

Before the Independent Commissioners appointed by the Waimakariri District Council

In the matter of the Resource Management Act 1991 (**the Act**)

and

In the matter of Proposed Private Plan Change 31 (PC31) to the Waimakariri
Operative District Plan by Rolleston Industrial
Developments Limited

Summary of evidence of Richard John Knott on behalf of Waimakariri District Council (as Submitter)

Dated: 09 August 2023

Andrew Schulte (andrew.schulte@cavell.co.nz)
Counsel for submitter

CavellLeitch >
LIMITED

AJS-434615-177-212-V1-e

Level 3, BNZ Centre
111 Cashel Mall
PO Box 799, Christchurch
T: +64 3 379 9940 F: +64 3 379 2408

Introduction

1. My full name is name is Richard John Knott. I am an urban designer, masterplanner, historic heritage specialist and planner and work in my own company: Richard Knott Limited.
2. I have been engaged by Waimakariri District Council as Submitter (“**WDC**”) to prepare a statement of evidence in relation to their submission on Private Plan Change PC31 to the Waimakariri District Plan (“**PC31**” and “**ODP**”).
3. I have also prepared this summary of my evidence dated 21 July 2023, and have included responses to comments in the summaries of witnesses appearing on behalf of the Applicant.
4. My qualifications and experience are as set out in my Evidence dated 21 July 2023.

Code of conduct

5. I confirm that I have read the Expert Witness Code of Conduct set out in the Environment Court’s Practice Note 2023. I have complied with the Code of Conduct in preparing this evidence and agree to comply with it while giving evidence. Except where I state that I am relying on the evidence of another person, this written evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in this evidence.

Summary of evidence

6. This summary is as provided in my Evidence 21 July 2023.
7. Having considered the evidence of Mr Nicholson and the evidence of the applicant’s urban design, landscape and visual experts, I have found that:
 - 7.1. The NPS-UD is not a relevant consideration. I do not accept that the ODPs use of the term urban environment has the same meaning as an urban environment in the NPS-UD, or that it is intended that the Ōhoka area be predominantly urban in character.
 - 7.2. If the NPS-UD is found to be relevant, the very significant change, from rural to urban of the PC31 land extends beyond the level of change anticipated in Objective 4, which speaks to

areas which are already urbanised. Consideration must therefore still be given to Part 2 and the need to avoid, remedy, or mitigate any adverse effects of activities on the environment.

- 7.3. It is clear that Policy 18.1.1.9 intends that new development in Ōhoka should be low density living (average lot sizes between 5000 and 10,000m²). The Explanation and Policy do not anticipate any alternative form of development.
- 7.4. The PC31 area will in no way reflect the existing rural village character of Ōhoka.
- 7.5. The success of the farmers market does not in any way provide a justification for additional, unplanned development in the area.
- 7.6. The potential subdivision of the land into 36 x 4Ha lots as allowed by the ODP and Proposed DP is in no way comparable to the subdivision of the area for up to 850 residential units and associated commercial and community uses.
- 7.7. The screening of all new development, apart from the commercial centre, from the existing roads limits physical connections to the surrounding area and provides the impression that the PC31 area is inward looking and not associated with its surroundings.
- 7.8. PC31 is not a natural extension to Ōhoka; it is essentially a new town within the rural area.

Key urban design matters raised in Summary and Rebuttal Evidence

- 8. I respond below to the key urban design issues raised in the summary and rebuttal evidence of the applicant's urban design and landscape experts. For completeness, I provide a full response to the urban design matters raised in Attachment 1.
- 9. Common to Ms Lauenstein¹, Mr Falconer² suggests that my urban design evidence tends towards a planning assessment. I accept that I have not chosen to delve into the overall morphology of the area, or comment on every aspect of its detailed design or layout. On the basis of the

¹ Summary of Ms Lauenstein, paragraph 15

² Summary of Mr Falconer, paragraph 12

information provided by the applicant, I accept that PC31 could result in a well-functioning, well designed outcome. I do not therefore raise issue with the 'urban design' of the PC31 area in detail.

10. However, in this case, I believe that there is a more fundamental urban design issue to be considered – that PC31 proposes development which is out of step with the CRPS and which in no way reflects the low density living that Policy 18.1.1.9 intends. I consider is an urban design matter which should be considered above all others.
11. Mr Compton-Moen³ points towards factors which will deliver a rural character within the PC31 area, including the lack of kerb and channel, rural fencing typologies etc. However, his statements regarding the character of the environment which would be created by PC31 appear at odds with those of Mr Milne, who states:

In relation to the retention of character, it is important to clarify that PC31 does not intend to retain rural character within the PC31 site boundaries. The intention of PC31 is to undertake a rezoning which will allow for development consistent with that of a Residential Zone, in an appropriate location that responds to the surrounding Ōhoka setting.⁴

12. I agree with Mr Milne, and consider that the form of development illustrated in the illustrative material provided by Mr Compton-Moen and Mr Falconer in no way reflects the existing rural village character of the area, which consists of houses on far large lots with a far more spacious character than that illustrated within PC31.
13. In relation to Mr Compton-Moen's⁵ responses to my discussion regarding the Explanation to Policy 18.1.1.9, I accept that there could be some confusion over the 'scope' of the explanation. However, I do think that it is very clear that the explanation does not encourage a development of the nature and scale proposed by PC31, or suggest that the retention and establishment of large-scale tree plantings and the use of rural style roads and fencing will in any way justify a far higher density of development than the anticipated average lot size of between 0.5 – 1.0 hectare.

³ Summary of Mr Compton-Moen, paragraph 7.3

⁴ Summary of Mr Milne, paragraph 13

⁵ Summary of Mr Compton-Moen paragraph 8.2

14. I relation to Mr Falconer's⁶ and Ms Lauenstein's⁷ comments regarding rural village character and the final potential form of the extended village as a whole, I still consider that my short summary of the character of the area as existing is a true representation of the memory that a passerby would have of the area. Given this I remain of the opinion that the PC31 area will in no way reflect the existing rural village character of Ōhoka and that the proposed new urban area of up to 850 residential units and associated commercial and community uses will become the dominant feature of the area and become the dominant memory of a passerby.
15. I note that Ms Lauenstein⁸ suggests that the effects of PC31 will occur over a long period of time, as development takes place. I consider that this does not provide sufficient mitigation to overcome my concern that PC31 proposes development which in no way no way reflects the low density living that Policy 18.1.1.9 intends. This remains the key urban design issue to consider in the determination of the private plan change.

Conclusion

16. The plan change proposes a new urban development which does not reflect the existing rural village character of Ōhoka, on land which is not identified for such development and out of step with the expectations of the CRPS.
17. It is not a natural extension to Ōhoka; it is essentially a new town within the rural area. It in no way reflects the low density living that Policy 18.1.1.9 intends.
18. For the reasons as outlined in my evidence, I cannot support the plan change.

Dated: 9 August 2023



Richard John Knott

⁶ Summary of Mr Falconer, paragraph 15

⁷ Summary of Ms Lauenstein, paragraph 18

⁸ Summary of Ms Lauenstein, paragraph 24

Attachment 1 – Further responses to urban design matters raised in the summaries of witnesses for the Applicant

1. Common to Ms Lauenstein⁹, Mr Falconer¹⁰ suggests that my urban design evidence tends towards a planning assessment. I accept that I have not chosen to delve into the overall morphology of the area, or comment on every aspect of its detailed design or layout. My experience as an urban designer is that there are always many ways that an area can be laid out and designed. Two professionals may have a difference of opinion regarding these matters, but that does not mean that they cannot both be right, and that either design could not result in a well-functioning, well designed outcome. I do not therefore raise issue with the ‘urban design’ of the PC31 area in detail.
2. However, in this case, I believe that there is a more fundamental urban design issue to be considered – that PC31 proposes development which is out of step with the CRPS and which in no way no way reflects the low density living that Policy 18.1.1.9 intends. I consider is an urban design mater which should be considered above all others.
3. Mr Compton-Moen¹¹ indicates, responding to the evidence of Kim Goodfellow, that the plan change will deliver a gross density of just over 5 hh/ha, which he considers consistent with the rural village character of the area. He further points towards the factors which contribute to the character of the PC31 area, including the lack of kerb and channel, rural fencing typologies etc.
4. Mr Compton-Moen points towards factors which will deliver a rural character within the PC31 area, including the lack of kerb and channel, rural fencing typologies etc. However, his statements regarding the character of the environment which would be created by PC31 appear at odds with those of Mr Milne, who states:

In relation to the retention of character, it is important to clarify that PC31 does not intend to retain rural character within the PC31 site boundaries. The intention of PC31 is to undertake a rezoning which will allow for development consistent with that of a Residential Zone, in an

⁹ Summary of Ms Larenstein, paragraph 15

¹⁰ Summary of Mr Falconer, paragraph 12

¹¹ Summary of Mr Compton-Moen, paragraph 7.3

*appropriate location that responds to the surrounding Ōhoka setting.*¹²

5. In this respect, I note that the majority of the area is zoned Residential 3. This includes the Polo field.
6. The potential form of development and buildings in the Residential 3 area are in part illustrated in the '*View West from above Whites Road*'¹³ included in Mr Compton-Moen's evidence. The angle of this view is such that it is focused on the business uses, school, stream corridor and polo grounds (which could be residential). An area of residential development is shown in right hand side of the image, although I note that the fences illustrated between dwellings appear low (far lower than the expected 1.8m – 2.0m often seen between rear and side yards).
7. Neither the illustrative masterplan¹⁴ nor the Elevated Perspective¹⁵ show houses on the residential lots, and as a result I do not have a full picture of the potential grain/form of buildings and lots across the development. I can therefore only assume that the remainder of the Residential 3 area will be similar to that shown on the '*View West from above Whites Road*'.¹⁶ Having considered the illustrative development shown in this, I consider that the form of development illustrated in no way reflects that which currently typifies the existing rural village character of the area, which consists of houses on far large lots with a far more spacious character than that illustrated within PC31.
8. Mr Compton-Moen¹⁷ points out that the plan change area includes 13% open space and will deliver a predominantly low-density living environment. By way of comparison, I note about 16 % of land in Christchurch, not including Banks Peninsula, is made up of council-managed green space.¹⁸ The level of open space within the PC31 area is therefore not significantly different to that seen elsewhere.
9. Mr Compton-Moen¹⁹ indicates that I am incorrect in my assertion²⁰ that the Explanation to Policy 18.1.1.9 is intended to only relate to the land at Ōhoka currently zoned Residential 3, 4a or 4b. I note that the

¹² Summary of Mr Milne, paragraph 13

¹³ Mr Compton-Moen's Appendix One, Landscape and Visual Impact Figures, Page 3

¹⁴ Mr Falconer's Design Report, page 12 (attached to his evidence) nor Mr Compton-Moen's

¹⁵ Mr Compton-Moen's Appendix One, Landscape and Visual Impact Figures, Page 2

¹⁶ Mr Compton-Moen's Appendix One, Landscape and Visual Impact Figures, Page 3

¹⁷ Summary Mr Compton Moen, paragraph 8.1

¹⁸ <https://www.stuff.co.nz/environment/300397670/christchurch-may-not-be-as-green-and-leafy-as-you-think>

¹⁹ Summary of Mr Compton-Moen paragraph 8.2

²⁰ Evidence of Richard Knott, para 33

explanation to 18.1.1.9 begins '*Growth of Ōhoka settlement, defined by the Residential 3, 4A and 4B zones,...*', although do accept that the explanation does also make reference to further rural residential development, and to ensure that this '*occurs in a way, and to an extent, that does not overwhelm the special semi-rural character of the settlement.*' Whilst I therefore accept that there could be confusion over the 'scope' of the explanation, I do think that it is very clear that the explanation does not encourage a development of the nature and scale proposed by PC31.

10. At 8.3 Mr Compton-Moen's quotes from the Explanation for Policy 18.1.1.9 that:

'The presence of rural attributes within such low density residential areas, including the retention and establishment of large-scale tree plantings and the use of rural style roads and fencing, will also assist in maintaining the settlement's rural themed characteristics.'

11. His quote takes this sentence entirely out of context. The preceding sentence in the Explanation states:

'It is expected that the type of growth and development required to maintain the rural village character of Ōhoka is that of low density living, where dwellings are situated within generous settings comprising an average lot size of between 0.5 – 1.0 hectare.'

12. The explanation does not in any way suggest that the retention and establishment of large-scale tree plantings and the use of rural style roads and fencing will in any way justify a far higher density of development than the anticipated average lot size of between 0.5 – 1.0 hectare.
13. I accept that the proposed development provides pedestrian and cycle paths throughout the development and along boundaries, as discussed by Mr Compton-Moes²¹ and Ms Lauenstein²². However I stand by my earlier statement that the desire to screen all new development, apart from the commercial centre, from the existing roads limits physical

²¹ Summary of Mr Compton-Moen, paragraph 8.5

²² Summary of Ms Lauenstein, paragraph 26

connections to the surrounding area to the locations of formed intersections and provides the impression that the PC31 area is inward looking and not associated with its surroundings i.e. there is a perception that the PC31 area is not connected to its surroundings.

14. In relation to Mr Falconer's suggestion²³ that I do not consider it possible to maintain or enhance rural village character, I consider that it would be possible to do so by bringing forward a low density development, where dwellings are situated within generous settings comprising an average lot size of between 0.5 – 1.0 hectare. I remain of the opinion that that it is not possible to retain or enhance the existing rural village character with a development such as PC31, which notwithstanding the detailed design of streets and other features, is essentially an 'urban' development rather than a low-density development as expected by 18.1.1.9.
15. I accept Mr Falconer's²⁴ and Ms Lauenstein's²⁵ view that other matters, in addition to density and lot size determine rural village character. I have very significant experience of identifying the character of areas, this being a specific element of research for my Master of Arts in Urban Design and a critical part of my urban design, historic heritage and urban design work. My intention in my evidence was to identify those matters which would most clearly form a passersby's memory of Ōhoka. I therefore consider that my summary in paragraph 35 of my evidence could have also made reference to the form/design of streets, planting within lots and along boundaries and the existence of heritage/older buildings. Nevertheless, I still consider that my short summary of the character of the area as existing is a true representation of the memory that a passerby would have of the area. I do not consider that most members of the public would be aware of the wider range of matter referred to by Ms Lauenstein; for instance, unless they had call to drive down Hallfield Drive (which is unlikely if they were just passing through) they would not be aware that it will link through²⁶. Given this I remain of the opinion that the PC31 area will in no way reflect the existing rural village character of Ōhoka.
16. I note that Mr Falconer considers²⁷ that I have failed to consider the concentric urban form of Ōhoka that is mapped and described in his

²³ Summary of Mr Falconer, paragraph 14

²⁴ Summary of Mr Falconer, paragraph 15

²⁵ Summary of Ms Lauenstein, paragraph 18

²⁶ Summary of Ms Lauenstein, paragraph 21

²⁷ Summary of Mr Falconer, paragraph 17

evidence in chief in concluding that PC31 is not a natural extension to Ōhoka and that it is essentially a new town within the rural area. Ms Laurenstein suggests²⁸ that the new commercial and community activities have been placed in the core of the settlement to strengthen the local community. I do not agree with these points. The existing village centre (along Mill Road, including the church, dairy/petrol filling station, domain and hall) is not directly connected to the new business zoned land. As set out in my Evidence²⁹, the commercial uses are separated by three existing dwellings (around 115m) from the existing petrol filling station and dairy. The proposed new urban area of up to 850 residential units and associated commercial and community uses will become the dominant feature of the area and become the dominant memory of a passerby.

17. In paragraph 21 Ms Lauenstein questions my reference to Bradley Road. I confirm that I intended to refer to Bradley Road not Whites Road. The layout of lots along Bradley Road broadly matches those in Mill Road, where as development in Whites Road generally has the general character of 'large lot' lifestyle properties.
18. In relation to Ms Lauenstein's other comments regarding my evidence, including her comment in paragraph 24 that development will take place over a long period of time, I consider that none of the matters raised overcome my fundamental concern that PC31 proposes development which in no way no way reflects the low density living that Policy 18.1.1.9 intends. I consider that this remains the key urban design mater.
19. I consider that Mr Milne's reference to Oxford³⁰, as a place deemed to be a village but more urbanised than PC31, is not relevant to the consideration of PC31 against the background of 18.1.1.9.

²⁸ Summary of Ms Lauenstein, paragraph 27

²⁹ Evidence of Richard Knott, paragraph 53

³⁰ Summary of Mr Milne, paragraph 14