

**BEFORE HEARING COMMISSIONERS
FOR WAIMAKARIRI DISTRICT COUNCIL**

UNDER the Resource Management
Act 1991

IN THE MATTER of the Operative
Waimakariri District Plan

AND

IN THE MATTER Private Plan Change Request
31 (PC31)

**SUMMARY OF EVIDENCE OF HUGH ANTHONY NICHOLSON
ON BEHALF OF WAIMAKARIRI DISTRICT COUNCIL**

URBAN DESIGN AND LANDSCAPE

9TH AUGUST 2023

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1. INTRODUCTION

- 1.1 My name is Hugh Anthony Nicholson. I have prepared a Statement of Evidence for the Waimakariri District Council with respect to Plan Change 31 to the Operative Waimakariri District Plan. My qualifications and experience are set out in that statement.
- 1.2 I regret that my summary of evidence is longer than I would have preferred, however, I note that the applicant has provided a substantially revised proposal and Outline Development Plan (ODP), and statements of evidence including additional landscape and urban design experts.

2. URBAN ENVIRONMENTS

- 2.1 Mr Knott argues that under the NPS-UD definition of urban environments not all urban zoned land would be considered to be part of an urban environment. He considers that the NPS-UD is not a relevant matter to consider in determining PC31, whereas the applicant relies on the NPS-UD as an essential part of the justification for the plan change request.
- 2.2 I consider that this is still an outstanding matter. On the one hand I agree with Mr Knott that the explanation for Objective 15.1.1.1 in the Operative Waimakariri District Plan (OWDP) includes Ohoka in the 'urban environment', however, I consider that this may have been intended to define the scope of the objective rather than a determination that Ohoka "*is, or is intended to be, predominantly urban in character*" under the test established by the NPS-UD. In particular I note that Policy 18.1.1.9 in the OWDP describes Ohoka as having a "rural village character".
- 2.3 From an urban design perspective, I consider that rural and urban environments are at opposite ends of a spectrum, and that Ohoka and the nearby rural residential areas are somewhere in the middle of that spectrum. I remain of the opinion that it is questionable whether Ohoka village is, or was ever intended to be, predominantly urban in character.

3. CHANGES TO THE OUTLINE DEVELOPMENT PLAN (ODP)

3.1 I note that the applicant has made a number of changes to the proposed ODP in response to the Section 42A report. In particular I support the:

- (a). Re-aligned collector road network;
- (b). Clarification of the pedestrian / cycle path network;
- (c). Protection and ecological enhancement of water bodies and freshwater ecosystems;
- (d). Proposed multi-use 'village square';
- (e). Revised boundary treatments.

3.2 If the plan change request is approved, I consider that the proposed ODP should provide for a pedestrian crossing facility on Mill Road at the intersection with the proposed collector road.

3.3 If the Commissioners are of a mind to approve PC31 I consider that with the proposed amendment the revised ODP would be appropriate.

4. ILLUSTRATIVE MASTERPLAN

4.1 The proposed illustrative masterplan is well-considered and, if PC31 is approved, I would support the proposed design approach and masterplan which demonstrate one possible outcome under the proposed ODP.

4.2 I note that a number of alternative layouts are enabled under the proposed ODP and consider that there is no certainty that the final layout will deliver a similar urban form or urban design benefits to the illustrative masterplan.

5. VILLAGE CHARACTER

5.1 The Dictionary of Urbanism provides six definitions for the word "village", ranging from "*a small settlement in the countryside*" to "*a small part of an urban area that has a distinct identity*"¹. Mark Twain once described London

¹ Cowan, R., *The Dictionary of Urbanism*, 2005, Streetwise Press, page 440

as “fifty villages massed solidly together over a vast stretch of territory” and “the great body of its inhabitants are just villagers”².

- 5.2 In my opinion a ‘village’ is more than a collection of houses or physical features, but also implies a community of people. The Dictionary of Urbanism includes a definition of village as “a community of people in a particular place”. Perhaps also of relevance is its reference to ‘villaging’ as a verb “to aspire to the simulacrum of a bucolic, rural lifestyle while living in the city”³.
- 5.3 I agree with Mr Falconer that ‘a village character’ similar to Lincoln or Matakana could be created if PC31 was approved, however, my understanding is that the policy directions in the Operative District Plan and the *Waimakariri 2048 District Development Strategy*⁴ seek to maintain or retain the existing character of Ohoka.
- 5.4 While I agree that the design team could create an attractive ‘village’ character, I do not accept Mr Falconer’s view that the existing rural village character of Ohoka can be retained through carefully considered design⁵. I note that Policy 18.1.1.9 in the OWDP seeks to maintain a predominantly low density living environment with dwellings in generous settings, and the explanation identifies that generous settings comprise an average lot size of between 5,000 and 10,000m².
- 5.5 The Waimakariri District Residential Character and Intensification Guidance identifies that the key differences in character between zones relate to density, site size, separation of buildings, setbacks and garden size⁶.
- 5.6 In particular I consider that the proposed lot sizes of 600-1,000m² for sections in the Living 2 zone would be significantly smaller than the sections along the opposite side of Mill Road which range from 1,000–7,500m² with an average size of approximately 3,000m², and approximately 10 times

² Twain, M., *Autobiography of Mark Twain*, Volume 1, 2010, University of California Press, page 108

³ Cowan, R., *The Dictionary of Urbanism*, 2005, Streetwise Press, page 440

⁴ *Our District Our Future: Waimakariri 2048 District Development Strategy*, Waimakariri District Council, July 2018

⁵ Statement of Evidence of Mr Falconer, paragraph 71, July 2023

⁶ Residential Character and Intensification Guidance for Waimakariri District Council, Jasmax, August 2018, Section 2.20, p.44

smaller than sections in the more recent residential developments on Keetly Place and Wilson Drive. While good design can ensure that smaller sections are attractive and liveable, I do not consider that it can 'retain' the character of sections that are generally more than twice the size.

5.7 Some commentators suggest that "*in a village, most of the people you deal with have been known to you (or someone in your family circle) for a long time... you will probably have seen them in more than one role*"⁷. While this appears to be more relevant to the idea of a village as a small settlement in the countryside, it does suggest that the size of the community is part of the character of a village.

5.8 I remain of the opinion that the existing character of Ohoka with 200-300 residents is intrinsically different from a settlement of more than 2,200 people. The differences are not necessarily 'bad' but would be evident in the increased geographic and social scale, increased traffic, suburban densities and built form, and the loss of rural character and outlook.

6. DESIGN GUIDELINES

6.1 Mr Walsh proposes that there should be a requirement for development controls and design guidelines specific to the area to be approved by the Council⁸. He considers that these will "ensure the development is of the quality and character required to maintain the rural village character of Ohoka". He suggests that these would be administered through an independent design approval process with professionals appointed by a residents association.

6.2 Mr Walsh proposes district plan rules requiring new dwellings and fences to be in accordance with approved Council guidelines. I am uncertain what matters would be included in the design guidelines which could include architectural design, setbacks, garage location, landscaping, active frontages and fencing.

⁷ Cowan, R., *The Dictionary of Urbanism*, 2005, Streetwise Press, page 440

⁸ Statement of Evidence of Tim Walsh, paragraphs 103.12, 103.13 and 103.14, July 2023

- 6.3 I understand that the rules implementing the guidelines would have a controlled activity status, however, the triggers are not outlined and compliance could potentially be onerous if, for example, all new fences required a design assessment. It is also unclear what the constitutional basis of the design approval group would be, and what the administrative costs of the process would be.
- 6.4 The Council cannot delegate its decision making power to a third party, and would need to establish an appropriate constitutional basis for the design group to either make recommendations or to certify designs. This could be as a formal Council sub-committee or a similar body, or the design experts could be directly contracted by the Council (or applicant) to provide expert design advice. All of the solutions have cost and administrative implications.
- 6.5 There is the potential for a significant number of additional resource consent requirements, as well as additional Council resources to administer and ensure compliance with the proposed guidelines. I recommend that additional information is required regarding the potential compliance requirements and costs, and feedback from the Council is provided.
- 6.6 If PC31 is approved I am supportive of the use of design guidelines together with an independent design approval process to improve the design quality of the outcomes, however, I am uncertain how these would be implemented, and they do not address my concerns about scale and extent of development, the poor connections and accessibility with regard to the wider district, and the loss of Ohoka's existing village character.

7. ACCESSIBILITY & WELL-FUNCTIONING URBAN ENVIRONMENT

- 7.1 I note that PC31 is located approximately 25kms from central Christchurch, 9km from central Kaiapoi, and 9.5kms from central Rangiora, and agree with Ms Lauenstein and Mr Falconer that these are reasonably accessible distances using private vehicles, however, I consider that a well-functioning urban environment requires provision for active and public transport.

- 7.2 In particular I remain of the opinion that the wider roading network surrounding Ohoka consists of relatively narrow and high speed rural roads without separated pedestrian or cycle facilities. I understand from Mr Binder that no Council funding has been identified to implement these connections. Even if safe pedestrian and cycle connections were provided by the developer, I consider that the distances to the nearest centres would significantly exceed the average walking trip of 1.0km, and the average cycle trip of 4.0km identified in the New Zealand Household Travel Survey (NZHTS)⁹ and I would not consider them easily walkable or cyclable.
- 7.3 I agree with Mr Milner that “*if PC31 is approved, it needs to have public transport services to support it*”¹⁰. With regard to public transport options Mr Milner indicates that “*there is limited publicly available information on operating costs*”¹¹, and suggests that is likely that any that any new service would need to contribute more than the 38% regional level of farebox recovery in order to be confirmed¹².
- 7.4 Mr Milner goes on to suggest that the applicant would fund the capital and operating costs for an on-demand public transport trial, however, given the lack of certainty about time frames, patronage or cost I consider that it would not be appropriate to rely on a hypothetical scenario for the ongoing provision of public transport.
- 7.5 I agree with Mr Falconer that the illustrative masterplan would provide “*a well-connected network of multi modal movement*”¹³ within the site, however, I do not consider that this resolves the fundamental issues relating to the location of PC31, the lack of confirmed active or public transport connections to the wider district, and the likely reliance on private vehicles for travel for most employment and specialist retail needs, secondary and tertiary education, community services and many recreational opportunities.

⁹ New Zealand Household Travel Survey, Ministry of Transport, 2015-2018, <https://www.transport.govt.nz/statistics-and-insights/household-travel/>

¹⁰ Statement of Evidence of Mr Milner, paragraph 109, July 2023

¹¹ Statement of Evidence of Mr Milner, paragraph 81, July 2023

¹² Statement of Evidence of Mr Milner, paragraphs 84 and 85, July 2023

¹³ Statement of Evidence of Mr Falconer, paragraph 21.4, July 2023

- 7.6 In my opinion PC31 does not contribute to a well-functioning urban environment as defined by Policy 1 of the NPS-UD, and in particular does not have good accessibility between housing, jobs and community services, by way of public or active transport.

8. COMMERCIAL CENTRE

- 8.1 I note that Ms Hampson considers that the small Business 4 centre proposed in PC31 is likely to include a small supermarket and a small mix of hospitality and retail activities. There is some uncertainty as to whether a medical centre or chemist would be feasible and I do not consider that this can be relied upon.
- 8.2 I agree that the proposed Business 4 centre would be likely to meet some of the day-to-day needs of potential residents, however, I consider that they are likely to use private vehicles to travel to larger centres for access to larger supermarkets, most employment and specialist retail needs, secondary and tertiary educational opportunities, community and health services, and many recreational opportunities.
- 8.3 With this additional information regarding the likely composition of the proposed Business 4 centre I have revised my assessment of accessibility to *low-moderate* reflecting that some day-to-day needs could be met on site.

9. COMPACT AND CONSOLIDATED URBAN FORM

- 9.1 Mr Compton-Moen considers that compact and consolidated are not the same when used as urban planning terms. The adjective 'compact' is generally defined as "*having a dense structure or parts or units closely packed or joined*" or "*occupying a small volume by reason of efficient use of space*"¹⁴. The adjective consolidated is defined as "*joined together into a coherent, compact, or unified whole*"¹⁵. In my opinion the two words provide an appropriate description of the policy direction.

¹⁴ <https://www.merriam-webster.com/dictionary/compact>

¹⁵ <https://www.merriam-webster.com/dictionary/consolidated>

- 9.2 Ms Lauenstein is concerned that I have used walkability buffers and the proportion of the site boundary that is joined to the existing village as indicators of the degree of compactness and consolidation. She considers that urban form is “*a far more complex matter*”¹⁶.
- 9.3 Environmental indicators are simple numerical measures that provide insight into the state of the environment. They are used as a practical methods of tracking complex environmental issues. A good indicator is quantitative and repeatable, and identifies trends in the relevant issue¹⁷.
- 9.4 I agree with Ms Lauenstein that urban form is a complex matter and includes more variables than walkability and edge connections, however, I consider that these two variables provide good indicators of the degree of compactness and consolidation of a development.
- 9.5 Street networks are not included on ODPs, and an 800m walking radius provides a useful proxy for the average 1km walking trip identified in the NZHT¹⁸, given that actual distances walked on streets are generally greater than distances ‘as the crow flies’. I consider that an area within an 800m walkable buffer is more compact. Less than half of the PC31 site (46%) sits within the 800m buffer (see Figure 1).
- 9.6 I consider that the proportion of a site boundary that adjoins an existing settlement is a useful measure of compactness and consolidation. Figure 2 shows a diagrammatic settlement pattern with rectilinear blocks and shaded areas indicating undeveloped blocks.

¹⁶ Statement of Evidence of Ms Lauenstein, paragraph 141, July 2023

¹⁷ https://en.wikipedia.org/wiki/Environmental_indicator#cite_note-1

¹⁸ New Zealand Household Travel Survey, Ministry of Transport, 2015-2018, <https://www.transport.govt.nz/statistics-and-insights/household-travel/>

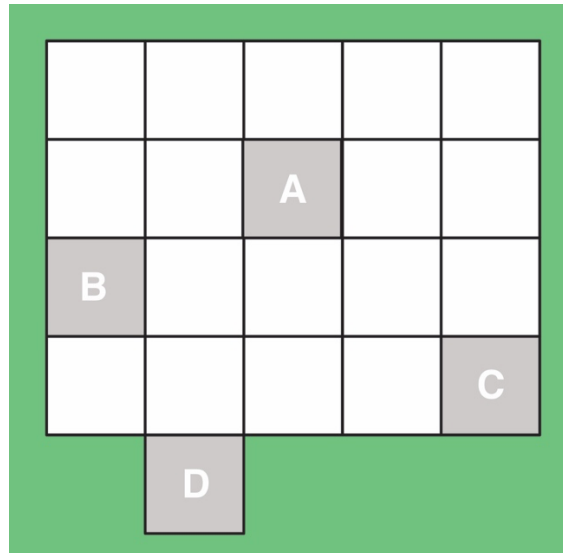


Figure 2: Diagram of settlement with rectilinear block pattern showing various edge connections

- 9.7 Block A has 100% of its boundary adjoining existing urban areas and developing this would clearly contribute to a compact and consolidated settlement. Block B has 75% of its boundaries adjoining existing urban areas and would similarly contribute to a compact and consolidated settlement. Block C has 50% of its boundaries adjoining existing urban areas, and in appropriate circumstances, such as a corner site, it would also contribute to a compact and consolidated settlement.
- 9.8 Block D has 25% of its boundaries adjacent to existing urban areas and creates an outlier or peninsula extending out from the town. I do not consider that Block D would contribute to a compact and consolidated urban form.
- 9.9 The PC31 site has approximately 17% of its boundary connected to the existing Ohoka settlement, and in my opinion does not contribute to a compact and consolidated urban form for Ohoka.
- 9.10 An equivalent diagram for Ohoka and PC31 would look more like Figure 3, assuming that the blocks in the existing Ohoka township are half of the density of the blocks in PC31. I agree with Mr Knott that PC31 could be more appropriately described as *“a new town within the rural area”*¹⁹.

¹⁹ Statement of Evidence of Mr Knott, paragraph 56, July 2023

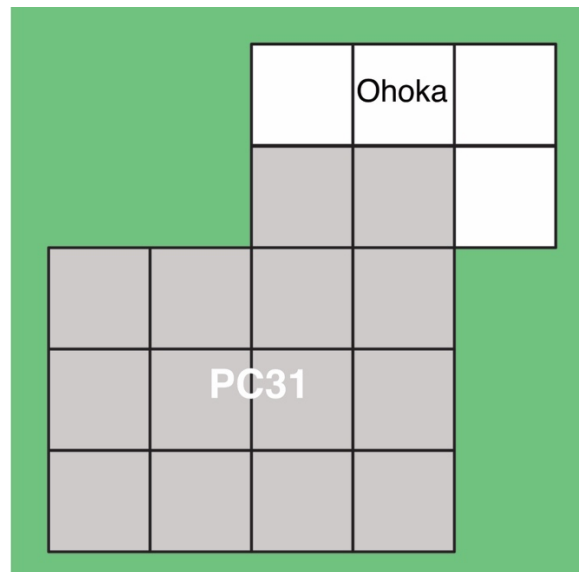


Figure 3: Diagram of Ohoka and PC31 with Ohoka blocks shown at half the density of PC31 blocks and with 18.75% of PC31 edges connected

10. MANDEVILLE / OHOKA

- 10.1 Mr Falconer and Mr Milne disagree with my concern that PC31 would effectively bridge the gap between Ohoka and Mandeville giving rise to “*sprawling low-density residential conurbation*”. A conurbation is defined as “*an aggregation or continuous network of urban communities*”²⁰.
- 10.2 I accept Mr Milnes propositions that PC31 will have a more suburban character and that there will be a defined 10m wide landscaped strip around the southern boundary of PC31, however, I still consider that PC31 would extend to within 300m of the Modena Place subdivision in Mandeville. The two subdivisions would be separated by between two and four 4ha blocks with little in the way of open rural character to distinguish the communities (see Figure 4).
- 10.3 I acknowledge that if PC31 is approved, the application site could be subdivided into 4ha lifestyle blocks, however, it is not certain that this would occur and I consider that there are significant differences in built form, activities and character between thirty-six 4ha lifestyle blocks and 850 suburban sections.

²⁰ <https://www.merriam-webster.com/dictionary/conurbation>

- 10.4 I agree with Mr Knott that planting across the street frontage of 4ha lots may limit views across the land, however, I also agree that even with a planted strip, passers-by are likely to be aware of a suburban development beyond through a number of cues.
- 10.5 I remain of the opinion that PC31 would add a significant number of households to an extended low-density residential conurbation between Ohoka and Mandeville which would have limited employment, educational and retail opportunities, or community services, and would be likely to function as a dormitory or lifestyle settlement.
- 10.6 I consider that Ohoka / Mandeville would not contribute to a well-functioning urban environment. In particular I consider that it does not have good access to jobs or community services, and travel is likely to be car dependent, which would not support reductions in green-house gases.

11. LANDSCAPE AND VISUAL IMPACT

- 11.1 My original assessment of the changes to landscape character and the visual impact of PC31 were based on the existing site conditions and characteristics. I agree with Mr Milne that the site could be developed into 4ha rural residential or lifestyle lots under the Operative District Plan and that this would affect the degree of landscape change and the visual impact.
- 11.2 I remain of the opinion that with regard to the existing site conditions and characteristic, PC31 would have a *moderate-high* impact on the landscape character and a *moderate high* visual impact.
- 11.3 I consider that if the site was developed into 4ha lots then, taking account of the additional screening and the larger lots along the Bradleys and Whites Roads, the impact of PC31 on the landscape character would be reduced to *moderate* and the visual impact would be reduced to *moderate* along these roads. However, I consider that the visual impact along Mills Road would remain as *moderate high*.

- 11.4 I agree with Mr Milne that the Canterbury Regional Landscape Study Review (2010) is relevant when it states:

“...for most New Zealanders the flat topography and patchwork patterning of the Plains landscape is the very essence of Canterbury. The contrast between the unmodified and rugged mountains, the sinuous patterning of the braided rivers and the manicured patchwork quilt of the plains has been recognised as distinctive and has inspired both literature and art. The plains are a prosperous agricultural landscape which is a valued economic resource and a symbol of farming productivity”.

However, I do not consider that PC31 supports or is consistent with this landscape description.

- 11.5 I note that Policy 6 of the NPS-UD specifically directs that changes to amenity values such as landscape character and visual amenity need to be balanced against the positive effects of increased housing supply and choice, and are not, of themselves, an adverse effect.

12. CONCLUSION

- 12.1 I have reviewed the statements of evidence from the applicant and from submitters. In the light of these, I consider that:

- (a). Rural and urban environments are at opposite ends of a spectrum, and it is questionable whether Ohoka village is, or was ever intended to be, predominantly urban in character under the NPS-UD test for urban environments;
- (b). If the Commissioners are of a mind to approve PC31, the revised ODP would be appropriate with the proposed amendment;
- (c). The illustrative masterplan and design approach are well-considered, however, there is no certainty that these will be delivered through the proposed ODP;
- (d). While PC31 may be able to create ‘a new village character’, it would not retain or maintain the existing Ohoka village character as a result of the increased size and population of the settlement, the

smaller sections and gardens, and the potential scale of the retirement home or educational facility;

- (e). If PC31 is approved, the use of design guidelines together with a design review process to improve the design quality would be appropriate, however, additional information is required regarding the potential compliance requirements and costs, together with feedback from the Council;
- (f). PC31 would not contribute to a compact or consolidated urban form for Ohoka, and could be more accurately described as a 'new settlement';
- (g). PC31 would have *low-moderate* levels of connectivity and accessibility, given the distance from neighbouring centres, the lack of confirmed active and public transport options, and the dependence on cars for travel;
- (h). PC31 would not contribute to a well-functioning urban environment and would be without good access to employment or community services. Travel would be car dependent with no confirmed facilities for active or public transport, and would not support reductions in green house gas emissions;
- (i). With mitigation measures and when compared with a permitted 4ha rural residential subdivision of the site, the effects of PC31 on the landscape character of Ohoka and the visual impact on Bradleys and Whites Roads would be *moderate*, and the visual impact on Mills Road would be *moderate-high*, although I note that the NPS-UD directs that these effects need to be balanced against the positive effects of increased housing supply.



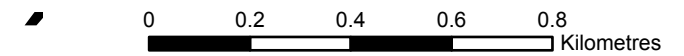
Hugh Anthony Nicholson

9th August 2023

Figure 1: Ohoka 400m Walkable Catchments

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Scale: 1:15,000 @A3

Map Created by Canterbury Maps on 25/04/2023 at 1:26 PM

Legend

-  Ohoka community facilities
-  400m walkable catchments
-  Open Spaces / Reserves
-  Residential zones
-  PC31 Area

