

OFFICER'S REPORT FOR:

Hearing Panel

SUBJECT:

Proposed Waimakariri District Plan: Ōhoka
Rezonings – S42A Report Addendum

PREPARED BY:

Andrew Willis

REPORT DATED:

09 October 2024

DATE OF HEARING:

Reconvened Hearing Stream 12D Ōhoka: 04
November 2024



WAIMAKARIRI
DISTRICT COUNCIL

Contents

Contents.....	1
1 Introduction	2
1.1 Purpose	2
1.2 Author	2
1.3 Supporting Evidence	2
1.4 Procedural Matters	3
2 Consideration of capacity and demand arising from Hearing Stream 12E.....	3
3 Joint Witnesses Statements – Matters Arising	5
3.1 JWS for capacity from the LUMS.....	5
3.2 JWS for Engineering	5
3.3 JWS for Transport.....	7
3.4 JWS for Stormwater 12C and 12D.....	9
3.5 JWS for Wastewater 12C and 12D	10
3.6 JWS for Planning	11
4 Assessment of the proposed bespoke planning provisions.....	13
5 Assessment of RIDL submissions reallocated from the Residential Hearing Stream 7A	14
6 Recommendations:	14

Appendices

Appendix A. Memo from Rodney Yeoman (Capacity and Demand)

Appendix B. Recommended responses to submissions and further submissions

1 Introduction

1.1 Purpose

1. The purpose of this report is to respond to Independent Hearing Panel (IHP) Minute 40 (see section 1.4 of this report) in relation to the reconvened hearing for Hearing Stream 12D (HS 12D)
2. This report covers the following:
 - Matters of capacity and demand taking into account the economic evidence for Hearing Stream 12E;
 - The HS 12D expert conferencing that occurred; and
 - The bespoke planning provisions proposed by Carter Group Property Ltd and Rolleston Industrial Developments Limited (RIDL).
3. In addition, this report also identifies and makes recommendations on RIDL submissions¹ that the District Council re-allocated from the Residential Hearing Stream 7A to the reconvened HS 12D hearing as they are more relevant to HS 12D.
4. This report is intended to be read in conjunction with the S42A Officer's report dated 31 May 2023 for HS 12D Ōhoka.

1.2 Author

5. My name is Andrew Willis. My qualifications and experience are set out in Appendix A of my original s42A report.
6. Although this is a Council Hearing, I have read the Code of Conduct for Expert Witnesses contained in the 2023 Practice Note issued by the Environment Court. I have complied with that Code when preparing my written statement of evidence and I agree to comply with it when I give any oral evidence.

1.3 Supporting Evidence

7. The material which I have used or relied upon in support of the opinions expressed in this report include the following:
 - Joint Witness Statement (JWS) for capacity from the LUMS, dated 9 July 2024;
 - JWS for Engineering, dated 6 August 2024;
 - JWS for Transport, dated 23 August 2024;
 - JWS for Planning, dated 30 August 2024;
 - JWS for Stormwater Hearing Streams 12C and 12D, dated 4 September 2024;
 - JWS for Wastewater Hearing Streams 12C and 12D, dated 4 September 2024;

¹ Submissions 160.10, 160.11, 160.12, 160.7, 160.8, 160.9

- The evidence of Rodney Yeoman (Formative) on capacity and demand arising from HS 12E (contained in **Appendix A**).

1.4 Procedural Matters

8. As set out in the IHP's Minute 40, HS 12D was held on 1 to 3 July 2024, and, as is set out in Minute 31, was adjourned to:
 - a) Address matters of capacity and demand that could only be addressed after the District Council's economic evidence for HS 12E was made publicly available;
 - b) Enable expert conferencing to occur for HS 12D and for the IHP to put any questions to experts having read the JWSs; and
 - c) Address the bespoke planning provisions proposed by Carter Group Property Ltd and RIDL, with respect to the land for which they had sought rezoning.
9. In Minute 33, the IHP subsequently directed further expert conferencing addressing cumulative effects for wastewater, stormwater, and transportation arising from rezoning requests in HS 12C and 12D and directed that the District Council obtain legal advice in respect to matters relating to the interpretation of the National Policy Statement on Urban Development 2020 (NPS-UD), the operative Canterbury Regional Policy Statement (CRPS) and the proposed Waimakariri District Plan (PDP) itself.
10. I understand from Minute 40 that this s42A report Addendum should be informed by any updated technical advice as a result of the expert conferencing, including the Transport Cumulative Effects conferencing JWS if available. At the time of preparing this addendum the Transport Cumulative Effects JWS was **not** available.
11. I understand that the IHP has received the requested legal advice from the District Council and will consider this, along with other legal submissions, in their deliberations. I have therefore not addressed these legal submissions in this S42A report addendum.
12. As set out in Minute 40 (paragraph 9), the sole purpose of the reconvened HS 12D hearing is to cover the three matters listed in paragraph 8 a. to c. above, and the cumulative effects conferencing (as it applies to HS 12D) and legal advice as set out in paragraph 9 above. The Minute stressed that the reconvened hearing is to address only those identified matters and is not an opportunity to traverse any other matter, or to introduce any new evidence. Based on this direction I have sought to confine this s42A report addendum to the identified matters.
13. In addition, although not specified in Minute 40, as indicated in paragraph 3 above I have also identified and made recommendations on re-allocated RIDL submissions from the Residential HS 7A to the reconvened HS 12D hearing as this is the last scheduled hearing on this topic.

2 Consideration of capacity and demand arising from Hearing Stream 12E

14. Minute 40 requested this report respond to capacity and demand matters that could only be addressed after the Council's economic evidence for HS 12E. I have asked Mr Yeoman to

- respond to this given his evidence on capacity and demand included in my original s42A report.
15. In his evidence (contained in **Appendix A**), Mr Yeoman has assessed the additional capacity recommended by officers for approval in the HS 12E s42A report. Should the IHP not adopt the officer's recommendations, the provided capacity, and any conclusions around this, may need to be revisited.
 16. As set out in Mr Yeoman's report (beginning on page 4):
 - a) the demand for urban housing is forecast to be 4,970 dwellings over the short-medium term (2023-2033), which is based on the Statistics New Zealand 'High' projection. This level of development activity is similar to the average observed over the last five years;
 - b) under the PDP there was estimated to be more than sufficient capacity to meet expected demand, with sufficiency of +970 dwellings being available after the end of the short-medium term (i.e. 5,940 minus 4,970);
 - c) under the PDP and HS 12E recommendations, there is estimated to be more than sufficient capacity to meet expected demand, with sufficiency of +7,376 dwellings being available after the end of the short-medium term (i.e. 12,346 minus 4,970); and
 - d) relative to the expected demand for residential properties in the urban areas of the District, the recommendations from the HS 12E s42A officer's report would enable sufficient capacity to accommodate all growth that is expected in the short-medium term, and beyond.
 17. Mr Yeoman concludes that, based on the PDP and the recommendations from the HS 12E s42A officer's report, there would be very little risk of a shortage of capacity for urban development in the District. The supply that would be enabled in Rangiora, Kaiapoi and Woodend would be much larger than the demand for urban activity.
 18. I note that Mr Yeoman considers that both the estimates of new additional capacity recommended in Hearing Stream 12E hearing and the existing capacity from the PDP are likely to be conservative and that therefore, if the commissioners accept the recommendations from the Hearing Stream 12E s42A officer's report then short-medium term capacity within the urban areas of the three main towns would be at least 12,346 dwellings (2023-2033). The recommendations from Hearing Stream 12E council officer's report would result in capacity more than doubling in size compared to the PDP.
 19. Figure 2 from Mr Yeoman's evidence (page 2) is reproduced below and sets out the above figures.

Rangiora, Kaiapoi, and Woodend Demand and Sufficiency Short-Medium term (2023-2033)

Rangiora, Kaiapoi, and Woodend residential land sufficiency	2023-2033 Short-Medium	
	PDP	PDP+12E Recom
Demand+Margin	4,970	4,970
Feasible Supply	5,940	12,346
Sufficiency	970	7,376

Capacity and Demand Conclusions

20. I accept Mr Yeoman's conclusions, noting that capacity will significantly exceed demand for the District if all the recommended rezonings are approved by the IHP. I therefore consider there is not a capacity shortfall argument to support the Ōhoka rezoning proposal (noting paragraphs 37 and 38 of the Planning JWS on interchangeability and paragraph 69 on sub-markets), rather, there is a large capacity oversupply already recommended.

3 Joint Witnesses Statements – Matters Arising

21. In accordance with IHP Minute 40 I have provided comments below in response to each of the HS 12D JWSs and state whether this changes my opinion on the matter.

3.1 JWS for capacity from the LUMS

22. Based on the LUMS JWS, I understand that LUMS is the District Council's current system for recording a building consent on a parcel of land within a 'capture area' within a greenfield subdivision. Its intended purpose is to report on housing uptake within those areas. Further work to refine this occurred through expert conferencing.
23. I note that all experts agree that LUMS does not address future feasibility supply but past performance may be a factor used in measuring future supply.
24. Mr Sexton and Mr Wilson provided an additional agreed memorandum to supplement the JWS in relation to remaining greenfield capacity in the District. Prior to this agreement, I understand that Mr Wilson calculated that there were 77 dwellings more than Mr Sexton's calculation of remaining capacity. Both experts consider there is a high level of congruence in their respective calculations. The remaining total greenfield capacity in the District is 3258, with a "medium" level of confidence (Table 1, https://www.waimakariri.govt.nz/data/assets/pdf_file/0028/166762/Waimakariri-Greenfield-Capacity-Assessment-dated-30-August-2024.pdf).

LUMS JWS Conclusion

25. I conclude from this JWS and supporting capacity assessment memorandum that Mr Wilson's LUMS data is generally confirmed as being sufficiently accurate and can be used to inform future greenfield capacity. I therefore consider that the conclusions in Mr Wilson's memo (included in my original s42A report at paragraph 154) are based on robust information and this supports Mr Wilson's conclusions that there is no short to medium term shortfall in residential capacity at a District level, nor any likely long-term shortfall.

3.2 JWS for Engineering

26. Of the engineering matters covered in my original s42A report (section 3.6.2.4), the main area of concern I identified related to stormwater management and the possibility of the stormwater management systems adopted intercepting groundwater (and consequently

being a prohibited activity under the Land and Water Regional Plan (LWRP)).² I considered that, absent Environment Canterbury changing the relevant LWRP rules, this created uncertainty as to whether the proposed stormwater solution was viable and could create issues for the District Council in the long term if it has responsibility for maintaining / upgrading / replacing the stormwater infrastructure.

27. I note that all the engineering experts agree that the proposed stormwater system solution can feasibly manage stormwater runoff from the site in terms of water quality and attenuation of peak flows (JWS item 1) and that any effects immediately downstream of the proposed development can be adequately managed. I note the JWS states that some potential effects further downstream, in the 50-year event, remain uncertain (downstream flooding is further covered in the response to JWS item 6).
28. I note that all experts agree that the subdivision stage is appropriate for demonstrating a detailed development plan for the site with associated stormwater management solutions (JWS item 2).
29. I note that there are differences of opinion in relation to ground water resurgence (JWS item 5) with some experts considering that the proposed development is not expected to result in increased groundwater levels or 'groundwater resurgence' while other experts consider groundwater resurgence within the site still carries some risk which has not been fully addressed by the proposal and because of this unpredictable nature, if systems are not designed to accommodate it, this can then lead to surface ponding.
30. I note that all experts agree that there are mitigations that can be identified and implemented within the site to address offsite effects from the 50-year event, immediately downstream of the site to approximately the Christmas Road bridge. Downstream of this point there are existing low-lying rural areas which are prone to flooding and which will receive an increased volume of stormwater as a result of the development. The experts state that the effect of this additional volume, below Christmas Road bridge, has not been assessed by modelling to date, but that whilst there is uncertainty regarding the effects on flooding around Christmas Road Bridge there are further mitigation options that could be implemented to address these effects such as increased attenuation storage and/or reduced intensity of development. The experts note that additional modelling would be required to further assess these effects at the subdivision consenting stage.
31. I note that the experts agree that the proposed raingarden system, if constructed properly, will provide appropriate treatment of stormwater (JWS item 7). However, I also note it is agreed that there is potential for some groundwater seepage into the raingarden drainage layer and stormwater network over the lifetime of the system. I am unclear if this would contravene the LWRP and be prohibited. If this is the case, I remain of the opinion that it has not been adequately demonstrated that the proposal can be serviced for stormwater and that therefore the proposal does not demonstrate that it provides significant development

² In paragraph 16 of the Planning JWS, all experts agreed that if the stormwater solution cannot be designed to avoid intercepting groundwater, it would be prohibited by the LWRP and is a key matter of uncertainty affecting the ability to deliver significant development capacity, and therefore meet the requirements of NPS-UD Policy 8 (without the necessary infrastructure, the development capacity cannot be realised and therefore the NPS-UD Policy 8 pathway is not available).

capacity. I understand that Environment Canterbury has signalled that it will progress a change to the LWRP to resolve this matter, however until this change is made the risk remains.

Engineering JWS Conclusions

32. Based on the JWS, I remain concerned about the risk of groundwater interception from the proposed stormwater system. I consider that there are no other stormwater issues arising from this proposal that are not able to be adequately managed. However, I note that the stormwater management options identified to manage downstream effects (increased attenuation storage and/or reduced intensity of development) could reduce the realisable yield from the 850 lots proposed.

3.3 JWS for Transport

33. The JWS responds to IHP questions on various transport matters. I note there are both consistent and divergent opinions amongst the experts on many of the transport matters considered. There are many topics covered in the JWS. Below I have focussed on those matters in contention and which I consider are the most relevant for considering the merits of the proposed re-zonings.
34. In my original s42A report (section 3.6.2.3), based on the evidence of Mr Binder, I was concerned that the proposal would cause congestion and traffic issues on the surrounding network as, among other concerns, there was no obvious district plan mechanism to require the necessary transport upgrades to provide for the 850 new households (paragraph 74). Paragraph 11 of the JWS states that Mr Metherell and Mr Binder consider there is a high level of uncertainty whether upgrades 'b' to 'd' can be delivered by the District Council, the NZ Transport Agency and / or the developer as they have not been planned for and there has to date been no detailed investigation of design, land, and cost viability and that this uncertainty warrants the specific rule DEV-O-S4 and a suitable level of activity status in the District Plan, which they understand the proposed Discretionary status provides.
35. I support the proposed new PDP rule to require transport upgrades prior to the site's development and agree that if implemented, this rule should help resolve the identified network issues and thereby improve accessibility.
36. I consider that infrastructure does not have to be in place, planned or funded at the time a rezoning proposal is considered. However, I note that in the Planning JWS (paragraph 42) all experts agreed that as NPS-UD Policy 8 is being relied upon, there needs to be certainty that the infrastructure can be physically and legally provided and can be funded. In the Planning JWS all experts also agreed (paragraph 40) that decisions made subject to the NPS-UD may not bind District Council decision-making under the LGA, under which funding decisions are made.
37. Noting the comments of Mr Metherell and Mr Binder in paragraph 11 of the JWS, their funding comments contained in paragraphs 17 and 19, and their network improvement comments in paragraphs 34 to 36, I remain concerned that there is uncertainty that all the required upgrades will be substantially completed, despite the proposed transport rule. In addition, there are potential cumulative transport impacts from other development opportunities in the area (noting that there is a transport JWS covering cumulative impacts that is due but not yet available). Therefore, I cannot conclude at this time that the proposal is integrated with transport infrastructure, nor that the NPS-UD Policy 8 pathway can be relied upon.

38. I also consider that the proposed transport approach creates uncertainty as to the timing of development on the site and the quantum of realisable development. It is possible that the network upgrades will take many years to complete (especially noting the Tram Road overbridge changes require Waka Kotahi approval – see paragraph 20 of the Transport JWS)), which would consequently mean the development could take many years to complete (or may only be partially completed if the upgrades cannot be fully undertaken). Timing is relevant when considering capacity and demand and whether longer term developments should be rezoned and developed well in advance of projected need, as capacity oversupply can create dispersed urban form and infrastructure inefficiencies, as well as foreclose the existing use of the site.³
39. I note that in paragraph 24 the experts agree that the transport network within the ODP is generally suitable for supporting movement within the site. I also note the expert comments (paragraphs 22 and 26) regarding road classifications and transport connections to the south and note this is now provided for in the updated recommended ODP provisions. I am supportive of the proposed internal roading layout and the expert recommended changes.
40. In terms of connections to the existing Ohoka area (JWS question 6), I note the expert's suggested changes (in paragraphs 29, 30 and 31) and that changes have been made to the recommended ODP provisions to respond to these suggestions. I am supportive of these changes.
41. Regarding public transport (JWS Questions 8 and 9), relying on the evidence of Mr Binder and Mr Nicholson, in my s42A report I considered that the site was not well connected, including by public transport (section 3.6.2.3). Having reviewed the various statements in the JWS on public transport I remain of this opinion. In particular, I note from the JWS various expert statements that:
- a) the site does not connect well to Rangiora (JWS paragraph 39);
 - b) the service will not be accessible and convenient and as a result will not be well used and valued by the people of Greater Christchurch (JWS paragraph 40);
 - c) all experts agree a service from Oxford would not offer an appropriate level of service to Ohoka (JWS paragraph 41);
 - d) while the proposed Ohoka service could be connected to Mandeville, this is unlikely to occur (JWS paragraph 42);
 - e) all experts agree that, while the site could physically be integrated with public transport connections further afield, this is unlikely and unattractive (JWS paragraph 44);
 - f) if the urban rate for public transport was applied to Ohoka it would be insufficient to cover the ongoing costs of the service beyond the ten-year developer funded commitment (JWS paragraph 46); and
 - g) the experts agree that (in terms of public transport) it is very unlikely that the proposed service will lead to any notable change in private vehicle travel from the site across the

³ Although I note that rezoning requests may still be considered under NPS-UD Policy 8 regardless of whether there is sufficient development capacity or not provided (in accordance with Policy 2 of the NPS-UD).

whole day, with a marginal impact on peak period commuting to Christchurch and given this, the experts expect that private vehicle travel will be the dominant travel mode to / from the site (JWS paragraphs 61 and 62).

42. Whilst I consider the comparison with West Melton is of some relevance (JWS question 12), I note that West Melton's urban extent was defined approximately 20 years ago (JWS paragraph 56) under a different planning framework – there were no applicable NPS-UD Policy 8 requirements, nor did CRPS Policy 6.3.1 and Map A apply. I note that West Melton has had many years of growth and presently is a town much bigger than Ohoka (JWS paragraph 56), which is relevant in considering certainty for transport connectivity improvements.
43. I note all experts agree that most trips from the Ohoka site would require travel on the rural road network, whereas development within other urban centres (such as Rangiora, Kaiapoi, Woodend / Pegasus, but not Oxford) has the opportunity to access a higher proportion of destinations via the urban road network. Also, that the increased use of rural roads will result in a higher, uncalculated, level of safety risk for the overall transport network compared with residential development in the other urban areas within the Waimakariri District part of Greater Christchurch (JWS paragraphs 63 – 65).
44. In my original s42A report, based on the evidence of Mr Binder and Beca, I identified that the proposal would increase vehicle kilometres travelled⁴ (VKT) and greenhouse gas (GHG) emissions over comparable but better located developments (section 3.6.2.9). I note that all experts agree that:
- a) the combination of higher trip distance and constrained access to more sustainable travel modes will result in higher VKT from Ohoka than the other identified growth locations in the Waimakariri District;
 - b) the increased VKT has a direct influence on transport related GHG emissions; and
 - c) spatial planning processes can contribute to minimising an increase in VKT and GHG emissions, by locating development in a way that minimises travel distance and maximises access to more sustainable travel modes.

Transport JWS Conclusions

45. Overall, I remain of the opinion that the proposed Ohoka development is not well-connected along transport corridors, does not have good accessibility and its development will not contribute to a well-functioning urban environment, from a transport perspective.

3.4 JWS for Stormwater 12C and 12D

46. This JWS considers the cumulative effects of the requested re-zonings on ground water resurgence and stormwater. In my original s42A report I did not address the issue of stormwater cumulative effects, relying instead on engineering advice that principally assessed the proposal in isolation of other rezoning requests.

Ground Water Resurgence

⁴ The total distance (kilometres) travelled by motor vehicles on roads in a given period of time

47. Based on the JWS, I understand that all experts agree there are unlikely to be cumulative effects on the wider area related to groundwater resurgence and that any potential effects of groundwater resurgence are likely to be more localised to the proposed development and the immediate downstream area. I understand that there is potential for effects to occur immediately downstream of a development site, if resurgent groundwater is not adequately managed on site.
48. There are differences of opinion on the extent to which groundwater resurgence can be adequately managed. Some experts considered that, while there are steps that can be taken to reduce the risk of groundwater resurgence causing effects either on-site or downstream, there is still some residual risk associated with development in areas that are susceptible to groundwater resurgence, which carries some risk of negative effects to downstream and adjacent properties even if/when the design approaches suggested are followed. Other experts considered that implementing the identified controls would mitigate the risk of adverse effects from groundwater resurgence resulting from the development and any resulting impacts would likely be negligible.

Stormwater

49. Regarding stormwater, I understand all experts agree that:
- a) the cumulative effects of the proposed developments have not been assessed or modelled from a stormwater perspective;
 - b) that modelling the cumulative effects is a lengthy, complex and expensive exercise which has not been undertaken;
 - c) at plan change stage developers typically do not undertake an assessment of cumulative effects as the other land areas are outside of their control; and
 - d) the assessment could be undertaken at subdivision consent stage and these requirements could be included in the District Council's Code of Practice.

Stormwater 12C and 12D JWS Conclusions

50. Based on the JWS, I cannot reach an informed recommendation either way with respect to groundwater resurgence and the significance of the residual risk. I note natural hazard management is a matter of national importance and consider that before rezoning the site the IHP needs to have confidence that the management options available are reasonable and will work.
51. In my original s42A report I did not raise any cumulative stormwater issues. Based on the JWS, I consider that while there may be a cumulative risk on downstream and adjacent properties, this can likely be managed in response to more detailed assessments undertaken at subdivision consent stage and I note that the ODP narrative (stormwater section) anticipates this occurring.

3.5 JWS for Wastewater 12C and 12D

52. This JWS considers the cumulative effects of the requested re-zonings on wastewater, considering both the Mandeville Area Wastewater Scheme and the Ohoka scheme. In my original s42A report I did not address the issue of wastewater cumulative effects directly but

note that the engineering advice I relied on considered the existing Ohoka wastewater discharges and likely capacity and upgrade requirements (see section 3.6.2.4).

53. Based on the JWS, I understand there is agreement on the systems used in the Mandeville and Ohoka areas. I understand that it is technically feasible to service the site for wastewater but that significant differences of opinion remain on the use of “off peak” hours to pump effluent, with the submitter’s experts relying on smart pumps that pump off peak, whereas the Council experts consider that under resurgence conditions there is no ‘off peak’ for many days and therefore pumping off peak is not feasible.

Wastewater Cumulative Effects JWS Conclusion

54. In my original s42A report (paragraph 101) I did not raise any wastewater issues, including cumulative issues, that could not be resolved and I remain of that opinion.

3.6 JWS for Planning

55. As set out in the planning JWS, there was general agreement amongst the attendees for the majority of the matters considered. As stated in paragraph 84, all experts agreed that there are no issues with the proposal and ODP achieving a well-functioning urban environment within the Development Area. I also wish to note here that in my opinion the master planned development appears to be well thought out and designed in relation to such matters as: internal amenity; internal connectivity; the provision of landscaping in public areas; the provision of open space; responding to identified aquatic values; and the provision of a commercial area to provide for the day to day needs of the future residents. Based on community concerns over school capacity, I also support the proposal enabling a school (noting that there is no requirement or agreement to provide one).
56. There are many topics covered in the JWS. Below I have focussed on those matters in contention and which I consider are the most relevant for considering the merits of the proposed re-zonings.

3.6.1 Does the proposal meet NPS-UD Objective 3?

57. In my original s42A report (paragraph 246) I considered that the proposal did not give effect to Objective 3. As set out in the JWS (paragraphs 22 to 25) there are differences of opinion on this matter. I remain of the opinion (along with Mr Boyce) that the proposal does not meet subclauses (a), (b) and (c) of the objective. Specifically, the subject site is not in or near an existing centre zone or other area with many employment opportunities (clause a), the area is not well serviced by existing or planned public transport (clause b) and there is not high demand for housing or business land in the area, relative to other areas within the urban environment (clause c).

3.6.2 Is the proposal in an area of high demand for housing, relative to other areas within the urban environment?

58. In my original s42A report, relying on the evidence or Mr Yeoman I considered that the proposal was not in an area of high demand for housing, relative to other areas within the urban environment (paragraph 245).
59. As set out in the JWS (paragraphs 31 to 33) there are differences of opinion on this matter. I remain of the opinion (along with Mr Boyce) that the evidence demonstrates there is demand

for housing at Ōhoka, however, this demand is not **high** relative to other areas in the urban environment, such as in Rangiora, Kaiapoi and Woodend which have experienced significant growth in response to high demand.

3.6.3 Are the markets for different locations and housing typologies in Greater Christchurch and Waimakariri District interchangeable?

60. As set out in the JWS (paragraphs 37 and 38) there are differences of opinion on this matter. I consider (along with Mr Boyce) that the evidence demonstrates that Ōhoka's existing demand is interchangeable for large lot residential and smaller settlement supply in other locations (e.g. Mandeville, Swannanoa, Fernside, or Clarkville and in the Selwyn District) and that to date there is no demonstrated demand for small urban density lots specifically in Ōhoka. I (along with Mr Boyce) consider that smaller urban density sections (600m² – 700m² sizes) are interchangeable with similar sized urban density sections in other urban locations such as Rangiora, Kaiapoi, and Woodend (and elsewhere in Greater Christchurch).
61. ***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’)?***
62. As set out in the JWS (paragraphs 51 and 52) there are differences of opinion on this matter. Consistent with my original s42A report (paragraph 128), I consider (along with Mr Boyce) that Ōhoka should be assessed against other Greater Christchurch locations and that development in this location contributes more GHG emissions than alternative growth options surrounding the main towns of the district, main towns of Greater Christchurch, and other locations closer to the main towns, due to its more remote location. I note this is also addressed in the Transport JWS (paragraph 68).
63. ***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 site? 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?***
64. As set out in the JWS (paragraphs 54 and 55) there are differences of opinion on this matter. Consistent with my original s42A report (paragraph 96), I consider (along with Mr Boyce) that while the site is connected, it is not ‘well connected’ and does not have ‘good accessibility’ (noting the evidence of Mr Metherell and Mr Binder) because of the site's relative remoteness and consequential reliance on private motor vehicles for transport. As set out in the Transport JWS (paragraph 61) even though active and public transport are proposed to be available, their use will not lead to any notable change in private vehicle use from the site across the whole day, with only a marginal impact on peak period commuting to Christchurch. This low use supports the opinion that the site is not ‘well-connected’ and does not have ‘good accessibility’. I also note (along with Mr Boyce) that there is no certainty that public transport will be provided after the 10-year developer funded period ends, and based on the evidence or Mr Binder, is unlikely to be financially viable due to low demand (both existing and anticipated), and unattractive routing and transfers.

65. 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?

66. As set out in the JWS (paragraphs 56 and 57) there are differences of opinion on this matter. Consistent with my original s42A report (such as paragraphs 205 to 232), and as set out in that report, I consider (along with Mr Boyce) that the proposal does not contribute to a well-functioning urban environment.

67. I consider this is principally due to the site's relatively remote location, which results in it not having good accessibility, especially for public and active transport. Consequently, the proposal relies on private motor vehicles with resultant transport network issues and relatively greater GHG emissions. I consider that the additional large lot and general residential density housing contributions (towards achieving a well-functioning urban environment) are not significant in the context of a projected substantial oversupply of residential capacity, especially when they are not located in an area with relative high demand for housing.

Planning JWS Conclusions

68. There was general agreement amongst the attendees for the majority of the matters considered in the planning conferencing. However, as set out in the Planning JWS concluding comments (paragraphs 84 to 87), the area of disagreement is whether the proposal contributes to a well-functioning urban environment beyond the development area, the extent to which sub-markets need to be assessed and provided for and the level of substitutability across the supply options.

4 Assessment of the proposed bespoke planning provisions

69. As set out in paragraph 83 of the Planning JWS, the bespoke planning provisions were considered as part of the planning JWS and were included in the JWS as Appendix A. I note that the experts considered the red text changes (made following the hearing as directed by the Panel in Minute 31) and that the green text indicates amendments made during the conferencing by the experts. I consider the bespoke provisions are generally appropriate for the development proposed.

70. As set out in paragraphs 71 to 82 of the Planning JWS, all experts are in agreement that the bespoke provisions now provide sufficient certainty to deliver the specified components of the proposal, noting that:

- a) some components such as the school, the polo field and retirement village are enabled, rather than proposed;

- b) there was no economic evidence available to assess the proposed commercial activity threshold (JWS paragraph 79);⁵ and
- c) the described urban design outcomes were not assessed as the Ōhoka urban design guidelines were not yet developed when the JWS was prepared.
71. Should the IHP recommend to Council to rezone the site as per the RIDL and Carter Group Property Ltd submissions, I support the proposed bespoke planning provisions, noting that I do not support the urban re-zoning for the reasons identified in my original s42A report and updated as part of this s42A report addendum.

5 Assessment of RIDL submissions reallocated from the Residential Hearing Stream 7A

72. **Appendix B** includes a submissions table setting out my recommended responses to the submissions reallocated from the Residential HS 7A to the Ohoka HS 12D.
73. As set out in the submissions table, I have recommended rejecting all these submissions which are seeking changes to the General Residential Zone (GRZ) to provide for the Ohoka development because:
- I have recommended to reject the re-zoning requests and therefore consequently do not support these changes to the GRZ provisions which seek to provide for the Ōhoka development;
 - RIDL have confirmed they are seeking a SETZ zoning (as opposed to GRZ) for the higher density residential area and have provided bespoke planning provisions to achieve their desired outcomes. These bespoke provisions involve amendments and additions to the SETZ chapter provisions, rather than the GRZ chapter provisions and supersede the GRZ changes sought through their submission;
 - Should the IHP rezone the site for urban density development, I prefer the bespoke planning provisions provided by RIDL for HS 12D to those they sought through their submission.
74. I note that should the IHP recommend to rezone a portion of the Ōhoka site GRZ, then, subject to scope, the bespoke SETZ provisions could be modified to apply to the GRZ.


6 Recommendations:

75. Having considered the capacity and demand arising from Hearing Stream 12E, the content of the JWSs, the bespoke planning provisions and the additional submissions, I continue to recommend that:

⁵ DEV-O-S7 permits no more than 250 residential allotments within the Development Area until at least 800m² GFA of retail activity is established within the Ōhoka Local Centre Zone.

- a) The Hearing Commissioners reject the submissions from RIDL and Carter Group Property Ltd seeking to rezone the subject site in Ohoka, and the related submissions that support the rezoning.
- b) The Hearing Commissioners accept, accept in part, or reject submissions (and associated further submissions) as outlined in **Appendix B** of this report.

Signed:

Name and Title		Signature
Report Author	Andrew Willis Planning Consultant for the Waimakariri District Council	

Appendix A. Formative Economics Memo on Capacity and Demand Post Hearing Stream 12E Evidence

Appendix B. Recommended Responses to Submissions and Further Submissions

The recommended responses to the submissions and further submissions on this matter are presented in the Table below.

Table B1: Recommended responses to RIDL submissions reallocated from the Residential Hearing Stream 7A

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officer's Reasons/Comments	Recommended Amendments to Proposed Plan?
160.8 ⁶	Rolleston Industrial Developments Limited	GRZ - Introduction	Amend Introduction to the General Residential Zone: '... The General Residential Zone makes up the majority of the residential areas in the District, with development at a general suburban density, including the towns of Rangiora, Kaiapoi, Oxford, Woodend, <u>Ohoka</u> , and Pegasus, as well as the development of new greenfield areas. ...'	5	Reject	I have recommended to reject the rural to urban re-zoning request and therefore consequently do not support this change. I also note the Submitter is now seeking SETZ zone and has provided a bespoke set of district plan changes and new provisions for the SETZ.	No
160.7 ⁷	Rolleston Industrial Developments Limited	RESZ-P14	Amend RESZ-P14: "... 2. <u>in the new Development Area for Ohoka, achieve a minimum net density of 12 households per ha averaged across the whole of the residential Development Area within the ODP excluding the Residential Large Lot Zone, Local Centre Zone and Open Space Zone.</u> 2-3. <u>in new Large Lot Residential Zone Overlays, achieve a net density of 1 to 2 households per ha."</u>	5	Reject	I have recommended to reject the rural to urban re-zoning request and therefore consequently do not support this change. I also note the Submitter is now seeking SETZ zone and has provided a bespoke set of district plan changes and new provisions for the SETZ.	No
160.9 ⁸	Rolleston Industrial Developments Limited	GRZ – Activity Rules	Insert new rule: " <u>GRZ-R19 Educational facilities (Ohoka)</u> <u>Activity status: CON</u> <u>Where:</u> <u>1. the activity is located within the Education/Retirement Village Overlay identified on the Ohoka ODP and</u>	5	Reject	I have recommended to reject the rural to urban re-zoning request and therefore consequently do not support this change. I also note the Submitter is now seeking SETZ zone and has provided a bespoke set of district plan changes and new provisions for the SETZ, including for education facilities.	No

⁶ Oppose - I.W and L.M. Bisman [FS 38]; Waimakariri District Council [FS 48]; Elizabeth Liddell [FS 56]; Mervyn Emms [FS 59]; Martin Hewitt [FS 60]; Catherine Mullins [FS 61]; Oxford Ohoka Community Board [FS 62]; James Armstrong [FS 65]; Sarah Maria Brantley [FS 69]; Beverley Gail Brantley [FS 70]; Albert George Brantley [FS 71]; Steven Holland [FS 72]; Michelle Holland [FS 73]; Val & Ray Robb [FS 74]; Edward & Justine Hamilton [FS 75]; Ohoka Residents Association [FS 84]; Gordon C Alexander [FS 112]; Andrea Marsden [FS 119]; Christopher Marsden [FS 120]; Rob Hall [FS 128]; David & Elaine Brady [FS 130]; Jan Hadfield [FS 132]; Emma Wood [FS 136]; Ohoka Residents Association [FS 137].

Support - David Cowley [FS 41].

⁷ Oppose - I.W and L.M. Bisman [FS 38]; Waimakariri District Council [FS 48]; Philip & Michelle Driver [FS 51]; Elizabeth Liddell [FS 56]; Mervyn Emms [FS 59]; Martin Hewitt [FS 60]; Catherine Mullins [FS 61]; Oxford Ohoka Community Board [FS 62]; James Armstrong [FS 65]; Sarah Maria Brantley [FS 69]; Beverley Gail Brantley [FS 70]; Albert George Brantley [FS 71]; Steven Holland [FS 72]; Michelle Holland [FS 73]; Val & Ray Robb [FS 74]; Edward & Justine Hamilton [FS 75]; Ohoka Residents Association [FS 84]; Gordon C Alexander [FS 112]; Andrea Marsden [FS 119]; Christopher Marsden [FS 120]; Rob Hall [FS 128]; David & Elaine Brady [FS 130]; Jan Hadfield [FS 132]; Emma Wood [FS 136]; Ohoka Residents Association [FS 137].

Support – David Cowley [FS 41]

⁸ Oppose - J.W & CE Docherty [FS 36]; I.W and L.M. Bisman [FS 38]; Waimakariri District Council [FS 48]; Elizabeth Liddell [FS 56]; Mervyn Emms [FS 59]; Martin Hewitt [FS 60]; Catherine Mullins [FS 61]; Oxford Ohoka Community Board [FS 62]; James Armstrong [FS 65]; Sarah Maria Brantley [FS 69]; Beverley Gail Brantley [FS 70]; Albert George Brantley [FS 71]; Steven Holland [FS 72]; Michelle Holland [FS 73]; Val & Ray Robb [FS 74]; Edward & Justine Hamilton [FS 75]; Ohoka Residents Association [FS 84]; Mary Koh [FS 98]; J.W & CE Docherty [FS 108]; Gordon C Alexander [FS 112]; Andrea Marsden [FS 119]; Christopher Marsden [FS 120]; Rob Hall [FS 128]; David & Elaine Brady [FS 130]; Jan Hadfield [FS 132]; Emma Wood [FS 136]; Ohoka Residents Association [FS 137].

Support - David Cowley [FS 41]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officer's Reasons/Comments	Recommended Amendments to Proposed Plan?
			<p><u>2. no more than 500 students are enrolled within the Education/Retirement Village Overlay identified on the Ohoka ODP.</u> <u>Matters of control are restricted to:</u> <u>RES-MD12 - Educational facilities design principles</u> <u>RES-MD7 - Outdoor storage</u> <u>Notification</u> <u>An application for a controlled activity under this rule is precluded from being publicly or limited notified."</u></p>				
160.10 ⁹	Rolleston Industrial Developments Limited	GRZ – Activity Rules	<p>Insert new rule:</p> <p><u>"GRZ-R20 Retirement village (Ohoka)</u> <u>Activity status: CON</u> <u>Where:</u> <u>1. the activity is located within the Education/Retirement Village Overlay identified on the Ohoka ODP and</u> <u>2. a design statement is provided with the application</u> <u>Matters of control are restricted to:</u> <u>RES-MD2 - Residential design principles</u> <u>RES-MD7 - Outdoor storage</u> <u>Notification</u> <u>An application for a controlled activity under this rule is precluded from being publicly or limited notified."</u></p>	5	Reject	I have recommended to reject the rural to urban re-zoning request and therefore consequently do not support this change. I also note the Submitter is now seeking SETZ zone and has provided a bespoke set of district plan changes and new provisions for the SETZ, including for retirement villages.	No
160.11 ¹⁰	Rolleston Industrial Developments Limited	GRZ-BFS10	<p>Amend GRZ-BFS10:</p> <p>"... 1. The maximum GFA of any single non-residential structure shall be 550m² 2. This rule does not apply to Educational facilities within the 'Education/Retirement village Overlay' identified on the Ohoka Outline Development Plan."</p>	5	Reject	I have recommended to reject the rural to urban re-zoning request and therefore consequently do not support this change. I also note the Submitter is now seeking SETZ zone and has provided a bespoke set of district plan changes and new provisions for the SETZ.	No

⁹ Oppose - J W & CE Docherty [FS 36]; I.W and L.M. Bisman [FS 38]; Waimakariri District Council [FS 48]; Elizabeth Liddell [FS 56]; Mervyn Emms [FS 59]; Martin Hewitt [FS 60]; Catherine Mullins [FS 61]; Oxford Ohoka Community Board [FS 62]; James Armstrong [FS 65]; Sarah Maria Brantley [FS 69]; Beverley Gail Brantley [FS 70]; Albert George Brantley [FS 71]; Steven Holland [FS 72]; Michelle Holland [FS 73]; Val & Ray Robb [FS 74]; Edward & Justine Hamilton [FS 75]; Ohoka Residents Association [FS 84]; Mary Koh [FS 98]; J W & CE Docherty [FS 108]; Gordon C Alexander [FS 112]; Andrea Marsden [FS 119]; Christopher Marsden [FS 120]; Rob Hall [FS 128]; David & Elaine Brady [FS 130]; Jan Hadfield [FS 132]; Emma Wood [FS 136]; Ohoka Residents Association [FS 137].

Support - David Cowley [FS 41]

¹⁰ Oppose - J W & CE Docherty [FS 36]; I.W and L.M. Bisman [FS 38]; Waimakariri District Council [FS 48]; Elizabeth Liddell [FS 56]; Mervyn Emms [FS 59]; Martin Hewitt [FS 60]; Catherine Mullins [FS 61]; Oxford Ohoka Community Board [FS 62]; James Armstrong [FS 65]; Sarah Maria Brantley [FS 69]; Beverley Gail Brantley [FS 70]; Albert George Brantley [FS 71]; Steven Holland [FS 72]; Michelle Holland [FS 73]; Val & Ray Robb [FS 74]; Edward & Justine Hamilton [FS 75]; Ohoka Residents Association [FS 84]; Mary Koh [FS 98]; J W & CE Docherty [FS 108]; Gordon C Alexander [FS 112]; Andrea Marsden [FS 119]; Christopher Marsden [FS 120]; Rob Hall [FS 128]; David & Elaine Brady [FS 130]; Jan Hadfield [FS 132]; Emma Wood [FS 136]; Ohoka Residents Association [FS 137].

Support - David Cowley [FS 41]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officer's Reasons/Comments	Recommended Amendments to Proposed Plan?
160.12 ¹¹	Rolleston Industrial Developments Limited	Matters of Discretion for all Residential Zones – General	<p>Insert new matters of discretion:</p> <p><u>"RES-MD12 Educational facility design principles</u> <u>1. Context and character:</u> <u>a. The extent to which the design of the Educational facility is in keeping with, or complements, the scale and character of development anticipated for the surrounding area and relevant significant natural, heritage and cultural features.</u> <u>2. Relationship to the street and public open spaces:</u> <u>a. Whether the Educational facilities engage with and contribute to adjacent streets, and any other adjacent public open spaces to contribute to them being lively, safe and attractive.</u> <u>3. Built form and appearance:</u> <u>a. The extent to which the Educational facilities are designed to minimise the visual bulk of the buildings and provide visual interest.</u> <u>4. Access, parking and servicing:</u> <u>a. The extent to which the Educational facilities provide for good access and integration of space for parking and servicing.</u> <u>5. Safety:</u> <u>a. The extent to which the Educational facilities incorporate CPTED principles to achieve a safe, secure environment."</u></p> <p><u>"RES-MD13 Fencing and landscaping Ohoka</u> <u>1. The extent to which the non-complying fencing or landscaping will detract from the rural village character and amenity of Ohoka settlement taking into account:</u> <u>a. the ability to mitigate any adverse effects of the non-complying landscaping or fencing."</u></p>	5	Reject	I have recommended to reject the rural to urban re-zoning request and therefore consequently do not support this change. I also note the Submitter is now seeking SETZ zone and has provided a bespoke set of district plan changes and new provisions for the SETZ, including matters of discretion.	No

¹¹ Oppose - J W & CE Docherty [FS 36]; Waimakariri District Council [FS48]; Elizabeth Liddell [FS 56]; Mervyn Emms [FS 59]; Catherine Mullins [FS 61]; Oxford Ohoka Community Board [FS 62]; James Armstrong [FS 65]; Sarah Maria Brantley [FS 69]; Beverley Gail Brantley [FS 70]; Albert George Brantley [FS 71]; Mary Koh [FS 98]; J W & CE Docherty [FS 108]; Gordon C Alexander [FS 112]; Andrea Marsden [FS 119]; Christopher Marsden [FS 120]; Rob Hall [FS 128]; Ohoka Residents Association [FS 137].

