

**BEFORE INDEPENDENT HEARING COMMISSIONERS APPOINTED BY THE
WAIMAKARIRI DISTRICT COUNCIL**

IN THE MATTER OF

The Resource Management Act 1991 (**RMA** or
the Act)

AND

IN THE MATTER OF

Hearing of Submissions and Further
Submissions on the Proposed Waimakariri
District Plan (**PWDP** or **the Proposed Plan**)

AND

IN THE MATTER OF

Hearing of Submissions and Further
Submissions on Variations 1 and 2 to the
Proposed Waimakariri District Plan

AND

IN THE MATTER OF

Submissions and Further Submissions on the
Proposed Waimakariri District Plan by **Mark
and Melissa Prosser**

**SUPPLEMENTARY EVIDENCE OF MARK DAVID ALLAN
IN RESPONSE TO OFFICER REPORT
ON BEHALF OF MARK AND MELISSA PROSSER
REGARDING HEARING STREAM 12C**

DATED: 8 July 2024

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INTRODUCTION

- 1 My name is Mark David Allan.
- 2 I have prepared a statement of evidence regarding Hearing Stream 12C in support of the submission of Mark and Melissa Prosser (**the Submitters**) on the Proposed Waimakariri District Plan (**PWDP**) to rezone approximately 73 ha at Mandeville from Rural Lifestyle Zone (**RLZ**) to Large Lot Residential Zone (**LLRZ**) (**the Proposal**).
- 3 My qualifications and experience are set out in that statement. I confirm that this supplementary statement of evidence is also prepared in accordance with the Environment Court's Code of Conduct.
- 4 On 23 May 2024 the Waimakariri District Council (**Council**) released an Officer Report for Hearing Stream 12C prepared under section 42A of the RMA containing an analysis of submissions seeking Large Lot Residential Zone and recommendations in response to those submissions (**Officer Report**). The Officer Report recommends that the Proposal be rejected.
- 5 On 27 June 2024 the Council released the s42A Officer's Preliminary Response to written questions from the Hearings Panel on the Officer Report (**Response Document**).
- 6 My supplementary evidence is filed in response to the Officer Report and the Response Document.

SCOPE OF SUPPLEMENTARY EVIDENCE

- 7 In my supplementary evidence I address the following matters:
 - (a) those parts of the Officer Report and the Response Document that address matters within scope of my expertise, with particular emphasis on matters where there is a difference of view between myself and the Officer.
- 8 In preparing my supplementary evidence I have:
 - (a) reviewed the Officer Report and the Response Document relevant to my area of expertise;

- (b) reviewed the evidence and supplementary evidence of other experts for the Submitters filed together with my supplementary evidence;
- (c) reviewed my evidence-in-chief filed earlier on behalf of the Submitters; and
- (d) reviewed other materials specifically mentioned in my supplementary evidence discussed below.

CONTEXT AND APPROACH

- 9 As mentioned, the Officer Report recommends the Proposal be rejected. A range of reasons are given for this recommendation, some of which relate to my area of expertise. The Officer's position is further reinforced through the Response Document.
- 10 The approach I have adopted in this supplementary statement of evidence is to identify those parts of the Officer Report and Response Document where I disagree with the Officer and to explain my reasons for disagreement. I have not commented on aspects of the Officer Report that have been responded to directly by technical experts' evidence / supplementary evidence, except where I rely on this to inform my own conclusions.

RESPONSE TO OFFICER REPORT

Christchurch Tier 1 urban environment

- 11 At paragraph 135, the Officer Report references my evidence-in-chief where I note that the Site is within the 'Christchurch tier 1 urban environment' as identified by the NPS-UD and depicted by the dashed line on Map A of the CRPS (commonly referred to as 'Greater Christchurch')¹. The Officer Report disagrees, citing my position as *"conflating the Greater Christchurch Area with the 'Christchurch tier 1 urban environment'"*.
- 12 I do not agree with the Officer's interpretation on this point. While I accept that the spatial extent of the 'Christchurch tier 1 urban environment' is not explicitly defined in the NPS-UD, my rationale for considering the Site to be within the 'Christchurch tier 1 urban environment' is based on the following:

¹ Para 68, evidence in chief of Mark Allan

- (a) the NPS-UD defines 'tier 1 urban environment' with reference to column 1 ('Christchurch') of table 1 in the Appendix (Tier 1 and tier 2 urban environments and local authorities);
- (b) the NPS-UD defines 'tier 1 local authority' with reference to column 2 (CCC, WDC, SDC, ECan) of table 1 in the Appendix; this indicates the listed authorities have influence / govern the 'Christchurch Tier 1 urban environment';
- (c) In interpreting the above, I consider the Greater Christchurch sub-region (dashed line on Map A, CRPS) provides a pragmatic reference point for the extent of the 'Christchurch tier 1 urban environment' (as per table 1), given it extends across each of the four 'tier 1 local authorities' and the commonly held understanding / consistent application of the term 'Greater Christchurch' since the UDS 2007.
- (d) It is at this level / extent that I do not consider all of the Greater Christchurch sub-region is predominantly urban in character, nor is it intended to be.²
- (e) The NPS-UD defines 'urban environment' separately as any area of land that (amongst other things) is or is intended to be predominantly urban in character. To this end, my view is there could be 'urban environments' within the 'Christchurch tier 1 urban environment' provided they meet the separate 'urban environment' definition. That the objectives and policies of the NPS-UD refer to 'urban environments' (plural) suggests to me that this is the case.

13 It is on this basis that I consider the Site to be within the 'Christchurch tier 1 urban environment'.

NPS-UD

14 At paragraph 138, the Officer Report does not consider the Proposal will contribute towards a well-functioning urban environment (Policy 1) as *"there is very limited community services, and no public and limited active transport options"*, it *"does not support the reduction in GHG"*, and due to *"the flooding and groundwater resurgence risk."* I disagree with the Officer Report on these points for the following reasons:

² As recorded at para 18, Joint Witness Statement (Planning) – Stream 12 Urban Environment, Day 1
Supplementary evidence of Mark Allan in response to Officer Report on behalf of Mark and
Melissa Prosser dated 8 July 2024

- (a) Mandeville is the only rural residential settlement in the District that is supported by a Local Centre Zone. The Mandeville Village Shopping Centre is approximately 1km from the Site and comprises a wide range of commercial and community services, including a supermarket, petrol station, early childhood learning centre, beautician, restaurants and cafes. The Local Centre Zone status recognises its role as the commercial hub for the Mandeville community. Further, Mark Prosser has outlined the numerous open space and recreational facilities servicing Mandeville³.
- (b) The Proposal will enhance active mode options by connectivity to neighbouring LLRZ development to the west and south, and establishment of a footpath connecting the Site with the Mandeville Village Shopping Centre, as shown on the updated Outline Development Plan (**ODP**)⁴ and described by Mr Smith⁵.
- (c) The current lack of public transport provision is not unique to Mandeville, and there is the potential for improved public transport provision in Mandeville in the future⁶.
- (d) The GHG analysis undertaken by Mr Wilson⁷, complemented by Mr Smith's transport evidence, demonstrates that the Proposal will perform better than most other LLRZ locations in respect of supporting the reduction in GHG emissions.
- (e) Flooding and groundwater resurgence risk can be readily addressed on the Site through appropriate engineering design, such that resurgent flows will be adequately managed⁸.

15 I also note that in assessing the Proposal as not meeting Policy 1, the Officer Report neglects to acknowledge that a well-functioning urban environment is one that has or enables a variety of homes that meet the needs of different households (Policy 1(a)). On the contrary, I have assessed the Proposal as contributing to this aspect of well-functioning urban environments⁹.

³ Para 18, evidence of Mark Prosser

⁴ Updated ODP at Sheet 21 of the Updated Graphic Attachment to Supplementary evidence of Fraser Miller – 8 July 2024

⁵ Paras 40-42, supplementary evidence of David Smith

⁶ Paras 45-48, supplementary evidence of David Smith

⁷ Paras 15-16 evidence of Robert Wilson

⁸ Para 27, supplementary evidence of David Delagarza

⁹ Para 72, evidence-in-chief of Mark Allan

- 16 At paragraph 139, in reference to Policy 6, the Officer Report states that the Site was not considered for rezoning at the time the PDWP was notified because RLZ was considered the most appropriate zoning because of the *"large dairying operation at the proposed rezoning site"*. I note that Mr Prosser has refuted this suggestion¹⁰. Other than this statement, the Officer Report does not express a view as to the Proposal's consistency or otherwise with Policy 6. I refer to my assessment of Policy 6 in Attachment 4 of my evidence-in-chief and reaffirm my position that the Proposal is aligned with the same.
- 17 At paragraph 140, in reference to Policy 8, the Officer Report states that the Site was previously assessed through the review of the Waimakariri Rural Residential Development Strategy (**WRRDS**) in 2019, and not included due to being outside the Mandeville Growth Boundary (**MGB**), which I understand has not been altered since it was first introduced in 2013/2014. While this may have been the rationale to exclude the Site at the time (some five years ago), I do not consider this a robust basis on which to now reject the Proposal. I consider a re-evaluation of the MGB is needed and that this should take into account changes to the statutory planning context, current capacity constraints, and the merits of the Proposal, particularly in the context of providing at least sufficient development capacity to meet expected demand for housing, as required by Policy 2.
- 18 In this regard, I refer to Attachment 4 of my evidence-in-chief where I note the economic evidence that demand for rural residential living cannot be met by the available zoned land, and I assess the Proposal as adding significantly to rural residential housing capacity and contributing to a well-functioning urban environment. This is further reinforced by the evidence of Mr Colegrave (supplementary economics) and Mr Pringle (rural residential market demand). And the supplementary landscape (incorporating urban design), transport and greenhouse gas emissions evidence demonstrates the Proposal will contribute towards a well-functioning urban environment. I consider this analysis to be more current and relevant than the Officer Report's approach to simply refer to the constraints of the decade-old MGB as reason to oppose the Proposal.

¹⁰ Paras 24-25, evidence of Mark Prosser

- 19 Further, to the extent the Proposal may be considered “*unanticipated by RMA planning documents; or out-of-sequence with planned land release*” (Policy 8(a) and (b)) based on the Officer Report’s strict application of the WRRDS, I consider the responsive planning provisions of Policy 8 avails the Proposal to be considered on its merits.

CRPS

- 20 At paragraphs 141 to 143, the Officer Report assesses the Proposal against the CRPS, specifically Policy 6.3.2 (Development form and urban design), Policy 6.3.4 (Transport effectiveness) and Policy 6.3.5 (Integration of land use and infrastructure). I disagree with the Officer Report’s assessment that the Proposal is inconsistent with these provisions.
- 21 Policy 6.3.2 relates to the consideration of the principles of good urban design for all forms of development, including rural residential development, “*to the extent appropriate in the context*”. This acknowledges that the nature, scale, character and extent of different forms of development, whether it be business, residential, rural residential or public space, warrants a tailored response to urban design matters.
- 22 The Officer Report considers the Proposal is inconsistent with Policy 6.3.2 because “*it is not integrated with infrastructure*”.¹¹ ‘Integration’ is one of seven principles of urban design listed in the policy, and it is on this point alone that the Officer Report finds the Proposal to be inconsistent, seemingly without any consideration or comment on the remaining principles. The evidence of Mr Sookdev demonstrates that capacity issues in the wastewater network can be overcome by appropriate design¹². Similarly, the evidence of Mr Smith demonstrates that the Proposal will not exacerbate any existing constraints in the transport network (specifically the Tram Road interchange), with any impact on travel times being inconsequential¹³.
- 23 Other urban design principles not assessed by the Officer Report, but traversed in the evidence for the Prossers, include *3. Connectivity*, *4. Safety* and *5. Choice and diversity*. Based on my broader assessment of Policy 6.3.2 and the specialist evidence, I disagree with the Officer Report, and consider the Proposal will give effect to the principles of good urban design to the

¹¹ Para 141, Officer Report

¹² Paras 27-29, Supplementary evidence of Danash Sookdev

¹³ Para 37, Supplementary evidence of David Smith

extent appropriate for rural residential development and the context of the existing form and extent of the Mandeville settlement.

- 24 The Officer Report considers the Proposal is inconsistent with Policy 6.3.4 (Transport effectiveness), based on the transportation advice contained in Appendix F of the Officer Report¹⁴. The supplementary evidence of Mr Smith¹⁵ responds to the concerns expressed in respect of poor active transport options, no provision for public transport, and that remote LLRZ development is an inefficient use of existing transport networks.
- 25 Based on Mr Smith's assessment, and the Site's context adjacent to the largest rural residential settlement in the District and in closest proximity to main centres (Rangiora, Kaiapoi, Christchurch City), I do not agree with the Officer Report that the transport aspects of the Proposal are inconsistent with Policy 6.3.4. The Proposal:
- (a) will not overload strategic freight routes (sub-clause 1);
 - (b) promotes a pattern of development that will effectively integrate into the established Mandeville settlement, with improved pedestrian / cycle connectivity proposed between the Site and the Mandeville Village Shopping Centre and potential for improved public transport provision (sub-clauses 2 and 5);
 - (c) provides opportunities for travel demand management, e.g. park-and-ride, on-demand services, targeted rates (sub-clause 3); and
 - (d) subsequent development of the Site will be supported by a transport assessment as part of normal resource consent processes, which will include road user safety (sub-clauses 4 and 5).
- 26 The Officer Report considers the Proposal is inconsistent with Policy 6.3.5 (Integration of land use and infrastructure) because "*it was not identified for development (RRDS) and will not be able to integrate with the existing wastewater network due to capacity issues*".¹⁶ As noted at para 22 above and in my evidence-in-chief (refer Attachment 5, page 49), capacity issues in the wastewater network can be overcome by appropriate design.

¹⁴ Para 142, Officer Report

¹⁵ Paras 40-48, Supplementary evidence of David Smith

¹⁶ Para 143, Officer Report

- 27 In 5.2.3 Summary of recommendations (para 161), the Officer Report singles out Policy 6.3.9 as a “*major constraint*” of the Proposal, and yet I could not find where in the Officer Report the Proposal is specifically assessed against the policy, other than this reference to my evidence-in-chief at para 141: “*The planning supplementary assessment against the relevant policies of the RPS notes that the proposed rezoning does not meet Policy 6.5.9 [sic.] as the site is located outside the MGB and is not in accordance with a RRDS. While it is recognised that strict coherence with the RRDS could constrain urban development, Council also needs to consider the proposed rezoning across the other policies of the RPS.*”
- 28 For clarity, my evidence-in-chief (Attachment 5, page 51) records my position that “*the Proposal is not fully consistent with Policy 6.3.9*” due to the Site not being identified in the WRRDS. While acknowledging the Proposal may not be fully consistent with Policy 6.3.9, I consider it will deliver much-needed land supply to the rural residential market in a way that aligns with the locational and design intentions of the relevant sub-clauses in the policy (para 76, evidence-in-chief).

Outline Development Plan (ODP)

- 29 At para 144, the Officer Report addresses the proposed ODP, noting engineering feedback that the right-of-ways produce poor traffic outcomes, and the roads and overland flow paths do not match the natural overland flow paths. Council’s landscape architect supports the green pedestrian linkages.
- 30 In terms of the right-of-ways, Mr Smith¹⁷ has confirmed these will be designed in accordance with District Plan standards and the Council’s Engineering Code of Practice, which allows any concerns with respect to the design and operation of the right-of-ways to be addressed at the time of subdivision.
- 31 In terms of overland flow paths, Mr Delagarza¹⁸ has outlined that the stormwater management philosophy for the Site is to maintain the existing catchments by retaining the high points dividing the natural flow paths, thus preventing the diversion of flows between catchments. The location of the

¹⁷ Paras 50-52, Supplementary evidence of David Smith

¹⁸ Paras 14-19, Supplementary evidence of David Delagarza

two stormwater management areas corresponds with where overland flow paths currently exit the Site¹⁹.

32 I note the following changes have been made to the ODP²⁰ since the filing of technical evidence and in response to the Officer Report:

- (a) the 5m-wide riparian planting and native planting areas have been increased to 10m, as recommended by the Landscape Assessment (Appendix I, Officer Report) and addressed in the supplementary evidence of Mr Miller (landscape) and Mr Payne (ecology)²¹;
- (b) Ashworths Road will be sealed from Dawsons Road to approximately 60m northeast of the indicative access to the Site, as recommended in Appendix F (Transport) of the Officer Report and addressed in the supplementary evidence of Mr Smith²²;
- (c) the new footpath along the Dawson Road frontage of the Site is now shown to extend to Wards Road to connect with the Mandeville Village Shopping Centre (rather than *"potential future footpath"*), which Mr Smith²³ considers will provide *"a more direct connection which would follow the desire line for pedestrians and cyclists"*.

PWDP Objectives and Policies

33 As para 146, the Officer Report considers the present land use best meets Objectives RURZ-O1 and GRUZ-O1, due to *"the large parcel size, LUC Class 3 land, and its utilisation for dairy farming"*. I am unsure the relevance of GRUZ-O1, given the notified RLZ and the requested LLRZ for the Site. The Officer Report also states *"the property can be considered to integrate with surrounding primary production properties at 301 and 347 Whites Road, and 22 Ashworths Road"*. 301 and 347 Whites Road are more than 1.2km east of the Site and separated by Bradleys Road and multiple individual properties, so I am not sure their relevance to the Site or the Proposal. As far as I am aware, there is no 22 Ashworths Road, so again I am unsure the relevance of this reference.

¹⁹ Appendix A, Supplementary evidence of David Delagarza

²⁰ Updated ODP at Sheet 21 of the Updated Graphic Attachment to Supplementary evidence of Fraser Miller – 8 July 2024

²¹ Paras 16-17, Supplementary evidence of Fraser Miller; paras 10-11, Supplementary evidence of Roland Payne

²² Para 57, Supplementary evidence of David Smith

²³ Para 60, Supplementary evidence of David Smith

- 34 These inaccuracies aside, I do not agree with the Officer Report's analysis or conclusion, for the following reasons:
- (a) The Officer Report's statement that the Site is *"surrounded on two sides by intensive rural development"* is incorrect. As the locational context plan at Attachment 1 to Mr Prosser's evidence shows, the San Dona rural residential development (1.5-1.7ha properties) adjoins the Site's southern boundary; rural residential development (0.4ha properties) extends along Dawsons Road immediately west of the Site; and the Prossers own land adjoining the Site's eastern boundary that has been subdivided into nine 4-5ha titles. The reality is the Site is surrounded on three sides by established rural residential development.
 - (b) The Officer Report's statement that *"there is still rural land to the northeast and north"* is also misleading. Land directly north of the Site, on the opposite side of Ashworths Road, comprises properties in the 4-10ha range, with many properties more commensurate with rural residential development. Again, the locational context plan attached to Mr Prosser's evidence clearly illustrates this point.
 - (c) The Officer Report's reference to *"the large parcel size, LUC Class 3 land, and its utilization for dairy farming"* seems to overlook the fact the Site has resource consent for a 20-lot 4ha subdivision, which forms part of the existing environment against which the Proposal should be considered. The provisions of the RLZ would deliver a similar development pattern on the Site as that authorised by the consent, and the technical evidence is that this density of development is suboptimal to that which would be enabled by the Proposal.
- 35 Based on the actual pattern of development adjoining the Site, and authorised on the Site in accordance with the 20-lot subdivision consent, I do not consider the Proposal will undermine or limit the ability of the surrounding land to deliver on the outcomes anticipated in the RLZ, which will continue to provide an appropriate transition from the rural residential densities of an expanded Mandeville and the RLZ. I therefore consider the Proposal represents a more efficient use of the land resource at the Site than development provided for and anticipated in the RLZ.

36 At para 147, the Officer Report again references wastewater capacity as influential in the Proposal not contributing to a well-functioning urban environment. Mr Sookdev's evidence has demonstrated otherwise.

S42A REPORT WRITER'S RESPONSE TO WRITTEN QUESTIONS FROM THE PANEL

37 I have read Mr Buckley's preliminary response to the Panel's written questions (Response Document). Rather than a blow-by-blow analysis, I have instead focused on what I consider to be the two fundamental issues arising from the Response Document:

- (a) The question of 'urban'; and
- (b) The question of sufficient development capacity.

Urban

38 At para 71, following analysis of the relevant statutory documents, the Officer Report reaches the conclusion *"the LLRZ is 'urban'. Accordingly, I have considered the rezoning requests in this report in terms of their suitability to be an urban zone and within an urban area"*.

39 Mr Buckley has since reversed his position, and in the Response Document Mr Buckley now does not consider LLRZ to be 'urban'. I find this a surprising turnaround on a matter so fundamental to these proceedings.

40 I disagree with Mr Buckley's revised position, and consider LLRZ to be 'urban' for the following reasons:

- (a) NPS-UD – defines 'urban environment' against two criteria:
 - (i) In terms of the first criteria, while I do not consider the Greater Christchurch sub-region to be, or intended to be, *"predominantly urban in character"*, I do consider the Mandeville settlement is, for the following reasons:
 - it has the largest population (1,920 in 2023 according to Stats NZ) of the District's LLRZ settlements within the Greater Christchurch sub-region;
 - it is the District's only LLRZ settlement served by a commercial hub (Mandeville Village Shopping Centre) given Local Centre Zone status in the PWDP;

- the supplementary evidence of Mr Miller²⁴ concludes that Mandeville is predominantly urban in landscape character based on several factors including its context and location; built form character and patterns, boundary and edge treatment and overall landcover; and
 - it is serviced by reticulated water and wastewater networks, which is an indicator of urban development.
- (ii) In terms of the second criteria, the locational context of Mandeville in relation to the main centres of Rangiora, Kaiapoi and Christchurch (all of which are part of the Greater Christchurch sub-region) means that Mandeville is *“part of a housing and labour market of at least 10,000 people”*.
- (b) NPS-UD Clause 3.35 Development outcomes for zones – the PWDP describes the purpose of LLRZ *“is to provide residential living opportunities for predominantly detached residential units on lots larger than other Residential Zones”*. This is reinforced by LLRZ-O1 and the supporting policies (e.g. LLRZ-P1) and rules (e.g. LLRZ built form standards), thus establishing the predominant low-density residential character as the development outcome intended for LLRZ, as required by clause 3.35(1)(a) and (b), NPS-UD.
- (c) National Planning Standards (**NPS**) – LLRZ is defined as *“areas used predominantly for residential activities and buildings such as detached houses on lots larger than those of the low density residential and general residential zones, and where there are particular landscape characteristics, physical limitations or other constraints to more intensive development”*. Use of the term ‘residential’ in the zone name places LLRZ in the suite of residential zones identified in the NPS, which I consider is an intentional naming convention to clearly distinguish the predominant purpose of zones, i.e. residential, rural, commercial.

²⁴ Para 56, Supplementary evidence of Fraser Miller
 Supplementary evidence of Mark Allan in response to Officer Report on behalf of Mark and Melissa Prosser dated 8 July 2024

- (d) NPS-HPL – while this document is not directly relevant to these proceedings, it does include LLRZ in its definition of ‘urban’.
- (e) CRPS – read in context, the definitions of ‘urban’, ‘urban activities’, ‘rural residential activities’ and ‘rural activities’ place LLRZ-enabled development and activity at the ‘urban’ end of the spectrum.
- (f) PWDP – defines ‘urban environment’ as per the NPS-UD, and also specifically includes *“the small towns of...Mandeville, and all Large Lot Residential Zone areas...”*

- 41 Determination as to whether an area of land (regardless of size) is ‘predominantly urban in character’ is not simply a factor of the density of development enabled by a particular zone (with Mr Miller identifying a non-exhaustive list of ten factors that he considers typically contribute to urban landscape character over and above a Site’s zoning²⁵). Some areas of LLRZ may not possess the range of features and elements akin to urban character. It requires a contextual consideration. In the case of the Proposal, I am satisfied the evidence for the Prossers demonstrates that Mandeville does possess the requisite elements of an area that is predominantly urban in character.
- 42 Consequently, I disagree with the suggestion in the Response Document that *“With properties having an average density of 5,000m², no curb and channelling, street lights, businesses, and community services, which I consider form part of the character of an urban environment and are generally absent from LLRZ areas in the district”,* and that LLRZ areas *“are not at a density that enables community services and associated infrastructure investment”*²⁶.
- 43 I do, however, agree with the conclusion reached in the Response Document that *“the specifics of the individual environments are important considerations in determining where they would fall within this spectrum [of ‘urban’ to ‘peri-urban’ to ‘semi-rural’]”*²⁷

²⁵ Para 43, Supplementary evidence of Fraser Miller

²⁶ Pages 55-56, Appendix 1, Response Document

²⁷ Page 59, Appendix 1, Response Document

Sufficient development capacity

- 44 Having reached the revised position that LLRZ is no longer considered to be 'urban', the Response Document in several places expresses the view that LLRZ is not subject to the provisions of the NPS-UD²⁸. Consequently, the Response Document considers that an assessment of LLRZ rezoning proposals against Objective 6(c) and Policy 8 (in respect of proposals that would add significantly to development capacity) is not required.
- 45 I disagree with the Response Document on this matter, and refer to Mr Colegrave's supplementary evidence where he points out²⁹:
- (a) The NPS-UD emphasises the need to promote choice and competition across a range of different localities and markets, not just in main centres;
 - (b) LLRZ caters for different localities and markets than more urbanised parts of the District, and so 'at least sufficient development capacity' of LLRZ, alongside sufficient provision of medium density residential and general residential to properly meet expected demand across the District and satisfy the NPS-UD requirements;
 - (c) Failure to provide sufficient capacity for LLRZ-enabled development will mean growth in rural residential demand will not be being properly met, placing increasing pressure on the prices of existing rural residential dwellings and exacerbating existing affordability issues.
- 46 Mr Colegrave's analysis is directly applicable to the NPS-UD, particularly Objective 3 which requires (my emphasis added) the PWDP to *"enable more people to live 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."*

²⁸ For example pages 10, 15, 28, 34, 36, 37

²⁹ Paras 13-15, Supplementary evidence of Fraser Colegrave

Supplementary evidence of Mark Allan in response to Officer Report on behalf of Mark and Melissa Prosser dated 8 July 2024

- 47 Mr Colegrave also identifies a considerably larger shortfall in supply of LLRZ land than that estimated by Mr Yeoman for the Council. In short, Mr Colegrave's analysis suggests that *"the district will face significant and prolonged shortages of LLR land within the GCUA [Greater Christchurch urban area] unless additional land is rezoned as soon as possible."*³⁰ He acknowledges that adding 115 LLR lots will present a *"significant increase in development capacity, including for the purposes of Objective 6 and Policy 8 of the NPS-UD."*³¹
- 48 Based on Mr Colegrave's analysis, and my earlier consideration of the 'urban' question, I consider the NPS-UD is engaged by the Proposal, and the evidence has demonstrated that the Proposal will add significantly to development capacity (as required by Objective 6, Policy 2 and Policy 8).
- 49 Even if Mr Buckley's position was to be preferred, I do not consider this fatal to the Proposal. The substantial body of evidence presented for the Prossers shows that LLRZ is the most appropriate zoning for the Site. I acknowledge some tension with Policy 6.3.9 of the CRPS insofar as the Site is not identified in the WRRDS, however this should not be an impediment to the provision of appropriately located rural residential land supply that will contribute to a well-functioning urban environment. On its merits, LLRZ-enabled development of the Site will deliver a high-quality outcome that will complement the established character of the Mandeville settlement and achieve the objectives and policies of the CRPS and PWDP.

CONCLUSION

- 50 I have reviewed the planning-related matters raised in respect of the Proposal in the Officer Report and the Response Document.
- 51 I do not agree with the revised position in the Response Document that LLRZ is not 'urban' and that consequently the NPS-UD requirement to assess whether the Proposal will add significantly to development capacity is not engaged.
- 52 The evidence presented for the Prossers demonstrates that the Proposal will contribute to a well-functioning urban environment, will supply significant

³⁰ Para 42, Supplementary evidence of Fraser Colegrave

³¹ Para 45, Supplementary evidence of Fraser Colegrave

Supplementary evidence of Mark Allan in response to Officer Report on behalf of Mark and Melissa Prosser dated 8 July 2024

development capacity and, on its merits, is a more efficient and effective way to give effect to the NPS-UD and the CRPS, and achieve consistency with the relevant objectives and policies of the PWDP.

Mark Allan
8 July 2024