

Before an Independent Hearings Panel
Appointed by Waimakariri District Council

under: the Resource Management Act 1991

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

and: Hearing Stream 12D: Ōhoka rezoning request

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

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

Reconvened hearing statement of evidence of Jeremy Phillips
(Planning)

Dated: 17 October 2024

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RECONVENED HEARING STATEMENT OF EVIDENCE OF JEREMY PHILLIPS

INTRODUCTION

- 1 My full name is Jeremy Goodson Phillips.
- 2 My area of expertise, experience, and qualifications are set out in my statement of evidence dated 5 March 2024 for this hearing stream.
- 3 I also provided evidence in my supplementary statement of evidence dated 13 June 2024.
- 4 The purpose of this evidence is to respond to matters listed in paragraphs 7 and 8 of the Panel's Minute 40, relevant to my evidence.

CODE OF CONDUCT

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

RESPONSE TO MINUTE 40 AND THE OFFICER'S ADDENDUM

- 6 In the planning joint witness statement, for Hearing Stream 12D, dated 30 August 2024 ('planning JWS'), all of the planners¹ agreed that:
 - 6.1 The NPS-UD applies²;
 - 6.2 Ōhoka should be assessed against Greater Christchurch (as depicted in Map A of the CRPS) as the relevant 'Urban Environment' for the purposes of the NPS-UD³;

¹ Mr Jeremy Phillips and Mr Tim Walsh for Carter Group Property Limited and Rolleston Industrial Developments Limited; Mr Andrew Willis for Waimakariri District Council; and Mr Nick Boyes for the Oxford Ōhoka Community Board.

² Planning JWS, paragraph 9.

³ Planning JWS, paragraph 9.

- 6.3 The Ōhoka settlement as depicted in Map A of the CRPS and zoned SETZ in the proposed Plan is an 'existing urban area', or would otherwise be a 'new urban area' in any event⁴.
- 7 Notwithstanding the agreement above, Section 2 of Mr Willis' addendum⁵ does not consider capacity or sufficiency within this context or the specific geographic requirements in the NPS-UD. Specifically, Mr Willis (and Mr Yeoman's assessment which he relies upon) refers to '*demand for urban housing*', '*expected demand for residential properties in the urban areas of the District*', and concludes that '*the supply that would be enabled in Rangiora, Kaiapoi and Woodend would be much larger than the demand for urban activity*', without considering the 'granularity' of locality/market and demand/supply which the planning JWS concluded was a key issue for this hearing⁶.
- 8 Despite agreeing that Ōhoka is within the urban environment and is an existing or new urban area, and notwithstanding the evidence of Ms Hampson and Messrs Sellars, Jones and Davidson, Section 2 of Mr Willis' addendum does not address whether sufficient capacity is provided in the PWDP to:
- 8.1 '*enable more people to live in, and more businesses and community services to be located in, **areas of an urban environment** in which ... (c) there is high demand for housing ... in the area, relative to other areas within the urban environment*⁷;
- 8.2 '*have or enable a variety of homes that: (i) meet the needs, in terms of **type**, price, and **location**, of different households*⁸;
- 8.3 '*provide at least sufficient development capacity to meet **expected demand** for housing... over the short term, medium term, and long term*⁹; or,
- 8.4 '*meet expected demand for housing: (a) in **existing and new urban areas**; and (b) for both standalone dwellings and attached dwellings; and (c) in the short term, medium term, and long term*¹⁰.
(My emphasis added)

⁴ Planning JWS, paragraphs 6-7, noting Mr Willis was uncertain as to whether it qualifies as an 'existing urban area' but accepted it would be a 'new urban area'.

⁵ Officer's Report-Addendum: Rezoning- Ōhoka Rezoning, paras 15-20.

⁶ Planning JWS, paragraph 86.

⁷ NPS-UD objective 3.

⁸ NPS-UD policy 1(a).

⁹ NPS-UD policy 2.

¹⁰ NPS-UD clause 3.2.

9 As stated in paragraph 7 above, the level of granularity at which demand/supply dynamics are assessed and responded to was identified in the planning JWS as a key issue for this hearing¹¹. This issue is fundamentally related to the interpretation and application of the provisions in the NPS-UD set out above in paragraph 8 and in my view, it is **the** key issue for this hearing, because:

9.1 All of the planners agreed in the planning JWS *'that there are no issues with the proposal and ODP achieving a well-functioning urban environment within the Development Area'*¹²;

9.2 Per Mr Walsh's evidence, the adverse effects of the requested rezoning (beyond the development area) can be appropriately managed. And, aside from dispute as to the management of stormwater and groundwater related effects, the transport effects (being the other key effect in contention) are a function of providing supply to meet demands in this part of the urban environment.

10 Mr Willis evidently agrees with the above insofar that he says that the proposal not contributing to the well-functioning urban environment of Greater Christchurch *'is principally due to the site's relatively remote location, which results in it not having good accessibility, especially for public and active transport'*¹³.

11 However, if this specific part of the urban environment has housing locality and market demands that cannot be substituted with supply in the 3 main towns, then I consider there is an NPS-UD imperative to provide supply, notwithstanding the locational attributes of the site.

12 Whilst the comparison of Ōhoka with West Melton in a transport sense is acknowledged by Mr Willis¹⁴, I consider this comparison is relevant more generally. Specifically:

12.1 West Melton, like Ōhoka, is within the Greater Christchurch *urban environment*;

12.2 West Melton, like Ōhoka, is a long-established settlement that has historically been a small *urban area*, relative to larger urban centres within its District (e.g. Rolleston, Lincoln and Darfield) and within Greater Christchurch (e.g. Christchurch City). The extent of the current (*new*) *urban area* of West Melton is now considerably different in character and extent to the *existing urban area* of West Melton prior to the

¹¹ Planning JWS, paragraph 86.

¹² Planning JWS, paragraph 84.

¹³ Officer's Report-Addendum: Rezoning- Ōhoka Rezoning, paragraph 67.

¹⁴ Officer's Report-Addendum: Rezoning- Ōhoka Rezoning, paragraph 42.

Canterbury earthquakes of 2010/11¹⁵, and further growth has recently been enabled through District Plan change and review processes.

- 12.3 West Melton, like Ōhoka, due to its size and location would have (relative to larger centres), comparatively high VKT (including on rural roads), fewer or more distant public transport and walking/cycling connections to other locations, limited employment opportunities, and limited community and commercial facilities¹⁶.
- 12.4 Through the hearings and decisions on Plan Change 67 to the previously operative Selwyn District Plan and the proposed Selwyn District Plan ('PSDP'), West Melton was found to have locality and market specific demands for housing that could not be resolved by housing supply in Rolleston, Darfield or other larger centres in the District, and which therefore necessitated additional supply in West Melton in accordance with the NPS-UD (and notwithstanding the matters described in paragraph 12.3 above)¹⁷.
- 12.5 Notably, the PSDP decision on rezoning requests for West Melton found that the urban rezoning of highly productive land at West Melton was appropriate and would satisfy clause 3.6(1)(b) of the NPS-HPL, given that there were no other reasonably practicable feasible options for providing housing capacity within the same locality and market – indicating demand in this locality and market could not be satisfied by supply in the District's other main urban centres such as Rolleston or Darfield¹⁸.
- 13 To summarise, I consider West Melton is to the Selwyn District's share of the Greater Christchurch urban environment, what Ōhoka is to the Waimakariri District's share of the same urban environment. Both have relatively small but established urban areas, and location and market specific demands for housing capacity that cannot be substituted by other urban areas or main centres in the District or Greater Christchurch. Therefore, Ōhoka requires (and West Melton required) sufficient development capacity to be provided in

¹⁵ West Melton was first settled in the 1860's, had a population of approximately 330 residents in 2007, and as of 2023 has approximately 3000 residents (Source: <https://www.selwynconnect.co.nz/exploreselwyn/west-melton>)

¹⁶ See Transport JWS for Hearing Stream 12D, paragraphs 53-56.

¹⁷ See paragraphs 211-245, 384-386 and 391 of the Selwyn District Council's decision on Plan Change 67, being a request by GW Wilfield Limited (Applicant) to rezone approximately 33.4 hectares of land from Rural Inner Plains to Living West Melton South in Wilfield, West Melton.

¹⁸ See paragraphs 53-58 of the Selwyn District Council's decision on PSDP Hearing 30.6: Rezoning Requests – West Melton. https://www.selwyn.govt.nz/_data/assets/pdf_file/0020/2060453/PDP-Hearing-30.6-Rezoning-West-Melton.pdf

accordance with the NPS-UD and the provisions I have identified in paragraph 8 above.

Dated: 17 October 2024

Jeremy Phillips.