

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

Brief of evidence of Richard John Knott on behalf of Waimakariri District Council (as Submitter) - Urban Design

Dated: 21 July 2023

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Evidence of Richard John Knott:

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 this statement of evidence in relation to their submission on Private Plan Change PC31 to the Waimakariri District Plan (“**PC31**” and “**ODP**”).
3. I visited Ōhoka on the 26 June 2023.

Experience and Qualifications

4. I have over 30 years’ experience working in the areas of urban design, heritage and planning.
5. I hold the following qualifications:
 - 5.1. Master of Arts in Urban Design - University of the West of England, UK (1995).
 - 5.2. Post-Graduate Diploma in Building Conservation - Bournemouth University, UK (2002)
 - 5.3. Bachelor of Planning - Victoria University of Manchester, UK (1989)
 - 5.4. Bachelor of Arts in Town and Country Planning - Victoria University of Manchester, UK (1988)
6. I have been elected as a full member of the following professional institutes:
 - 6.1. Member New Zealand Planning Institute
 - 6.2. Chartered Town Planner (Member of the Royal Town Planning Institute, UK)
 - 6.3. Member Institute of Historic Building Conservation (UK)
 - 6.4. Member Institute of Highway Engineers (UK)

7. I am a Making Good Decisions Certificate Holder with Chairing Endorsement. I was first appointed as an Independent Planning Commissioner for Auckland Council in 2011. I have subsequently sat on over 40 hearings (panel member and/or Chair) for Hamilton City Council, Whangarei District Council, Taupo District Council, Tauranga City Council, South Wairarapa District Council and Auckland Council. I often sit on Hearings Panels where specialist urban design, special character or heritage expertise is required. I am a current panel member for the Auckland and Tauranga IPI hearings.
8. I have undertaken the Planning Institute of Australia training in Landscape and Visual Assessments in 2018, and have subsequently prepared landscape and visual assessments for private clients.
9. My work has included designing and leading a wide range of projects, including masterplans/development frameworks for existing urban sites and greenfield areas through to providing advice for individual owners on their proposals to make alterations to their individual heritage home. These projects include:
 - 9.1. Lead Masterplanner for the Taumarunui | Manunui Spatial Plan – Ruapehu District Council (with Ree Anderson Consulting)
 - 9.2. Lead Masterplanner for Featherston Masterplan Plan – South Wairarapa District Council (with Ree Anderson Consulting)
 - 9.3. Designing and authoring a Framework for Action, a masterplan for the Papakura Metropolitan Centre – Papakura Local Board
 - 9.4. Designing and authoring a masterplan for Ōpōtiki Town Centre – Ōpōtiki District Council
 - 9.5. Designed and authoring a strategy for regeneration and development in Manurewa town centre – Manurewa Local Board
 - 9.6. Designed and authored The Lakes Masterplan in Foxton Beach – Horowhenua District Council (not yet published)
 - 9.7. With Kim Goodfellow, designing and authoring a masterplan for Ōpōtiki Harbour and Wharf – Ōpōtiki District Council (with The Goodfellow Group)

- 9.8. Urban designer for a number of residential, commercial and supermarket/local centre developments across New Zealand including Palmerston North, Hastings, Te Atatū, Wainuiomata, Kapiti, Lincoln, Hāwera and Mosgiel for Woolworths and/or individual landowners
- 9.9. Urban designer for a number of greenfield and brownfield residential developments and mixed use developments in Auckland.

Involvement in PC31

- 10. I was asked by WDC to assist with their submission to PC31 in July 2022. I provided my written comments in my email dated 2nd August 2022.
- 11. I noted that at that stage I had not undertaken a site visit, but provided the following preliminary comments which were incorporated into the Council's submission:
 - 11.1. The scale of the plan change is very large, relative to the scale of the settlement as existing. It has the potential to bring significant change to the local and wider area. I am therefore at this stage sceptical as to whether the plan change will be able to achieve some of the outcomes discussed in the Urban Design Statement; I wonder whether it will be more of a case that the plan change area will create a new character/sense of place for the village rather than become an integrated part of the existing village.
 - 11.2. Whilst the report is credited to Nicole Laurenstein, it does not include any details of Ms Laurenstein's qualifications and relevant experience. The report would benefit from including this information.
 - 11.3. The scope and structure of the report is sound and follows a logical and easy to follow process.
 - 11.4. The sections '*2. Ōhoka village settlement form and wider context*' and '*3. Site within the village context*' are both clear and (without a site visit) appear to appropriately describe the local area, although without photographs of existing residential development which is typical of each identified area, it is not possible to fully appreciate the existing visual

character and amenity of the village. The report would benefit from this additional information.

- 11.5. The Key Design Drivers within '*4. Proposed development and design drivers*' appear logical and appropriate, however the Indicative Masterplan at 4.4 is very high level and provides limited information regarding the final urban form of the area. The Outline Development Plan included within the main plan change report, prepared by Novo Group (both 'plan' and accompanying text) also includes limited information regarding the final urban form of the area.
- 11.6. Without more information being provided within Section 4 and in the Outline Development Plan I cannot make a judgement as to whether the plan change will deliver the outcomes discussed in '*5. Integration*' and whether the conclusions of '*6. Urban design assessment*' are appropriate. I cannot also make a judgement regarding the appropriateness of the information which is included on the Indicative Masterplan and ODP.
- 11.7. To allow my full assessment of the proposed plan change additional information is required:
 - 11.7.1. Either an updated masterplan layout showing the potential subdivision layout and typical building footprints for the whole plan change area, or at the very least example subdivision plans for typical areas.
 - 11.7.2. The masterplan layout updated to be shown on an up-to-date aerial photo base.
 - 11.7.3. Confirmation of the which road cross section would be used for each road shown on the updated masterplan layout.
 - 11.7.4. A version of the final masterplan layout with the outline development plan information overlaid over it.
 - 11.7.5. Scaled versions of the indicative road cross sections.

- 11.7.6. Scaled cross sections through the blue/green network.

Code of conduct

12. 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.

Scope of evidence

13. My evidence will address the following:
- 13.1. The evidence of Mr Nicholson
 - 13.2. The urban design, landscape and visual, evidence prepared on behalf of the plan change applicant and in particular:
 - 13.2.1. Level of information provided
 - 13.2.2. Relevance of the NPS-UD
 - 13.2.3. Rural Village Character
 - 13.2.4. Are there fundamental flaws with the existing village such that the development proposed by PC31 is critical
 - 13.2.5. The impact of additional development anticipated by the ODP and emerging Proposed District Plan
 - 13.2.6. Is the PC31 area a natural extension to Ōhoka

Summary of evidence

14. Having considered the evidence of Mr Nicholson and the evidence of the applicant's urban design, landscape and visual experts, I have found that:
- 14.1. 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.

- 14.2. 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.
- 14.3. 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.
- 14.4. The PC31 area will in no way reflect the existing rural village character of Ōhoka.
- 14.5. The success of the farmers market does not in any way provide a justification for additional, unplanned development in the area.
- 14.6. 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.
- 14.7. 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.
- 14.8. PC31 is not a natural extension to Ōhoka; it is essentially a new town within the rural area.

Evidence of Mr Nicholson

- 15. In general, I accept and support the evidence of Mr Nicholson. In particular I agree that PC31 will:
 - 15.1. Not contribute to a compact or consolidated urban form for Ohoka.

- 15.2. Have a low-moderate level of connectivity, given the narrow high-speed rural roads with no pedestrian or cycle facilities which connect the area to the wider community.
- 15.3. Have a low level of accessibility and will be largely reliant on vehicles to meet the travel requirements of future residents.
- 15.4. Not 'maintain' or 'retain' the rural village character of Ohoka as a result of the increased size and population of the settlement, the increased 'suburban' densities, and the potential scale of the retirement home / educational facility.
- 15.5. Not contribute to a well-functioning urban environment, would be car dependant, without good access to jobs or community services, or facilities for active and public transport. It would not support reductions in green house gas emissions.
- 15.6. Despite mitigation measures will have a moderate-high impact on landscape character and a moderate-high visual impact.

Urban design, landscape and visual evidence on behalf of the Applicant

Level of Information provided

- 16. The applicant has assembled a very experienced, well-respected team who together have brought together a well thought through urban layout for the plan change area, illustrated on the '*Ōhoka Illustrative Masterplan*'¹ and '*A. Elevated perspective view from north-west over the whole site*'.²
- 17. I recognise that the hearing is a plan change hearing, and the illustrative masterplan and other illustrative material is provided to provide an example of the form of development that the plan change could deliver. In respect of this, I consider that the additional information has responded to the matters that I raised in my earlier advice to the Council, in that it provides sufficient information for me to make informed comment upon the plan change.
- 18. I do not therefore intend to focus on the detailed street pattern or urban layout of the plan change as such, but will refer to overarching features

¹ Evidence of Mr Falconer – page 10 of attached Design Report

² Evidence of Mr Compton-Moen – Appendix One - Landscape and Visual Impact Assessment Figures
page 2

of the masterplan layout to illustrate my overall concern that the plan change will deliver a new urban development which does not reflect the character or form of the existing Ōhoka area, on land which is not identified for such development and out of step with the expectations of the CRPS.

Relevance of the NPS-UD

19. The policies within the NPS-UD apply to urban environments. It is therefore important to understand whether Ōhoka is an urban environment.
20. Policy 15.1.1.1 indicates that all settlements in the District are urban environments, as are also areas zoned as Rural-Residential in the Transitional District Plan. Ōhoka is specifically identified as an urban environment.
21. However, it is not clear whether the ODPs use of the term urban environment has the same meaning as an urban environment in the NPS-UD. It is my understanding that that ODP uses the term urban environment to describe any land which has an urban zoning, such as the residential zonings in the existing Ōhoka village.
22. The NPS-UD definition of urban environment is more nuanced:

urban environment means any area of land (regardless of size, and irrespective of local authority or statistical boundaries) that:

(a) is, or is intended to be, predominantly urban in character; and

(b) is, or is intended to be, part of a housing and labour market of at least 10,000 people

23. Under the NPS-UD definition not all urban zoned land would be considered to be part of an urban environment. I also note that both Mr Willis³ and Mr Nicholson⁴ question whether it is intended that the Ōhoka area be predominantly urban in character, and whether the NPS-UD should apply.

³ s42A Report – para 7.3.9

⁴ Evidence of Mr Nicholson – para 9.1

24. Clause (a) of the NPS-UD definition refers to the both the current state of the land and future intention for the land. I consider it logical to assume that the intended future state of the land relates to the planned future state of the land i.e. that anticipated by the extant CRPS and Our Space 2018-2048 (as discussed in the s42A report).
25. I note that the s42A is not so definitive on this matter, as both the CRPS and Our Space predate the NPS-UD. However, I have a firmer view on this matter. Implementation of Policies 3 and 4 of the NPS-UD will bring increased development capacity within and adjacent to centres and the MDRS will bring additional development capacity within existing residential zoned areas. With this planned increase in development capacity within existing zoned areas, I consider it unlikely that updates to the CRPS and Our Space would find it necessary to identify rural land such as that at Ōhoka to meet required development capacity.
26. In view of the above, I do not consider that the NPS-UD is a relevant matter to consider in determining PC31.
27. Should the panel have a different view, I consider that limited weight should be given to Objective 4 (and the associated Policy 6) of the NPS-UD.
28. Objective 4 states:
- New Zealand's urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities, and future generations.*
29. I consider that 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. This very significant change is therefore beyond the level of change which Policy 6 indicates should not be considered an adverse effect. 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. I do not therefore accept Mr Falconer's view⁵ on this matter that Objective 4 represents an important context to the consideration of PC31.

Rural village character

⁵ Evidence of Mr Falconer – para 88

30. Several of the experts for the applicant seek to define the terms village and rural village character, in response to Mr Nicholson's view that:

*'In my opinion PC31 would fail to 'maintain' or 'retain' the rural village character of Ōhoka as a result of the increased size and population of the settlement, the increased 'suburban' densities, and the potential scale of the retirement home / educational facility.'*⁶

31. The terms village and rural village character are not defined in the ODP. As can be seen in the evidence of other experts, there are a wide range of views regarding what these terms mean. From my perspective, I think that the discussion around definitions for village and rural village character have become a distraction.
32. Policy 18.1.1.9 indicates that growth and development should occur in a manner that 'maintains a rural village character comprising a predominantly low-density living environment with dwellings in generous settings' (emphasis added). I consider that the use of 'maintains' is significant; the plan writer clearly used the term 'rural village character' as a means to describe Ōhoka as it currently exists, and went on to describe this as predominantly low density.
33. It is clear from the Explanation to Policy 18.1.1.9 that it is intended that the policy relates only to the land at Ōhoka currently zoned Residential 3.4A and 4B and that new development 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.
34. In terms of the character of Ōhoka as it currently exists:
- 34.1. The wider area is accessed by a large grid road network. This network creates the overall structure of the area.
- 34.2. Ōhoka village consists of residential lots, limited community uses, and some commercial premises strung along a 1.5km section of Mill Road and an 800m section of Bradleys Road. There are gaps within this development and the layout of sites varies. It is this development that passersby first experience and it is likely that this is what will form their lasting impression of the village.

⁶ Evidence of Mr Nicholson – para 9.6

- 34.3. Additional residential development on large lots is provided on along Keetley Place and Hallfield Drive, both of which are culs-de-sac. Passerby are less likely to be aware of these, as they extend off of the main 'grid' streets, away from public view (albeit that Hallfield Drive is more recently developed and planting less established within lots).
- 34.4. Large lifestyle blocks exist to the east of Whites Road. The setback of buildings on these varies, although the planting along front boundaries limits views into many of these sites.
35. In summary, based on the above and the brief description given in Policy 18.1.1.9, the lasting impression of the existing rural village character of Ōhoka is that of residential, commercial and community developments on generous lots fronting Mill Road, within a wider area developed for lifestyle development.
36. In contrast to this, PC31 will deliver an urban form of development, with the majority of residential lots (700 lots) being within the Residential 3 zone, where lot sizes of down to 500m² are allowable (i.e. 10 to 20 x smaller than the 5000m² to 10,000m² range anticipated by the ODP).
37. In view of this I do not accept Mr Falconer's view⁷ that the rural village character of Ōhoka can be retained and enhanced by carefully considered design. The development which would be delivered by PC31 is entirely at odds with the existing character of Ōhoka.
38. The PC31 area will in no way reflect the existing rural village character of Ōhoka.

Are there fundamental flaws with the existing village such that the development proposed by PC31 is critical?

39. The Explanation to Policy 18.1.1.9 indicates that development, as promoted by the policy can bring some benefits:

'...A consolidated growth pattern will provide opportunities for establishing connections with the existing settlement and community facilities, including the Ōhoka School. This form of development is also anticipated to promote the efficient provision of reticulated water and wastewater infrastructure and

⁷ Evidence of Mr Falconer – para 71

reduce the potential for reverse sensitivity effects on surrounding rural activities.'

40. I note that Ms Laurensen sets out the historic evolution of the area, and identifies existing shortcomings:

*'In summary, the growth pattern of Ōhoka has been in response to firstly the need for rural services and secondly to the demand of rural lifestyle. This resulted in a form that is incomplete, even within the core. There are several holes in the fabric making the settlement incohesive and internally disconnected. This is most noticeable along Mill Road, the main road through the centre of Ōhoka, where many gaps remain to be filled. This sense of disconnectedness also shows in the vehicular and pedestrian connectivity, or lack thereof, between the inner core of Ōhoka and the outer low density, rural lifestyle blocks.'*⁸

41. It is my view that these shortcomings are only relevant if we consider the settlement with 'urban eyes'. These are features of the area that likely encouraged many of the existing residents to live there; they are features which are typical of similar lifestyle areas around all of New Zealand's cities. They are popular as they offer an alternative to urban living.

42. Likewise, I consider that Mr Falconer has conflated the popularity of the farmers market with a need to provide for significantly increased population in the area where he states:

*'Indicative of Ōhoka's potential role as a growth area is the development of a regionally popular farmers market that is held weekly and features over 50 stalls and regularly attracts large numbers of people visiting from Christchurch and across the broader Canterbury region.'*⁹

43. Miss Laruensten makes a similar comment.¹⁰ In my view, the farmers market is more likely illustrative of the success of a local enterprise and the current desire of consumers to purchase locally produced goods and

⁸ Evidence of Ms Laurensen – para 42

⁹ Evidence of Mr Falconer – para 15

¹⁰ Evidence of Ms Laurensen – para 45

does not in any way provide a justification for additional, unplanned development in the area.

The impact of additional development anticipated by the ODP and emerging Proposed District Plan

44. I note that Mr Milne places some weight on the reduction in open rural character that is anticipated by both the Operative Waimakariri District Plan (OWDP) and the Proposed Waimakariri District Plan's (PWDP)¹¹ and notes that:

*'...It is my opinion that the current open rural views that are experienced across the PC31 site cannot be anticipated to remain.'*¹²

45. As illustrated in Mr Milne's 'Rural Concept'¹³ and 'Rural Lifestyle Concept'¹⁴, the ODP and Proposed DP allow the subdivision of the PC31 area into 36 x 4Ha lots. I see this as being in no way comparable to the subdivision of the area for up to 850 residential units and associated commercial and community uses.
46. This form of development is illustrated by the recently sold 90 Pattersons Road, Ōhoka. See [Link to Sales Details](#).



¹¹ Evidence of Mr Milne – para 7 and 16
¹² Evidence of Mr Milne – para 17
¹³ Evidence of Mr Milne – Attachment 1 page 3
¹⁴ Evidence of Mr Milne – Attachment 1 page 4

Figure 1: 90 Pattersons Road - boundary shown dashed

47. As illustrated on Figure 1, the existing 341m² dwelling, 192m² sheds, and associated driveways appear as a very small feature on the 4Ha site, the majority of which remains available for grazing or other agricultural use.
48. Whilst I accept that the planting along the street frontage of the land does limit views across the land, this is no different to a scenario which could occur were the whole site to remain in agricultural use and a shelter belt planted along the frontage.
49. Were a similar 4Ha site developed in line with PC31, it would not be unrealistic for there to be 50 dwellings on the land.¹⁵ Even with planting along the street frontage, a passerby would be aware of the residential uses beyond this, by reason on the glimpsed views which are often possible through vegetation when passing by in a car, potential solid fences on the inside of the boundary planting, glimpses of roofs of 8m high buildings, the size and form of intersections formed with Whites Road, Bradleys Road and Mill Road, views into the area along these streets and the general significant additional activity associated with around 2100 new residents (recognising the existing population is under 300).
50. In addition, the applicant's desire to screen all new development, apart from the commercial centre, from the existing roads limits physical 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.

Is the PC31 area a natural extension to Ōhoka

51. Mr Compton-Moen suggests that PC31 is a natural extension to Ōhoka.¹⁶ Mr Falconer suggests that the PC31 area will augment the existing historic Ōhoka settlement with the provision of residential dwellings and local commercial areas.¹⁷
52. Such comments provide the impression that PC31 will be 'an addition' to the existing place, and that the form and character of the existing place will remain. I understand that the existing population of the area

¹⁵ 12 dwellings per hectare = 48 dwellings (or alternatively assuming 70% of site is developable for residential lots, each being 500m² = 56 dwellings).

¹⁶ Evidence of Mr Compton-Moen – para 11

¹⁷ Evidence of Mr Falconer – para 20

is under 300 and the total future population of the enhanced Ōhoka will be around 2400; i.e. the population of the PC31 area will be around 7 x that of the existing village.

53. The proposed commercial uses are separated by three existing dwellings (around 115m) from the existing petrol filling station and dairy (which currently provide for the immediate day to day needs of the existing community), rather than provide an extension to this. They will essentially be a facility to benefit the around 88% of residents who will live in the new housing. Whilst they will also benefit the existing residents, they are not facilities required locally for an existing population of 300.
54. The scale of PC31 can is in no way be comparable to the development of Matakana, which based on Mr Falconer's figures¹⁸ has at most seen a current threefold increase in population and which even prior to recent developments taking place had a more urban mainstreet than Ōhoka with shops directly fronting the street.
55. The enhanced 'Ōhoka village centre', as Mr Falconer describes the whole PC31 area¹⁹, will be the dominant feature of the area; PC31 will not augment the existing Ōhoka but will create an entirely new place of which the existing becomes a small part.
56. As such I cannot agree that PC31 is a natural extension to Ōhoka; it is essentially a new town within the rural area.

Conclusion

57. 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.
58. 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 Evidence of Mr Falconer – para 70

¹⁹ Evidence of Mr Falconer – para 21.1

59. For the reasons as outlined in my evidence, I cannot support the plan change.

Dated: 21 July 2023

A handwritten signature in blue ink, appearing to read 'R. Knott', with a horizontal line extending to the right.

Richard John Knott