

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 Development
Limited

Summary of evidence of Nick Boyes on behalf of Waimakariri District Council (as Submitter) – Planning

Dated: 9 August 2023

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Summary Evidence of Nick Boyes:

Introduction

1. My name is Nicholas (Nick) Boyes. My qualifications and experience are as set out in my original evidence.

Summary of planning evidence

2. The Canterbury Regional Policy Statement (CRPS) sets out a prescriptive framework to assess urban growth.
3. The PC31 site is not identified as a Greenfield Priority Area (GPA) for residential development, Future Development Area (FDA), nor is it within the projected infrastructure boundary shown on Map A within Chapter 6 of the CRPS.
4. This means that PC31 does not give effect to:

Objective 6.2.1(3), which *“avoids urban development outside of existing urban areas or greenfield priority areas for development”*.

Objective 6.2.2, which seeks *“consolidation and intensification of urban areas, and avoids unplanned expansion of urban areas”*.

Objective 6.2.6 to *“identify and provide for Greater Christchurch’s land requirements for the recovery and growth of business activities in a manner that supports the settlement pattern brought about by Objective 6.2.2”*.

Policy 6.3.1(4) to *“ensure new urban activities only occur within existing urban areas or identified greenfield priority areas as shown on Map A, unless otherwise expressly provided for in the CRPS”*.

5. Not surprisingly, this prescriptive framework found in the higher order CRPS document is also reflected in the operative Waimakariri District Plan (ODP). This means that the proposal does not accord with:

Objective 14.6.1, *“To facilitate the rebuild and recovery of Greater Christchurch by directing future developments to existing urban areas, priority areas, identified rural residential development areas and MR873 for urban and rural residential activities and development.”*

Policy 14.6.1.1, seeking to “avoid new residential and rural residential activities and development outside of existing urban areas and priority areas within the area identified in Map A in Chapter 6 of the Canterbury Regional Policy Statement; rural residential development areas identified in the Rural Residential Development Plan and MR873”.

6. Furthermore, I consider the proposal does not satisfy the development aspirations set out in ODP **Policy 18.1.1.9**, which is specific to growth at Ōhoka. The key aspects of this policy being that future residential development “maintains its rural character” and “ensuring that development complements the existing low density rural residential environment”¹.
7. In my view the urban growth promoted by PC31 is not anticipated by, or gives effect to, the regional and district planning documents.

National Policy Statement for Urban Development (NPS-UD)

8. In that context, the only pathway for approval of PC31 is reliance on the ‘responsive planning approach’ provisions contained in the NPS-UD² to over-ride the ‘directive’ policy approach included in the CRPS (Chapter 6) and ODP.
9. If the NPS-UD is found not to apply, or the plan change request is found to be inconsistent with it, in my view PC31 should be refused.
10. The NPS-UD (**Policy 8**) provides an opportunity to allow consideration of an ‘out of sequence’ or ‘unanticipated’ development proposal that that might otherwise be precluded by the lower order planning documents. This reflects the central government objectives to facilitate greater opportunities for urban growth and housing.
11. However, this opportunity is predicated on development:
 - a) Being within an urban environment;
 - b) The plan change adding significantly to development capacity (**Policy 8**);
 - c) Contributing to a well-functioning urban environment (**Objective 1 and Policies 1 and 8**);

¹ Waimakariri District Plan, Policy 18.1.1.9 explanation.

² Objective 4 of the NPS-UD.

- d) Being well connected along transport corridors (**Policy 1** and **Clause 3.8**); and
 - e) Being able to be adequately and efficiently serviced, including being integrated with infrastructure planning and funding, strategic over the medium and long term, and responsive (**Objective 6** and **Policy 10**).
- 12. The first matter to determine is whether the PC31 is within an 'Urban Environment'. The NPS-UD only applies to 'urban' environments.
 - 13. I agree with the Summary of Evidence prepared by Mr Walsh at paragraph 43 that the PC31 site is located within the Greater Christchurch Urban Environment.
 - 14. My original evidence (paragraphs 48 to 58) discusses the difference in context of PC31 relative to the existing Ōhoka urban area when compared to other plan changes I am familiar with (namely those in the Selwyn District). The difference being that those plan changes complemented rather than dominated the existing urban area. As Mr Knott sets out the *"PC31 area will in no way reflect the existing rural village character of Ōhoka"*³.
 - 15. As set out in my paragraph 58, regardless of the finding whether PC31 is located within an urban environment, that discussion goes to consideration of whether PC31 contributes to a well-functioning urban environment.
 - 16. The scale of the development is such that it makes a significant contribution to development capacity. However, this is dependent on the ability for the scale of growth proposed to be adequately serviced.
 - 17. Mr Bishop notes in his evidence that there appears to be viable servicing options, but that further investigations are required and/or further consents might be required. There is also the question of appropriate infrastructure funding. There must be a degree of certainty around the ability to deliver servicing outcomes in order to significantly add to development capacity.
 - 18. In my view the main issue for PC31 is the question of whether it contributes to a well-functioning urban environment. Having regard to the matters set out in **Policy 1** of the NPS-UD, and relying on the

³ Evidence Mr Knott, paragraph 14.4.

evidence of Mr Goodfellow, Mr Knott and Mr Metherell; I am of the view that PC31 does not contribute to a “well-functioning urban environment”.

19. PC31 takes the existing rural settlement of Ōhoka and extends it southwest towards Mandeville. The majority of land between the southern extent of the PC31 area and the Mandeville residential zoned land is already developed to a density of 1 to 2ha allotments. This will create a scenario whereby the two settlements will effectively appear as one, with little in the way of open rural character to differentiate between the communities. As Mr Goodfellow notes *“the outcome of PC31 will be that the present character of the Ōhoka village will no longer exist and will be replaced with a suburb of housing density that is normally found in urban centres such as Christchurch or Rangiora”*⁴.
20. Based on the evidence of Mr Metherell, I do not consider that PC31 has good accessibility between housing, jobs and community services, including by way of public or active transport. PC31 in its present form is not well connected along transport corridors.

Conclusion

21. The NPS-UD direction for decision-makers to be responsive does not extend to simply approving all development. My concerns relate primarily around whether PC31 will contribute to a well-function urban environment as defined by **Policy 1** of the NPS-UD. These concerns are outlined in the evidence of others and relate to urban form, the impact on Ōhoka Village, connectivity/accessibility as well as the rural character of the area more broadly given the scale of PC31.
22. I consider that PC31 does not represent the type of development promoted by the NPS-UD; and therefore cannot rely on the unanticipated or out of sequence ‘responsive’ development opportunities provided for within. In the absence of the ability to rely on the NPS-UD, my planning assessment is that PC31 should be refused.

Date: 9 August 2023



Nick Boyes

⁴ Mr Goodfellow, evidence paragraph 23.