capacity outside the three main towns. He estimates this shortfall to be 512 dwellings in the medium term (2023-2033) and 1,541 dwellings in the long term (2023-2053) [61]-[62].
- (c) RIDL/CGPL development would allow a 'significant' number of dwellings [69] and is consistent with NPS-UD [74].
- (d) The economic benefits will outweigh any associated costs [90]-[128].

Response to residential land points

- 3.6 First, I note that Mr Akehurst's position relies on Mr Philips' planning evidence that the Urban Environment includes all of the land inside the dotted line of Map A of CRPS. As noted above, there is different views before this hearing on the definition of Urban Environment.
- 3.7 I note that Council Officers consider that Urban Environment definition is more nuanced, and that not all the land in the dotted line of Map A of CRPS is within the Urban Environment.
- 3.8 Second, I respond to the general tenor of Mr Akehurst's evidence around the demand and supply situation in Greater Christchurch area. In PC31 the focus of the arguments was on the demand and supply situation in the three main towns Rangiora, Kaiapoi, and Woodend, as presented in the WCGM22. Broadly, in the PC31 hearing Mr Akehurst and the other experts considered that there was a potential shortfall of supply in the three main towns which could be met by additional supply in Ōhoka.
- 3.9 For this hearing Mr Akehurst has presented his own assessment of demand and supply (Figure 5 and Figure 6). He has changed his position from his PC31 evidence, and now considers that there is sufficient capacity in the three main towns, with a small excess

supply of 30 in the medium term (2023-2033) and large excess supply in the long term (2023-2053) of 1,950.

3.10 Mr Akehurst's new assessment shows the following outcomes for the main towns:

- (a) Rangiora: Mr Akehurst finds that there is sufficient capacity in the medium term (2023-2033) of +222 and long term (2023-2053) of +2,569.
- (b) Kaiapoi: Mr Akehurst finds that there may be a small shortfall in the medium term (2023-2033) of less than 60 and large excess supply in the long term (2023-2053) of +1,466.
- (c) Woodend/Pegasus: Mr Akehurst finds that there is insufficient capacity in the medium term (2023-2033) of -134 and the long term (2023-2053) of -2,085.

3.11 Ms Hampson presents her own results for the medium term (Table 3), which suggest that there is sufficient capacity in Rangiora, a small shortfall for Kaiapoi, and a large shortfall in Woodend/Pegasus (I note that her estimates vary significantly from Mr Akehurst's for Woodend / Pegasus as set out below).

3.12 I consider that for these three main townships Mr Akehurst's and Ms Hampson's independent estimates of supply sufficiency are broadly consistent with the WCGM22. While the scale of each estimate is different, there is agreement that:

- (a) Rangiora: supply will be sufficient in both the medium and long terms.
- (b) Kaiapoi: there may be a small shortfall of supply in the medium term, but supply will be sufficient in the long term.
- (c) Woodend/Pegasus: there is expected to be some need for additional capacity in the medium term, ranging from 134 (Mr Akehurst) to 1,080 (Ms Hampson) additional dwellings. The WCGM22 estimate of 284 sits between those two estimates.
- (d) For the combination of the three main towns together, Mr Akehurst finds sufficiency of 30 in the medium term and 1,950 in the long term. Ms Hampson estimate shows a shortfall of capacity 609 in the medium term. This compares to WCGM22 that has sufficiency of 970 in the medium term and 2,750 in the long term. Therefore there is agreement that there is expected to be sufficient capacity in the long term for the three main towns as a group. However, there is disagreement on the medium term, with Mr Akehurst and WCGM22 suggesting that there could be sufficient capacity and Ms Hampson suggesting that there may not.

3.13 Mr Akehurst raises a new point of concern that there is demand for a large number of dwellings in the rural and settlement areas of the Greater Christchurch area that are outside these main towns. Mr Akehurst considers that there is a demand in this location for 748 dwellings in the medium term and 1,931 in the long term. This compares to the capacity of 224 in the medium term and 390 in the long term, which results in a shortage

of 524 in the medium term and 1,541 in the long term.

- 3.14 Mr Akehurst's findings are derived from his adoption of the wider definition of Urban Environment, which includes all the rural areas and settlements as being urban. I do not consider that these rural areas are inherently generating this demand in and of themselves, instead in my opinion this demand is being generated by the presence and proximity of the land to Christchurch, as the main urban centre.
- 3.15 Moreover, I consider that this growth could easily be provided for within a location near one of the three main towns, Rangiora, Kaiapoi, or Woodend/Pegasus. Even if Mr Akehurst's arguments about the scale of demand and Urban Environment are correct then it would be sensible to assess the relative costs and benefits of accommodating this growth via the alternative options that have been proposed by the other submitters to Hearing Stream 12.
- 3.16 As an example, hypothetically if one accepts the medium term short fall of 524 dwellings that Mr Akehurst has identified, then it could be accommodated by either adopting rezoning of new land near one of the three main towns or alternatively by bringing forward the zoning of some of the Future Development Areas. These options should be considered alongside the proposed RIDL/CGPL development to establish which provides the best outcome, which would take into consideration the planning framework in the CRPS and PDP. A similar weighing of options would also apply to the long term shortfall.
- 3.17 Mr Akehurst statement is focused on the NPS-UD and provides no consideration of the planning framework in the CRPS or District Plan, which are both designed to implement the higher order document. I consider that the merits of the proposal should be considered within the context of the planning framework, and that the development should be assessed in relation to the other alternatives that have been submitted in Stream 12.
- 3.18 The s42A reporting offices have adopted this approach. The CRPS provides for greenfield priority areas, Future Development areas and indicates where infrastructure is planned to be provided (see Map A). Many of these opportunities for providing for future demand are yet to be developed or even zoned for residential development. These alternatives should also be considered, as compared to the proposal presented by the submitter to establish the relative merits of the options.
- 3.19 Notwithstanding the above, I do not agree with Mr Akehurst's assessment and consider that it is highly unlikely that such a large amount of urban demand would be attracted to these rural areas. No other economist in the hearings has presented evidence that would support Mr Akehurst's belief that there is demand for large scale development that is not co-located with the three main towns.
- 3.20 Third, my evidence before PC31 noted that the proposed development would be 'significant' in terms of Policy 8 of the NPS-UD. I consider that the new proposal is more or less the same from an economic perspective, therefore it is still 'significant' for the purposes of Policy 8.
- 3.21 However, I still disagree with Mr Akehurst's findings on whether the development is

consistent with NPS-UD. My PC31 evidence explains why I consider that the development would not contribute to a well-functioning Urban Environment, and I note that the PC31 commissioners reached the same conclusion.

- 3.22 Finally, I consider that on the merits of this submission, from an economic perspective that the zoning would not be appropriate. My evidence before PC31 covers this aspect, see [134]-[162] of Appendix B and more detail in section 4.3 of the economic review of PC31³. In these documents I discuss the lost agricultural production, infrastructure costs, transport impacts, implications for well-functioning urban environment, and other aspects. In summary I consider that from an economic perspective that in relative terms that there are likely to be alternative development options that would better contribute to the urban environment.
- 3.23 Moreover, I also agree with the PC31 commissioners who found that the merits of the development were not sufficient to justify the rezoning.
- 3.24 I also note that the new proposal will provide a large area of Settlement Zone, which when combined with the existing Settlement Zone would equate to over 100ha. In the context of the PDP this would be by far the biggest area of Settlement Zone in the District. The average area of Settlement Zone area in the PDP is only 18ha and the largest is Waikuku at 43ha. Therefore, Ōhoka settlement as proposed would be 555% larger than the average settlement or over 200% bigger than Waikuku. While I am not a planner, it would appear that there may be a mismatch between the general use of the zone (i.e. smaller settlements) and the applicants use (i.e. large area of residential).

Commercial Land Economic Evidence – Ms Hampson

- 3.25 Ms Hampson makes the following key points with a focus on commercial zoned land⁴,
- (a) From her new assessment of the business centres and local demands, she concludes that the amount and configuration of commercial land proposed in PC31 would “go far beyond the role of a local convenience centre and would certainly have potential for significant distributional effects” [126].
 - (b) Accordingly Ms Hampson concludes that a Gross Floor Area (“GFA”) cap of 2,500-3,000m² of centre-zoned land within the RIDL/CGPL land would be appropriate [127], and that the commercial zoned land should be contained in a single consolidated centre on Whites Road [128].

Response to commercial land points

- 3.26 Ms Hampson’s position on these points is consistent with my previous evidence for PC31 and the findings of the commissioners, and I agree with her conclusions about the GFA cap and there being only one centre.

³ Yeoman, R and Foy, D. (2023) Proposed Plan Change 31 Economic Review and Support.

⁴ Para 28-70 covers background on the NPS-UD and discussion of urban situation in the three main towns (Rangiora, Kaiapo and Woodend), which is repeated in Ms Hampsons evidence for 12 and 12E. I respond to these points in those hearings, and focus on the LCZ points which is the focus of her evidence.

- 3.27 However, as noted in PC31 I am still concerned about the area of land that is proposed to be zoned LCZ. The submitter has reduced the LCZ to 2.2ha in the latest development plan. However, this is still a large area of land relative to the GFA cap.
- 3.28 As a point of comparison, the existing Mandeville centre is 0.68ha and it provides a supermarket, petrol station, several food outlets, a daycare, and other retail, along with a large number of carparks. This level of service is comparable to what Ms Hampson is suggesting. No evidence has been provided as to why the LCZ sought for the RIDL/CGPL land would need to be nearly twice as large as the Mandeville centre, or why 2.2ha is necessary to accommodate 2,500-3,000m² of GFA, when at typical site coverage of around 30-40% for a centre of this type that amount of GFA would require 0.75-1.0ha.
- 3.29 I note that the Proposed Plan nearly doubles the size of the Mandeville LCZ (by 0.55ha) to a total of 1.2ha. My colleague Mr Foy has commented on submissions seeking to further expand this centre in his evidence for the CMUZ and INZ s42A report prepared for Hearing Stream 12A and considers that at 1.2ha (which is almost half the size of the proposed LCZ in Ohoka) the centre already includes significant opportunities for growth and that there is no indication that the existing centre requires further expansion (i.e. beyond 1.2ha) to function efficiently as a local centre, and to provide the local community with the range of goods and services that are required for that local role.
- 3.30 In my opinion, if the zone changes requested in the RIDL/CGPL submission were successful it would be better if some of the requested 2.2ha of LCZ land was used for a different purpose, such as additional residential zone. Allowing a LCZ of 1.2ha would easily accommodate the floorspace cap recommended by Ms Hampson, and allow the other 1.0ha to accommodate an additional 10-12 dwellings.
- 3.31 Furthermore, my understanding is that Settlement Zone can allow commercial activity, which is not discussed in Ms Hampson assessment of commercial activity. I have not reviewed the planning rules suggested by the applicant for the Settlement Zone and would hope that this is addressed such that commercial activity is not enabled within such a large area of land. I would suggest that conditions be included to ensure that further commercial and retail activity can no be located in the Settlement Zone, which they may well have been.

Real Estate Market Evidence – Mr Jones

- 3.32 Mr Jones makes the following key points with a focus on real estate market,
- (a) He considers that there has been little supply or sale of land in Ōhoka over recent years [8]. But that he considers that many buyers in the district would consider this location as an option. He suggests that buyers who are unable to secure a property in Ōhoka will opt for Mandeville, Swannanoa, Fernside or Clarkville [11].
 - (b) Also he considers that the smaller lots which could be provided on the submitters land would be appealing to a greater cross section of buyers than LLRZ or Rural Lifestyle lots that are available in the area [10]. He considers that this is an unrealised market for Ōhoka [12]. He suggests that lots would sell for around

\$550,000 [23].

- (c) He also considers that the Medium Density Residential Standards will not materially impact development in Waimakariri, and that there has been an easing of demand for attached dwellings [24]-[27].
- (d) He concludes that there “is significant demand for residential housing in the Ōhoka area, relative to other areas and townships in the Waimakariri District”[28]

Response to real estate market points

- 3.33 First, I agree with Mr Jones that there has been very little real estate transaction activity within Ōhoka, which reflects the data which I have reviewed. Also that most buyers looking in the area would also be considering other large lots in other rural areas outside of Rangiora, Kaiapoi, and Woodend. However, I disagree with his assessment that there is “high demand for housing in Ōhoka” [14]. I consider that there is some demand, but by no means high levels of demand and definitely not enough to support the development of the submitter’s land as proposed. Nor has Mr Jones provided data to support his claims of high demand.
- 3.34 Second, I agree with Mr Jones that the submitter’s proposal would provide a wider range of development options than are present in Ōhoka. This may be an unrealised market from the view point of the local Ōhoka area, but not when considered in the context of the Rangiora, Kaiapoi, and Woodend. I agree that this proposal would likely be appealing to a wider cross-section of people and it would need to draw growth away from the three main towns to be viable (Rangiora, Kaiapoi, and Woodend). In my view this would merely be a transfer of demand, which would not contribute to a well-functioning urban environment.
- 3.35 Also, I agree with Mr Jones that the average lot will be relatively unaffordable (at over \$550,000 per lot) and as such dwellings built in the area will not improve affordability within the wider market as they will have a sales price of over \$1 million.⁵
- 3.36 Third, I disagree with Mr Jones’ belief that Medium Density Residential Standards will not have an effect on development in Waimakariri. While I acknowledge that the full 3-by-3 typology that is enabled in Rangiora, Kaiapoi, and Woodend⁶ may not be commercially feasible in Waimakariri, that other types of denser developments are already occurring.
- 3.37 As I have discussed, developers are already building more intensively, both within brownfield areas and the new greenfield areas. This is independently confirmed in Mr Wilson’s memo on the LUM, which is attached to the s42A reporting officer’s evidence. I disagree with Mr Jones position on this type of development and he provides no data to support his conclusions.
- 3.38 I note that a large share of dwellings in Rangiora, Kaiapoi, and Woodend are currently 30 or more years old (45%), and in the coming decades redevelopment will occur as this stock

⁵ As discussed in paragraph [151] – [153] of my PC31 evidence in Appendix B.

⁶ In the Medium Density Residential Zone which covers all of the residential areas in Rangiora, Kaiapoi, and Woodend a developer can build up to 3 dwellings and 3 floors.

ages further. Therefore, I consider that MDRS is already having a material impact and that in the future this impact will increase.

3.39 Fourth, I consider that Mr Jones has only shown that there may be some demand for low density lots in Ōhoka. His statement provides no material or data which would suggest that the submitter's development would generate significant demand. In my opinion the demand is not related to Ōhoka, or the submitter's development per se, and could be equally accommodated elsewhere in Rangiora, Kaiapoi, and Woodend.

3.40 Moreover, even if there is found to be a need for more capacity in the medium term then there are other alternatives proposed in Stream 12 hearings that should also be considered. In my opinion, the submitter's development would draw demand away from the three main towns which could harm well-functioning urban environment. Alternatively, some of the rezoning proposed in Stream 12 would contribute to the well-functioning urban environment.

Real Estate Developments Evidence – Mr Sellars

3.41 Mr Sellars makes the following key points with a focus on real estate developments,

- (a) That dwellings within the three main towns have a wide range of the lot sizes, with most having over 600m² [16] – [25]. This is because most of the dwelling stock was built pre-2000 and that modern development is “much higher density” [25]. Also, he analyses data on rural residential settlements, including Ōhoka, and finds that 94% of lots are over 3,000m² [26]-[27]. He compares the lot sizes in four developments in Rangiora, Kaiapoi, and Woodend, and concludes that most new lots created were below 500m² and that the submitter's proposal will provide new larger lots which may not be provided in the greenfield developments of the Urban Environment [28]-[31].
- (b) He provides a discussion of consents and sales data between 2010 to August 2023 [32]-[55]. He acknowledges that there has been a downturn in development activity [56] and concludes that there is a shortage of residential section in Greater Christchurch [57].
- (c) Mr Sellars restates Mr Sexton's capacity analysis from PC31 and modifies this for development that has occurred since August, which is 156 dwellings completed and 188 dwellings that are under construction, to establish an estimate of remaining capacity of 4,205 dwellings in the medium term [61] – [69].
- (d) Mr Sellars provides his own estimate of demand for housing of 6,216 dwellings for the Rangiora, Kaiapoi and Woodend in the medium term, and concludes that there is a shortfall of 2,011 [70] – [78]. He also provides a discussion of the potential capacity of the Future Development Areas, which he estimates to be 3,970 [79] – [92].
- (e) He considers that it is too early to gauge the impacts of the MDRS [95]. But that the MDRS will result in some higher density development in the District, however

in the medium term this will be relatively limited [96]. He considers that for the most part that the maximum development potential enabled in the MDRS (3-by-3) will not be financially feasible in the three main towns [104]. He draws on a national study conducted on MDRS to suggest that around 30-50 dwellings will be built each year in the medium term [102].

Response to real estate development points

- 3.42 First, I agree with Mr Sellars that most new lots provided in Rangiora, Kaiapoi, and Woodend will be smaller than 500m². It is clear that development intensity is increasing, and that many of the submissions for rezoning show that developers intend to subdivide to a level that is well above 15 dwellings per hectare. Generally, developers will provide a range of lot sizes and that while most lots may be smaller than 500m² they will also provide some larger lots. The submissions for rezoning shown in Stream 12E provide examples of this distribution.
- 3.43 Moreover, I consider that new dwellings are only part of the entire market, and that existing dwellings will also be sold on the market. The combination of existing and new dwellings will provide a range of options, and that the addition of Ōhoka will not materially change the range available.
- 3.44 Second, Mr Sellar's discussion of consents and sales is now dated. It would have been beneficial if he had he elected to update his assessment since the PC31 hearing. I agree that there has been a downturn, with less demand for greenfield development in the Greater Christchurch area over the last 6-9 months. However, the data shows that development of attached dwellings has been more resilient and that development activity in Waimakariri has not been as impacted.
- 3.45 Third, I accept Mr Sellars estimate that 156 dwellings have been built in the last 6-9 months in the greenfield areas and that 188 dwellings are under construction. I acknowledge that dwellings have been built since WCGM22 was developed, however one must also accept that households will be accommodated in these new dwellings. Therefore, if one is to adopt Mr Sellars approach then logically there should be also a removal of demand that was accommodated in the new dwellings, which would be equal to the capacity built and the net result would be the same. It is not accurate to reduce the capacity due to recent developments but not correspondingly reduce the demand.
- 3.46 Fourth, I do not accept Mr Sellars estimate of demand nor his conclusion about sufficiency in the medium term. I note that no economist has adopted Mr Sellars estimate of demand, and that the economists (Mr Akehurst and Ms Hampson) that have submitted evidence for RIDL have ignored his assessment.
- 3.47 Moreover, Mr Sellars makes no claims to have expertise in developing demand projections and presents no discussion of demographics to support his projection. Therefore, I consider that his demand estimate should be disregarded.
- 3.48 Also, I disagree with his estimate of capacity in the Future Development Areas and priority greenfield locations, as it is clear that his method underestimates capacity as compared to

what the developers intend. As an example for Kaiapoi,

- (a) Momentum South Block: the submitter is proposing a rezoning which will allow the development of 96 to 144⁷ dwellings which is 53% to 123% larger than Mr Sellars estimate of 63 dwellings.
- (b) Momentum North Block: the submitter is proposing a rezoning which will allow the development of 600⁸ dwellings which is 50% larger than Mr Sellars estimate of 300 dwellings.

3.49 For these areas the submitter has presented evidence that their land would provide 696-744 dwellings, as compared to Mr Sellars 363. I also note that there is additional FDA land in Kaiapoi, for which other submitters are also requesting zone changes and that these may well be developed to a higher density, much higher than Mr Sellar's assumption of 12 dwellings per ha.

3.50 Finally, I agree that it is too early to gauge the impacts of the MDRS. However, available data from developments since the standard has become operative shows that more intensification is being achieved than estimated in the WCGM22, not less. I acknowledge that some of this development may have occurred with or without MDRS via resource consent pathways, however this is not material as the key point is that more intensification is being achieved. I consider that the impacts will be higher than Mr Sellars suggestion of 30-50 dwellings per annum. Even if one is to accept Mr Sellars data then 300-500 dwellings could be accommodated by intensification (multi-unit developments) in the coming medium term which will be beneficial.

Spatial Evidence – Mr Sexton

3.51 Mr Sexton makes the following key points with a focus on spatial analysis,

- (a) He analysed the detailed parcels level data from the WCGM22 and identified some parcels that may not be developable within the existing urban environment. This includes some reserves, pre-school, special purpose, sites with heritage, and protected trees [14]-[33].
- (b) He describes the unweighted constraints mapping method that he developed, which shows the layers which he applied to show the range of constraints associated with land in the District [34]-[36].

Response to spatial points

3.52 As I noted in my PC31 evidence, "I have reviewed Mr Sexton's maps and I agree with Mr Akehurst that the noted issues are "relatively small"⁹. In the medium term the issues raised

⁷ Fraser Colegrave (2 February) Evidence in Chief for Momentum Land Limited and Mike Greer Homes NZ Limited paragraph [33].

⁸ Fraser Colegrave (2 February) Evidence in Chief for Momentum Land Limited and Mike Greer Homes NZ Limited paragraph [32].

⁹ Statement of evidence of Gregory Akehurst Plan Change 31, paragraph [86].

by Mr Sexton relate to a small share of capacity (0.9%, 53 dwellings), which is not material and a similar small share in the long term (i.e. 0.9%). I wish to restate this – the areas identified by Mr Sexton as being erroneously included are very minor and well within the expected margin of error. They do not make a material difference to the capacity assessment (at only 53 dwellings).” [22.2]

- 3.53 Also as noted at para [92] of my PC31 evidence, I acknowledged that no model can be perfect and that there will always be some overs and unders. The model results were reviewed internally at Formative and by Council Officers however these few small issues were not captured via these two reviews. In my opinion, these issues are well within the expected margin of error for a model of this type.
- 3.54 I would also note that the WCGM22 has been shown to be conservative as compared to what developers have achieved over the last two years since it was developed and these underestimations are far larger than the issues noted by Mr Sexton. As discussed above, I have compared the consents data for Rangiora, Kaiapoi and Woodend and this assessment shows that the WCGM22 consistently underestimates capacity as compared to what developers are requesting via consents. Also Mr Wilson’s memo on the LUM provides similar results, which independently verifies that development intensity has been higher than claimed by Mr Sexton.
- 3.55 Mr Sexton’s sole focus of his evidence is on the few occasional parcels which were not identified for removal during the modelling (e.g. a childcare). He provides no examples of the situations where developers achieved more development than modelled in the WCGM22, for which there are many.
- 3.56 Moreover, he has not updated the assessment of greenfield areas to account for the most recent data presented in this hearing by the various submitters. This data shows that developers are achieving more than 15 dwellings per hectare and that therefore the WCGM22 is conservative.
- 3.57 Finally, in terms of the constraints mapping I provide no comment on the layers included.¹⁰ However, in my opinion most land will have some form of constraint/risk associated with development. As a society we weigh the costs (risk/constraint) against the benefits of land use as compared to the range of other alternatives, and seek to select the optimal outcome. This process of weighing is what occurs in the District Plan hearing and the development of the proposed District Planning framework, and I caution against the use of Mr Sexton’s **unweighted** maps which may give a false impression that land should not be developed solely because of a constraint. I would consider that a sole focus on the costs (risk/constraint) and no consideration of the benefits would not meet the objectives of the NPS-UD or the purpose of the RMA.

¹⁰ I note that evidence was presented on PC31 on the significance of the identified constraints (e.g. flooding and stormwater management) and anticipate evidence will correspondingly be provided for this hearing.

4. CONCLUSION

- 4.1 In my opinion, from an economic perspective the new rezoning proposed by RIDL/CGPL in Ōhoka is not materially different from PC31.
- 4.2 I consider that Ōhoka is not part of the Urban Environment for the purposes of NPS-UD.
- (a) I agree with the commissioners on PC31 that Ōhoka is not predominantly urban in character as required in the first element of the definition. I also agree that it is likely to be part of a housing and labour market of at least 10,000 people, as required in the second element of the definition. However the definition is conjunctive, so both a) **and** b) must be true, which in my opinion they are not. Thus Ohoka is not within the urban environment as defined by the NPSUD
- (b) Moreover, the new information provided in the planning Joint Witness Statement (JWS) clearly shows the Greater Christchurch Area in the CRPS was developed more than a decade (2007) before the NPS-UD and for a completely different purpose (transport planning). At no point was there a clear decision within the planning documents on the extent of the Urban Environment for the purposes of the NPS-UD. This JWS was not before the commissioners in PC31.
- 4.3 I consider that Mr Akehurst, Ms Hampson, the WCGM22, and my evidence shows the same broad outcomes for the three main towns in the District when comparing demand to capacity as required in the NPS-UD for the medium term (2023-2033). That is, there is unlikely to be a shortfall within Rangiora, there may be a tight situation in Kaiapoi, and that there is potential for a shortfall in Woodend/Pegasus. While I do not agree with the methods adopted in the supplementary evidence submitted in PC31, this is not material to the overall findings.
- 4.4 While I disagree with Mr Akehurst's decision to adopt a wider definition of Urban Environment and his focus on the areas outside the three main towns, he finds that at worst there may be a shortfall of 512 dwellings in the medium term (2023-2033) and 1,541 dwellings in the long term (2023-2053). Also, this position does not take into account any other potential rezoning requests in the other Stream 12 hearings.
- 4.5 Even if the commissioners are of a mind to adopt the wider definition and Mr Akehurst's proposition that there is high demand for residential dwellings outside the three main towns, then in my opinion it would be beneficial to consider the range of options, which would include developments that are closer to the three main towns.
- 4.6 I agree with the PC31 commissioners, who considered that any potential shortfalls can be assessed via the District Plan Review process. In the rezoning hearings Stream 12 the commissioners have been presented with a number of requests to rezone more residential land, and each will have different merits. This process will enable a weighing of alternatives, and could result in some requested rezonings being approved, either Future Development Areas or new areas.
- 4.7 For the purposes of the NPS-UD Policy 8, I still consider that RIDL/CGPL development

would allow 'significant' number of dwellings, however in my opinion the zoning requested by RIDL/CGPL is not consistent with NPS-UD as it would not contribute to Well-functioning Urban Environment. However, as I understand it the CRPS gives effect to the NPS-UD and that this framework should be considered. This relationship is covered in the planning evidence, which I defer too.

4.8 Finally, I do not agree with Mr Akehurst's proposition that the RIDL/CGPL development would have economic benefits that will outweigh the associated costs. The assessment should be undertaken in relative terms, as compared to the alternatives which are clearly presented by other submitters in the rezoning topics. In my opinion, in relative terms there are better options for providing for any potential shortfall.

4.9 In conclusion, I do not support the development of the site from an economic perspective.

Rodney Yeoman

20 May 2024

5. APPENDIX A – RECENT GROWTH TRENDS AND WCGM22

Recent growth

- 5.1 Over the last two decades, Waimakariri District has experienced rapid growth in population, from around 37,100 in 2000 to 69,000 in 2023. That equates to an average annual growth of 2.7% per annum, which is much faster than almost every other district in New Zealand - only Selwyn and Queenstown Lakes grew at a faster rate.
- 5.2 As the population has grown, the three main towns (Rangiora, Kaiapoi, and Woodend) have accommodated a larger share of the new residents. Last year over 80% of new population growth was located in these three urban areas alone.
- 5.3 The remaining growth was spread over the small settlements¹¹, Rural Lifestyle Zone, and the General Rural Zone. Of the population growth last year, 12% was located west of Two Chains Road and north of Ashley River (outside the dashed line in Map A of CRPS), while the remaining 8% was located in the small settlements inside dashed line of Map A of the CRPS, Large Lot Residential Zone, and the Rural Lifestyle Zone.
- 5.4 In summary, there has been high growth within the three main towns (Rangiora, Kaiapoi, and Woodend) and these towns have accommodated a larger share of growth in the District. The other settlements, Rural Lifestyle Zone, and the General Rural Zone have accommodated a declining share of growth.
- 5.5 Importantly for this topic, the amount of growth accommodated in Ōhoka has dropped over time.¹² Also, in relative terms the settlement represents a small part of the overall residential market in Waimakariri District.
- 5.6 The new dwelling building consents reflect the same pattern as population growth, with a significant share of new dwelling building consents being located within Rangiora, Kaiapoi, and Woodend, 83% in the last 12 months.¹³ Less than 17% was located either outside the Greater Christchurch area or in the small settlements/rural areas of the Greater Christchurch area (Figure 5.1).

¹¹ Oxford, Ashley, Sefton, Cust, Mandeville, Ōhoka, Cust, Waikuku, Waikuku Beach, Woodend Beach, The Pines Beach, Kairaki, Tuahiwi. Also the other areas with Large Lot Residential such as Fernside, Swannanoa, West Eyreton, Loburn North.

¹² Ōhoka as defined by Statistics New Zealand SA2, which include the RLZ land north to Main Drain Road, west to Two Chain Road, east to Jackson Road, south to San Dona and North Eyre Road.

¹³ I acknowledge that there is debate around the definition of Urban Environment, which was subject to a Joint Witness Statement by the Planners. I have adopted the definition that has been applied in the Greater Christchurch Partnership HCA, which is the three main towns Rangiora, Kaiapoi, and Woodend.

Figure 5.1: District New Residential Dwelling building consents (2019-2024)

New Dwelling Consents	2019	2020	2021	2022	2023	2024*
Urban Environment	511	428	695	633	597	644
Rural Greater Christchurch	58	52	95	80	68	64
Outside Greater Christchurch	69	71	105	119	75	71
Total	638	551	895	832	740	779
Urban Environment	80%	78%	78%	76%	81%	83%
Rural Greater Christchurch	9%	9%	11%	10%	9%	8%
Outside Greater Christchurch	11%	13%	12%	14%	10%	9%
Standalone	92%	93%	94%	91%	82%	79%
Attached	8%	7%	6%	9%	18%	21%

**Last 12 months, ending February 2024*

5.7 The split between standalone dwellings and attached has continued to change, with attached dwellings reaching over 21% in the last 12 months. At the same time the share of dwellings that are standalone decreased from 92% in 2019 to less than 79% in 2024. This trend has been observed in all the high growth Tier 1 councils in New Zealand.

5.8 I consider that it is clear that preferences for dwellings are changing, with higher density typologies becoming more popular, and that this trend is likely to continue and follow the path seen in other cities in New Zealand. In my opinion, this means that the demand for lower density dwellings and smaller settlements, including Ōhoka will continue to decline in the future.

Projected growth

5.9 The latest population projections provided in 2022 have three scenarios, low, medium, and high.¹⁴ The Council has adopted the High projection for NPS-UD assessments, both for residential and business assessments.¹⁵

5.10 The latest adopted population scenario (High) is higher than the range projected in the 2021 projections.¹⁶ The 2021 Housing Bottom lines in the CRPS used the previous high projection from Statistics New Zealand. The HBA2023 and the WCGM22 have adopted the high projection from the latest projection set.

5.11 While Covid19 resulted in short term impacts, the economy and population growth has been resilient and has recovered quickly. The latest projections are higher than the previous set, at least in part, because the impacts of Covid19 was more muted than expected.

5.12 There has also been a general decline in residential development activity within the urban areas in New Zealand, with largest declines in activity being observed in greenfield areas. However, activity within Waimakariri has remained relatively stable. Also there has been a

¹⁴ Statistics New Zealand (2022) Sub-national Population Projections.

¹⁵ A previously used medium-high scenario is no longer used for Waimakariri District planning purposes.

¹⁶ Statistics New Zealand (2021) Sub-national Population Projections.

large inflow of immigration to New Zealand, which could result in more demand in the coming years.

- 5.13 I consider that Council’s decision to adopt the High projection is a conservative position. It is likely that demand will grow at a level below the High projection, and that it is unlikely that demand will continuously reach the High projection for the entire medium term (10 years) or long term (30 years). Specifically, growth over these periods is likely to be lower than what the Council is planning for, which means that the Council’s stance is conservative.
- 5.14 Moreover, I consider that the shift in demand preferences is likely to continue which will result in less demand for lower density dwelling types than is shown in the demand projections. The WCGM22 applies conservative assumptions on the share of demand for attached dwellings¹⁷ and share of demand located in Rangiora, Kaiapoi, and Woodend¹⁸. Conversely, the WCGM22 is likely to overestimate the demand for standalone dwellings and lower density dwelling types.
- 5.15 The results of the WCGM22 suggest that there is expected to be demand in Rangiora, Kaiapoi, and Woodend for 4,970 new dwellings in the medium term (10 years, 2023-2033) and 11,700 new dwellings in the long term (30 years, 2033-2053).¹⁹ That forecast is based on the High growth scenario and are discussed in the Economic Assessment that is attached to Variation 1 (Topic 12E)²⁰, and is similar to the average observed over the last five years (Figure 5.1).
- 5.16 The sufficiency assessment in the NPS-UD does not require councils to consider demand for individual zones, or even individual locations within Rangiora, Kaiapoi, and Woodend. However, the WCGM22 does include results for the three main towns (Rangiora, Kaiapoi, and Woodend/Pegasus), which are presented in the Economic Assessment attached to Stream 12 and I do not repeat them here.

Capacity for Growth context

- 5.17 The WCGM22 is a desktop analysis which is an update of the modelling conducted in 2019 and 2021, and is similar to the methods applied to other Tier 1 councils in the Greater Christchurch Partnership (by Formative for Selwyn and by Christchurch City Council for Christchurch).
- 5.18 In summary, the WCGM22 uses parcel level data to establish the number of dwellings that can be provided within each parcel. This assessment has been ground-truthed via a review

¹⁷ Currently set at 9% and held constant in the model, which is less than half the share that has been observed in the last 12 months. This means that the WCGM22 overestimates the demand for low intensity standalone dwellings.

¹⁸ Currently set at 79% and held constant in the model, which is 4% lower than the share that has been observed in the last 12 months. This means that the WCGM22 overestimates the demand for low intensity standalone dwellings outside the Rangiora, Kaiapoi, and Woodend.

¹⁹ NPS-UD requires that councils include a competitiveness margin on top of demand of 20% in the medium term and 15% in the long term, which is included in the numbers stated in my evidence.

²⁰ Formative (2023) Waimakariri Residential Capacity and Demand Model – IPI 2023.

of developer intentions for large greenfield sites and recent building consents for smaller brownfield sites.²¹ This comparison shows that the WCGM22 results are conservative, and that the model is likely to underestimate the amount of development that could be achieved by the market in the future.

- 5.19 Importantly, the NPS-UD is prescriptive in terms of the assessment method that councils must adopt, which means that the WCGM22 inherently underestimates capacity. My own assessment of development data suggests that the model underestimates capacity, which is consistent with Mr Wilson's memo on the LUM which is attached to the s42A reporting officer's evidence.
- 5.20 This most recent assessment has shown that in the Rangiora, Kaiapoi, and Woodend there is a large amount of capacity enabled within the Proposed Waimakariri District Plan and Variation 1. The WCGM22 estimates that there is a total capacity for over 80,000 new dwellings in Waimakariri, which is almost 3 times the number of dwellings currently in Waimakariri. Alternatively, this is almost 13 times more than projected dwellings under the high growth scenario in the medium term, and more than 5 times the long term demand.
- 5.21 Clearly, most of this supply will not be reasonably developable or feasible, either in the medium or long term. In total the assessment shows that less than 8% of total plan enabled capacity is feasible in the medium term and 19% in the long term. Also, most of the feasible capacity is within the greenfield areas, with some infill or redevelopment being either reasonably realisable or feasible. In the Rangiora, Kaiapoi, and Woodend the WCGM22 estimates a capacity of 5,940 dwellings in the medium term (10 years, 2023-2033) and 14,450 in the long term (30 years, 2033-2053).

Sufficiency of Residential land

- 5.22 The comparison of the residential land capacity to demand, as required by the NPS-UD, suggests that there is sufficient capacity to meet expected demand in Waimakariri over the medium and long terms for residential land.
- 5.23 There is demand for 4,970 dwellings in the medium term and 11,700 in the long term. The WCGM22 estimates a capacity of 5,940 dwellings in the medium term and 14,450 in the long term. This means that there is sufficient capacity within the urban areas to meet expected demand for both the medium (10 years, 2023-2033) and long term (30 years, 2033-2053) (Figure 5.2).

²¹ It would be exceedingly costly to undertake a full field survey of all residential sites in the District. No other council undertakes a detailed field survey. Even Statistics New Zealand, with all its resources and statutory powers, does not visit every site during Census.

Figure 5.2: Rangiora, Kaiapoi, and Woodend residential land sufficiency

Urban Environment Dwelling Situation	2023-2033 Short-Medium	2023-2053 Long
Demand +Margin	4,970	11,700
Feasible Supply	5,940	14,450
Sufficiency	970	2,750

- 5.24 The NPS-UD sufficiency test is framed as a minimum level of development capacity required, not a maximum, and if a council determines that there is insufficient development capacity then it must act as soon as practicable to provide more capacity via changes to the planning framework. Further, the NPS-UD has a wider set of objectives beyond simply providing the bare minimum capacity that is sufficient to meet expected demand. This then means that Council could allow for more urban capacity than the minimum required to accommodate expected growth, in order to meet the wider objectives of the NPS-UD. The provision of additional capacity can be assessed according to the merits, but this does not mean that all additional developments should be adopted as being beneficial.
- 5.25 In the case of residential land, the NPS-UD does not require assessments of the demand or supply for specific land uses. As an example, the NPS-UD does not require councils to model the land demand for low density, medium density or high density, so while there is sufficient land at an aggregate (i.e. residential) level, it may be that there is need for more land for a specific use. Any such need can be assessed on its merits in the context of the relevant planning framework, and is beyond the scope of the WCGM22 or NPS-UD reporting.

6. APPENDIX B – PC31 ECONOMIC EVIDENCE - RODNEY YEOMAN

**Before the Hearings Panel
At Waimakariri District Council**

Under Schedule 1 of the Resource Management Act 1991

In the matter of the Proposed Waimakariri District Plan

Between **Rolleston Industrial Developments Limited**

Submitters

And **Waimakariri District Council**

**Summary Statement of Rodney George Yeoman on behalf of Waimakariri
District Council on Economics with the Private Plan Change RCP031**

Date: 7 August 2023

INTRODUCTION

- 1 I have prepared this Summary Statement on behalf of the Waimakariri District Council (WDC) in respect of economics related matters arising from the applicant's expert evidence for the Private Plan Change RCP031 (PC31).

- 2 Formative was asked by WDC to review the applicant's economic assessment (by Mr Copeland)¹ of PC31 and four submissions on PC31 (216, 416, 551, and 562) which included economic issues. Formative provided an economic review report that was attached to the section 42 report as Appendix 4 ('Economic Review'), which I co-authored with my colleague Mr Foy.² Formative was not previously asked to review the application, or had involvement with PC31.

QUALIFICATIONS AND EXPERIENCE

- 3 My full name is Rodney George Yeoman. My qualifications are degrees of Bachelor of Commerce (Econ) and Bachelor of Laws from the University of Auckland. I also hold a Postgraduate Honours in Economics from the Australian National University. I am a member of the New Zealand Association of Economists, and the Resource Management Law Association.

- 4 I am a Director of Formative Limited, an independent consultancy specialising in economic, social, and urban form issues. I have 17 years consulting and project experience, working for commercial and public sector clients.

¹ Copeland, M (2022) Assessment of Economic Effects, 17 February.

² Yeoman, R. and Foy, D. (2023) Proposed Plan Change 31 Economic Review and Support, 15 June.

- 5 I specialise in policy assessment, industry and markets research, the form and function of urban economies, the preparation of forecasts, and evaluation of outcomes and effects. I have applied these specialties throughout New Zealand, and in Australia, across most sectors of the economy, notably assessments of district plan policies and rules, urban form, land demand, housing, and other local government issues.
- 6 I have provided advice to WDC for the last seven years, most relevantly on many aspects of the growth projections, Waimakariri Capacity for Growth Modelling (WCGM22), District Plan Review (DPR), National Policy Statement on Urban Development (NPS-UD), Intensification Planning Instrument (IPI) required by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act and National Policy Statement for Highly Productive Land (NPS-HPL).
- 7 I have also provided similar research for Selwyn District Council, and for Christchurch City Council on some aspects of IPI and Greater Christchurch Partnership for some aspects of NPS-UD.
- 8 The 2023 Housing Capacity Assessment (HCA) that was released by the Greater Christchurch Partnership (GCP 2023 HCA) uses the capacity results from the WCGM22 research, which I conducted jointly with my colleague Dr Gordon.
- 9 Also as part of the WCGM22 research I undertook a field trip to Waimakariri to survey business activity in the commercial and industrial zones. For this field trip, I visited the commercial centres in Rangiora, Kaiapoi, Woodend-Pegasus, and Mandeville (14-16 February 2023). I also visited Ōhoka to observe the commercial activity, and viewed PC31 site.

Code of conduct

10 Whilst I acknowledge that this is not an Environment Court hearing, I confirm that I have read and am familiar with the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023. I have complied with the Code of Conduct in preparing this summary statement and I agree to comply with it while giving any oral evidence during this hearing. Except where I state that I am relying on the evidence of another person, my summary statement is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

SUMMARY STATEMENT

11 I note that this summary statement is longer than would be normal for a hearing. However, this is required because the applicant provided very little economic research to support the initial application.

12 Most of the economic evidence that is presented in support of PC31 is outlined within the statements of the two new economists Mr Akehurst and Ms Hampson, dated 6th July 2023. The old economist, Mr Copeland, is no longer involved and his report is not relied upon or referenced by the new economists or the applicant's other experts.

13 I also note that other experts have raised new economic points, including Messrs Jones (real estate), Sellars (valuer), and Sexton (development constraints).

14 In an effort to keep this statement brief I have provided four appendixes (A, B, C and D) that contain the detail of the comparison of the economic issues covered in the new evidence provided by the applicant's experts. The detail in these appendixes is required because the applicant no longer relies on the economic research that supported the s32 report and has presented multiple briefs of new evidence that was not assessed in the Economic Review attached to the s42.

- 15 In the body of this statement, I briefly cover the economic evidence provided by the applicant and compare this to the Formative Economic Review which was attached to the s42 report. However, if the commissioners consider that it is necessary I am happy to talk through the detail in any or all of the appendixes attached to this statement.
- 16 Mr Akehurst supports the proposed residential aspects of the development on economics grounds. The key points raised in Mr Akehurst's statement are:
- 16.1 The dwelling demand projections used by Council may be low compared to the future demand.
 - 16.2 The capacity in the development areas around the Urban Environment may be lower than estimated in the capacity modelling (Waimakariri Capacity for Growth Model 22 - WCGM22).
 - 16.3 The Council does not appear to be providing enough capacity to meet demand in the Urban Environment of Waimakariri.
 - 16.4 Therefore, PC31 is needed to meet the requirements under the National Policy Statement on Urban Development (NPS-UD), and is significant.
 - 16.5 That PC31 contributes to the overall well-functioning urban environment and meets the objectives of the NPS-UD.
 - 16.6 The Medium Density Residential Standards (MDRS) are unlikely to impact development in Waimakariri.
- 17 Ms Hampson's statement focuses on the commercial land proposed in PC31 (Business 4 zone) and raises the following key points:
- 17.1 The commercial capacity in PC31 is too large, which means that a cap on the gross floor area (GFA) is required. If a cap on GFA is adopted, then the distributional impacts on the wider network of centres will be negligible and quickly offset by district growth.

- 17.2 She recommends a single centre (on Whites Road) in PC31. However, if a second centre is included then timing and scale should be limited with additional conditions.
- 18 Mr Sexton has reviewed the WCGM22 capacity data and considers that the model overestimates capacity in the District. This assessment is relied upon by Mr Akehurst.
- 19 Messrs Jones and Sellars have both provided opinions on the residential market. Broadly their positions are that there is existing demand for rural lifestyle in Ōhoka, and that PC31 would provide a product that is different to the existing demand, and would draw from the wider market. They both consider that MDRS will have a negligible impact on development in Waimakariri.
- 20 In the remainder of this Summary Statement, I provide a discussion on the key economic issues associated with PC31 which includes: Residential Outcome, Commercial Outcome, Economic costs-benefits, and other issues.

Residential Outcome

- 21 First, in terms of residential outcomes, after reviewing the expert evidence presented for the applicant, I consider that there is sufficient residential capacity to accommodate expected demands in the short, medium and long term to meet the requirements of the NPS-UD.
- 22 I consider that:
- 22.1 The demand projections used in the Greater Christchurch Housing Capacity Assessment (GCP 2023 HCA) are conservative, and the adoption of the High Series is reasonable. In my opinion, demand is likely to be lower than predicted in the GCP 2023 HCA (or WCGM22). The applicant's experts did not provide an alternative projection

in evidence. However, in oral statements to the hearing, Mr Sellars suggested a demand of 4,620 dwellings (462 per annum), which is not materially different to the projection adopted in GCP 2023 HCA which is 4,680. So, in effect, the positions on demand are not that dissimilar.

22.2 The capacity estimates used in the GCP 2023 HCA are conservative. In my opinion, the commercially feasible and reasonably realisable capacity shown in the WCGM22 are likely to underestimate capacity in the medium and long term, i.e. there is actually likely to be more capacity than is identified in the GCP 2023 HCA. I have reviewed Mr Sexton’s maps and I agree with Mr Akehurst that the noted issues are “relatively small”³. In the medium term the issues raised by Mr Sexton relate to a small share of capacity (0.9%, 53 dwellings), which is not material and a similar small share in the long term (i.e. 0.9%). I wish to restate this – the areas identified by Mr Sexton as being erroneously included are very minor and well within the expected margin of error. They do not make a material difference to the capacity assessment (at only 53 dwellings). Moreover, by design the modelling in WCGM22 underestimates capacity by 10-20%, which means that the capacity is likely to be higher than is shown in GCP 2023 HCA. I acknowledge that no model can be perfect and that there will always be unders and overs, however in this case, by design, it is most likely that WCGM22 will underestimate capacity and that the findings on sufficiency will not be sensitive to the small issues noted in the evidence of the applicant’s experts.

³ Statement of evidence of Gregory Akehurst, paragraph [86].

23 Below is a table that provides a comparison of the revised capacity (taking into account Mr Sexton’s suggested capacity changes) and the demand projections for the medium and long term. The revised figures show that there is sufficient capacity in both the medium-term (capacity is +281 dwellings more than demand) and long-term (+1,063 dwellings).

24 For the medium term the demand (plus competitiveness margin) is 5,600 dwellings. This compares to the revised capacity of 5,881, which is the WCGM22 capacity (5,934) less the corrections noted by Messrs Akehurst and Sexton (-53). The result is a revised sufficiency of +281 dwellings.

Waimakariri Urban Environment Sufficiency - Capacity vs Demand (plus competitiveness margin)

Urban Environment	Medium- Term	Long- Term
WCGM22	5934	14450
PC31 corrections	-53	-137
Revised capacity	5881	14313
Demand plus Margin	5600	13250
Revised Sufficiency	281	1063

25 I acknowledge that in the medium term there is a small positive margin, and Council should monitor the situation. However, it is a positive margin and this means that the requirements of the NPS-UD are met, at least in terms of exceeding the threshold.

26 I therefore disagree with the arguments provided by the applicant’s experts, and in my opinion there is no medium or long term shortfall which means that PC31 is not required to remedy a shortage of residential dwelling supply in Waimakariri. Moreover, as discussed in Appendix A, the demand and capacity applied in the WCGM22 assessment are conservative, and the sufficiency is likely to be much higher than presented in the table above.

- 27 Furthermore, I consider that NPS-UD only requires live zoning of additional capacity if there is insufficient capacity in the short or medium term. Therefore, the key period appropriate to PC31 is whether there is sufficient capacity in the short-medium term.
- 28 If there is insufficient capacity in the long term then councils can provide capacity via the Future Development Strategy process which is required in the NPS-UD. There will be at least three HCAs and two FDSs developed before the end of the medium term, and a new District Plan soon thereafter, which means that there will be ample opportunity to identify and address long term supply issues in the District.
- 29 Finally, I agree with Mr Akehurst's position that the residential component of PC31 (850-900 lots) would represent significant capacity for Waimakariri within the context of the NPS-UD. While PC31 is not needed to meet any shortfall, I agree that any development of this scale would be significant within the context of the Waimakariri Urban Environment.

Commercial Outcome

- 30 There is agreement that the commercial land provided in PC31 is far too large, and that a condition limiting GFA to 2,700m² is required. Also that there should only be one centre in PC31.
- 31 I consider that Ms Hampson's assessment provides a reasonable understanding of the potential distributional impacts associated with PC31 for the wider network of centres and that if the GFA limit is adopted then PC31 will have small impacts on other centres in Waimakariri.
- 32 I consider that the applicant's experts have not provided justification for the second centre, and in my opinion if PC31 were to be approved, it should only include a single centre.

Economic Costs and Benefits

- 33 There is agreement that economic costs from lost agricultural activity will be small within the context of the wider economy. However, I note that this would be the case for any loss of an individual farm within the district, and that this loss is still an important issue to be considered.
- 34 I accept the applicant's estimate of construction activity. However, I consider that this benefit is not net additional or related to PC31 per se. If PC31 is not developed, then it is likely that this development activity would be accommodated in another location in the Urban Environment anyway, so for the most part the construction activity should not be considered as a benefit of PC31.
- 35 I accept that cross-subsidy associated with infrastructure costs can be avoided if the applicant is required to cover all of the infrastructure funding. If such requirements are accepted by the applicant, then there may not be a cross-subsidy from the rest of the community. I understand that other experts will provide information to this hearing on the calculation of development contributions and the infrastructure costs associated with PC31, which if adopted may reduce the risk of a cross-subsidy occurring.
- 36 There is disagreement on the transport costs associated with PC31. Mr Akehurst considers that in the event that PC31 is not approved, potential residents of the PC31 area may choose to live somewhere else further from the Urban Environment which means, in his opinion, that the transport costs of households will be lower if they are accommodated in PC31.
- 37 I disagree with Mr Akehurst's position, and consider that there are likely to be alternatives that are adjacent to the Urban Environment, which can be expected to have lower transport costs. Therefore, I consider that the transport cost associated with accommodating

households in this rural settlement needs to be considered when assessing the merits of PC31.

38 Finally, Mr Akehurst considers that PC31 will contribute to well-functioning Urban Environment because he believes that it meets the objectives of the NPS-UD. He provides no analysis or quantification to support his opinion.

39 I consider that applicant's economic experts have not proven that PC31 will contribute to well-functioning Urban Environment. In my opinion, PC31 will not contribute to well-function Urban Environment, which is covered in detail within Appendix C.

Other Issues

40 The following other issues were raised.

40.1 **Ōhoka Existing Demand:** many of the applicant's experts are of the opinion that there is high demand for dwellings in Ōhoka, however no data or analysis is provided by the experts in support of those opinions. I accept their observations that there is strong demand for rural lifestyle living in Ōhoka, but in my opinion that demand is not comparable to the type of demand PC31 would aim to provide for, either in size, type, or scale of demand. For that reason I consider that those experts' opinions on rural lifestyle demand are not relevant to the assessment of PC31.

40.2 **Implications of MDRS:** many of the applicant's experts are of the opinion that MDRS will have no material impact in Waimakariri, but again no data or analysis is provided by the experts to support that opinion. I have presented information on recent developments (Appendix D) which shows that residential development intensity has already

increased from historic levels. While recent intensities observed have been less than the full plan-enabled potential in this zone (i.e. 3-by-3), they are still much higher than were achieved pre-MDRS, and represent a significant change in intensity and quantity of dwellings. I consider that it is likely that those intensities will reflect the form of new residential developments in Waimakariri in the medium term, and that this represents a significant portion of development activity and demand.

- 40.3 **Urban Environment Definition:** the applicant’s planner provided some discussion on whether Ōhoka is part of the Urban Environment. For the most part his discussion relies on pre-NPS-UD planning documents. I accept that there is no clear post NPS-UD definition provided in planning documents. Also, the GCP 2023 HCA explicitly provides a definition of the Urban Environment, which “*includes Christchurch City and the surrounding towns of Rangiora, Kaiapoi, Woodend, Rolleston, Lincoln, Prebbleton, and West Melton.*”⁴ and I also confirm that the data provided in the HCA uses a geography which excludes Ōhoka and the other small settlements in Waimakariri (and Selwyn). Therefore, I the GCP has excluded Ōhoka from the Urban Environment. I consider that applicant's experts have not proven that PC31 is part of the Urban Environment, and in my opinion, it is not, as is outlined in the Economic Review.
- 40.4 **Christchurch and Selwyn Situation:** some of the applicant’s experts consider that there may be shortages in the other parts of the Greater Christchurch Urban Environment, which

⁴ Greater Christchurch Partnership (2023) Greater Christchurch Housing Development Capacity Assessment. Page 8, first paragraph.

could put additional pressure on Waimakariri, and they imply that additional supply should be enabled in Waimakariri to provide for demand overflowing from other areas. No analysis or quantification is provided to substantiate this position, and in my opinion, other parts of Greater Christchurch have sufficient residential capacity to accommodate their expected demand, and there is low risk of additional demand pressures flowing into Waimakariri. I have provided discussion of this in Appendix D, which covers this issue.

40.5 **Proposed District Plan and IPI Process:** there are two other planning process underway that may result in more residential capacity being zoned within the Waimakariri Urban Environment. The submissions on these processes cover thousands of hectares of non-urban land, which if zoned could enable capacity for tens of thousands of additional dwellings. The merits of the submitted urban zoning will be assessed by commissioners, and may or may not, result in more land being available for residential development in the medium term.

Conclusion

41 Overall, I do not support PC31 from an economic perspective. There is likely to be sufficient capacity in the Waimakariri Urban Environment over the short-medium term (and the long term), which means that PC31 is not required to provide sufficient capacity in Waimakariri.

42 Furthermore, there are likely to be alternative development options nearer to the Urban Environment that could provide similar capacity and better contribute to a well-functioning Urban Environment.

43 If PC31 is approved then I consider that there should only be one commercial centre and that it should be limited to 2,700m² of GFA. I consider that the second smaller centre has not been justified.

APPENDIX A: RESIDENTIAL DEMAND AND SUPPLY OUTCOMES

- 44 One of the important economic issues in this hearing is the expected residential demand and supply outcomes from PC31. Related to this issue is whether there is sufficient capacity in the Waimakariri Urban Environment to meet expected demand, as required in the NPS-UD.
- 45 Before I discuss the demand and supply situation it is important to note three points – the proposed capacity in PC31 has changed since lodgement, the nature of PC31 is different to the local area, and the relevant time period that needs to be assessed.
- 46 First, the applicant’s experts have presented a range of views on the residential capacity that will be provided in PC31 and when it will be developed.⁵ Based on the expert evidence provided for the applicant, the capacity of PC31 could range from 763 to 1,057 dwellings. Also, the applicant is now suggesting a ten-year development period between 2026 and 2036.
- 47 The Economic Review which is attached to s42 report, which I co-authored with Mr Foy, adopted a capacity of 850-900 dwellings with development completed over ten years 2023-2033. The report also noted that under the proposed rules that PC31 could in theory allow 1,430 lots.
- 48 I consider that the ranges and time periods suggested by the applicant are reasonable, and I adopt them in this Summary Statement. Also, these changes proposed by the applicant do not affect the findings made in the Economic Review which was attached to s42 report.
- 49 Second, the residential activity proposed to be enabled in PC31 is very different to the existing activity in Ōhoka. The applicant’s experts acknowledge this difference.

⁵ Mr Copeland: 800 dwellings constructed over six years (2023-28), para [6.4].
Mr Akehurst: 850-892 dwellings constructed over ten years (2026-36), para [88].
Ms Hampson: 850-1057 dwellings constructed over ten years (2026-36), para [16-17].
Mr Falconer: 763 dwellings, which excludes the education and polo field land, Illustrative Master Plan (Indicative Residential Yield).

- 50 I consider that there is agreement between the economists that there is limited demand in Ōhoka to support the full development of PC31. While I accept Mr Jones' opinion that there may be strong demand for rural lifestyle lots⁶, this demand is relatively small compared to the capacity proposed in PC31 and is not for the same type of product or sufficient to sustain the full development proposed in PC31.
- 51 I agree with Mr Jones' that PC31 is different (providing small lots that are urban in character) to the current offer in Ōhoka⁷, which means that the assessment should not be restricted to rural lifestyle lots.
- 52 Instead, the assessment of PC31 should be conducted in the context of the demand for urban dwellings within the wider Urban Environment, which is consistent with the approach adopted by Mr Akehurst and Ms Hampson.
- 53 Therefore, for this Summary Statement I have focused on the demand and supply outcomes within the Waimakariri Urban Environment.
- 54 Third, the NPS-UD requirement to provide sufficient capacity is a minimum threshold. If a council determines that there is insufficient development capacity then it must act as soon as practicable to provide more capacity via changes to the planning framework.⁸
- 55 Given the definitions of capacity in the NPS-UD this means that if there is insufficiency in the short or medium term that the council would need to either live zone more capacity within the operative district plan⁹ or propose a change to the plan¹⁰. If insufficiency arises in the long term, the council would need to either live zone more capacity, or identify future urban land in a Future Development Strategy (FDS)¹¹.
- 56 Therefore, long term capacity issues can be dealt with via the FDS process which is required in the NPS-UD. There will be at least three

⁶ Statement of evidence of Chris Jones, paragraph [6].

⁷ Ibid, paragraph [8].

⁸ NPS-UD, clause 3.7.

⁹ NPS-UD, clause 3.4(1)(a).

¹⁰ NPS-UD, clause 3.4(1)(b).

¹¹ NPS-UD, clause 3.4(1)(c).

HCA and two FDSs developed before the end of the medium term, and a new District Plan soon thereafter, which means that there will be ample opportunity to identify and address long term supply issues in the District.

57 This is important as councils are only required to provide live or proposed urban zoned development opportunities if there is insufficient supply in the short or medium term. If there is insufficient supply in the long term, then WDC can instead identify land for future urban activity. I also note that there is a hearing process underway for the District Plan review and submitters have proposed significant rezoning requests (from rural to residential) of other land around the District.

58 This means that the critical time period in this hearing is whether there is insufficient capacity in the medium term, therefore this is the focus of my Summary Statement.

59 I note that the applicant's economists consider that the development will provide capacity after 2026, which is beyond the short term. Also, neither of the economists provides an assessment of the short term. I consider that PC31 will not be relevant to the short-term outcomes and therefore there is no need to assess the outcomes in this period.

What is the most likely housing demand in the Waimakariri Urban Environment?

60 The first step in the assessment of demand is to select the appropriate population projections. WDC and the Greater Christchurch Partnership have selected the High Series from the most recent Statistics New Zealand projections that was released in December 2023.¹²

¹² Greater Christchurch Partnership (2023) Greater Christchurch Housing Development Capacity Assessment.

- 61 Mr Akehurst has also adopted the High Series, which he calls “the most appropriate”.¹³ However, he notes that new dwelling consents have been strong since 2010¹⁴ and he also considers that the recent rebounding of net migration to above pre-COVID-19 levels may further add to the growth pressure¹⁵ which in his opinion could push growth higher than projected in the High series.
- 62 I agree that the most appropriate projection is the High Series, which is also adopted in WCGM22 and the Economic Review attached to the s42 Report. The Greater Christchurch Partnership has also adopted the High Series in the 2023 HCA.
- 63 However, I consider that this is a conservative position and that growth may well be lower than suggested in this High Series. Importantly, I note that in the last 12 months that new dwelling building consents have been dropping in the District and are now down 20% from a year ago. Also there are other macroeconomic factors that suggest that the growth outcome may be lower in the short to medium term (i.e. recession, higher interest rates, consumer price inflation.).
- 64 While Mr Akehurst considers that the High series could be too low, I disagree and consider that it is more likely to be too high, and therefore using the High series would be unlikely to understate future demand. Regardless, all assessments before this hearing use the same High series.
- 65 The High Series population projection is then converted into dwelling demand, by type and location. This is important as this metric defines how much urban capacity is required to meet the demand. Mr Akehurst is critical of the WCGM22 and GCP 2023 HCA dwelling projections.
- 66 At the total District level the following estimates of dwelling demand are presented for the medium term (10 years):

¹³ Statement of evidence of Gregory Akehurst, paragraph [35-36].

¹⁴ Ibid, paragraph [39].

¹⁵ Ibid, paragraph [40].

- 66.1 Mr Akehurst: 5,540 dwellings.¹⁶
- 66.2 WCGM22: 5,794 dwellings.¹⁷
- 66.3 Ms Hampson: 6,073 dwellings.¹⁸
- 66.4 GCP 2023 HCA: 7,114 dwellings.¹⁹

67 I note that Mr Akehurst's estimate of District level demand is the lowest before this hearing. That is important, because while Mr Akehurst considers that the WCGM22 and GCP 2023 HCA both underestimate demand, his own estimate of demand is actually lower, and as such I am unsure why he considers that the WCGM22 and GCP 2023 HCA both underestimate demand.

68 The total dwelling demand is then split into the different areas of the district. Some of the dwelling demand will be accommodated in rural, rural lifestyle zone and small settlements in the District. These areas are not part of the Urban Environment identified in both the WCGM22 and the GCP 2023 HCA, and are not part of the assessment of sufficiency within the NPS-UD (either as demand or supply). Therefore, this portion of the total District dwelling demand must be excluded.

69 Neither Mr Akehurst nor Ms Hampson provide an estimate of the dwelling demand within the Urban Environment.

70 However, Mr Akehurst notes that urban areas in Selwyn District have 85% of the total district dwelling demand and implies that this could be similar for Waimakariri.²⁰ If Mr Akehurst had adopted this share (85%) with his own total district demand (of 5,540) then he would have estimated a demand for 4,710 dwellings in the Urban Environment. This level of demand is not materially different to either the WCGM22

¹⁶ Statement of evidence of Gregory Akehurst, paragraph [41].

¹⁷ Formative (2023) Waimakariri Capacity for Growth Model 22.

¹⁸ Statement of evidence of Natalie Hampson, Appendix 4 Status Quo.

¹⁹ Greater Christchurch Partnership (2023) Greater Christchurch Housing Development Capacity Assessment, Table 30 and 31.

²⁰ Statement of evidence of Gregory Akehurst, paragraph [50].

or GCP 2023 HCA, therefore Mr Akehurst's concerns about demand are in my opinion unsupported.

71 Currently, there are two estimates of dwelling demand for the Urban Environment which are provided by the WCGM22 and GCP 2023 HCA. They show medium-term demand (10 years) in the Urban Environment for:

71.1 4,682 dwellings (GCP 2023 HCA).

71.2 4,143 dwellings (WCGM22).

72 Mr Sellars' provided oral evidence that there was demand for 462 dwellings per annum. I note that Mr Sellars demand would equate to 4,620 dwellings in the medium term, which falls within the range in the WCGM22 and GCP 2023 HCA.

73 I consider that based on the available information and Mr Sellars' comments that demand for the Urban Environment within the coming 10 years is likely to range from 4,140 to 4,700 dwellings. This is equivalent to 414 to 470 dwellings per annum.

74 The NPS-UD requires councils to include a competitiveness margin which is an additional buffer above the demand of 20% in the medium term. This would mean that the council needs to provide at least 4,970 (WCGM22) or 5,600 (GCP 2023 HCA) dwellings.

75 The dwelling demand is also disaggregated into standalone and attached dwellings. I consider that the majority of the demand in the medium term in Waimakariri will be for standalone dwellings. This is also Mr Akehurst's position and is also consistent with the WCGM22 and GCP 2023 HCA.

76 However, Mr Akehurst questions the GCP 2023 HCA estimate of demand in Christchurch, and considers that demand for standalone dwellings may be underestimated in Christchurch.²¹ The implication is that there may be more demand for standalone dwellings and that

²¹ Statement of evidence of Gregory Akehurst, paragraph [26]-[30].

- some of this demand could flow into Waimakariri which would further impact sufficiency within the Waimakariri Urban Environment.
- 77 The demand estimate in the GCP 2023 HCA suggests that within the Urban Environment 57% of dwelling demand could be standalone and 43% as being attached, in the medium term.
- 78 Contrary to Mr Akehurst's assertions, the most recent data supports the GCP 2023 HCA estimate of demand. In the last 12 months approximately 48% of new dwelling consents in Greater Christchurch Urban Environment were standalone.²²
- 79 Furthermore, over the last ten years the share of new dwellings that were standalone changed from consistently being over 80% to now being consistently below 50%. In my opinion, the trend is clear, with the share of development that is standalone declining steadily.
- 80 I consider that it is reasonable to expect this trend to continue, and that the GCP 2023 HCA demand share of 57% being standalone is much more likely to overestimate demand for standalone dwellings in the medium term, than it is to underestimate that demand. Therefore, I do not agree with Mr Akehurst's opinion that the GCP 2023 HCA underestimates standalone dwelling demand in Christchurch.
- 81 I consider that in Waimakariri Urban Environment the demand (plus competitiveness margin) is conservatively within the following range:
- 81.1 WCGM22 would suggest 4,970 dwellings over the medium term (i.e. 497 p.a.).
- 81.2 GCP 2023 HCA would suggest 5,600 dwellings over the medium term (560 p.a.).
- 82 The applicant's experts have not provided their own estimate of demand for the Urban Environment. Mr Akehurst has adopted the demand from the GCP 2023 HCA (5,600) and Ms Hampson's gravity model cannot be readily converted to the Urban Environment.

²² Statistics New Zealand (2023) New Dwelling Consents.

83 Therefore, I consider that it would be conservative to adopt 5,600 as the upper end estimate of medium term demand for the Waimakariri Urban Environment for the purposes of this hearing.

What is the capacity for housing in the Waimakariri Urban Environment?

84 The WCGM22 estimates the level of capacity that is plan enabled, infrastructure-ready, commercially feasible and reasonably realisable within the Urban Environment, as required in NPS-UD. This information is adopted in the GCP 2023 HCA and the Economic Review attached to the s42 report.

85 The WCGM22 suggests that plan enabled capacity for residential dwellings could increase to over 80,000, or almost three times the existing dwellings in the District. The assessment of the capacity that could be commercially feasible and reasonably realisable, as prescribed in the NPS-UD, suggests that there is capacity for just over 5,930 new dwellings in the medium term.

86 I note that the NPS-UD defines the assessment of capacity, which means that the modelled outcomes will be conservative:

86.1 NPS-UD requires that assessments are conducted using the **current** relationship between costs and revenue for the short and medium term. This means that the modelling cannot allow for changes in the market. I consider that in a high growth area it is certain that feasibility and development activity will improve over time. In my opinion, it is very likely that over the coming 10 years that market conditions will change and more capacity will be feasible than is indicated in the WCGM22. For this hearing I have been provided recent consents for comprehensive developments in the District (discussed further in Appendix D). I can confirm that residential developers are now achieving much higher density than was predicted in the WCGM22. I discuss this

further when I address Mr Sellars' evidence, but I note that Mr Sellars suggested in oral submissions that there is a trend in Waimakariri for lot sizes to decrease. This means that development intensity is increasing, which matches the data that I have reviewed.

86.2 NPS-UD requires that a **commercial** assessment be adopted when assessing capacity. This means that WCGM22 does not cover every type of developer, there are semi-commercial and public providers of dwellings which are not modelled (Kāinga Ora, Ngāi Tahu, retirement village developers, private households etc). Specifically, the capacity that these developers provide will not be measured within the WCGM22 - i.e. these developments will deliver capacity in addition to that modelled in the WCGM22.

87 Therefore, I consider that it is most likely that the amount of development that is achievable in the Urban Environment will be higher than that estimated in the WCGM22. In my opinion, the WCGM22 is likely to underestimate capacity by approximately 10-20% in the medium term.

88 Furthermore, the District Plan Review and the IPI process may well result in further land being zoned (or upzoned) for residential development within the Urban Environment. WDC has received submissions to rezone large areas of the District as follows,²³

88.1 1,144ha of Rural Lifestyle Zone to Large Lot Residential Zone.

88.2 1,975ha of Rural Lifestyle Zone to residential zones (General Residential and Medium Density Residential).

²³ Some submitters have suggested several alternative zones for a parcel of land, which means there is some land that is counted more than once in the numbers counted. However, this is not material to the point, which is that there has been a large number of submissions made to change zoning which could significantly increase capacity in the District.

- 88.3 57ha of Large Lot Residential Zone to residential zones (General Residential and Medium Density Residential).
- 88.4 279ha of Development Areas to Residential (Medium Density Residential).

89 These submitted changes would greatly increase capacity in the Urban Environment, potentially providing capacity for many thousands or tens of thousands of dwellings in the medium term, and well over 20,000 new dwellings if all the submissions were approved. The submitted changes will be appropriately assessed, and considered, within the context of the range of potential options.

90 Turning to the applicant's evidence, Mr Akehurst considers that the WCGM22 includes some land that is not available for development. He presents some examples²⁴ and maps²⁵, which are based on Mr Sextan's assessment (which he displayed visually in the hearing). Mr Akehurst considers that these areas are "relatively small".²⁶

91 I have reviewed the examples and maps, and agree that they are relatively small. In total the noted issues represent a capacity of 53 dwellings in the medium term which is less than 0.9% of the capacity. These small issues have no material impact on the findings of whether there is sufficiency or not.

92 I acknowledge that no model can be perfect and that there will always be some overs and unders. The model was reviewed internally at Formative and by Council Officers, however these few small issues were not captured via these two reviews. In my opinion, these issues are well within the expected margin of error for a model of this type.

93 I note that Mr Akehurst and Mr Sexton had two full weeks to assess the parcel level data from WCGM22. Also, Mr Akehurst has expert experience both developing capacity models for NPS-UD and he reviewed exactly the same data set for the Selwyn hearings. I consider

²⁴ Statement of evidence of Gregory Akehurst, paragraph [83].

²⁵ Ibid, Appendix 1 – Figures 17 and 18.

²⁶ Ibid, paragraph [86].

that there was ample time to review the data, and the fact that these two experts only identified a few issues (0.9%) shows that the model is reasonably accurate and that the WCGM22 is robust.

94 Therefore, taking into account the corrections identified by Mr Akehurst (shown in his Appendix 1), I find that the commercially feasible and reasonably realisable capacity within the Urban Environment of the District in the medium term is around 5,880, rather than 5,930 as reported in the Economic Review attached to the s42 report (see Figure 1).

Figure 1: Waimakariri Urban Environment Capacity - Medium Term

Urban Environment	Medium- Term
WCGM22	5934
PC31 corrections	-53
Revised capacity	5881

95 Mr Akehurst and Mr Sextan have also focused on the long term capacity provided in the New Development Areas (NDA) in Rangiora and Kaiapoi. I note that most of these areas are not proposed to have live zoning under the District Plan Review, and can only be developed for urban use in the future once the zoning is changed to residential.

96 Appropriately, the capacity in these NDA areas is recorded as zero in the medium term. These areas are only included as providing capacity in the long term within the WCGM22 and by extension the GCP 2023 HCA. The WCGM22 parcel level data provided to the applicant clearly shows this, with no capacity recorded for NDA land that is not zoned for the medium term. Therefore, the NDA are not relevant to the assessment of medium term capacity under the NPS-UD.

97 Mr Akehurst has included the NDAs in his medium term assessment, and in Figure 10 of his evidence he takes the:

- 97.1 medium term capacity from the GCP 2023 HCA of 5,950, and
- 97.2 subtracts his estimate of dwelling capacity on the undevelopable NDA land (e.g. 1,293 in his first scenario)
- 97.3 to get his revised estimate of medium term capacity (4,657).

98 He then compares his revised capacity (4,657) to the medium-term demand of 5,600 and finds a shortfall of 943 dwellings.

99 However, it is not correct to remove NDA capacity from the medium term capacity in the GCP 2023 HCA, because the GCP 2023 HCA medium term estimate does not include those 1,293 dwellings - only the GCP 2023 HCA's long-term estimate does. For that reason, Mr Akehurst's assessment for the medium term in Table 10 of his evidence understates dwelling capacity. That affects Mr Akehurst's conclusions about the sufficiency of dwelling capacity in the medium term, and also the other experts (Mr Walsh) who relies on Mr Akehurst's conclusions.

100 Furthermore, I disagree with Mr Akehurst's and Mr Sexton's contention that a large share of the NDA should be removed as being undevelopable in the long term.

101 First, it is claimed that much of Kaiapoi NDA (95%) is not developable because it is under the CIAL Noise contours (May 2023) and High Flood Hazard areas. My understanding is that this land is developable and that these restrictions are not binding. While development in this area may be more expensive, I consider that over the long term that it is likely that this impediment would not prevent development, a matter which is discussed in the evidence of Mr Willis and Mr Bacon for the Council.

102 I also note that there are submissions on the DPR by the landowners that much of this land be live zoned for residential uses²⁷, which shows a clear indication that this land is likely to be developable in the long term.

103 Second, in the Rangiora NDA there is Rangiora High School which also had a large teaching farm which is zoned rural under the ODP. As I

²⁷ Submission 173.1 (2021) Momentum Land Ltd which owns 35ha of the NDA has requested live zoning and Medium Density Residential (i.e. the southern third of the Kaiapoi NDA).

Submission 208 (2021) Suburban Estates Limited on behalf of the owners (Wakeman) of 39ha of the NDA has requested live zoning General Residential Zone (i.e. the northern third of the Kaiapoi NDA).

understand it, most of the teaching farm was sold and is now being developed as Bellgrove residential development (MDRZ). There is now only a small part of the farm land remaining (15ha).

- 104 The applicant's experts consider that the High School grounds and remaining farm land is not developable.
- 105 I agree that the school grounds are not developable and confirm that WCGM22 does not include the grounds. This includes most of the land that Mr Sexton and Mr Akehurst note in their evidence.
- 106 The remaining small farm block of 15ha is included in the WCGM22. This land is part of a "Priority Area" which may be developed in partnership with central government agencies.²⁸
- 107 Given the scale of the land and the location (being surrounded by urban), I would expect that the continuation of rural activity on this small piece of land will become challenging. I consider that over the long term (20-30 years) that it is likely that this remaining farm land will be developed for urban uses. I disagree with Mr Akehurst's position that this land is undevelopable simply because it is owned by a school.
- 108 Third, there is a funeral director located in the Rangiora NDA on Kippenberger Avenue. I accept that this land may not be developable in the long term. The WCGM22 records this land as having a capacity of 24 dwellings. I consider that the removal of this land will not have a material impact on the assessment, as it represents less than 0.2% of capacity in the long term. Also, this land is not live zoned for residential which means that it is not recorded as having capacity in the medium term (i.e. it has a capacity of zero). To be clear, there is no required correction in the WCGM22 for the medium term.
- 109 Fourth, the applicant's experts note that there are plans for additional land to be provided around MainPower Stadium (approx. 4ha, south of the oval and north of Rangiora High School). I am not aware of these plans and can confirm that this land is included as capacity within the

²⁸ Greater Christchurch Partnership (2023) Spatial Plan (Draft June).

long term. If this land is undevelopable then 60 dwellings would be removed from the WCGM22. I consider that the removal of this land will not have a material impact on the assessment as it represents less than 0.4% of capacity in the long term. Also, this land is not live zoned for residential which means that it is not recorded as having capacity in the medium term (i.e. it has a capacity of zero). To be clear, there is no required correction in the WCGM22 for the medium term.

110 Fifth, Mr Sexton has estimated the non-developable land in each of the NDA, by accounting for stormwater, waterways, openspace, and also removed a notional 12.5% for other stormwater. He starts with 455ha of raw land and then estimates a remaining land area of 347ha, which is 24% of land being undevelopable.

111 I note that the WCGM22 also removes land for undevelopable purposes (stormwater etc). The model assumes 25% of land is undevelopable which is similar to the rate estimated by Mr Sexton. Therefore, I consider that the WCGM22 already accounts for this issue. As such I do not agree with Mr Akehurst's assessment as this effectively doubles the land removed for non-developable purposes than should be removed.

112 Based on the information presented by the applicant's experts I consider that the long-term capacity may be marginally lower than shown in the WCGM22 (-0.9%).

113 I find that the commercially feasible and reasonably realisable capacity within the Urban Environment of the District is around 14,313 rather than 14,450 in the long-term as reported in the Economic Review attached to the s42 report (shown in Figure 2). Specifically, I have removed both the medium-term capacity which Mr Akehurst/Mr Sexton has questioned (his Appendix 1) and the capacity that was noted for the funeral director and the potential expansion of MainPower Park.

Figure 2: Waimakariri Urban Environment Capacity - Long Term

Urban Environment	Long- Term
WCGM22	14450
PC31 corrections	-137
Revised capacity	14313

114 Finally, in Figure 3 I provide a comparison of the commercially feasible and reasonably realisable capacity figures for the medium-term and long-term to the demand (plus margin). The revised figures show that there is sufficient capacity in the medium-term of 281 and 1,063 in the long-term.

Figure 3: Waimakariri Urban Environment Sufficiency - Capacity vs Demand

Urban Environment	Medium- Term	Long- Term
WCGM22	5934	14450
PC31 corrections	-53	-137
Revised capacity	5881	14313
Demand plus Margin	5600	13250
Revised Sufficiency	281	1063

115 I acknowledge that in the medium term there is only a small positive margin, and Council should monitor the situation. However, it is a positive margin and this means that the requirements of the NPS-UD are met, at least in terms of exceeding the threshold.

116 I therefore disagree with the arguments provided by the Applicant’s experts that PC31 is required to meet a capacity shortfall – there is no identified medium term or long term shortfall according to my calculations.

117 I also note that the NPS-UD sufficiency test is framed as a minimum level of development capacity required, not a maximum. Also, the NPS-UD has a wider set of objectives, beyond simply providing the bare minimum capacity that is sufficient to meet expected demand. Both of which means that WDC could allow for more urban capacity than the minimum required to accommodate expected growth, in order to meet the wider objectives of the NPS-UD. The provision of additional capacity can be assessed according to the merits, but this does not

mean that all additional developments should be adopted as being beneficial.

118 Also, as previously discussed, I consider that the modelling within the WCGM22 is, by requirement, overly conservative. In my opinion, there are a number of reasons why the situation in the future is likely to be better than shown in Figure 3:

118.1 the High series demand that is adopted is conservatively high, which means there is a strong chance that demand could be lower in the coming 10 years and beyond.

118.2 the demand includes a 20% margin which provides even more buffer. Combining a buffer on top of High Series demand adds conservatism on top of conservatism.

118.3 the capacity assessment must use current relationships as fixed, which means that even though the market will shift in the coming years the WCGM22 is not allowed to model these changes. It is very likely that more capacity will become feasible in the coming decade, this is especially the case now that MDRS has been adopted.

118.4 the capacity assessment does not include public or semi-commercial developers, such as Kāinga ora, Ngāi Tahu, retirement village operators, private households etc. All of which will build and provide a considerable amount of capacity.

118.5 the DPR process may result in more land being live zoned.

119 Therefore, while technically there appears to be a small positive margin of capacity in the medium term, in my opinion the most likely outcome is that the sufficiency will be much higher in the medium term.

120 I also note that even under Mr Akehurst's (and potentially Mr Sellars) assessments there would not be any need for more land until the end of this decade. The DPR process is underway and the applicant has

submitted on this process, where the merits of their land can be considered against alternative land.

121 For example, if there was a medium term need, then I consider that WDC could live zone the already identified and planned for NDA areas or adopt some of the proposed land that submitters have suggested in the DPR process.

122 None of the applicant's experts has presented an argument that there is a short term need, which means that there is time to consider the options and that PC31 would be one of many alternatives.

123 In oral presentation to the hearing, Mr Sellars introduced new information that was outside the scope of his evidence. He said that there is a capacity of 2,598 lots on "vacant" land in the short-medium term. He suggested that this meant that there was only sufficient capacity for 5.6 years.

124 I note that Mr Sellars has **not provided his assessment in evidence** and **has no experience providing capacity assessments under the NPS-UD**. Therefore, I question whether he has undertaken his assessment in accordance with NPS-UD requirements. It appears from his oral comments that he has only assessed "vacant" land and has not completed a full assessment, as required for the NPS-UD.

125 Mr Akehurst has extensive experience undertaking capacity assessments for the NPS-UD and reviewing growth models. He has reviewed the WCGM22 and noted only "relatively small" issues in the calculation of capacity. I consider that Mr Akehurst's expert opinion, which is provided in evidence, should be preferred over Mr Sellars which was not provided in evidence on this topic.

126 Moreover, I consider that it is improbable that WCGM22 overestimates capacity by over 50%, as contended by Mr Sellars. I do not accept Mr Sellars oral opinion on capacity in Waimakariri Urban Environment.

127 Also, even if one was to adopt Mr Sellars assessment, there is sufficient capacity in the short term and much of the medium term.

APPENDIX B: COMMERCIAL DEMAND AND SUPPLY OUTCOMES

- 128 There is much agreement between the economic evidence presented by Ms Hampson and the Economic Review on the commercial aspects of PC31. These assessments both find that:
- 128.1 The commercial capacity in PC31 is too large, which means that a cap on the gross floor area (GFA) is required of 2,700m².
 - 128.2 That a single centre (on Whites Road) would be optimal.
- 129 I consider that Ms Hampson's assessment provides a reasonable understanding of the potential distributional impacts associated with PC31 for the wider network of centres.
- 130 Ms Hampson considers that if a second centre is included in PC31 then three additional conditions be adopted²⁹:
- 130.1 the smaller centre should be lower in centre hierarchy (e.g. it should be a Neighbourhood Centre zone),
 - 130.2 the second centre should be included within the total GFA cap for PC31, and
 - 130.3 development of a second centre should only begin after the larger centre is developed and tenanted, and subject to an assessment at that time of the economic health of Mandeville Village in light of the introduction to the market of the commercial space in the larger centre.
- 131 While I agree with these conditions, I consider it would be unnecessary and inefficient to have a second smaller centre close to (indicated to be 200m away from) the larger centre, and would result in either duplication or dilution of activities between the two centres. In my opinion It would be much more efficient to have all centre-activities

²⁹ Statement of evidence of Natalie Hampson, paragraph [82].

contained within a single node, rather than requiring shoppers to move between two discrete nodes to visit a range of commercial businesses.

132 I note that the conditions recommended by Ms Hampson have not been included in the application or adopted by Mr Walsh.

133 In conclusion, the only point of disagreement is around the potential inclusion of a second smaller centre in PC31. While there is agreement that the inclusion of a second smaller centre in PC31 would be less desirable, Ms Hampson has implicitly maintained support for this part of the proposal by including potential conditions. I consider that PC31 should not include a second smaller centre.

APPENDIX C: ECONOMIC COSTS AND BENEFITS

- 134 The economic costs and benefits associated with PC31 are as follows, lost agricultural production, construction value, infrastructure costs, transport costs, and contributing to well-functioning urban environments.
- 135 First, there is broad agreement between Mr Akehurst, Mr Copeland, and the Economic Review attached to the s42 report that the loss of PC31 land would result in a small loss of rural production (from an economic perspective). The importance of those productive soils is addressed by other experts.
- 136 Second, both Mr Copeland and Mr Akehurst consider that the development and building of houses enabled by PC31 will generate economic benefits in terms of construction activity in the District. Mr Akehurst estimates the total GDP value of construction activity to be \$324 million over the development period and notes that this is a one-off impact.³⁰
- 137 I accept the quantification of the construction value presented, however I consider that most of this value is not net additional to the economy. Specifically, if PC31 did not occur then demand would be accommodated elsewhere in the District, and approximately the same associated construction activity would be generated in those other locations.
- 138 I consider that Mr Akehurst's representation of these benefits could be misleading, and it is common practise to note that most of this value would have occurred regardless of PC31.
- 139 Third, the development of PC31 will require infrastructure that is supplied by the wider community (via the Council). Mr Akehurst considers that these costs can be covered by the applicant via appropriately set fees, such that no cross-subsidy would occur.

³⁰ Statement of evidence of Gregory Akehurst, paragraph [132]-[146].

- 140 I accept that this might be the case, however it was not clear from the application documents that were reviewed that this would occur. Therefore, if the applicant provides undertakings to fund all infrastructure, and agreements with Council to that end are entered into, then the risk of a cross subsidy cost occurring would be diminished.
- 141 Fourth, PC31 will allow a large number of households to live within a semi-rural area. For the most part these households will need to use private motor vehicles to travel to meet their needs, and these trips will be longer than those undertaken by the average household in the Urban Environment.
- 142 Mr Akehurst considers that there is insufficient capacity in or near the Urban Environment so “there is not a counterfactual scenario where the actual transport costs are lower than for PC31 as there may not be sufficient capacity adjoining the large urban townships”.³¹ Mr Akehurst implies that the prospective residents of PC31 may live somewhere else further from the Urban Environment, presumably in rural, rural settlements, or rural lifestyle zone.
- 143 I disagree with Mr Akehurst’s position. In addition to the fact that there is sufficient capacity identified within or adjoining the District’s large urban townships, I consider that it is unlikely that prospective households that live in PC31 would choose to live in these more or equally remote rural areas. I consider that PC31 would enable the creation of a new urban area, and that area would be very different to the rural areas Mr Akehurst implies would be alternative choices as a place of residence. Instead, in my opinion households that might choose to live within PC31 will likely choose to live in either there or in other parts of the Urban Environment if PC31 is not developed, but would be much less likely to choose to live in rural areas. Therefore, I

³¹ Ibid, paragraph [205].

would expect that PC31 would result in transport costs that are higher than the (urban) alternative.

144 Also, I consider that even if there is insufficient supply, there are alternatives that could be adopted to accommodate demand. As discussed, the District Plan Review and the IPI process may well result in further land being zoned (or upzoned) for development within the Urban Environment.

145 I disagree with Mr Akehurst's position that there may not be sufficient capacity adjoining the large urban townships and I consider that there are likely to be alternatives that are adjacent to the Urban Environment, which will have better transport outcomes associated. Therefore, I consider that the transport cost associated with accommodating households in this rural settlement need to be considered when assessing the merits of PC31.

146 Fifth is the issue of whether PC31 would contribute to a well-functioning Urban Environment and meet the other policies and objectives of NPS-UD (affordability, competition, close to existing centres, significant development, etc).

147 Mr Akehurst provides no discussion of whether Ōhoka or PC31 is within the Urban Environment. His evidence implicitly assumes that the NPS-UD applies to Ōhoka and PC31, and that this rural settlement is part of the Urban Environment.

148 I consider that it is not clear whether Ōhoka or PC31 is within the Urban Environment. I consider that on balance that it is not within the Urban Environment, which is discussed further in the Economic Review attached to the s42 Report.

- 149 Notwithstanding the applicability of the NPS-UD, I discuss Mr Akehurst's evidence on the objectives. He considers that PC31 will contribute positively to the Urban Environment by:
- 149.1 Supporting housing affordability and competitive land market, because it adds significant land for development.³²
 - 149.2 Being proximate to existing centres and employment opportunities, and closer to Christchurch than Rangiora or Woodend/Pegasus.³³
 - 149.3 Enabling a significant development opportunity.³⁴
- 150 Therefore, he considers that PC31 would contribute to a well-functioning urban environment.³⁵
- 151 First, in terms of housing affordability I consider that the provision of dwellings in PC31 are unlikely to be affordable. In the Economic Review that is attached to the s42 report it was estimated that the cost of a dwelling in PC31 could be in the range of \$830,000 to over \$1,000,000.
- 152 The applicant's experts have presented evidence that suggests that the Residential 2 land in PC31 will sell within the range of \$475,000 and \$545,000 per lot³⁶ and that the construction of the dwellings will cost at least \$510,000 for Residential 2 and \$1,300,000 for the Residential 4a³⁷. Combined this means that PC31 dwellings are expected to have a value of at least \$985,000 and most being well over \$1,000,000. This compares to average house price in WDC of \$725,000.³⁸
- 153 I consider that there is agreement that PC31 will provide housing that will have high sales values, and these will be much higher than the average sales price (more than 30%). In my opinion, it is clear that PC31 will not provide affordable housing options.

³² Ibid, paragraph [99].

³³ Ibid, paragraph [102].

³⁴ Ibid, paragraph [105].

³⁵ Ibid, paragraph [107].

³⁶ Statement of evidence of Chris Jones, paragraph [21].

³⁷ Statement of evidence of Gregory Akehurst, paragraph [138]-[139].

³⁸ Ibid, paragraph [120].

- 154 In Mr Akehurst's opinion, the addition of supply in PC31 will cause a market wide shift that will improve affordability. He does not quantify or justify his position, and merely relies on theory.
- 155 While I accept that adding supply can influence prices, this is under the assumption that there are restrictions within the market. I consider that this is not the case in Waimakariri, where there is ample supply. In my opinion, PC31 would at best contribute a small positive impact indirectly to the rest of the market. However, this is likely to be so small as to be more or less indiscernible within the context of the housing market in the Urban Environment.
- 156 In terms of contributing to competitive operation of the market, Mr Akehurst considers that providing more land via PC31 will avoid the risk of market power and monopoly behaviour occurring.³⁹
- 157 I find Mr Akehurst's references to monopoly behaviour to be unfounded, especially within the Greater Christchurch area which has seen some of the lowest price increases in the country. While providing additional supply can provide some marginal benefits in terms of competition, I do not consider that this will be material in WDC and Greater Christchurch. There is ample supply in Greater Christchurch and WDC, therefore there is no risk of a monopoly forming. In conclusion, while I accept there might be a small competition benefit from PC31 it is not likely to be material. Also, Mr Akehurst has presented no quantification or estimation of the scale of this benefit.
- 158 Second, Mr Akehurst considers that PC31 is more proximate to employment opportunities and centres in Christchurch relative to other locations in the District.
- 159 While I agree that PC31 may well be relatively closer to the Urban Environment in Christchurch than other parts of the District, the Urban Environment also includes Rangiora, Woodend-Pegasus, and Kaiapoi. All of these locations have centres and employment opportunities and

³⁹ Ibid, paragraph [124]-[127].

there is a lot of land around these towns that is closer to these parts of the Urban Environment than PC31 is to the Urban Environment of Christchurch.

160 Therefore, I do not agree with Mr Akehurst's proposition that PC31 is a relatively good location compared to the edges of the other Urban Environments in Waimakariri District. I consider that locating development on the edge of Rangiora, Woodend-Pegasus, and Kaiapoi would better contribute to a well-functioning Urban Environment than would PC31.

161 Finally, I consider that there is agreement between Mr Akehurst and the Economic Review that PC31 is a significant development in terms of the NPS-UD. The scale of the development is such that it would have to draw a large amount of the District's growth to this new location.

162 I agree that this change in demand (and supply) patterns would be significant and that PC31 would effectively create a new urban area in this location. This does not mean that the development of PC31 is positive relative to the alternative of providing for growth in an orderly fashion around the existing Urban Environment. While PC31 may well provide significant capacity, I consider that it still needs to be assessed on its merits.

APPENDIX D: OTHER ISSUES

163 The applicant has provided evidence on real estate (Mr Jones), valuations (Mr Sellars), and planning (Mr Walsh) which contain economic aspects of PC31. I have reviewed their evidence and provide the following comments, as they relate to economic issues.

Real Estate

164 First, Mr Jones provides his opinion on the demand for housing in Ōhoka. He does not provide data or detailed assessment, and provides the following opinions based on his experience:

164.1 Ōhoka is a rural village, which is close to Christchurch CBD.⁴⁰

164.2 There have been few sales in Ōhoka in recent years.⁴¹

164.3 Ōhoka is popular for rural lifestyle both for enquiries and searches.⁴²

164.4 People attracted to Ōhoka have to buy large lots (4ha or larger).⁴³

164.5 Recent sales and auctions indicate that there is “extreme demand”.⁴⁴

165 Mr Jones also considers the demand for PC31 and concludes that the product being proposed as part of this plan change will be in high demand.⁴⁵ He notes that PC31 will provide lots which are much smaller than exist in Ōhoka and larger than provided in Kaiapoi, Woodend, and Rangiora.

166 He also provides brief comment on the demand-side implications of the MDRS in Waimakariri.⁴⁶ He considers that the new zone will not have a

⁴⁰ Statement of evidence of Chris Jones, paragraph [5].

⁴¹ Ibid, paragraph [6].

⁴² Ibid, paragraph [6.1]-[6.5].

⁴³ Ibid, paragraph [7].

⁴⁴ Ibid, paragraph [9]-[12].

⁴⁵ Ibid, paragraph [13]-[23].

⁴⁶ Ibid, paragraph [24]-[26].

material impact on development in Waimakariri because the existing demand is for standalone houses with outdoor living space and much of the housing stock is new (young) to be redeveloped.

167 Mr Jones concludes that there is significant demand for residential housing in Ōhoka, relative to the other villages or townships in the Waimakariri District.⁴⁷

168 I agree with some of Mr Jones' evidence and I am also of the opinion that:

168.1 Ōhoka is a small rural village and there have been limited sales (and supply). People are attracted to the area by rural lifestyle and there is demand for more large lots.

168.2 PC31 would provide smaller lots which would be appealing to a greater cross-section of people. The lots would be larger and more expensive than the lots supplied in the Urban Environment of Waimakariri.

169 However, I consider that demand for rural lifestyle in Ōhoka is very different to demand for PC31. In my opinion, the proposed supply in PC31 is much closer in nature to urban development in Kaiapoi, Woodend, and Rangiora. Therefore, Mr Jones' findings of "extreme demand" is somewhat irrelevant as this relates to rural lifestyle and not the type of lots provided in PC31. His opinion is also informed by enquiries for Ōhoka as it is now, i.e. a small rural village, not what it would become – a town larger than Oxford.

170 The key question is whether there is demand for the development proposed in PC31. Mr Jones' evidence appears to equate the demand for Waimakariri urban area to mean that there is demand for urban land in Ōhoka. I disagree, in my opinion the demand is not related to Ōhoka, or PC31 per se, and could be equally accommodated elsewhere

⁴⁷ Ibid, paragraph [27].

in the District. I note that Mr Jones provides no estimate of the demand or period over which the lots from the development might be sold.

171 I disagree with Mr Jones' comments on MDRS. I consider that the MDRS change will allow development within the greenfield (and to a lesser extent infill) to occur to a greater intensity. I note that a large share (45%) of dwellings in the Urban Environment are currently 30 or more years, and 31% is more than 40 years old, and in the coming decades redevelopment will occur as this stock ages further. Mr Jones' concern about age of the dwelling stock is unfounded in my opinion.

172 I accept that development intensity will not get to the maximum level enabled in the Medium Density Residential zone. However, it is likely that development will become more intense, with smaller section sizes being developed. This change will be material in my opinion and is a continuation of the trend that is observed in the District, which I discuss further in response to Mr Sellars' evidence.

Valuation

173 Mr Sellars provides a short statement on the supply-side implications of the MDRS.

174 He considers it is "too early to gauge the likely up take" and in his opinion that full development potential enabled by the new zone (i.e. 3 dwellings to 3 levels - '3-by-3') will generally be supplied in the inner suburbs of Christchurch near major commercial hubs and transport routes.⁴⁸

175 Mr Sellars also consider that the Inner North Canterbury area has larger sections and lower development density, with most housing having two or fewer levels. He is of the opinion that this is unlikely to change in the foreseeable future.⁴⁹ He notes that the cost of building three levels is higher than single or double level, which means that development to

⁴⁸ Statement of evidence of Gary Sellars, paragraph [14].

⁴⁹ Ibid, paragraph [12].

the maximum (3-by-3) in the Inner North Canterbury area is less feasible.⁵⁰

176 Mr Sellars concludes that MDRS will have negligible impact on Waimakariri urban areas.⁵¹

177 I agree with some of Mr Sellars' opinions and I am also of the opinion that:

177.1 for the most part, the full development potential enabled by the MDRS (i.e. 3-by-3) will generally be achieved in the inner parts of Christchurch. This reflects the research which I have completed for the Greater Christchurch Partnership⁵² and evidence presented by each of the Partnership Councils for the Intensification Planning Instruments⁵³.

177.2 the cost of building dwellings that are three levels (or higher) is greater than for dwellings with one or two levels, which means that the sale price needs to be higher for development to be feasible. This is reflected in the WCGM22, which has different costs for each typology of dwelling and different sales prices. The WCGM22 finds that the feasibility of townhouses and apartments is much lower than standalone or units.

177.3 the full plan-enabled development potential in the MDRZ in Waimakariri will not be needed or feasible to develop in the medium term. The modelling in the WCGM22 shows that only a small share of development potential is feasible in the medium term and that much of the plan enabled capacity is not developable.

⁵⁰ Ibid, paragraph [13].

⁵¹ Ibid, paragraph [16].

⁵² Formative (2022) Greater Christchurch Spatial Plan Dwelling Affordability Assessment.

⁵³ Selwyn District Council - Variation 1, Christchurch City Council - Plan Change 14, Waimakariri District Council - Variation 1.

- 178 However, I disagree with Mr Sellars' conclusion that MDRS will have minimal impacts on development intensity in the Waimakariri urban areas.
- 179 I consider that the application of MDRZ to the main urban areas will enable the development of more dwellings than under the operative District Plan. The development intensity in Waimakariri has been increasing over the decades, and I consider that it is likely that the MDRZ will ensure that this trend continues.
- 180 Mr Sellars has provided no discussion of this trend or how it may interact with the new MDRZ. I consider that while it is unlikely that the full plan-enabled capacity for the zone (i.e. 3-by-3) will be achieved in Waimakariri urban areas, it is very likely in my opinion that development intensity will increase significantly and that the MDRZ will have a material impact in the medium term, and more so in the long term.
- 181 As an example, I provide the following development consents⁵⁴ from this year that show that development intensity is increasing:
- 181.1 50 Ashley Street, Rangiora: demolition of a 1920s dwelling and development of 4 new two-level dwellings. The site has a land area of 811m², which means that each dwelling will have 203m² of land. For this site the WCGM22 predicted that there is no capacity for additional dwellings (commercially feasible or reasonably realisable) on this site and as such this development is in excess of the modelled capacity.
- 181.2 152 Ōhoka Road, Kaiapoi: demolition of a 1960s dwelling and development of 4 new two-level dwellings. The site area is 809m², which means that each dwelling will have 202m² of land. For this site the WCGM22 modelled no capacity for additional dwellings (commercially feasible or reasonably

⁵⁴ Waimakariri District Council (2023) Comprehensive Dwelling Consents.

realisable). As above, this development is in excess of the modelled capacity.

181.3 236 Williams Street, Kaiapoi: demolition of a 1920s dwelling and development of 6 new two-level dwellings. The site has a land area of 964m², which means that each dwelling will have 161m² of land. For this site the WCGM22 modelled capacity for one additional dwelling (commercially feasible or reasonably realisable).

181.4 20 Seddon Street, Rangiora: demolition of a 1920s dwelling and development of 5 new two-level dwellings. The site has a land area of 779m², which means that each dwelling will have 156m² of land. For this site the WCGM22 modelled capacity for one additional dwelling (commercially feasible or reasonably realisable).

182 These examples are just a small selection of the recent examples of developments that are occurring in the District since the MDRS came into effect⁵⁵. In the data set there are no examples of development reaching the maximum 3-by-3 enabled in the MDRZ, but it is clear that development intensity is increasing. Since 2018 the average lot size in comprehensive developments in the district dropped from 380m² to 273m² in 2022. Most recently the average lot size has now dropped to 215m². Importantly, in the one year since the MDRS came into effect the development intensity has increased by 21%.⁵⁶

183 This is a significant change in a short period of time. Therefore, I disagree with Mr Sellars, Mr Jones and Mr Akehurst who claim that

⁵⁵ MDRS had immediate legal effect in August 2022 within the existing urban residential zoned land. This means that over the last year developers have been able to utilise the new provisions.

⁵⁶ I note that the recent developments may well have occurred even if the MDRS had not been adopted. Specifically, the development data that I reviewed covered comprehensive developments that required resource consent, so these developments may have occurred even if MDRS had not been adopted. However, I would expect that MDRS would have made the resource consenting process easier, and some of the change in density could be attributed to the adoption of the MDRS.

MDRS will have negligible effects in Waimakariri Urban Environment. Mr Sellars (and the other experts) provide no data or analysis to support their opinions, which are clearly at odds with the development that is occurring (as shown in the consents data).

184 Importantly the development intensity is materially greater than in the past and also greater than modelled in the WCGM22. The WCGM22 predicts a capacity of **only 2 new dwellings** for the examples above, and yet the market is going to deliver **15 new dwellings**, which is almost **seven times the level predicted in the model**. This means that the WCGM22 is likely to be overly conservative and does not account for the recent change in intensity that is being achieved in the Urban Environment.

185 Furthermore, the comprehensive residential development consents provided by Council shows that more than 100 dwellings were consented or are under consideration during the last year and that they had an average density of 260m².⁵⁷ This is a material amount of supply in a short period of time.

186 I note that Mr Akehurst considers that PC31 is a significant development, and it only provides 85-90 dwellings per annum. Using Mr Akehurst's own bar, it is clear that the intensification which is already being achieved (at over 100 per annum) in the Urban Environment would also be significant. I consider that MDRZ will provide a significant amount of capacity to meet expected demand in Waimakariri Urban Environment, both in the medium term and long term.

⁵⁷ I acknowledge that the comprehensive developments will not include all intensification that is being achieved in the MDRZ. My understanding is that developments with 3 (or fewer) dwellings per lot will not need resource consent and are not recorded in this data set. Therefore, there is likely to be other intensification that is not included in the data set that I reviewed. Also as noted above, some of the comprehensive developments may have occurred even if MDRS had not been adopted. So while the data suggests that intensification is increasing in the Urban Environment it is not possible to accurately estimate the impacts of the MDRS.

187 While there is much agreement between Mr Sellars’ evidence and Economic Review attached to the s42 report, there is a clear difference of opinion on the scale of the implications of the MDRS. I consider that the recent examples and the historic trends suggest that the MDRZ will have a material (positive) impact on the development in Waimakariri urban areas, both in terms of density achieved increasing and the quantum of capacity provided. I disagree with Mr Sellars’ opinion, which is too focussed on the full 3-by-3 plan enabled maximum and ignores the fact that the MDRZ enables a range of potential outcomes – many of which would result in greater intensity in Waimakariri Urban Environment.

188 The WCGM22 is required to assess “current” relationships in the medium term, which means that it most likely underestimates the potential impacts of the MDRZ. Therefore, while I disagree with Mr Sellars, Mr Jones and Mr Akehurst on the scale of the impacts, this difference of opinion is not material to this hearing because the WCGM22 is required to adopt a conservative position that shows that only a small share of the capacity enabled by the MDRS is commercially feasible, i.e. the capacity model is already consistent with the three experts’ opinions and there is therefore no need to lower the predicted intensification capacity still further.

Planning

189 Mr Walsh provides planning evidence which relies on the evidence of the applicant’s other experts. While I understand that Mr Willis will provide a response to Mr Walsh’s evidence, I provide some comments on the content of his evidence that relates to economic issues.

190 First, Mr Walsh incorrectly compares medium-term District demand for housing to the urban capacity in the NDAs around Rangiora and Kaiapoi and concludes that there is a shortfall of capacity to provide for housing demand.⁵⁸

⁵⁸ Statement of evidence of Tim Walsh, paragraph [19].

- 191 As I have already discussed, there is sufficient capacity to meet the demand in the Urban Environment, therefore I disagree with Mr Walsh's proposition.
- 192 Much of Mr Walsh's evidence focuses on long term planning for growth, where he outlines various constraints on rural land around the district which may influence where urban growth can be accommodated. While his assessment is discussed by Mr Willis, and is outside my area of expertise, I consider that generally all land will have some risks and constraints associated with urban development.
- 193 I consider that Mr Walsh's combined constraints map (Figure 1) is misleading as it gives the impression that much of the land in the district is less desirable for development. However, invariably urban land use will require society to weigh the relative merits, costs (risks) and benefits, before development is enabled. I would expect that in most cases the benefits from having urban activity co-located near the Urban Environment will outweigh the costs (risks).
- 194 Furthermore, the long term question which Mr Walsh poses is not relevant to this hearing, as there is sufficient capacity in the medium term. Therefore, live zoning of PC31 is not required in the medium term. If PC31 was in fact needed in the long term then this land could be identified as a NDA, until it is required. However, in order to be classified as an NDA I consider that PC31 would need to be considered against alternative locations.
- 195 Mr Walsh considers that Ms Hampson supports the second commercial centre within PC31.⁵⁹ However, Ms Hampson actually considers that the optimal outcome is for a single centre in PC31, and so I believe that Mr Walsh's interpretation of Ms Hampson's position is incorrect. Contrary to his position, there is general agreement between the economists that the second centre not be included.

⁵⁹ Ibid, paragraph [116].

196 Mr Walsh provides a discussion of NPS-HPL and finds that this framework does not apply to PC31. However, he does provide a limited discussion of clause 3.6 of the NPS-HPL and the application to PC31.⁶⁰ While this discussion is irrelevant to the hearing, I do not agree with his findings on clause 3.6(1).

197 I consider that it is clear that there is sufficient capacity to give effect to the NPS-UD (3.6(1)(a)) and that there is likely to be other reasonable alternative options (3.6(1)(b)). Also that I am not convinced that the benefits of PC31 outweigh the benefits costs (3.6(1)(c)). Therefore, if the PC31 land was HPL then I consider that it may not pass any of the three tests set out in 3.6(1) of the NPS-HPL.

198 Mr Walsh also considers that Ōhoka is part of the Greater Christchurch Urban Environment for two reasons. First, because it is within the Greater Christchurch area shown in Map A of the Canterbury Regional Policy Statement.⁶¹ Second, because West Melton (in Selwyn) is included in the Urban Environment, but has a population of less than 10,000 people, he takes to mean that Ōhoka would also be part of the Urban Environment.

199 I disagree, the NPS-UD defines Urban Environment using two conjunctive tests, 1) predominantly urban in character and 2) part of a housing or labour market of at least 10,000 people. While Ōhoka may well be part of a market of over 10,000 people as Mr Walsh contends, I consider that it is not predominantly urban. My reading of the evidence before this hearing indicates that there is widespread agreement that Ōhoka is a rural village, and not urban.

200 Also Mr Walsh's example of West Melton is not comparable to Ōhoka. West Melton has a much larger population (at 2,640 in 2022), consists of existing urban residential development, has an existing large commercial centre, and is proposed to have much more development

⁶⁰ Ibid, paragraph [125]-[140].

⁶¹ Ibid, paragraph [201]-[204].

in the future. All of which means that it is not in my opinion comparable to Ōhoka.

201 Furthermore, the Greater Christchurch Partnership's reporting for NPS-UD has excluded Ōhoka from the Urban Environment. The CRPS map of Greater Christchurch area shown in Map A includes large tracts of rural and rural lifestyle zoned land, none of which is urban in character and would not be part of the Urban Environment. Therefore, I consider that the applied definition of Urban Environment is the urban zoned areas in the Greater Christchurch area, which excludes Ōhoka and PC31.

202 This is obviously a key issue, because the NPS-UD and the objective of contributing to the well-functioning Urban Environment will be influenced by whether Ōhoka is part of the wider Urban Environment or not.

203 Mr Walsh considers that PC31 is 'near' existing employment centres, has high demand, and would contribute to providing affordable housing, for the purposes of the NPS-UD Objective 3 and Policy 2.⁶²

204 I disagree with Mr Walsh, I consider that 'near' is a relative term which will be different for each Urban Environment, and that 'near' should be assessed within the context of the alternatives for accommodating growth. In the case of Ōhoka and PC31, I consider that relative to the alternatives the proposed development would not be considered to be 'near'. Specifically, residents in Ōhoka and PC31 will have to travel further to meet their daily needs (work, education, retail, services, community, social, etc) than would people living on the edge of Urban Environment (Rangiora, Kaiapoi or Woodend).

205 Also I consider that the expert evidence presented before this hearing does not prove that there is high demand for PC31, per se, with the applicant's economists focusing on demand for the wider Urban Environment. Mr Akehurst and Ms Hampson both assume that new demand will be attracted to Ōhoka (to PC31). Only Mr Jones claims that

⁶² Ibid, paragraph [205]-[213].

there is demand for Ōhoka, however he provides no data and acknowledges that this is demand for low density rural lots.

206 Furthermore, the rationale raised by Mr Walsh could be applied to any rural land within the Greater Christchurch area and does not directly relate to PC31 itself.

207 Moreover, he argues that PC31 will avoid a shortfall and will improve affordability in the Urban Environment. I disagree, as it is clear that there is sufficient capacity such that no shortage would occur and that it is evident that PC31 will deliver housing that is unaffordable. At best there may be a small increase in competition, with an associated influence on overall prices. However, I consider that this will not be material and that there is no evidence from the applicant's economists to show that this benefit will be material.

208 Mr Walsh also considers that PC31 will contribute to a well-functioning Urban Environment. His finding is based on the evidence provided by the applicant's economists, and I do not repeat my response to those points. However, I note that I do not agree and have discussed why PC31 will not contribute to a well-functioning Urban Environment.

Christchurch and Selwyn Situation

209 Finally, Mr Akehurst, Mr Walsh, Mr Carter, and legal counsel all imply that more supply might be needed in Waimakariri to accommodate potential demand that could spillover from Christchurch and Selwyn.

210 I have provided advice to both Selwyn District Council and Christchurch City Council on recent plan changes, District Plan review and IPI processes.

211 For Selwyn, I have provided capacity and demand modelling (SCGM22) which is the same as the WCGM22. Both Mr Foy and I have provided evidence in a number of hearings over the last six months in Selwyn, and have provided advice on submissions to the DPR and IPI.

212 For this hearing, I consider that it is important to note the following:

- 212.1 **Faringdon Oval (Fast Track):** has just been approved (26 July, 2023), which will allow 1,150 dwellings to be built in Rolleston. For this application, I provided research that supported the live zoning of the land.
- 212.2 **Prebbleton PC79:** has just been rejected (18 July, 2023), which could have provided capacity for 1,581 dwellings. In this hearing, I provided evidence that showed that there was sufficient capacity within Prebbleton to meet expected demand, and that PC79 was not required.
- 212.3 **Rolleston IPI Hearing:** which was completed early this year, and the commissioners' decision is expected in the coming month. In this hearing, Mr Foy suggested that submissions to live zone future urban land be approved, which would allow capacity for thousands of dwellings. I would expect that this capacity will be approved.
- 212.4 **Lincoln, Prebbleton, and West Melton hearings and Plan Changes:** there have also been hearings for Lincoln, Prebbleton, and West Melton. For these processes, either Mr Foy or I provided evidence, which suggested that there was sufficient live zone capacity to meet expected demand. However, there were submissions for more land to be zoned for residential. While there is sufficient capacity, there is a possibility that commissioners decide to provide more supply via these processes.

213 Overall, I consider that Selwyn District Council has been responsive to the need to provide more capacity in the District and that the recent processes have provided a large amount of new capacity to address the potential issues. I would expect that if there was a shortfall in Selwyn that Selwyn District Council will again act quickly to address the issue. Therefore, I consider the risk of demand flowing from Selwyn to Waimakariri is low, both because of the large amount of new greenfield supply that has been approved and that Selwyn District Council has (in my opinion) been responsive to needs as they arise.

- 214 Mr Akehurst agrees, and his “expectation is that SDC would address this shortfall as they are directed to under the NPS-UD.”⁶³ However he still notes that there could be a potential shift of demand, but provides no evidence to support his concerns.
- 215 For Christchurch City Council, I have recently provided research on the impacts of land transport noise contours and emergency communication overlays. Mr Foy has provided advice on urban rezoning and my other colleagues are providing social impact assessment for the IPI process. I have also provided research to the Greater Christchurch Partnership on the affordability outcomes associated with the new Spatial Plan.
- 216 For these hearings and research Christchurch City Council provided me with the capacity and demand (equivalent to the WCGM22) which was completed internally by Council Officers.
- 217 In my opinion, this data showed that there is a very large amount of capacity in Christchurch. Relative to demand it is unlikely that all of this capacity will be needed within the coming 50 years or more. Therefore, I consider that there is little risk of a shortage in Christchurch, or that constraints in the city would result in more demand flowing to Waimakariri.
- 218 Based on my research across the Greater Christchurch area I consider that there is little risk of unmet demand flowing to Waimakariri Urban Environment, either in the medium term or long term. Therefore, the demand projections adopted in the GCP 2023 HCA are in my opinion likely to be conservatively higher than the demand that is expected in the future for Waimakariri Urban Environment.
- 219 I consider that there is more than sufficient capacity in Waimakariri Urban Environment to accommodate demand. It is likely that WDC has exceeded the minimum threshold as set out in the NPS-UD.

⁶³ Statement of evidence of Gregory Akehurst, paragraph [33], footnote 9.

Appendix D. Evidence of the Council's Engineers for Three Waters Servicing, Flooding, Transport and Greenspace
See separate PDF

**Appendix E. Evidence of Mr Nicholson on Urban Design and
Landscape Matters - *See separate PDF***

Appendix F. Evidence of Mr Ford on Farm Productivity Matters

**Before the Hearings Panel
At Waimakariri District Council**

Under Schedule 1 of the Resource Management Act 1991

In the matter of the Proposed Waimakariri District Plan

Between **Rolleston Industrial Developments Limited**

Submitters

And **Waimakariri District Council**

**Summary Statement of evidence of Stuart Ford on behalf of Waimakariri
District Council**

Date: 15th May 2024

INTRODUCTION:

- 1 My full name is Stuart John Ford. I am a Director of The AgriBusiness Group and work as an agricultural and resource economist based at Lincoln.
- 2 I provided the report titled “PC 31 Ohoka – Productivity Assessment and comment on the NPS-HPL - Technical specialist report to contribute towards Council’s section 42A hearing report.” for the Waimakariri District Council. That report was included in the Section 42A report.
- 3 I have been asked by the Waimakariri District Council to provide comment on the proposal to change the zoning of 156 hectares of RLZ zoned land to a combination of General Residential Zone (‘GRZ’), LLRZ, Local Commercial Zone (‘LCZ’), and OSZ with overlays providing for educational facilities and retirement village activities in the Proposed Waimakariri District Plan (PWDP), which has been made by the Carter Group and Rolleston Industrial Developments Ltd in their submission on the Proposed Waimakariri District Plan (PWDP). My comment is on the farm productivity aspects of that submission.
- 4 I have prepared this statement of evidence on behalf of the Waimakariri District Council (**District Council**) in respect of the Proposed District Plan and I am authorised to provide this evidence on behalf of the District Council.

QUALIFICATIONS AND EXPERIENCE

- 5 I have a Diploma in Agriculture and Bachelor of Agricultural Commerce from Lincoln University and have undertaken post graduate studies in Agricultural and Resource Economics at Massey University.
- 6 I am a member of the New Zealand Agriculture and Resource Economics Society and the Australian Agriculture and Resource

Economics Society. I am also a member of the New Zealand Institute of Primary Industry Management.

- 7 I have spent over 40 years as a consultant in the primary industries, with the last twenty-five years specialising in agricultural and resource economics and business analysis.
- 8 I have specific expertise and experience which relates to the capacity of soils and their value for productive uses include working for both applicants and Councils. I have experience in relation to the productive capacity of elite / highly productive soils much of this experience has been gained from my role as a consultant resource economist for HortNZ.
- 9 I have extensive experience in assessing the impact of the NPS-HPL on land throughout New Zealand (see appendix A).
- 10 I have prepared and presented evidence to District and Regional Council Hearings Panels as well as the Environment Court and Special Hearing Panels on Conservation Orders.

Code of conduct

- 11 Although this is a Council Hearing, I have read the Code of Conduct for Expert Witnesses contained in the Practice Note issued by the Environment Court January 2023. I have complied with that Code when preparing my written statement of evidence and I agree to comply with it when I give any oral evidence.
- 12 My qualifications as an expert are set out above.
- 13 Except where I state I rely on the evidence of another person, I confirm that the issues addressed in this statement of evidence are within my area of expertise, and I have not omitted to consider material facts known to me that might alter or detract from my expressed opinions.

SUMMARY

- 14 It is my opinion that the highest and best use of the land as a primary productive land use is for dairy farming. I have reached that conclusion after considering a range of factors including the size of the site, the soil type including the drainage, the availability of irrigation and the LUC classes of land available.
- 15 It is pleasing to see that in evidence given on RCP031 Mr Everest, a farm management consultant who gave evidence on behalf of the Carter Group and Rolleston Industrial Developments Ltd has projected the productivity of the land at about the same level as myself as reflected in achieving a very similar income and expenditure as a dairy farm, meaning that he has assessed the various constraints that are on the land and has come to the conclusion that they aren't significantly limiting on production.
- 16 My conclusion is that the land is capable to be run as a productive Dairy farm is further proven by my assessment of the commercial viability of the land in that land use.
- 17 Mr Mthamo fails to convince me of the veracity of the constraints that he has identified because:
- 17.1 In my view an assessment of the productivity of land should be carried out on its highest and best use which may not necessarily be its current use.
- 17.2 The majority of the constraints he has identified are theoretical and he hasn't proven the connection between his theoretical constructs and what is possible on the site.
- 17.3 It is my opinion that the current rural land use is viable and there is no compelling productivity argument to convert it to urban activities.

18 If we are to map the area within the Waimakariri District that is substantially flat land as to its LUC classification Figure 3 we find that there is approximately 29,830 ha, or 23% of the land area which is LUC 4. By its very definition LUC 4 has a lower productive capacity than the land in question. It is difficult to reconcile this fact with Mr Mthamo's conclusion that "I consider there will be very few sites across the district that have less productive potential than the Site."

MY ASSESSMENT OF THE PRODUCTIVITY OF THE LAND.

19 The productivity of the land is determined by a number of factors including the nature of the soils, the availability of irrigation and the scale of the operation.

Soils

20 In Figure 1 I have included a screen shot of the data held in Manaaki Whenua Landcare Research's SMap online portal of the soils of New Zealand¹.

¹ <https://smap.landcareresearch.co.nz/maps-and-tools/app/>

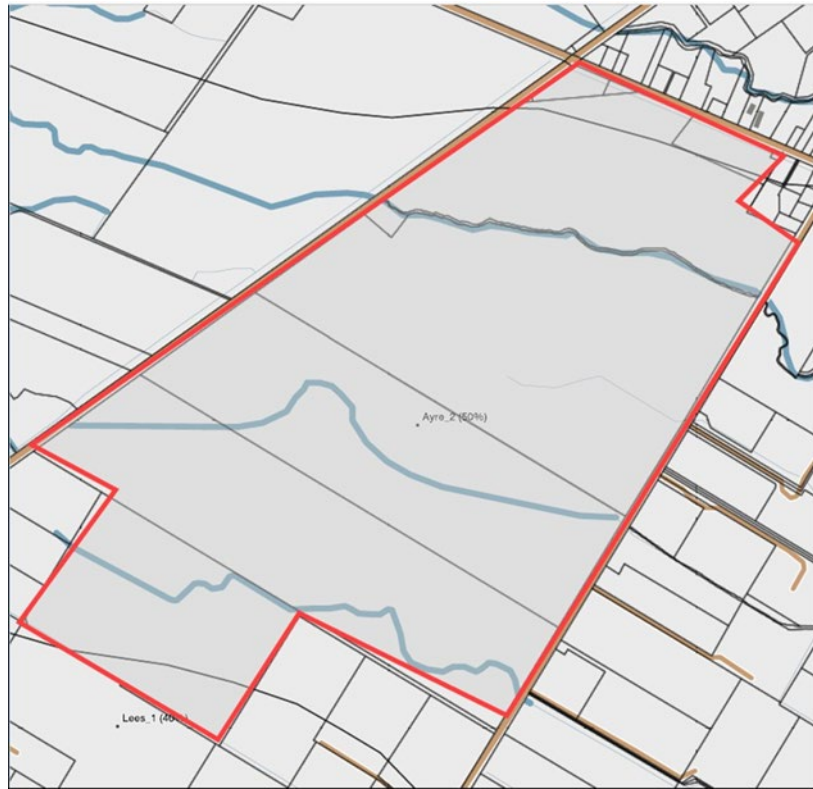


Figure 1: SMap data for the site.

21 The areas and proportions of the soils are shown in Table 1.

Table 1: Soils present and area and proportion of the site.

Soil Sibling	Area (ha)	Proportion (%)
Ayre_2a.1	74.3	47.6%
Ayre_1a.1	32.1	20.6%
Lees_1a.1	31.4	20.1%
Payn_6a.1	16.4	10.5%
Assorted	1.9	1.2%

22 The assorted soils are represented by the Pah_31a.1 soil sibling.

23 Definitions of the key soil physical properties that are listed in the SMap soils report are shown in Table 2.

Table 2: Physical properties of the soil types present as listed in SMap.

Soil Name	Ayreburn	Ayreburn	Leeston	Paynter	Pahau
SMap Name	Ayre_2a.1	Ayre_1a.1	Lees_1a.1	Payn_6a.1	Pahau_31a.1
Depth Class	Moderately Deep (45 - 90cm)	Deep (>1m)	Shallow (20 to 45 cm)	Deep (>1m)	Moderately Deep (45 - 90cm)
Rooting Depth	70 – 100cm	unlimited	shallow	50 to 100 cm	unlimited
Depth to stony layer	Moderately deep	Not present	Shallow	Not present	Moderately deep
Texture profile	Clay	Clay	Clay	Peat over clay.	Silt over clay
Topsoil stoniness	Stoneless	Stoneless	Slightly stony	Stoneless	Stoneless
Drainage class	Poorly drained	Poorly drained	Poorly drained	Very poorly drained	Imperfectly drained.
Profile Available Water ³ (0 to 100 cm)	127 mm	147 mm	111 mm	224 mm	103 mm

24 The Ayreburn soils which make up 68% of the site are relatively deep clay soils that are stoneless but poorly drained with a relatively high profile available water which are suitable for both pastoral and arable land uses. The Leeston soils which make up 20% of the site are shallow clay soils that are slightly stony, poorly drained with a relatively high profile available water these soils are suited to pastoral land uses. The Paynter soils are deep peat over clay soils which are stoneless, very poorly drained with an exceptionally high profile available water these soils are suitable for pastoral land uses.

Land Use Capability (LUC)

25 The data which is available on LUC in the New Zealand Land Resources Inventory Series (LRIS) portal is mapped at the 1:50,000 level and it is shown in Figure 2. We are of the opinion that this level of mapping is not generally appropriate for blocks the size of the one being considered here but in the absence of more detailed mapping have used the 1:50,000 data.

26 The dark green Class 2 land consists of 4 ha or 3% of the site and the light green which is the Class 3 land consists of 152 ha or 97% of the land.

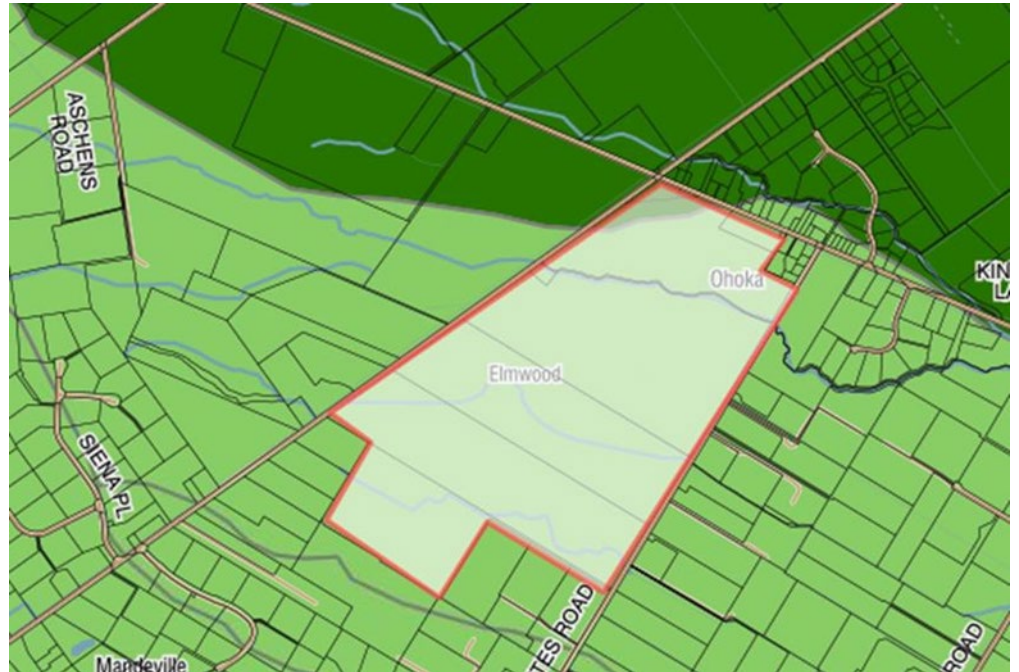


Figure 2: LUC classes of the subject land. Light green is Class 3 the darker green is Class 2.

Land Use Potential

27 It is my opinion that the highest and best use of the land as a primary productive land use is for dairy farming. I have reached that conclusion after considering a range of factors including the size of the site, the soil type including the drainage, the availability of irrigation and the LUC classes of land available.

28 While the potential for intensive horticultural land use has been considered it has been rejected for a number of important reasons including:

28.1 The fact that the land has poor drainage means that it is less suitable as a site for the establishment of intensive horticulture.

- 28.2 The cold winters limit the potential range of horticultural crops.
- 28.3 The site is remote from any post harvest packaging and processing facilities which would add large additional growing costs.
- 28.4 The potential for reverse sensitivity from neighbours that are situated in a lifestyle area would mean that investors in intensive horticultural activities are most likely to seek alternative production areas where there isn't the threat of reverse sensitivity becoming a production issue.

Viability

- 29 My conclusion is that the land is capable to be run as a productive Dairy farm is further proven by my assessment of the commercial viability of the land in that land use.
- 30 In order to test the commercial viability of the site I have tested it by applying two financial models of farm systems to the 146 ha which are shown in the Overseer report as the effective area of farm land. The two financial models that I have tested it on are the two most common dairy farm systems within the Waimkarariri District which are the DairyNZ System 3 which imports 10% of the total feed used from external sources and the DairyNZ System 4 which imports 25% of the total feed used from external sources.
- 31 I have set the production per cow at 436 kg milksolids per cow which is the average production of dairy farms in the Waimkarariri District which is taken from the LIC's New Zealand Dairy Statistics 202-21. This means that the stocking rate is 3.1 cows / ha for System 3 and 3.5 cows / ha for System 4. The system 4 stocking rate is just above the average stocking rate for the Waimkarariri District which is 3.48 cows / ha and below it for the System 3. This would indicate to me that the System 4 is the most dominant system in the District.

32 The financial models that I have used have been taken from some recent work that I have completed for ECan which is designed to provide an economic model that will be used in their planning for the development of their new Land and Water Regional Plan. These models have been peer reviewed internally within The AgriBusiness Group and externally by ECan.

33 The key financial metrics of both of these models are shown in Table 3.

Table 3: Financial performance of System 3 and System 4 (\$)

	System 3	System 4
Gross Farm Revenue	1,619,167	1,839,963
Farm Operating Expenses	1,018,437	1,170,369
Earnings Before Interest and Tax	600,730	669,594

34 In order to be judged as commercially viable the figures which you can see in Table 3 which represent the Earnings Before Interest and Tax (EBIT) should provide a sufficient amount to provide for interest, taxation and a return for management. It is my opinion that there is a sufficient amount in the EBIT row for both systems to consider the land as being commercially viable from a production perspective. These financial results are reflective of the average results of dairy farms within the Waimkarariri District.

35 While not entered in evidence before this hearing. I note that in evidence given on RCP031 Mr Everest, a farm management consultant who gave evidence on behalf of the Carter Group and Rolleston Industrial Developments Ltd, has identified three practically viable land use options being Irrigated Livestock Trading, Dairy Farming and Horticulture. From his explanation in 4.1 Practically the viable land uses for the site are: he has modelled Horticulture as a Vegetable and arable farming rotation as a proxy for vegetable production.

36 He has tested each of the options to determine their commercial viability against his criteria of achieving a specified remuneration to the owners and achieving a return on capital (ROC) of 4%.

37 It is pleasing to see that he has projected the productivity of the land at about the same level as myself as reflected in achieving a very similar income and expenditure as a dairy farm, meaning that he has assessed the various constraints that are on the land and has come to the conclusion that they aren't significantly limiting on production.

MY COMMENT ON THE ASSESSMENT OF MR MTHAMO.

38 In his evidence on the RIDL submission for the Proposed Waimakariri District Plan Hearing Stream 12: Rezoning requests (larger scale) Mr Mthamo has detailed his assessment of the range of constraints on the land which limit its productive capacity.

Land Use

39 Mr Mthamo describes the land use of the dairy farming operation as a 111 ha milking platform on which 170 cows are peak milked and a 41 ha support block which runs the heifer replacements and the bulls and winters all of the milking herd. He also notes that the milking herd spend time on a feed pad during autumn, winter and spring to avoid compaction. While I am happy to use his description of the farming system, I would suggest that the main reason for the use of the feed pad would be to avoid pugging of the soil during wet periods and to achieve a higher utilisation of the supplementary feed fed to them during these periods rather than to avoid compaction of the soil.

40 It is my opinion that the productive capacity of land should be determined by reference to Federated Farmers of New Zealand (Inc) Mackenzie Branch v Mackenzie District Council where it is stated that "The viability of a farm should be assessed objectively rather than on a landowner's subjective view".

41 Although the current land use should be taken into account when assessing the productive capacity of land that assessment should be made on an objective view of the highest and best use of the land regardless of what the current owner is achieving or thinks that the productive potential of the land is.

Groundwater

42 Mr Mthamo references Mr O'Neil's evidence which reports the record from one of the wells on the property and reports the average level of the water in that well, the highest ever recorded and the seasonal fluctuations of the water level. Mr O'Neill notes that "in fact that well is only 20 m away from a spring and "so may be in an area of the Site that has particularly high groundwater levels".

43 Mr Mthamo goes on to conclude that "Based on the above ground water level depths I expect the wider plan change area water table to come close to the ground surface in some seasons."

44 I am not sure what we can conclude about the constraints on productivity that we can take from Mr Mthamo's expectations.

Area Soils

45 Mr Mthamo lists the range of soils that are present on the land and reports some of their characteristics in his Tables 2 and 3. He notes that the majority of the soils are classified as being poorly drained. He then comments on the permeability of the soils which is listed in his Table 2 and then makes the comment that most were trending towards the slower scale. There is nothing in his table which would indicate that any of the soils, which are all labelled as Moderate to Slow apart from 6.2 ha which is 10% of the area, are "trending towards" the Slower scale and he doesn't explain exactly what that scale is.

46 He then comments that poor drainage has a significant impact on the soils productive potential but doesn't clarify exactly how much it would affect the productive potential of the property or even whether in commenting on this site whether it would affect it positively or negatively. I would note that presumably the use of the feed pad for the majority of the season would have eliminated the constraint of drainage on the property.

Available and Proportions of Productive land

47 In this section Mr Mthamo comes to the conclusion when discussing the area of non – productive land that “The exact area of these and tracks etc has not been delineated as part of the desktop study but will likely be the order of 10-25%...”.

48 It is my opinion that his estimate of the area of non productive land being between 10 and 25% is not helpful in determining the area that is available for productive purposes because it expresses too great a spread to be able to afford me any comfort in its accuracy. It is my experience with similar dairy farms in Canterbury that when they quote the area of the milking platform they include the whole area of the property which is used for that purpose while understanding that up to 10% of the area is taken up with buildings, fenced off streams, races etc.

49 I note that Mr Everest, in his evidence given to RCP031, has calculated the effective area of the farm using mapping software to be 10.8% of the total area which is much closer to my observation of similar Canterbury dairy farms being up to 10% than Mr Mthamos estimate of being “in the order of 10 -25%” which would justify my comment that it “is not helpful in determining the area that is available for productive purposes because it expresses too great a spread to be able to afford me any comfort in its accuracy.”

Effect of the Community Drinking Water Exclusion Zone

50 I have carried out a search of the ECan website to try and determine exactly what “limitations” there are under the Community Drinking Water Protection Zone to “intensive agricultural activity” but cannot locate any reference to the fact that ECan has developed any rules on this activity at all. I wonder at the validity of Mr Mthamo’s removal of an area that is designated if there are no restrictions.

Effects of High Groundwater

51 Mr Mthamo’s discussion on the effects of high groundwater only reference his earlier report of the highest groundwater readings in two wells. Nowhere does he discuss the likely impact of the average groundwater levels. Therefore I am of the opinion that the discussion is theoretical and he doesn’t apply it to the site in question.

Effects of poor drainage

52 The discussion on poor drainage is highly theoretical and doesn’t relate to the site directly. He states that “Poor management and excessive wetness or poorly drained soils affect production as some crops/plants do not do well in these soils.” He does not clarify exactly how this general statement relates to the land itself.

53 He then goes on to discuss the impact of poor drainage from the current owners’ experience but most of the discussion is around the mitigation methods that the current owners utilise to overcome the constraint of poor drainage and continue with their current land use which is dairy farming.

54 He then summarises that “poorly drained areas will generally not be able to achieve the productive potential assumed by just looking at the LUC classes.” I am firmly of the opinion that the LUC classification takes account of the constraints of a soil type before it settles on a

classification and in this case it recognises the degree of constraints that are imposed by the poor drainage and so classifies the majority of the farm as LUC 3. In my opinion it is not appropriate to 'double count' the constraints.

Moisture Availability and Irrigation

55 In P71 Mr Mthamo states that "When I spoke to Mr Sherriff he also advised that one of their management strategies on the clay soils was to keep the moisture content well above the permanent wilting point and at more than field capacity to prevent the clay soils from cracking which has to be avoided..." (my emphasis). I find this statement intriguing. The definition of field capacity is the maximum amount of moisture that a soil can absorb. So what Mr Sherriff is effectively saying is that he irrigates beyond the amount that the soil can absorb which would lead to ponding, moisture run off and pugging of soils. It is my experience that it is best to irrigate soils up to 90 to 95% of field capacity to avoid the eventuality of those negative impacts occurring.

56 In this section Mr Mthamo acknowledges the fact that irrigation is required on the site and that is provided by two consented takes one of which, the smaller at between 16- 22.8 l / s, has restrictions on the rate of take depending on the flow in the Ohoka stream. He notes that there are no available statistics that are able to determine the probability of the Ohoka stream being below the flow rates stated. If there are no statistics available on the Ohoka stream then that would suggest that the flow rate is not monitored or measured which would then pose the question of exactly what is the trigger which would require that the irrigation take should be reduced. He then goes on to explain that the period of peak irrigation demand is in the months of January and February which "is likely to coincide with the periods of the lowest Ohoka Stream flows."

57 I am aware that the impact of restrictions on irrigation availability are dependent on the severity of the restrictions, the timing, the length and the available water within the soil profile at the time of the restriction.

58 Mr Mthamo is incorrect in his statement that “If or when the consent restrictions come into effect during the peak growing period for any crops, the productivity is significantly impacted regardless of the soil’s inherent productive potential”. In my opinion the impact would be determined by a range of factors if a restriction were to occur, it is not automatic that it would be limiting.

Canterbury Land and Water Regional Plan (CLWRP)

The sites modelled N Losses

59 Mr Mthamo has provided the Overseer Summary Report in order to establish the Nitrogen Baseline for the property. Under the Canterbury Land and Water Regional Plan (CLWRP) a farm must calculate its average Nitrogen losses for the years of 2009 to 2013. In the summary report provided in Mr Mthamos evidence there are only two years that are reported which are within the five year reporting timeframe, 2012 and 2013. So, we have to assume that 14 kg N/ha/yr, which is the average of the two years reported, is the properties baseline figure.

60 Mr Mthamo goes on to state that:

“From the foregoing it is clear that the N losses have been kept at low levels through prudent farm system management which has also meant keeping inputs low levels with the consequence being less than optimal productivity.”

61 I have been using Overseer and its predecessors for at least the last 25 years of my career to calculate nutrient losses in both research projects and on my clients properties. What I have learned from that experience is that by far the largest determinant of the scale of Nitrogen losses of

any system is the nature of the soils. Soils which I would describe as heavy, that is soils that are clay based and are poorly drained, are very low in the quantum of Nitrogen leached through the soil profile compared to soils that are light, that is, sand or loam based and are free draining, even if they are running exactly the same farming system.

62 I have calculated a large number of nutrient budgets for dairy farms on the same soils as those found on the applicant's farm that are leaching Nitrogen at the same rates as those being achieved at the applicant's farm. Many of these are relatively high input and high productivity farms with one who has consistently produced kilograms of milksolids per ha which are in the top 25% of Fonterra suppliers within the district with a baseline of 16 kg N/ha/yr from a high input system. My point is that the soils on the applicant's farm are very forgiving in terms of Nitrogen leaching and that the nature of the soils has a far greater impact on the rate of Nitrogen leaching than any system management, the rate of inputs or the ability to achieve optimum productivity.

63 I am not convinced that the Nitrogen leaching status of the farm is a valid constraint to its land use potential.

Effect of Nutrient Reductions on Productivity

64 Mr Mthamo references several reports which comment on the impact of lost productivity on the profitability of those operations.

65 The Landcare report on the Hinds Catchment reports the impact on the Catchment as a whole which includes a large spread of land uses across both dryland and irrigated land. Mr Mthamo doesn't comment on the relevance of this report to this land.

66 The AgriBusiness Group reports referenced were both carried out ten years ago and were solely focussed on high value vegetable production. Again Mr Mthamo doesn't comment on the relevance of the finding in those reports to this land but, as the author of both these reports, I can

say that there is absolutely no comparison that can be made between the financial structure of the vegetable production systems modelled and a Canterbury dairy farm and so they are not relevant to the consideration before you.

67 The Samarasinghe report again was carried out across the very wide range of land uses presented in the Hurunui District and Mr Mthamo hasn't commented on the relevance to the land in question. It is my opinion that there is none.

68 Mr Mthamo then goes on to conclude (at 94) that:

"The site has no potential for increased intensification and the current low productivity (as demonstrated by the current low stocking rates) will be an on-going issue due to the nutrient constraints. The fact that the site has LUC Class 2 and 3 soils is not reflected by the Site's productive potential."

69 It is my understanding that the current dairy farming system is one which is focused on producing animals of superior genetic material which can be used in the dairy industry to improve productivity. One of the aspects of this sort of system is to stock animals at a relatively low stocking rate but to milk them for a longer lactation at a higher rate of production than what is achieved on normal farms. I would expect that the productivity of the farm under the current management would be at or above what can be achieved on a normal farm. Mr Mthamo hasn't produced any data to verify his contention that the farm is in fact low productivity or that there is any connection between the current productive status of the farm and nutrient constraints.

70 In the "Land Use Capability Survey Handbook -3rd Edition" which is the 'Bible' for LUC Classification it states that:

"The Land Use Capability (LUC) Classification is defined as a systematic arrangement of different kinds of land according to those

properties that determine its capacity for long term sustained production. Capability is used in the sense of suitability for productive use or uses after taking into account the physical limitations of the land.”

71 I cannot reconcile this description of the classification system with Mr Mthamos opinion that the classification of the site does not reflect the sites productive potential, it is my understanding that the LUC classification system is designed specifically to reflect the productive potential of the land.

Summary

72 Mr Mthamo fails to convince me of the veracity of the constraints that he has identified because:

72.1 In my view an assessment of the productivity of land should be carried out on its highest and best use which may not necessarily be its current use.

72.2 The majority of the constraints he has identified are theoretical and he hasn't proven the connection between his theoretical constructs and what is possible on the site.

72.3 It is my opinion that the current rural land use is viable and there is no compelling productivity argument to convert it to urban activities.

ALTERNATIVE OPTIONS ANALYSIS

73 At P 99 Mr Mthamo states that “I have been asked to consider whether there are any sites within the Waimakariri District which could feasibly and practicably accommodate the proposed development capacity on land and that have less productive potential than the Site, while still achieving a well-functioning urban environment.”

74 And then at P 102 he states that “I consider there will be very few sites across the district that have less productive potential than the Site.”

75 If we are to map the area within the Waimakariri District that is substantially flat land as to its LUC classification Figure 3 we find that there is approximately 29,830 ha, or 23% of the land area which is LUC 4. By its very definition LUC 4 has a lower productive capacity than the land in question. It is difficult to reconcile this fact with Mr Mthamo’s conclusion.



Figure 3: Area of LUC classification across the flat land in the Waimakariri District.

Date: 15/05/2024

.....

Appendix A: Stuart Fords experience in land use productivity and the NPS-HPL:

- Evidence to the Auckland Council on their Proposed Auckland Unitary Plan for a number of parties.
- Evidence given on behalf of Auckland Council to the Environment Court in relation to the appeal of the Self Family Trust in regard to a land zoning decision on elite soils.
- Evidence given to an Auckland Council hearing as to the appropriate zoning of land at Clevedon.
- Initial report on the productive potential of land owned by Strategic Land Holdings at Waiau Pa.
- Support for Auckland Council in preparing a Section 42A report on a development proposal at Patumahoe South in relation to the productivity of the land.
- Support for Auckland Council in preparing a Section 42A report on a development proposal at O'Hara Waiuku in relation to the productivity of the land.
- Provision of evidence to the Environment Court on the productive potential of the land known as Sticky Forest adjacent to Wanaka.
- Provision of a report on the commercial viability of Rangitane River Park - Kerikeri to be used in a re zoning application.
- Provision of a report on the agricultural productivity and commercial viability of land at Kairua Road Tauranga.
- Provision of a report on the agricultural productivity and commercial viability of land at Maungatautari Road Cambridge for the Arvida Group.
- Reports on the agricultural productivity and commercial viability of land and their status under the NPS-HPL for five different submitters to the Selwyn District Council.
- Support for the Waimakariri District Council in preparing a Section 42A report on a development proposal at Ohoka in relation to the productivity and the commercial viability of land.
- Support for the Ashburton District Council in relation to an application to subdivide land which is HPL.
- Provision of a report on the impact of the NPS-HPL on a proposed solar farm development in Selwyn District.
- Provision of a report on the impact of the NPS-HPL on a proposed urban development at Saddle Hill Mosgiel.
- I am currently engaged in a similar capacity for proposals in Auckland, Canterbury and in the Bay of Plenty.

Appendix G. Beca Report on Greenhouse Gas Emissions
See separate PDF

Appendix H. Memo of Mr Wilson on Housing Uptake and Capacity

Memo on housing uptake and Land Uptake Monitoring Survey

Peter Wilson

17 May 2024

Outline of memorandum

1. I provide this memorandum as a report on the Council's Land Uptake Monitoring Survey, which tracks the building of residential dwellings across defined development areas, and Council's manual counting of multi-unit residential dwellings where intensification and infill occurs outside of these areas. I currently am the lead for Council on this work.
2. I consider that this is of primary relevance in understanding the past performance of the housing market in the District, but it is of relevance in understanding, based solely on this past performance, where shortfalls may occur in the future.

Greenfields tracking

3. The Waimakariri District Council tracks the potential capacity of greenfield developments and the uptake of dwellings within them. Council has undertaken this tracking quarterly since June 2016. The tracking is referred to as the Land Uptake Monitoring Survey (LUMS).
4. As new developments are approved with subdivision consent they are entered into LUMS for monitoring as the development commences. The following basic parameters are recorded at the beginning of a development:
 - Gross area of development
 - Area required for roading, reserves, stormwater (or 20% as a baseline)
 - Net area of development (gross area minus the areas set aside as above)
 - Number of potential dwellings based on 12 houses/ha (from April 2024, at 15 houses/ha as well)
 - Number of built dwellings
 - Net capacity vacant (potential dwellings minus built dwellings)
 - Achieved density to date
5. The LUMS tracking monitors the approval of building consents and the assignment of ratings assessment points. It tracks the creation of private property titles, filtering to remove businesses and government agencies.
6. As the development progresses, the number of built dwellings rises to match or exceed the number of potential dwellings. I understand that when the survey began, 12 houses per hectare was used as the assessment measure, however, as densities have risen over time, 15 houses per hectare has been added as an assessment measure. The survey retains the 12 houses per hectare assessment measure for backwards compatibility with older developments, and also as a trigger to assess when developments may be approaching completion. As densities increase over time, the use of 12 houses/ha as a trigger point for 'nearing completion' will also need to be phased out and replaced with 15 houses/ha.

7. The list of approved monitored subdivisions and their spatial area is in Appendix A. This list are the areas that had approved greenfields subdivision consents up to 2020, It is a relatively small area of the total urban areas within the District, and does not include the existing operative plan Residential 1 and 2 Zones. It also does not currently include the Bellgrove North development, approved in the last two years, which has been entered in the survey manually.

Multi-unit intensification and infill tracking

8. The LUMS monitoring is designed based on a single dwelling per building, and is not currently well-suited to automatic tracking of multi-unit developments. As stated above, it also does not survey all of the residential zones. For this reason, it should be noted that the LUMS monitoring on its own may underestimate the number of multiple household units on one building consent, or where building consent data is not held by Council (for example where issued by MBIE or Kainga Ora¹).
9. Thus, Council manually tracks resource consent and building consent data to monitor the uptake of multi-unit developments. This tracking is in two forms:
 - a. Tracking of resource consents for all types of multi-unit developments.
 - b. Tracking of building consents for MDRS developments, of 3 units per less (which do not require resource consent² since August 2022)
10. Multi-unit developments may appear in the LUMS monitoring as a single entry, so to avoid residual double counting, the total number of separate multi-unit developments as a whole is removed from the data. The number of additional units provided by the intensification and infill remains within the data.
11. The manual tracking of multi-unit developments also accounts for additional storeys in the calculation of dwellings, for example, 4 units each across two storeys makes for a total of 8 units.
12. This manual survey is added to the LUMS database.

Overall

13. The LUMS survey and the multi-unit survey provide the overall statistics on:
 - Housing capacity in the District
 - Annual and overall rates of building within greenfields areas and overall on multi-unit intensification.
 - Current and final achieved densities.
 - Breakdown by urban area

¹ I know of one development where an alternative building authority did not enter the final number of dwellings built onto the central file, which is still held by Council. This is an example of undercounting.

² s77M, RMA

14. As of 1 April 2024, the available housing capacity and annual rates of multi-unit intensification and infill across the District are:

Capacity in development areas in LUMS	LUMS survey @ 12 houses/ha	LUMS survey @ 15 houses/ha
Rangiora	1468	1874
Kaiapoi	0	127
Woodend / Ravenswood / Pegasus	412	1032
Total existing greenfields capacity as of 1 April 2024	1880	3033

Table 1 Capacity as of 1 April 2024

		<i>Per year</i>	
Multi unit development between 2018 and 2021	170		56.7
Kaiapoi		30	10.0
Rangiora		123	41.0
Woodend/Ravenswood/Pegasus		4	1.3
Other		13	4.3
Multi unit development since 2021	641		213.7
Kaiapoi		115	32.9
Rangiora		227	64.9
Woodend/Ravenswood/Pegasus		299	85.4
Total since 2018	811		135.2
Kaiapoi		145	24.2
Rangiora		350	58.3
Woodend/Ravenswood/Pegasus		303	50.5
MDRS development since 2021	32		10.7
Kaiapoi		0	0.0
Rangiora		15	4.3
Woodend/Ravenswood/Pegasus		17	4.9

Table 2 Multi unit development

15. I note that for multi-unit intensification and infill, outside of greenfield areas, land capacity is not a realistic constraint, given that lot sizes in the traditional residential zones are large, and thus capable of supplying multi-unit intensification and infill without the need to alter regulatory settings. Mr Rodney Yeoman has modelled the available capacity for multi-unit intensification and infill in Rangiora, Woodend, and Kaiapoi as over 80,000³ additional dwellings, indicating that land capacity for multi-unit intensification and infill is not an issue, however Mr Yeoman states that only a fraction of this is feasible
16. I have not considered the feasibility of intensification myself, and the LUMS survey does not predict future feasible supply. The LUMS survey extrapolates capacity going forward based on past performance against future targets. The setting of those targets is based on the MfE approved supply and demand models, of which the WDCGM 2022 is used for this District.

Accounting against past targets

17. Since 2018, Council has been required to achieve various housing capacity targets and housing bottom lines, contained within the CRPS and the Proposed District Plan. These targets are as follows:
 - a. Short-to-medium term targets (10 years), currently 2021-2031⁴
 - b. Long term targets (20 additional years following the short term target).
18. Under cl 3.4 NPSUD, the District must have sufficient land zoned⁵ to meet the short and medium term targets to be considered as plan-enabled. For the long term targets, the land must be identified in a future development strategy, but does not have to be zoned, at least until the long term targets become part of the short to medium term targets.
19. As dwellings are built, these count towards a target (increasing supply), and are subtracted from that target (reducing demand which has been filled). When a target changes, the accounting is reset, with any residual surplus or shortfall from the difference between the targets carried forward to the next period. This is to ensure that the LUMS survey correlates with the target setting that comes from supply and demand models, such as WDCGM 2022.
20. In my opinion as a planner, the adjustment of targets should closely represent the actual performance towards that target to date, but strictly speaking, they are separate statutory processes as a new target does not have to reflect past performance – it could come for instance from changed demographic predictions or economic circumstances. As such, the target setting should not be directly defined based on past performance. However, in the event of any target change, past performance should be accounted for through that target period – this includes negative and positive performance.
21. Council originally had a 2018-2028⁶ target of 6300 dwellings, or 630 per year. This target was altered in 2021 to 5100 dwellings between 2021 and 2031 by Change 1 to the CRPS, or 510 per year. Accounting towards the 2018 targets begins at the beginning of 2018, and I

³ Some of this modelled plan-enabled capacity is in greenfield areas

⁴ CRPS, Objective 6.2.1(a)

⁵ Cl 3.4(2) NPSUD states: “land is zoned for housing or for business use (as applicable) only if the housing or business use is a permitted, controlled, or restricted discretionary activity on that land.”

⁶ Objective UFD-O1, PDP

have only assessed the dwellings built since the first targets were established in 2018. In this case, Council fell short on the difference between the 2018 and 2021 targets by 6 dwellings.

22. , The District added 681 homes between 2016 and 2018, but for consistency with the accounting process, these dwellings have not been counted towards any target. This pre 2018 information is included solely to assist in understanding trends.

23. Between 2021 and 1 April 2024, the District has had the following performance:

		<i>Per year</i>	
Greenfield dwellings built since 2021	2012		619
Kaiapoi		471	145
Rangiora		330	102
Woodend/Ravenswood/Pegasus		1211	373
Multi unit development since 2021	641		197
Kaiapoi		115	35
Rangiora		227	70
Woodend/Ravenswood/Pegasus		299	92
MDRS development since 2021	32		10
Kaiapoi		0	0
Rangiora		15	5
Woodend/Ravenswood/Pegasus		17	5
Total dwellings added since 2021	2679		826

Table 3 Dwellings built since 2021

24. As outlined in Table 4 below, some of the current developments and most of the proposed future developments are intending to achieve densities substantially higher than 15 houses per hectare. However, for the purposes of future scenarios, the LUMS adopts a lower bound scenario of 12 houses per hectare, and an upper bound scenario of 15 houses per hectare. This is conservative, as a number of current developments are achieving densities well above 12 houses per ha.

25. In order to validate the LUMS data, I have sense-checked the dwellings built from 2016 to 2024 against the District's population, and the average household size of 2.6. According to Statistics NZ⁷, the District had a population of 57,800 in 2016, and a population of 69,000 in June 2023, which is an additional population of 11,200 people in that period. The market has provided an additional 4554 houses in that time, and if each of these dwellings has an average household size of 2.6 people then they could have accommodated an additional population of 11,840. Whilst I note the StatsNZ figures may have some lag in them, this comparison results in a population that is only 640 people over the June 2023 population

⁷ <https://www.stats.govt.nz/information-releases/subnational-population-estimates-at-30-june-2023/>

numbers. This indicates a close correlation between the growth in population and the dwellings provided in the district.

What densities to use?

26. As stated in para 4 densities will not be defined until the development is complete⁸. Therefore the final densities cannot be known exactly for most developments until all available land is developed, which can take many years, such as with 'superlots'. For this reason, developments remain entered into the LUMS for many years. For the developments that are nearing completion (defined as once they exceed 12 houses per hectare for the purposes of the survey) they show an average density of 15.92 houses per hectare. There is a clear trend towards densities higher than this, as shown by finished developments, such as Farmlands, which achieved nearly 18 houses/ha. The highest density recorded below is for a retirement village, which whilst not representative of the full range of residential developments, are still a type of residential development, which contribute to meeting demand.

⁸ However I note that some subdivisions may create 'superlots' that are held for the purpose of later subdivisions which may provide higher densities than achieved in the underlying subdivision.

Zone/Development	Net capacity VACANT based on NET AREA 12 hh/ha or otherwise achieved density	Net capacity VACANT at 15 houses/ha	% complete (at 12 houses/ha)	Density achieved to date
RANGIORA				
Ryman (LURP)			265%	31.75
Farmlands Development Trust			150%	17.94
East Rangiora		55.35	117%	14.02
West Park		35.44	100%	12.05
East Rangiora South (LURP)		11.43	100%	12.01
Doncaster (LURP)	11.07	65.09	95%	11.39
North Rangiora Ashley St	20.06	34.32	65%	7.78
North Rangiora Ballarat Rd	63.13	100.41	58%	6.92
South West Rangiora (LURP)	496.88	662.60	25%	3.01
Bellgrove	800	1000	6%	0.75
Summerset	127.66	159.83	1%	0.09
KAIAPOI				
Silverstream (LURP)		6.39	124%	14.88
Sovereign (LURP)		72.06	116%	13.89
Beach Grove (LURP)		48.87	112%	13.38
WOODEND/PEGASUS				
Pegasus		197.11	111%	13.32
Ravenswood (LURP)	210.91	512.39	83%	9.90
East Woodend (LURP)	115.22	189.03	61%	7.32
Freeman	85.45	133.57	56%	6.67
TOTAL	1880	3034		
			Average	15.92

Note average density is calculated across those developments that have reached 100% of completion, or higher

Table 4 Densities achieved

27. 2679 houses have been added between 2018 and 1 April 2024, against the CRPS target of 5100 by 2031, with 2427 additional dwellings required over the upcoming 7 years. This should be compared against the existing greenfields capacity of 1880 houses at 12 houses per hectare, and 3033 houses at 15 houses per hectare, noting that as per Table 4 above, the average density achieved is 15.92 houses per ha.
28. The LUMS modelling concludes that on greenfields capacity alone, in the absence of infill and any additional rezonings, the district has capacity to achieve its short to medium term targets out to 2031, with a competitiveness margin of 20% for the 15 hh/ha scenario.

Long term targets

29. The CRPS targets are based on the 2021 HBA. Cl 3.19 NPSUD requires every tier 1 and tier 2 local authorities to prepare a housing and business capacity assessment (HBA) every three years, in order to inform the long term plan.
30. I understand that the 2023 Housing and Business Capacity Assessment⁹ has recommended that the 2023-2033 short to medium term target is updated by an additional 500 homes to 5600 houses. Assessing against the 2023-2033 target, then the District still has capacity out to 2033 without rezoning, however, the competitiveness margin will be under 20%.
31. The 2021 CRPS long term target is for 7400 additional dwellings in the 20 year period from 2031 to 2051. The 2033-2053 recommended target is for 7650 dwellings in the equivalent period. This additional 250 dwellings is the addition of another two years of annual demand.
32. On the basis of multi-unit intensification and infill alone¹⁰, 25 years of this form of development at 135 houses per year (the average over the last six years) provides 3375 houses, approximately half of the future target/s. At 197 houses per year (the average over the past 4 years) this is 4925 houses, or about two thirds of the target/s. Also, there could be more feasible development of this type in the long term as market conditions change.
33. The Canterbury Regional Policy Statement may have anticipated this level of demand, and across Greater Christchurch, provided future development areas to meet that demand. An assessment of the capacity added by the future development areas within the Waimakariri District is 3971 additional dwellings (at 12 houses/ha), and 5137 dwellings (at 15 houses/ha).
34. This makes for a total long term capacity of 7764 additional dwellings at 12 houses per ha, and 12124 additional dwellings at 15 houses per ha potentially available by rezoning requests in the future development areas alone using the LUMS methodology.

⁹ <https://www.greaterchristchurch.org.nz/assets/Documents/greaterchristchurch-/HuiHui-Mai/Greater-Christchurch-Housing-Development-Capacity-Assessment-March-2023-v3.pdf>

35. I compare this potential capacity against the long term targets:

Time period	Target	Capacity (potentially rezoned FDA+annual intensification and infill)	Surplus/Shortfall
2031-2051	7400	7764 at 12 houses/ha 12124 at 15 houses/ha	364 at 12 houses/ha 4724 at 15 houses/ha
2033-2053 ¹¹	7650	7764 at 12 houses/ha 12124 at 15 houses/ha	114 at 12 houses/ha 4474 at 15 houses/ha

36. Provided densities remain at 15 houses per hectare on average, there are no long term shortfalls when calculated on a district-wide basis. I also note that achieving this target is not reliant on the rezoning and development of all of the land within the FDAs.

37. I also note that there are other rezoning submissions inside existing towns, and outside of the FDAs, which would provide for additional capacity on top of what is set out above.

Conclusion

38. On the basis of current capacity, as reported by the land use monitoring survey, and known areas of future land proposed for development, I consider that there is no short to medium term shortfall at a district level, nor any likely long term shortfall. There is also flexibility in the long term, as the additional capacity potentially available over and above demand scenario does not require the development of all of the FDAs. This flexibility also provides for scenarios where demand may be higher than anticipated, or other events that cannot be predicted.

39. I note that my conclusions above are limited to the capacity assessed by the LUMS survey, and any forward projections and scenarios based on past performance. My conclusions do not assess market dynamics, which are the subject of expert economic evidence.

¹¹ Arising from the 2023 HCA, but not yet statutory

Appendix A – Monitored Areas within Land Use Uptake Monitoring Survey



Rangiora



0 5000 10000 20000
Meters

Scale 1:13,420
Original Size - A2

Date: 16/11/2022

Author:

Information contained on this map is for general information only. It is not intended to be used for any other purpose. The information is provided as a guide only and should not be relied upon for any specific purpose. The user should consult the relevant authorities for any specific information. The information is provided as a guide only and should not be relied upon for any specific purpose. The user should consult the relevant authorities for any specific information.





Pegasus / Woodend



0 4000 16000 27000
Metres

Scale 1:13,420
Original Size - A2

Date: 8/11/2022

Author:

DISCLAIMER
 Microsoft, Microsoft Bing, and other names that appear in this software are trademarks of their respective owners. The information herein is provided for informational purposes only and does not constitute an offer of any financial product or service. It is not intended to be used as a basis for investment decisions. The information herein is provided for informational purposes only and does not constitute an offer of any financial product or service. It is not intended to be used as a basis for investment decisions.

