

**IN THE MATTER of
the Resource Management Act 1991**

AND

**IN THE MATTER of
hearing of submissions and further submissions
on the Proposed Waimakariri District Plan**

AND

**of hearing of submissions and further
submissions on Variations 1 and 2 to the
Proposed Waimakariri District Plan**

**MINUTE 31 – EXPERT CONFERENCING AND
NEXT STEPS FOR HEARING STREAM 12D**

INTRODUCTION

1. The purpose of this Minute is to direct expert conferencing and set out next steps for Hearing Stream 12D.
2. The hearing for Hearing Stream 12D was held on 1 to 3 July 2024.
3. At the end of hearing from submitters, the IHP requested that the Council reporting officer, representatives from Carter Group Property Ltd and Rolleston Industrial Developments Ltd and representatives from the Oxford Ōhoka Community Board liaise to prepare draft questions for the IHP to consider in directing expert conferencing. The IHP thanks the parties for their helpful contributions.

DIRECTION FOR THE PROVISION OF INFORMATION TO INFORM EXPERT CONFERENCING

4. Pursuant to s41C of the RMA, the Council is directed to provide the following information by no later than **4pm Wednesday 24th July 2024**:
 - a) The results of the WCGM22 for Demand, Feasible & RER Capacity, and therefore Sufficiency, for each urban area in the model (i.e. those areas listed in Appendix A of the Formative Report, 8 December 2023) for the short-medium term and long term.
 - b) The concordance of SA2s (and specify boundary year) used to attribute StatisticsNZ projections to each of the areas above in the model (as an input to Demand in the WCGM22)¹.
 - c) The spatial level of building consent data used as an input to demand at the urban area level in the model. Please confirm whether this also included StatisticsNZ SA2 consent data or parcel/zone level building consent data provided directly by the council.
5. Once received, this information is to be placed on the Council website and notice given to all submitters seeking rezonings.
6. Pursuant to s41C of the RMA, Mr Walsh acting for Carter Group Property Ltd and Rolleston Industrial Developments Ltd is directed to provide an updated set of provisions proposed to be applied to the Ōhoka proposal by no later than **4pm Friday 26th July 2024**. Once received, this information is to be placed on the Council website and circulated to all parties to the hearing.

¹ Note: this is on the basis that the Formative report states that demand is a mid point between StatisticsNZ growth projections and building consents 2019-2022.

EXPERT CONFERENCING

7. As we signalled during the hearing of Hearing Stream 12D, there are several matters that we consider would benefit of expert conferencing on before we set questions for the s42A reporting officer reply report.
8. We hereby direct, pursuant to s41C of the RMA, that expert conferencing occurs on the questions that we have set out in Attachment 1 to this Minute, with a joint witness statement being provided for each suite of questions by no later than **4pm Friday 23rd August 2024**. The IHP are to be kept informed of progress on the conferencing, including any constraints on availability of either information or availability.
9. The planners' confirmation of agreement on the following matters is directed to occur in advance of the economists' expert conferencing and prior to the planners undertaking conferencing in the questions set out in Attachment 1, and once completed is to be provided to the economists to inform their conferencing:
 - a) 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-UD.
 - b) The PWDP must have or enable a variety of homes that meet the needs, in terms of type, price, and location, of different households, per NPS-UD Policy 1(a)(i).
 - c) Setting aside the long-term, at a minimum, the PWDP must provide at least sufficient development capacity to meet expected demand for housing and for business land over the short term and medium term, per NPS-UD Policy 2.
 - d) Setting aside the long-term, at a minimum, the PWDP must provide at least sufficient development capacity in the district to meet expected demand for, among other things, housing in existing and new urban areas and for standalone dwellings in the short and medium term, per NPS-UD Clause 3.2.
 - e) The NPS-UD does not require affordable housing to be provided, but planning decisions must improve housing affordability by supporting competitive land and development markets.
10. The IHP expect the planners to take the lead in ensuring that conferencing is sequenced in the most appropriate manner. We also note that the experts are not limited to the questions we have posed and may address additional matters that they think will be helpful to us in making our recommendations.
11. Joint witness statements are to identify points of agreement on the issues, and, where experts disagree, a brief commentary on specific points of agreement. Expert conferencing is to occur in accordance with the Environment Court Consolidated Practice Note 2023–Code of Conduct for expert witnesses available at the following website <https://environmentcourt.govt.nz/about/practice-note/>

NEXT STEPS FOLLOWING EXPERT CONFERENCING

12. After hearing from submitters on Hearing Stream 12D, the IHP also signalled that we would reconvene the hearing to address matters of capacity and demand which can only be addressed after the Council's economic evidence that informs Hearing Stream 12E being publicly available, and the planning provisions proposed by Carter Group Property Ltd and Rolleston Industrial Developments Ltd. The reconvening of the hearing will also provide an opportunity for the IHP to question any witnesses after having read the joint witness statements, if required. As signalled, it is unlikely that the hearing will be reconvened until late September or early October, depending on the IHP's and parties' availability.
13. The IHP will issue further directions once it has received the joint witness statements.

CORRESPONDENCE

14. Submitters and other hearing participants must not attempt to correspond with or contact the Hearings Panel members directly. All correspondence relating to the hearing must be addressed to the Hearings Administrator on 0800 965 468 or Audrey.benbrook@wmk.govt.nz.



Gina Sweetman
Independent Commissioner – Chair - on behalf of the IHP members
15 July 2024

ATTACHMENT ONE

PLANNING EXPERT CONFERENCING

Attendees: Mr Phillips, Mr Walsh, Mr Boyes, Mr Willis

- 1 Is the existing Ōhoka settlement (as depicted in Map A of the CRPS and zoned SETZ in the proposed Plan) an 'urban area' (or 'existing urban area') insofar that this term is used (but not defined) in the NPS-UD? If it is an urban area, then what are the policy implications under the NPS-UD?
- 2 Regardless of whether there is sufficient development capacity or not under Policy 2 of the NPS-UD, can the rezoning request be considered on its merits under Policy 8 if it is determined that the NPS-UD applies?
- 3 Does the proposed rezoning constitute an extension to the 'existing urban area' of Ōhoka, and if approved, would it become part of this 'existing urban area'?
- 4 Would the proposed rezoning 'add significantly to development capacity', per NPS-UD Policy 8?
- 5 In giving effect to the NPS-UD, should a proposed district plan account for how NPS-UD Policy 2 will be satisfied throughout the life of the plan (rather than simply at its commencement), insofar that this requires 'at least' sufficient development capacity, 'at all times'?
- 6 Is the proposed rezoning near a centre zone per NPS-UD Objective 3(a) or other area with many employment opportunities, noting that a LCZ is proposed as part of the rezoning. Does an LCZ constitutes a centre zone as defined in the NPS-UD?
- 7 Does the term 'at least sufficient development capacity' in NPS-UD Policy 2 (read alongside objectives 2 and 3) indicate a presumption or preference for providing more development capacity than is required to meet forecast demand?
- 8 Does NPS-UD Objective 4 and Policy 6 prioritise urban development and capacity over the amenity values that are appreciated by some people (absent the changes resulting from new urban development) and is the scale of the change a relevant consideration?
- 9 Accounting for the evidence submitted for Hearing Stream 12D, is the proposed rezoning in an area of the Greater Christchurch urban environment where there is high demand for housing, relative to other areas within the urban environment?
- 10 Accounting for the evidence submitted for Hearing Stream 12D, are the markets for

different locations and housing typologies in Greater Christchurch and Waimakariri District interchangeable?

- 11 What does 'responsive' mean insofar that this term is used in the NPS-UD? Specifically:
 - 11.1 What does responsive mean, generally?
 - 11.2 Does the reference in Objective 6 to 'local authority decisions' include decisions on infrastructure planning and funding?
- 12 What is the level of certainty required to confirm that the proposal is integrated with infrastructure planning and funding decisions, taking into account that it is in effect an unanticipated plan change? Does the NPS-UD require that infrastructure is expected to be in place or planned in advance of unanticipated plan changes? Is the absence of infrastructure upgrades being identified in the Long Term Plan a barrier to rezoning of the site?
- 13 In respect to Objective 6, Is the proposal strategic over the medium term and long term and what defines strategic?
- 14 How should the NPS-UD Policy 1 requirement to "support reductions in greenhouse gas emissions" be interpreted and applied? In particular, does the NPS-UD require that approval of the rezoning result itself in an absolute reduction in GHG emissions in Greater Christchurch (being the relevant 'urban environment')?
- 15 What do "well-connected along transport corridors" and "good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport" mean in the context of the connectivity of the proposed site?
- 16 Does the site have good accessibility for all people between housing, jobs, etc including by way of public or active transport and is it well-connected along transport corridors?
- 17 On the basis that the Greater Christchurch Urban Environment is the relevant urban environment, does the proposal 'contribute' to the well-functioning urban environment which is Greater Christchurch?
- 18 Does this rezoning request need to meet all elements of Policy 1 NPS-UD, or contribute towards them?
- 19 What is the relevance of the Canterbury Regional Policy Statement, Greater Christchurch Spatial Plan, District Development Strategy and Proposed District Plan to this rezoning proposal and how are they to be weighted, and reconciled, if a conflict with the NPS-UD is believed to exist?
- 20 Should the benefits and costs associated with a rezoning proposal be assessed in relative terms, as compared to the alternative options suggested in the other

Hearing Streams?

- 21 Do the proposed provisions, including the ODP, ensure with sufficient certainty:
 - 21.1 the delivery of the proposed public transport service?
 - 21.2 the implementation of the required road infrastructure upgrades when required?
 - 21.3 the realisation of the described urban design outcomes (including the amount of information required to describe the objectives of any design guidelines)?
 - 21.4 the implementation of the proposed GHG reduction measures?
 - 21.5 the implementation of the landscape treatments?
 - 21.6 construction of rural village style roads of the types and functions indicated in the ODP?
 - 21.7 riparian planting and waterway restoration as proposed?
 - 21.8 commercial activity is provided to support future residents?
 - 21.9 a polo field and associated facilities are provided for?
 - 21.10 a school is provided for?
 - 21.11 a retirement village is provided for?

ECONOMIC EXPERT CONFERENCING

Attendees: Ms Hampson, Mr Akehurst, Mr Yeoman

Note: For the purposes of this expert conferencing, the economic experts are requested to proceed on the basis of the planners' agreement on what constitutes an urban environment.

- 1 Is the Gross Floor Area (GFA) cap of 2,700m² for retail activities in the proposed Local Centre Zone appropriate and will it result in negligible retail distribution effects on other centres? How much LC zoned land would be sufficient to accommodate this floorspace?
- 2 Is the demand for housing that arises in small towns or settlements different from demand for housing that arises in large urban townships? Does the NPS-UD provide that that this type of demand in different locations substitutable for housing provision in large urban townships?
- 3 Has it been demonstrated that there is specific demand for housing in Ōhoka? Does Research First survey question 5, which suggests 21% of respondents would want to live in Ōhoka, reasonably represent demand preferences for location (noting that the responses add to 176%)?
- 4 What spatial level of modelling for demand and capacity is needed to best inform local authority planning decisions, both generally and as contemplated in the NPS-UD?
- 5 What are the risks of providing more than sufficient development capacity for housing? Do these risks outweigh the risks of underestimating and not supplying sufficient development capacity?
- 6 Do the StatsNZ SA2 growth projections provide a good proxy for demand for different areas in a district?
- 7 If the Panel considers the NPS-UD does require the Waimakariri District Council to provide sufficient development capacity to meet demand for housing outside of the three main towns, is there sufficient capacity to meet demand for housing outside of the three main towns?
- 8 Does the WCGM22 assume Feasible & RER Capacity in the medium and/or long term for the Plan Change 17 site (being the 'Mill Road Development Area' in the Proposed Waimakariri District Plan), noting that this is proposed to be zoned Large Lot Residential in the notified version of the PWDP.

LUMS EXPERT CONFERENCING

Attendees: Mr Sexton, Mr Sellars, Mr Wilson

- 1 What approaches should be used to estimate feasibility and realisation of housing capacity, based on cl 3.2.6 of the NPS-UD? Is the approach the Council has taken consistent with cl 3.2.6 of the NPS-UD?
- 2 What is LUMS and what is its intended purpose?
- 3 Does LUMS assist with understanding future feasible supply?
- 4 How does LUMS undertake density analysis?
- 5 How do the experts calculate net density? Should experts begin their approaches to calculating net density by using the statutory definition in the CRPS?
- 6 Given the differences in approaches to calculating net density, what other approaches might be useful?
- 7 Given the answers above, how do experts then define and use the NPSUD definitions of plan-enabled capacity and infrastructure-ready?
- 8 Is the basis for assumed achievable net density in the LUMS robust and are there additional factors or constraints that should be accounted for?
- 9 To the extent that variance or errors in the LUMS have been identified (and with reference to examples), is this significant?
- 10 Does the manual tracking of multi-unit (townhouse) developments in LUMS account for additional stories in the calculation of dwellings by automatically doubling the number of units, and if so, what are the implications for the calculations?
- 11 How should houses that have been built or titles issued ready for building be accounted for with respect to housing bottom lines/capacity targets? Should houses built be subtracted from the housing bottom lines/ capacity targets in order to show remaining demand?
- 12 Reference is made to MDRS in various places in the 'Memo of Mr Wilson on Housing Uptake and Capacity' attached to the section 42A report, which appears to relate to multi-unit developments which could be built as of right without MDRS legislation. Is this correct and if so, what is reasonable to assume in terms of the likely housing supply resulting from MDRS?
- 13 Do Tables 3 and 4 of the 'Memo of Mr Wilson on Housing Uptake and Capacity' attached to the section 42A report accurately reflect the results of the LUMS?

TRANSPORT EXPERT CONFERENCING

Attendees: Mr Fuller, Mr Milner, Mr Binder, Mr Metherell

- 1 Is it appropriate for the Outline Development Plan to require upgrades to the following intersections prior to subdivision, or before certain development thresholds are met, in order to accommodate the proposal:
 - 1.1 Tram Road / Bradleys Road;
 - 1.2 Tram Road / Whites Road;
 - 1.3 Flaxton Road / Threlkelds Road (with associated changes in priority at the Mill Road / Threlkelds Road intersection); and
 - 1.4 Tram Road Interchange?
- 2 Is it appropriate for the Outline Development Plan to require assessment (at the time of subdivision) of whether upgrades are required on the following roads prior to subdivision, or before certain development thresholds are met, to accommodate the proposal:
 - 2.1 Whites Road;
 - 2.2 Bradleys Road;
 - 2.3 Mill Road; and
 - 2.4 Threlkelds Road?
- 3 Do the experts agree that Council is planning on road safety upgrades to Tram Road, and if approved the development would provide development contributions towards this and would need to be accounted for in terms of the design of the upgrades?
- 4 What confidence is there currently that the recently confirmed SH1 Road of National Significance (i.e., the Belfast to Pegasus Motorway and Woodend Bypass project) will address traffic congestion / safety matters at the Tram Road intersection?
15.
- 5 Is the proposed internal roading, cycling and pedestrian network (as shown indicatively in the Outline Development Plan) suitable for supporting movement within the site, and if not, can this be addressed through the standard considerations at subdivision consent?
- 6 Does the proposed roading, cycling and pedestrian network (as shown

indicatively in the Outline Development Plan) connect well with the existing Ōhoka urban area, and if not, can this be addressed through the standard considerations at subdivision consent?

- 7 Are the upgrades identified in questions 1 and 2 likely required to occur within the next ten years regardless of the Ōhoka rezoning, and to what extent might the rezoning bring forward the need for improvements?
- 8 Does the proposed public transport service provide a functional connection to the Ōhoka site?
- 9 Can the proposed site be integrated with a public transport service connecting further afield (e.g., Mandeville, Oxford)
- 10 How significant is the long-term funding uncertainty of the proposed public transport service relative to the inherent uncertainty of funding of all passenger transport?
- 11 If the Panel consider the NPS-UD requires growth outside of Rangiora, Kaiapoi and Woodend / Pegasus (for example in the western part of Greater Christchurch within the Waimakariri District), is consolidated growth (i.e. providing for this growth in one area) better than ad hoc development (i.e. the growth is accommodated in multiple disconnected areas) with regard to:
 - 11.1 Walking and cycling;
 - 11.2 Public transport viability; and
 - 11.3 Managing rural road safety.
- 12 Is the transport connectivity of Ōhoka (as proposed, i.e. including the rezoning) comparable to that of West Melton?
- 13 Do non-motorised connections to Kaiapoi and Rangiora require upgrades to improve the safety of those who choose to walk or cycle from the proposed site?
- 14 How likely is it that the uptake of walking, cycling, or public transport will have any notable effect on private vehicle travel from the proposed site?
- 15 Does the Ōhoka proposal require higher travel distance on the rural road network than residential development within other urban areas within the Waimakariri District part of Greater Christchurch?
- 16 What are the vehicle-kilometres travelled (VKT) effects of the proposed location, as opposed to identified urban growth locations in District Plans? How are these VKT effects linked to greenhouse gas emissions (GHG) reductions.

ENGINEERING EXPERT CONFERENCING

Attendees: Mr Throssell, Mr O'Neill, Mr McLeod, Mr Veendrick, Mr Bacon, Mr Roxburgh, Mr Keenan

Note: While Mr Veendrick was excused from attending the hearing, some of the questions below (particularly those related to matters raised through the Oxford Ōhoka Community Board presentation, such as tidal influence and groundwater resurgence) require input from a hydrologist/groundwater expert.

- 1 Is the proposed stormwater solution feasible?
- 2 Does detailed design of stormwater treatment for residential developments typically occur at the subdivision resource consent stage when the detailed subdivision design has been established?
- 3 Are the off-site flood effects from the development in the 200-year ARI event likely to be less than minor?
- 4 Is the Ōhoka stream within and adjacent to the site, and further downstream subject to tidal influence?
- 5 What is groundwater resurgence, and can the proposed development appropriately manage effects on and from any groundwater resurgence?
- 6 Can the proposed development appropriately manage downstream effects from a 50-year flood event?
- 7 Is the use of raingardens (constructed as proposed in Mr O'Neill's evidence) appropriate for the treatment of stormwater at this site?
- 8 If Environment Canterbury's interpretation of its Canterbury Land and Water Regional Plan (relating to the interception of groundwater from stormwater devices requiring a consent to take) changed prior to development, would more conventional stormwater conveyancing and treatment options also be feasible for the site?