

**Before the Independent Commissioners appointed by the Waimakariri District Council**

In the matter of Proposed Waimakariri District Plan: Ōhoka Rezonings  
(Hearing Stream 12D)  
and

In the matter of Further submission by the Oxford Ōhoka Community Board  
[submitter 62] to the Rolleston Industrial Developments  
Limited [submitter 160] and Carter Group Property Ltd  
[submitter 237] submissions to Rezone land at Ōhoka

**Summary of evidence of Nick Boyes – Planning**

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Dated: 2 July 2024

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## Summary Evidence of Nick Boyes:

### Introduction

1. My name is Nicholas (Nick) Boyes. My qualifications and experience are as set out in my original evidence.

### Summary of planning evidence

2. The Canterbury Regional Policy Statement (CRPS) sets out a prescriptive framework to assess urban growth.
3. The site sought to be rezoned by Rolleston Industrial Developments Limited [submitter 160] and Carter Group Property Ltd [submitter 237] (collectively referred to as the submitters) is not identified as a Greenfield Priority Area (GPA) for residential development, Future Development Area (FDA), nor is it within the projected infrastructure boundary shown on Map A within Chapter 6 of the CRPS. This means that development of the site for urban purposes does not accord with the prescriptive growth framework set out therein (**Objective 6.2.1(3), Objective 6.2.2, Objective 6.2.6 and Policy 6.3.1(4)**).
4. In my view the rezoning being promoted by the submitters is not anticipated by, or gives effect to, the CRPS.

### National Policy Statement for Urban Development (NPS-UD)

5. In that context, the only pathway for accepting the submissions is reliance on the 'responsive' planning approach contained in the NPS-UD<sup>1</sup> to over-ride the 'directive' policy approach included in the CRPS (Chapter 6).
6. If the NPS-UD is found not to apply, or the submissions are found to be inconsistent with it, in my view the proposed development should be refused.
7. The NPS-UD (**Policy 8**) provides an opportunity to allow consideration of an 'out of sequence' or 'unanticipated' development proposal that might otherwise be precluded by the lower order planning documents. This reflects the central government objectives to facilitate greater opportunities for urban growth and housing.
8. However, this opportunity is predicated on development:
  - a) Being within an urban environment;

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<sup>1</sup> Objective 4 of the NPS-UD.

- b) Contributing to a well-functioning urban environment (**Objective 1, Policy 1 and Clause 3.11**), including improving housing affordability by supporting competitive land and development markets (**Objective 2 and Policy 1 (a)(i)**);
  - c) Meeting the significant development capacity threshold (**Objective 6(c), Policy 8 and Clause 3.8**);
  - d) Being well connected along transport routes (**Policy 1 and Clause 3.8**); and
  - e) Being able to be adequately and efficiently serviced by infrastructure (**Objective 6(a), Policy 10 and Clause 3.5**).
9. The NPS-UD only applies to 'urban' environments. There is some debate amongst the Planners as to whether Ōhoka is an urban environment for the purpose of the NPS-UD.
  10. The NPS-UD defines an 'urban environment' as being an area of land that is, or is intended to be, predominantly urban in character; and is, or is intended to be, part of a housing and labour market of at least 10,000 people.
  11. On that basis any description of Ōhoka as part of an 'urban environment' requires consideration at a larger scale than the immediate area. For the purposes of the NPS-UD **Policy 8** I consider that Ōhoka is part of the Greater Christchurch Urban Environment and associated housing and labour market of more than 10,000 people.
  12. How the proposed rezonings integrate with the existing urban environment will impact on whether it contributes to a well-functioning urban environment (**Objective 1 and Policy 1**).
  13. The existing urban area of Ōhoka shown on Map A in the CRPS is only some 14ha in area. The submitters seek to rezone an additional area of 156ha to create a minimum of 850 new households. The scale of the proposed rezonings will dominate the existing Ōhoka village.
  14. Having regard to the matters set out in **Policy 1** of the NPS-UD, and relying on the evidence of Mr Goodfellow, Mr Knott and Mr Metherell; I am of the view that the relief sought by the submitters does not contribute to a "well-functioning urban environment" (**Objective 1, Policy 1**).
  15. I also consider that the proposed rezoning will not make a significant contribution to the improved provision of more affordable housing within the Greater Christchurch urban environment (**Objective 2**).

16. The scale of the land area is such that it makes a significant contribution to development capacity (**Policy 8**). However, this is predicated on the ability to be adequately serviced. Mr Keenan supports the concerns set out in the evidence of Mr Roxburgh; they both note that whilst there appear to be viable servicing options, these require further investigations and/or consents might be required. Mr Metherell also considers that further modelling and transport network changes beyond the site (namely intersection upgrades) are required to service the level of development proposed.
17. To the extent there remains a degree of uncertainty around the ability to deliver servicing outcomes (stormwater and transport), the proposed rezoning cannot be said to give effect to **Objective 6, Policy 8** and **Policy 10** of the NPS-UD.
18. Based on the evidence of Mr Metherell, I do not consider that the site has good accessibility between housing, jobs and community services, including by way of public or active transport. In its present form the proposed rezoning is not well connected along transport corridors (**Policy 1** and **Clause 3.8**).
19. The NPS-UD direction for decision-makers to be responsive does not extend to simply approving all development. My concerns relate primarily to whether development of this land can contribute to a well-function urban environment as defined by **Policy 1** of the NPS-UD. These concerns are outlined in the evidence of others and relate to urban form, the impact on Ōhoka Village, connectivity/accessibility as well as the rural character of the area more broadly given the scale of development proposed.
20. I consider that this proposal does not represent the type of development sought to be promoted by the NPS-UD; and therefore cannot rely on the unanticipated or out of sequence 'responsive' development opportunities provided for therein.
21. In the absence of the ability to rely on the NPS-UD, I consider the relief sought in these submissions should be rejected having regard to the relevant statutory considerations.

Date: 2 July 2024



Nick Boyes