

**BEFORE THE WAIMAKARIRI DISTRICT COUNCIL
HEARINGS PANEL**

IN THE MATTER of the Resource Management Act
1991

AND

IN THE MATTER of a submission by Survus
(submission 250)

SUMMARY STATEMENT OF EVIDENCE OF FIONA ASTON

Date: 22 July 2024

INTRODUCTION

1. My name is Fiona Aston. I have previously provided a statement of evidence (**evidence in chief**) dated 5 March 2024, and a supplementary statement of evidence (dated 5 July 2024) in respect of planning matters relating to the Submitter's request for the rezoning of its site at 25 Ashley Gorge Road and, also adjoining 650 Bay Road ('the Site').
2. This summary statement of evidence has been prepared in accordance with the Code of Conduct for expert witnesses contained in the Environment Court of New Zealand Practice Note 2023.

SUMMARY OF EVIDENCE

3. My evidence primarily focussed on issues relating to the application of the NPS-HPL and whether the re-zoning proposal would qualify for an exemption to the NPS as land identified for future urban development in a strategic planning document ie in the 2019 Waimakariri Rural Residential Development Strategy (RRDS). In the alternative I examined in some detail whether the land should be re-zoned on the basis that it met the requirements of the NPS-UD and NPS-HPL and provided for at least sufficient development capacity for projected demand at Oxford.
4. Mr. Buckley originally recommended that the rezoning be declined in his s 42A Report. The position was confused somewhat by Mr Buckley's response to the Panel's Minute 21 questions where he changed his position and accepted that the proposal satisfied the requirements for rezoning to the extent that the land was identified in the RRDS for future urban development.
5. However, Mr Buckley adopted the unusual position that the submission still failed because the RRDS did not identify the subject at a level of detail in practice notwithstanding the insertion of the LLRZO over the Site and notwithstanding that the Overlay could only have arisen from Council decisions drawn from the RRDS.
6. In summary it is clear in my opinion that:
 - a) The Site contains LUC 2 & 3 soils;
 - b) The RRDS is a strategic planning document of the sort provided for by the NPS-HPL and the Site, through the RRDS, has been identified as suitable for urban development. This is a position also adopted by Mr Buckley.
 - c) There is a clear link between the RRDS and the PDP.¹ The latter implements the former.

¹ For example, under the Statutory Context section, the PDP says: *The RRDS provides the locations and criteria for the future provision of land zoned for "rural residential purposes. The RRDS responds to the relevant provisions of the RPS and identifies locations for development to meet projected demand and to add to the choice of living opportunities within the District. The locations identified by the RRDS are implemented by the District Plan through the Large Lot Residential Zone provisions within various Residential Zones and Rural Zones.*

- d) The Site has been identified in practice as it is captured in its entirety in the LLRZO for north Oxford and that identification is at a cadastral level that can only have arisen from Council decisions based on the RRDS. In any event the previous landowner was involved in the RRDS process, and the RRDS Panel recommendations are quite explicit about this site qualifying as one of four future LLRZ sites to be given effect to through the upcoming Plan review or a private plan change;
- e) If the Panel does not accept the Site is exempt from the NPS-HPL there is a compelling case for re-zoning through the NPS-UD and CI 3.6 of the NPS-HPL.
- f) Oxford sits outside the MAP A CRPS Greater Christchurch Urban Area so needs its own specific assessment divorced from the provisions of Chapter 6 CRPS;
- g) Oxford is an urban area contributing to a labour force of at least 10,000 people relying on the evidence from the Livingstone Report that establishes the workplace connections of Oxford households to Rangiora and Christchurch City;
- h) There is a projected shortfall in provision of LLRZ lots relying on the evidence of Mr Yeoman. There is an existing supply of 143 lots (four year's supply). Based on a requirement for 30-40 lots per year Yeoman estimates 150-250 LLRZ lots are required for the period 2024-2034 if "at least sufficient development capacity" is provided at all times for the ten years that the District Plan will have effect;
- i) The NPS-UD requirement to provide at least sufficient development capacity is set as an on-going requirement ie there must be sufficient development capacity for each year over the short, medium and long term. The requirement rolls over every year so that any land that is developed and taken out of the potential capacity must be replaced, as a minimum, in the following years or there must be extra capacity within existing zoned land.
- j) Recommended decisions on re-zoning by reporting officers will not provide for "at least sufficient development capacity" as required by the NPS-UD for Oxford and for LLRZ that has its own specific needs as confirmed by Mr Yeoman and as summarised in Mr Buckley's s42A Report in his Table 3 at page 538;
- k) There are no compelling reasons to not enable the re-zoning and development of the Site as LLRZ from a technical viewpoint.
- l) Issues identified by expert peer reviewers can either be best addressed at subdivision stage and through the proposed minor amendment to the ODP narrative about connectivity to Oxford township addressed and agreed by Mr Carr.

CONCLUSIONS

7. In my opinion, the zoning sought is inappropriate in this location or inconsistent with the Proposed Waimakariri District Plan. A decision to re-zone will represent a soundly based resource management decision to enable the sustainable management of the site.

Fiona Aston
22 July 2024