

**BEFORE THE WAIMAKARIRI DISTRICT
COUNCIL HEARINGS PANEL**

IN THE MATTER of the Resource Management
Act 1991

AND

IN THE MATTER of Submission 242 to the
Proposed Waimakariri District Plan and
Submission 57 to Variation 1

**BRIEF OF EVIDENCE OF IVAN THOMSON
ON BEHALF OF DALKEITH HOLDINGS LTD**

5 March 2024

SUMMARY OF EVIDENCE

1. Dalkeith Holdings Ltd (the Submitter) lodged a submission (Submission 242) on the Proposed Waimakariri District Plan (PWDP) requesting that the submitter's 19.8164ha site (the Site) be zoned from RLZ to GRZ.
2. The submitter also lodged a submission on Variation 1 supporting the re-zoning of the Site to MRZ. This represented an amended relief to that set out in the original submission on the PWDP to re-zone the site as GRZ.
3. This planning evidence relates to that block of land between Oxford, and Johns Roads east of Lehmans Road as shown in **Figure 1**. The Site forms part of the Rangiora West Outline Development Plan (RWODP) as depicted in Part 3 of the PWDP, and Future Development Area on Map A the Canterbury Regional Policy Statement (CRPS).



Figure 1: Dalkeith Holdings, location plan, west Rangiora Site outlined in red.

4. The reasons for the proposed rezoning are as follows:

- a) The Site has a regular shape and clear boundaries. It abuts existing areas zoned GRZ to the east and RLZ sites to the west. It is bounded to the north by an arterial road and to the south by a collector road. As such it can act as a logical area of urban extension to the existing urban area;
 - b) There are no physical constraints or natural, heritage or cultural values which limit development of the Site for residential purposes.
 - c) The re-zoning is both appropriate and necessary to achieve sustainable growth and development of Rangiora and to meet the requirements of the National Policy Statement for Urban Development 2020 (NPS-UD), particularly Policies 1 and 2¹.
 - d) The Future Development areas (FDAs) for Rangiora on Map A of the CRPS need to be rezoned as soon as possible to give effect to the NPS-UD. It will contribute to a well-functioning urban environment.
 - e) Rezoning of the Site for residential purposes will give effect to Policy 6.3.12 in the CRPS.
 - f) It will promote a compact, and efficient, urban form with connectivity with multiple transport modes.
 - g) The proposed rezoning will accommodate approximately 290 lots (based on 15 households per ha), which will contribute towards meeting the housing needs of Rangiora.
 - h) Adverse effects on the environment arising from the proposed rezoning will be minimal and can be adequately mitigated.
 - i) The proposed rezoning is consistent with the PDP objectives and policies, including relating to Strategic Directions and Urban Form and Development.
 - j) The alternative of retaining Rural Lifestyle Zone across the entire Site is not an efficient use of land and does not give effect to Change 1 of the CRPS.
5. The statutory context for assessing the submission is, in my opinion, straightforward. Neither the NPS-UD² nor the NPS-HPL need to be considered, and the only higher order resource management document that is relevant is the CRPS and specifically Policy 6.3.12. This is the policy that implements Change 1 to the CRPS which inserted Future Urban Development Areas (FDAs) on Map A. The RWODP gives effect to this Policy.

¹ Planning decisions contribute to well-functioning urban environments; providing at least sufficient development capacity to meet expected demand for housing land over the short term, medium term, and long term.

² Other than with respect to ensuring there is at least sufficient plan enabled capacity to meet short, medium and long term demand for housing land. I have assumed that Change 1 has been deemed by the Minister to give effect to the other provisions of NPS-UD.

6. In accordance with Minute 14³ this evidence is confined to evaluation of the resource management merits of rezoning the Site.

QUALIFICATIONS AND EXPERIENCE

7. My full name is Ivan Thomson and I hold the position of Senior Planner with Aston Consultants. I have a Bachelor of Science (Geography) from Canterbury University, and Master's Degree in Urban and Regional Planning (M.Phil) from Reading University in England. I have 40 years' post graduate experience in urban and regional planning, and I am a Fellow Member of the New Zealand Planning Institute.
8. My experience includes 30 years at the Christchurch City Council including 12 years' involvement with preparation, hearings and appeals for the former Christchurch City Plan involving the Urban Growth Chapter, four years leading an Area Plans programme, with the remainder of my time there being in a leadership/management role, including the Christchurch Replacement District Plan.
9. I confirm that I have prepared this evidence in accordance with the Code of Conduct for Expert Witnesses Code of Conduct for Expert Witnesses contained in Part 9 of the Environment Court Practice Note 2023. The issues addressed in this statement of evidence are within my area of expertise except where I state that I am relying on the evidence or advice of another person. The data, information, facts and assumptions I have considered in forming my opinions are set out in the part of the evidence in which I express my opinions. I have not omitted to consider material facts known to me that might alter or detract from the opinions I have expressed.
10. The key documents which I have had particular regard to in preparing my evidence are the following:
- a) The Canterbury Regional Policy Statement (CRPS);
 - b) The Proposed Waimakariri District Plan (PWDP);
 - c) National Policy Statement on Urban Development 2020 (NPS-UD)
 - d) Greater Christchurch Partnership Housing Capacity Assessment March 2023 and subsequent Formative Report prepared for the Waimakariri District Council 8 December 2023⁴.
 - e) Waimakariri District Development Strategy 2018;

³ Panel's Response to Spark Memo On FUDA and Rezoning Timetabling

⁴ Waimakariri Residential Capacity and Demand Model – IPI 2023.

- f) Section 32A Reports on Development Areas Variation 1, and PWDP;
- g) Greater Christchurch Spatial Plan.

11. In preparing my evidence I have reviewed the reports and evidence of:
- a) Mr Steven Roberts: geotech
 - b) Ms Fran Hobkirk: contaminated land

SCOPE

12. My evidence addresses the following:
- a) Background
 - b) The key features of the re-zone proposal;
 - c) The suitability of the Site for re-zoning;
 - d) Planning assessment;
 - e) The statutory context for Future Development Areas;
 - f) Section 32 evaluation;
 - g) Conclusion.

DIRECTIONS FROM THE PANEL

13. The Panel's expectations regarding evidence to be presented at this hearing are articulated in Minute 14⁵. My interpretation of the Minute is that 'other matters relating to the FUDA process' relate to Policy 6.3.12 of the CRPS. This policy sets out the process through which (FDAs) are made available for development. My evidence therefore focuses on the application of Policy 6.3.12 to this rezoning proposal and other statutory considerations supporting rezoning.
14. Accordingly my evidence addresses the following:-
- a) Reminding the Panel of the key features of the Submission and contextual background, including site description, which is in my Stream 10 evidence.
 - b) The relevant statutory planning documents for FDAs, mainly CRPS.
 - c) Environmental effects that need to be avoided or mitigated.

BACKGROUND

15. The Dalkeith Holdings properties subject to this submission are set out in **Table 1**.

⁵ Response to Spark Memo On FUDA And Rezoning Timetabling

16. The Site comprises approximately 19.82 hectares located between Oxford and Johns Roads and east of Lehmans Road (**Figure 1**). The anticipated residential yield from the Site is around 290 sections, based on 15 hh/ha.

| Registered Owner | Appellation Title | Area (ha) |
|-----------------------|-------------------|--------------------------|
| Dalkeith Holdings Ltd | Pt RS 48562 | 4.8562 |
| Dalkeith Holdings Ltd | Lot 1 DP 61800 | 8.89 |
| Dalkeith Holdings Ltd | Pt RS 903 | 6.0702 |
| | | Total: 19.8164 |

Table 1. Legal descriptions and ownership of land parcels

17. The land has been owned and farmed by the current landowners for around 50 years, and includes one existing dwelling, built 26 years ago. It is currently leased for grazing and cropping purposes. Existing urban services extend to Lehmans Road, and it is understood are planned to extend to Johns Road.
18. The Submitter has participated in planning processes whenever available over recent years, with the consistent request being that the Site be rezoned with urgency to meet housing needs, and/ or that the relevant policy frameworks facilitate this. This includes submissions on the Waimakariri District Development Strategy (WDDS), Our Space Greater Christchurch Settlement Update, and Proposed Change 1 to the CRPS. Dalkeith intend to make the land available for development as soon as urban zoning is in place.

THE KEY FEATURES OF THE RE-ZONE PROPOSAL

19. The Site is approximately 19ha and under the Proposed Waimakariri District Plan (PWDP) is zoned RLZ within a Development Area (**Figure 2**).
20. The Site is subject to a number of planning overlays relating to site development. I have identified these in this evidence when assessing the proposal against the PWDP.
21. The development of the Site will be managed through the West Rangiora Outline Development Plan Dev (RWODP) that is included in the PWDP (**Figure 3**).

22. The RWODP shows key roading connections, green spaces and areas of higher residential density that have been overtaken by Variation 1 that re-zoned all GRZ land to MRZ.
23. The development would be connected to the reticulated water, stormwater, wastewater and power and telecommunications.
24. Regional consents would be required as appropriate.

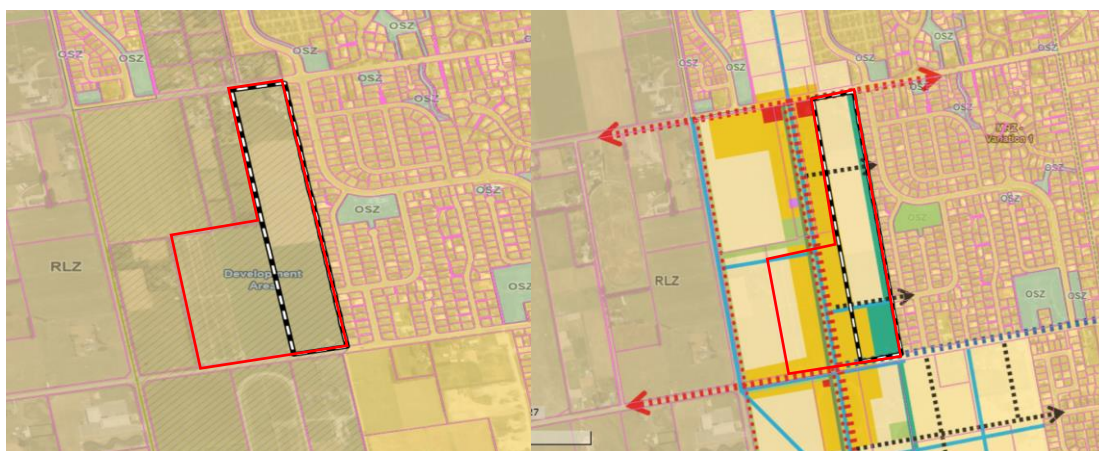


Figure 2: PWDP Zoning

Figure 3: West Rangiora ODP

Site outlined in red

Development Area – green/yellow diagonal line

SUITABILITY OF THE SITE FOR RE-ZONING TO GENERAL RESIDENTIAL ZONE (notified PWDP) / MEDIUM RESIDENTIAL (Variation 1)

25. The suitability of the Site for re-zoning has three main elements in my view:
 - a) The strategic spatial planning framework provided by the RWODP that provides for the integration of the Site within the context of the wider existing area and planned development areas.
 - b) The statutory planning framework reflected in the relevant regional planning documents as well as specifically the PWDP Objectives and Policies;
 - c) The resource management matters that must be addressed to manage any potential risks or significant adverse environmental effects.

Spatial Planning Considerations

26. I address the spatial planning thinking and proposals in my **Attachment 1** to this evidence and in my overall planning assessment starting at para 88 of my evidence. In my opinion this re-zoning submission follows directly from the District Development Strategy (DDS) proposals that anticipated the West Rangiora Development Area and a subsequent rezoning of the land to enable residential development. As such the proposal promotes the spatial planning outcomes anticipated in the PDP.

Variation 1

27. The Site has been included in the RWDA in Variation 1 (**Figure 3**). Variation 1 retains the PWDP proposed Rural Lifestyle zoning for the RWDA. It also retains the Medium Density provisions in the ODPs which for the Site includes along the Johns Road frontage. However I note in the Introduction to the General Residential Zone, Variation 1 amends the ODP provisions in Proposed Plan as follows: **In an ODP where the General Residential Zone is shown (outside of Oxford), the MDRS takes precedence and these areas are therefore to be considered as Medium Density Residential Zone.**

STATUTORY FRAMEWORK

28. Sections 31 – 32 and 72 – 76 of the RMA provide the core framework for preparing or changing district plans. Those considerations have been summarised by the Environment Court and as I understand it the relevant case authority is *Cabra*⁶. In essence, any change to a district plan must: (a) be designed to accord with, and assist Waimakariri District Council to carry out its functions under S31 and, to achieve the purpose of the Act; (b) to give effect to any national direction and the operative regional policy statement; and (c) ensure that the objectives, policies, methods and rules proposed through this submission are the most appropriate way to achieve the purpose of the Act. In considering the submission, regard must be had to the actual and potential effects of the activities provided by the proposed rezoning.

⁶ [2014] NZEnvC 55 at [17]; adopted in respect the consideration of AUP provisions in *Cabra Rural Developments Limited v Auckland Council* [2018] NZEnvC 90.

29. Some of these requirements will in my opinion be less onerous for rezoning of this land due to it already having been already identified as a future urban development area in both the Regional Policy Statement and PWDP.

National Policy Statement Urban Development 2020

30. The NPS-UD is directed at Tier 1 urban environments, which incorporates that part of Waimakariri District within the Greater Christchurch urban environment, including Rangiora. The NPS-UD recognises the national significance of having well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future⁷.
31. I consider that rezoning the Site for MRZ can be assumed to be contributing to promoting a well-functioning settlement pattern and urban environment in west Rangiora, and the wider sub region. However the NPS-UD has a requirement to ensure that there is at least sufficient plan enabled capacity to meet short, medium and long term needs. Providing at least sufficient development capacity to meet the different needs of people and communities is a key policy of the NPS-UD and is one of the matters to be considered under Policy 6.3.12 of the CRPS. I consider this will be a key consideration for the Rezoning Hearing.
32. I note that the Development Area was specifically identified as a Future Development Area in Change 1 to the CRPS and accepted by the then Minister as giving effect to the NPS-UD⁸.

Canterbury Regional Policy Statement

33. The Site is in the Greater Christchurch sub region, and I consider Chapter 6 of the CRPS to be the relevant set of regional planning provisions relating to settlement growth for Rangiora. The insertion of Chapter 6 into the CRPS was directed by the Minister for Canterbury Earthquake Recovery in the Land Use Recovery Plan for Greater Christchurch and under Section 27 of the Canterbury Earthquake Recovery Act 2011.

⁷ Objective 1.

⁸ Letter from Minister Parker to the CEO Canterbury Regional Council 28 May 2021.
[file:///C:/Users/User/Downloads/LetterfromMinisterParkertoEnvironmentCanterburyMay2021%20\(12\).PDF](file:///C:/Users/User/Downloads/LetterfromMinisterParkertoEnvironmentCanterburyMay2021%20(12).PDF)

The Chapter provides a resource management framework for the recovery of Greater Christchurch, to enable and support earthquake recovery and rebuilding, including restoration and enhancement, for the area through to 2028⁹.

34. In 2019 the Greater Christchurch Partnership prepared Change 1 to the CRPS in response to the 2018 HBCA assessments required by the National Policy Statement on Urban Development Capacity 2016 (NPS-UDC). That assessment showed that Selwyn and Waimakariri Districts did not have sufficient development capacity to meet their statutory obligations under the NPS-UDC. The response was to amend Map A of the CRPS to include Future Development Areas (FDAs), including in Rangiora. All of the FDAs are within the Projected Infrastructure Boundary on Map A. Change 1 was approved by the Minister in May 2021 following a Streamlined Planning Process.
35. Policy 6.3.12 provides for the re-zoning of land within the Future Development Areas, through district planning processes, in response to projected shortfalls in feasible residential development capacity over the medium term. The Policy establishes several criteria to be considered when deciding whether to put a residential zoning in place.
36. As I understand the Policy, there are two parts to consider. Firstly there is a trigger to enable a change of zoning, and secondly there are qualitative matters that must apply when the zone is developed. I consider that the triggers are Policy 6.3.12 (1) (2) and (3) and (5). I discuss each of these in turn.

Policy 6.3.12(1)

...there is a need to provide further feasible development capacity through the zoning of additional land in a district plan to address a shortfall in the sufficiency of feasible residential development capacity to meet the medium term targets set out in Table 6.1

37. Neither ECAN nor CCC further submitted on this submission. It is, in my opinion, clear that the Section 32 Report on Development Areas anticipates the rezoning of the Waimakariri Development Areas in order for the Council to meet its statutory obligations under the NPS-UD.
38. At section 6.1 of the s32 Evaluation Report it is stated that:
The proposed provisions are closely aligned with and give effect to the CRPS (Chapter 6 and the Proposed Change 1 to the CRPS⁶) and National Policy Statement on Urban

⁹ Canterbury Regional Policy Statement Chapter 6 Introduction.

Development 2020 provisions, including Objective 6 (c) as the Development Areas chapter is supporting the creation of between 5,000 to 7,000 new dwellings in Rangiora and Kaiapoi (p27).

39. It is also clear to me, based on my recent experiences with Selwyn District Plan Review that this rezoning is most appropriately carried out as part of this Review rather than through subsequent Council-initiated or privately requested plan changes. This is because:
- a) There will be delays in getting the re-zonings operative (including the two year lag after the PWDP is made operative) which will almost certainly lead to medium term shortfalls in development capacity. I provide details on this below.
 - b) There will be additional costs incurred by all parties affected, including the Council.
 - c) Decisions will be fragmented, acting against integrated decision making, and at odds with the requirements of Sections 30 and 31 of the Act.

Policy 6.3.12(2)

The development would promote the efficient use of urban land and support the pattern of settlement and principles for future urban growth set out in Objectives 6.2.1 and 6.2.2 and related policies ...

40. Development of the Site needs careful integration with connections (including for active transport) to the town centre, current and potential employment areas, and community facilities. This is achieved through development being in accordance with the PWDP and RWDP.

Policy 6.3.12(3)

The timing and sequencing of development is appropriately aligned with the provision and protection of infrastructure, in accordance with Objective 6.2.4 and Policies 6.3.4 and 6.3.5;

41. Policy 6.3.4 requires integration of transport infrastructure and land use, including reducing auto-dependency and promoting public and active transport. There is still a need in my opinion to further develop internal routes within the site for public transport services that link Waimakariri's communities with the strategic network and services like park'n'ride and buses or trains capable of carrying bicycles and scooters to provide an integrated system. Not all developments will be able to provide immediate direct access to the public transport system but ODPs (individually or collectively) need to ensure they

provide spine routes that enable a future public transport service if needed. Just as importantly they need to provide connectivity for local trips through pedestrian and cycle links with the surrounding neighbourhood. The West Rangiora ODP is the mechanism to facilitate this. It includes green links and cycleways.

42. Policy 6.3.5 requires integration of land use and infrastructure: the focus is on ensuring that the nature, timing and sequencing of new development are co-ordinated with the development, funding, implementation and operation of transport and other infrastructure. I have assumed the District Development Strategy, in nominating west Rangiora for managed growth, has considered that the Site can be serviced through existing funding mechanisms and costs recovered through the Council's Development Contributions Policy. I also consider that the matters listed under Policy 6.11.5 are met, and relying on the Tetrad Report and Mr Robert's evidence, there are no matters under Policy 11 (Avoidance of Natural Hazards) to consider.
43. With regard to the qualitative matters referred to in paragraph 35 above, Policy 6.3.12 (4) requires the development to occur in accordance with an outline development plan and the requirements of Policy 6.3.3. Outline development plans and associated rules must be prepared as either a single plan for the whole of the Future Development Area or, where an integrated plan adopted by the territorial authority exists, for the whole of the Future Development Area.
44. The RWDA exists (it takes the form of an ODP) and because it incorporates this FDA, that integrated plan provides the overarching basis for the key structural components that will shape the form and servicing of the RWDA.

Policy 6.3.12(5)

The circumstances set out in Policy 6.3.11(5) are met

45. Policy 6.3.11(5) relates to any changes resulting from a review of the extent, and location of land for development, any alteration to the Greenfield Priority Areas, Future Development Areas, or provision of new greenfield priority areas. There are no changes to the extent and location of land for development since the PWDP was notified. I have adopted the position that in identifying the Development Areas and in marking out the extent of the RWDA the Council has satisfied itself that the following circumstances exist at notification of the PWDP:
- a) *Infrastructure is either in place or able to be economically and efficiently provided to support the urban activity.*

- b) *Provision is in place or can be made for safe, convenient and sustainable access to community, social and commercial facilities;*
- c) *The objective of urban consolidation continues to be achieved.*

46. In conclusion, in my opinion, there are no compelling reasons in terms of Change 1 to the CRPS why the rezoning of the land in the RWDA cannot be approved.

Proposed Waimakariri District Plan

47. The site is zoned RLZ and is within a Development Area. It is subject to several other planning overlays:

Non-Urban Flood Assessment Area
 Geographic Areas (Ecological)
 Ecological District: Low Plains
 Liquefaction Overlay: liquefaction unlikely

48. The main requirement of the rezoning is to assist with implementing the WRDP in Part 3 of the PDP by enabling development. SUB P6 requires an ODP to be inserted into the Plan prior to any residential subdivision. In my opinion the DEV-WR-APP1 - West Rangiora Outline Development Plan provides sufficient detail around the fixed elements for the future design and layout while the subdivision provisions in the PDP are sufficient to ensure that the Dalkeith block facilitates integration with other parts of the development area.

District Development Strategy.

49. The DDS 2018 is a District-wide look in to the future that the Council must have regard to under Section 74(2)(b)(i). The approach to growth and urban form at Rangiora that is required is to provide for an additional 5025 households by 2048, with Rangiora continuing to accommodate one third of the District residential growth¹⁰. Both the RWDP and subsequent rezoning of this block implements this Strategy.

¹⁰ DDS page 39 – see
https://www.waimakariri.govt.nz/__data/assets/pdf_file/0018/132822/180525057771-District-Development-Strategy-DDS-2018-FINAL-Web.pdf



Figure 6: Figure 11 of DDS – blue arrows residential growth directions

PROPOSED PROCESS FOR ENABLING DEVELOPMENT IN THE FDAS

50. The PWDP proposes certification as the method for enabling development in the FDAS. This contrasts with the usual method of using Schedule 1 of the Act to rezone the land. This matter has been examined at length through the Stream 10A hearings and subsequent process.
51. The PWDP states that when the associated development of a development area such as RWDA is complete, the development area's spatial layer is generally removed from the District Plan either through a trigger in the development area provisions or at a later plan change (How the plan Works: relationship of spatial layers).

KEY SITE SPECIFIC MATTERS FOR THIS RE-ZONING

52. Having reviewed the statutory context I consider that the remaining issues pertain to site specific matters and effects, some of which are covered in detailed expert reports. The remaining resource management matters for this re-zoning in my opinion are:
- Visual amenity
 - Reverse sensitivity
 - Versatile soils
 - Geotechnical

- e) Contaminated land
- f) Flooding
- g) Traffic
- h) Servicing
- i) Ecological values

Visual amenity

53. The primary effect, in my opinion, of rezoning the Site and future development for housing is that the existing landscape will change from an open rural landscape of few structures and limited plantings to a residential landscape dominated by structures and amenity plantings. The present landscape on Site is currently dominated by grazing pasture/ cropping and shelterbelts. The existing dwelling and farm buildings are clustered in the NE corner of the Site.
54. Future residential development will introduce dwellings and associated landscaping and accessory buildings perhaps not dissimilar to what is on the eastern boundary. The future landscape that drives the visual amenity has been planned for and provided for by the RWDA. As such, in my opinion, it constitutes a planned future effect that it will exhibit a much higher level of visual amenity and variety common to residential developments.
55. In my view, this change in zone and associated change in landscape will provide a different but pleasant visual amenity and will be consistent with that expected further to the west of the Site in that part of the RWDA not subject to this submission (the Hales property subject to a separate rezoning submission).
56. I note the NPS-UD anticipates changes in amenity as urban development proceeds, and considers that this is not in itself an adverse effect.

Policy 6: When making planning decisions that affect urban environments, decision-makers have particular regard to the following matters:

- (a) the planned urban built form anticipated by those RMA planning documents that have given effect to this National Policy Statement
- (b) that the planned urban built form in those RMA planning documents may involve significant changes to an area, and those changes:
 - (i) may detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types; and

(ii) are not, of themselves, an adverse effect

Reverse sensitivity

57. In my view there is a very low risk of reverse sensitivity occurring. I base that opinion on the fact that to the west of the Site there is additional land to be developed for residential purposes and there is other planned and existing urban development surrounding the Site (**Figure 3**). The two roads bordering the northern and southern boundaries of the Site create a clear boundary and separation to the existing and planned residential development in those locations.

Highly Productive Land

58. The Site is identified as having Class 2 and 3 Soils under the Land Resource Inventory Land Use Capability (**Figure 5**).

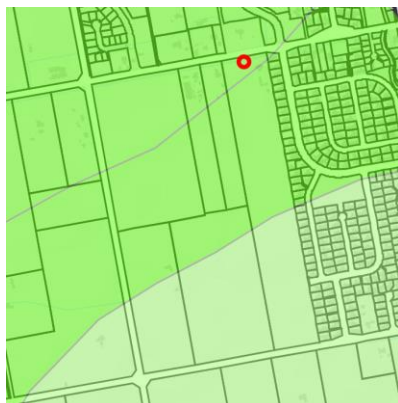


Figure 5: LUC 2-3 land (Canterbury Maps)

59. The Site is presently farmed in a low intensity manner and does not support or generate high levels of production from crops or animals.
60. The Site is identified in a Council strategic spatial planning document (DDS) as a Site for future urban purposes and is subject to an urban type overlay (Development Area) in the PWDP and is part of a planned development area (RWDA).
61. The Site is within a FDA identified in Chapter 6 of the CRPS. As such that makes the Site exempt from the NPS-HPL.

Geotechnical Conditions.

62. An Investigation by Tetrad is addressed by Mr Roberts in his evidence. That investigation assessed the potential hazards identified in s106 RMA.

63. Mr Roberts has concluded that there is no risk from falling debris, slippage, erosion, subsidence, or inundation. Additionally he advises that, *“provided best practice methodologies are implemented during construction, a rezoning to MRZ of the affected sites in accordance with the Waimakariri Proposed District Plan will not result in the acceleration or worsening of these hazards.”*
64. The Report includes some recommendations for earthworks and the design and inspection of foundations.
65. I adopt his finding that the Site is, in general, suitable for its intended use, with satisfactory conditions for future residential building development.

Contaminated land.

66. The results of an Investigation by Momentum Environmental is addressed by Ms Fran Hobkirk in her evidence.
67. The Preliminary Site Investigation (PSI) has identified confirmed or likely Hazardous Activities and Industries List (HAIL) activities on the subject Site and there may be a risk to human health from contaminated soils. The following potential sources of contamination have been identified:
 - a) Potential historical storage of persistent pesticides within and around former farm sheds (HAIL A10).
 - b) Potential heavy metal contamination from older buildings likely painted with lead-based paints (HAIL I).
 - c) Potential heavy metal contamination within a possible burn area and under a burn drum (HAIL I).
 - d) Potential heavy metal and TPH contamination around and within a farm shed storing oil drums and treated timber (HAIL I).
68. The Momentum Report recommends that:
 - a) Detailed Site Investigations, in terms of the Ministry for the Environment’s Contaminated Land Management Guidelines, be undertaken on the identified risk areas prior to development.

- b) The identified HAIL activities/risks do not preclude eventual residential subdivision of the land and do not require any further investigation for the purposes of this submission. As each stage of the development area is developed, the need for an updated Preliminary Site Investigation and/or site inspections should be considered, along with Detailed Site Investigations as required.

69. I support that approach to the management of potential issues of land contamination.

Flooding.

70. The PWDP identifies the Site with Overlays for:

- a) Non-Urban Flood Assessment Area

71. The Tetrad Report notes that the Site is within the Waimakariri District Council Flood Hazard Maps as being subject to inundation during the 0.5% AEP and the flood hazard category is low (shallow depth and low velocity).

72. In my experience such flood risks can be suitably managed at subdivision consent stage and with suitable earthworks, ground contouring and the setting of minimum floor heights.

Transport.

73. No ITA or other traffic assessment has been undertaken, due to the Site location within the WRODP area.

74. The WRODP shows the key roading connections that need to be provided for in any future development (**Figure 3**). These provide the core roading connections from RWDA to the urban area.

75. Roads internal to the development area can be determined and agreed with the Council at subdivision stage.

Servicing.

76. The future development of the Site for residential purposes has been well-signalled in the CRPS as a FDA, the Council's DDS, and by the planning layers provided in the PWDP.

77. This suggests to me that the Council has assessed future servicing needs for the Site as residential and accepts that all necessary urban services can be provided to the Site.
78. The detailed design, location, capacity of all services can be assessed and determined at subdivision stage. Development contributions can be imposed to cover the costs of capital upgrades or as a service connection fee.
79. In my opinion I see no servicing issues arising from the proposal to re-zone as MRZ.

Ecological values

80. The Site has no specific identified ecological values in the PWDP.
81. There are no water courses and no areas of indigenous vegetation.
82. The two generic natural environment overlays are imposed in lieu of site specific investigations during preparation of the PWDP. They do not necessarily suggest there are any specific natural environment values in the Site to be identified and managed. The overlays cover broad-acre ecological districts (Low Plains) that relate to broad common characteristics but not specific values that need to be managed by the development to residential land uses.
83. In my opinion there are no ecological values to be factored in to subdivision design, or that require specific planning controls in addition to these applying now in the PWDP.

DEVELOPMENT CAPACITY AND TIMING

84. Policy 6.3.12 of the CRPS requires a proposal to demonstrate that there is a need to provide further feasible development capacity through the zoning of additional land to address a shortfall in the sufficiency of feasible residential development capacity to meet the short, medium, and long term housing bottom lines.
85. As discussed above both the NPS-UD and CRPS include provisions concerning development capacity. The NPS requires Councils to provide at least sufficient development capacity to meet expected demand for housing and business over the short, medium and long term (Policy (2)).

86. The CRPS Objective 2(a) concerns housing bottom lines: for the period 2021-2051, at least sufficient development capacity for housing is enabled for the Greater Christchurch urban environment in accordance with the Housing Bottom Lines set out in Table 6.1. These bottom lines reflect the Greater Christchurch Housing Capacity Assessment 2021 which are now well out of date but include the land in the FDAs.¹¹ The most recent HCA was published in July 2023¹² and WDC published a specific district wide capacity assessment in December 2023.¹³
87. I consider that, based on evidence the Council has received in various hearings by various experts, this planned and anticipated greenfields land needs to be enabled now if the district plan is to keep pace with demand into the long term and thereby give effect to the NPS-UD¹⁴.

OVERALL PLANNING ASSESSMENT

88. I assessed the relevant CRPS Objectives and policies in **Attachment 1** attached to this evidence. From that assessment I have concluded that the re-zoning proposal satisfies the CRPS direction for location, design and function of development (Objective 5.2.1), integration of land use and regionally significant infrastructure (Objective 5.2.2), transport network (Objective 5.2.3) and their associated policies.
89. The extent to which the rezoning achieves the relevant PWDP objectives and policies is set out in my assessment at **Attachment 3** attached to this evidence.
90. The proposal promotes the PWDP approach to growth and development at Rangiora as it is subject to a Development Area spatial layer that foreshadows or provides for a future residential land use.
91. In summary I consider that:
- a) Rezoning the Site is, in my view, effective at achieving the CRPS objectives that seek to provide for consolidated, well-designed and sustainable growth

¹¹ See <https://www.greaterchristchurch.org.nz/assets/Documents/greaterchristchurch/Capacity-Assessment-reports-2021/Greater-Christchurch-Housing-Development-Capacity-Assessment-July-2021.pdf> page 6.

¹² Greater Christchurch Partnership.

¹³ Formative

¹⁴ For example Mr Colgrave's evidence for the Spark Brothers rezoning submission (#183 & 61), and evidence presented by several experts at the Plan Change 31 Hearing in Ohoka.

around existing urban areas, additional housing choice and effective transport networks and servicing. I do not consider the proposal will give rise to reverse sensitivity effects.

- b) I consider the proposal is consistent with the objectives and policies of the Land and Water Regional Plan (**LWRP**) relating to land uses responding to socio-economic and community demand, ground water resources, no direct discharges, and appropriate servicing. I assessed that Plan at **Attachment 2** of this evidence.
- c) The proposed rezoning will, in my assessment, be consistent with the objectives and policies of the PWDP where they relate to Natural Hazards, Strategic Directions: Urban Form and Development, Residential Development and Subdivision (**Attachment 3** attached to this evidence). The Council has prepared the DDS 2018 as a strategic development spatial plan indicating where future development should be located in the Rangiora area. This rezoning request is simply seeking exactly what the Council have already indicated is appropriate (MRZ).
92. I see the Council's approach to providing for growth and development as being systematic and considered commencing with non-statutory spatial planning exercises. I have assessed these spatial planning documents at **Attachment 4**.
93. This proposal needs to be seen as consistent with the Council's strategic directions. The Development Area is a means of delivering the desired urban growth outcomes of the PWDP for Rangiora over its 10 year life. The Council has not taken the final step of rezoning the Development Area land. I presume that is because the cost of the technical work required to support the rezoning should be a private cost, borne by the owner of the land, rather than the Council.
94. as a site with a notified Development Area, in terms of location, its role in relation to the adjoining urban area and the sustainable management of resources the Site not only qualifies for future urban growth but is effectively beyond challenge in a policy sense. What is left is the detail around specific site suitability for its residential purpose and any mitigation of potential adverse effects. That has been the focus of my evidence and the supporting technical reports.

95. My conclusion is that the re-zoning proposal is consistent with the RWDA that gives effect to the FDA identified in Map A of the CRPS and is part of a package of sound planning measures that provide for sound urban resource management outcomes for the site consistent with its status as a Development Area.

FURTHER SUBMISSIONS

96. No further submissions were received in support or opposition to the Dalkeith submission 246 for rezoning the RLZ base zone and Development Area to MRZ.

SECTION 32: COSTS AND BENEFITS OF REZONING

97. A section 32 analysis is set out at **Attachment 6** of this evidence.
98. That analysis looked at three options for the future development of the Site. These were:
- a) Option 1: status quo/do nothing: do not rezone the Site from General Rural Zone to GRZ/MRZ and rely on the PWDP certification provisions (if retained) or future plan changes to enable residential development to proceed.
 - b) Option 2: rezone the whole 19.8site MRZ.
 - c) Option 3: resource consent: land use and subdivision consent for ad hoc subdivision through a non-complying subdivision and land use consent for residential use.
99. The s32 Evaluation concludes that:
- a) Option 2, being to rezone the Site MRZ, is the only response of the three options considered that responds appropriately to the clear strategic intention signalled in the DDS 2018. Option 1 of retaining the RLZ and Option 3 being development by resource consent singularly fail to deliver on the spatial planning outcomes, and fail to give effect to the Development Area status in the PWDP.
 - b) The economic, social and environmental benefits of the outcomes sought by the submission outweigh the potential costs.
 - c) The overall efficiency and effectiveness of the re-zone outcome is high, in comparison the alternative options which are low (Option 1 and 3).
 - d) The proposed rezoning is considered to be an appropriate, efficient and effective means of achieving the purpose of the Resource Management Act 1991.

CONCLUSION

100. I support the identification of the Site as a Development Area in the PWDP. It constitutes a logical extension to Rangiora in terms of urban form. I also consider that the land needs to be 'plan enabled' as soon as possible to ensure there is at least sufficient development capacity to meet the short, medium and long term needs of the District. The most appropriate method to achieve this, in my opinion, is for the land to be rezoned for urban purposes, and this is what the CRPS requires.

101. The proposed rezoning sought will:

- a) assist the Council in carrying out its statutory duties under the Resource Management Act 1991 (**RMA**) including the integrated management of the effects of the use and development of land;
- b) give effect to the NPS-UD;
- c) give effect to the CRPS;
- d) meet the requirements of section 32 of the RMA; and
- e) promote the sustainable management of natural and physical resources in accordance with Part 2 of the RMA.

Attachments:

Attachment 1: Assessment of CRPS

Attachment 2: Assessment of LWRP

Attachment 3: Assessment of Proposed District Plan Objectives and Policies

Attachment 4: Assessment of DDS

Attachment 5: Section 32