

**Before the Hearings Panels
At Waimakariri District Council**

Under the Resource Management Act 1991

In the matter of the Proposed Waimakariri District Plan

**Joint Witness Statement –
Urban Growth and Development (Planning)
Day 2**

Date: 26 March 2024

INTRODUCTION:

1 This Joint Witness Statement ('**JWS**') relates to expert conferencing on the definition of urban growth and development in respect of the submissions for rezoning.

2 It follows on from the Joint Witness Statement for urban environment matters (Day 1)

3 This JWS has resulted from views exchanged via correspondence from 15 to 22 March 2024 and a meeting held on 26 March 2024.

4 The following participants were involved in this conferencing and authored this JWS:

(a) Mr Peter Wilson for Waimakariri District Council,

(b) Ms Jessica Manhire for Waimakariri District Council,

(c) Mr Mark Buckley for Waimakariri District Council,

(d) Ms Rachel McClung for Waimakariri District Council – noting that Ms McClung did not attend all of the meeting on Tuesday 26 March, due to sickness,

(e) Mr Andrew Willis for Waimakariri District Council,

(f) Ms Joanne Mitten for the Canterbury Regional Council (Submitter 316),

(g) Ms Melissa Pearson for DEXIN Investments Ltd (Submitter 377),

(h) Mr Tim Walsh for Rolleston Industrial Developments Limited (Submitter 160) and Carter Group Property Limited (Submitter 237),

(i) Mr Jeremy Phillips for Rolleston Industrial Developments Ltd (Submitter 160) and Carter Group Property Limited (Submitter 237),

(j) Ms Sam Kealey for Andrew Carr (Submitter 158),

(k) Mr John Kyle for Christchurch International Airport Ltd (Submitter 254),

(l) Mr Mark Allan for Momentum Land Ltd (Submitter 173) and Mark & Melissa Prosser (Submitter 224)

(m) Ms Michelle Ruske-Anderson for Bellgrove Rangiora Ltd (Submitter 408)

(n) Mr Ivan Thomson for Richard and Geoff Spark (Submitter 183), Andrew McAllister (Submitter 8), Woodwater Limited (Submitter 215)

(o) Mr Bryan McGillan for Hobson and Whimp (Submitter 179)

(p) Ms Georgia Brown for Crichton Development Group Limited (Submitter 299)

5 In preparing this statement, the experts have read and understand, and abide by, the Code of Conduct for Expert Witnesses as included in the Environment Court of New Zealand Practice Note 2023¹.

PURPOSE AND SCOPE OF CONFERENCING:

6 The conferencing was focused on matters relevant to rezoning submissions, including as identified in Minute 20 from the Hearing Panel, dated 27 February 2024²:

7 The questions asked of experts by the Hearing Panel and their answers are as follows:

Q1 - How is urban development and growth provided for:

- in the RPS and
- in the NPS-UD?

¹ <https://www.environmentcourt.govt.nz/assets/Practice-Note-2023-.pdf>

² https://www.waimakariri.govt.nz/__data/assets/pdf_file/0017/160190/Minute-20-Questions-for-Reply-Report-HS10-next-steps-HS10A-and-HS12.pdf

- 8 The experts agree that urban growth and development is covered by Chapter 6, CRPS within the dashed line of Map A.
- 9 The experts then discussed what additional considerations arise from the NPS-UD.
- 10 All experts agree that the NPS-UD adds the following:
- The Objective 6 requirement for local authorities to be responsive to development proposals at all times.
 - The Policy 8 criteria for out-of-sequence and unanticipated plan changes that would add significantly to development capacity and contribute to well-functioning urban environments; and
 - Implementation clause 3.8.3 requiring criteria for assessing significant development.
- 11 Experts consider that the NPS-UD provides an additional mechanism in the context of the CRPS Chapter 6 “avoid” requirements that are not necessarily responsive to urban growth and housing capacity.
- 12 Mr Phillips, Mr Walsh, Mr McGillan, Mr Thomson, Ms Pearson, Mr Kyle, Ms Kealey, Ms Brown, Mr Allan, Ms Ruske-Anderson, Mr Willis, Ms Manhire, and Ms McClung consider that:
- NPSUD Objectives 2,3,6 and NPSUD Policies 1 and 2 provide for a more responsive approach in ensuring that sufficient development capacity is provided for, for example for ‘different localities, markets, needs’ and at all times.
- 13 Ms Mitten, Mr Wilson, Mr Willis, Mr Buckley, Mr Kyle, Ms Manhire, Mr Walsh, Ms Brown, Mr Allan and Ms McClung consider that:
- For the Waimakariri District the RPS has considered different localities, markets, and needs when it identified the greenfield priority areas and future development areas for inclusion in Map A. Ms Mitten agrees with this in the context of the wider sub-region.
- 14 In respect of the bullet point in para 13 above only, other experts have not commented due to insufficient knowledge and background to the determination process for these areas.

Q2 - How are these two planning documents to be applied in conjunction, taking into account the King Salmon and Port of Otago direction in respect to higher level documents and “competing” policies?

15 The experts consider that this question is a matter for legal submissions in the context of particular submissions and evidence.

Q3 - What weight should be given to each document?

16 The experts consider that both the NPSUD and CRPS apply. Where the CRPS covers a matter that the NPSUD also covers there may be no need to have recourse to the NPSUD, but where the CRPS does not give full effect to the NPSUD, then the NPSUD provisions should be given more weight.

Q4 - What was the extent of analysis into the appropriateness of the Future Development Areas when they were included in Map A of the RPS.

17 The experts consider that in the Waimakariri District context, the Map A areas came from analysis undertaken by the Waimakariri District Council. Most of the experts present were not privy to this analysis. Mr Wilson has provided an answer to the level of analysis that was undertaken in his Right of Reply on Stream 10A (link below). CRPS Policy 6.3.12 provides further tests that must be considered and met to enable development within FDAs.

https://www.waimakariri.govt.nz/_data/assets/pdf_file/0020/160661/76fef00cd4ffc7f2d48e027bb215b8de197fddc6.pdf

Q5 - What weight should be afforded to the Greater Christchurch Spatial Plan (GCSP)? If weight is afforded to it, how does it impact on urban growth and development?

18 The experts consider that, as the local authorities have now approved the Greater Christchurch Spatial Plan under the Local Government Act 2002, it is now a matter to have regard to under s 74(2)(b)(i) RMA.

19 The Greater Christchurch Spatial Plan is a Future Development Strategy (FDS) in accordance with sub-part 4 of the NPSUD. As such, the direction in cl 3.17(1)(a) of the NPSUD applies, being that every tier 1 local authority must have regard to the relevant FDS when preparing or changing RMA planning documents.

Date: 26 March 2024

Signatories



.....

**Mr Peter Wilson, Principal Planner,
Waimakariri District Council**



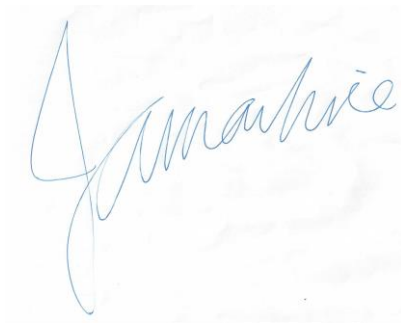
.....

**Mr Andrew Willis, Consultant Planner,
Waimakariri District Council**



.....

**Mr Mark Buckley, Principal Planner,
Waimakariri District Council**



.....

**Ms Jessica Manhire, Policy Planner,
Waimakariri District Council**



.....

**Ms Rachel McClung, Principal
Policy Planner, Waimakariri
District Council**



.....

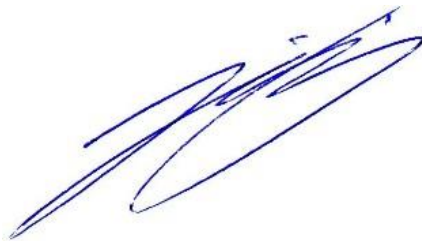
**Ms Joanne Mitten, Principal Planner
Canterbury Regional Council**



.....
**Ms Melissa Pearson, Consultant Planner
for DEXIN Investments Ltd**



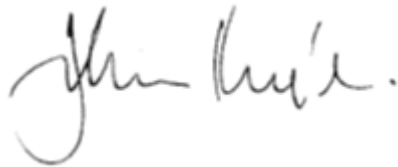
.....
**Mr Tim Walsh, Consultant Planner,
Rolleston Industrial Developments Ltd**



.....
**Mr Jeremy Phillips, Consultant Planner
Rolleston Industrial
Developments Ltd**



.....
**Ms Sam Kealey, Consultant Planner for
Andrew Carr**



.....
**Mr John Kyle, Consultant Planner for
Christchurch International
Airport Ltd**

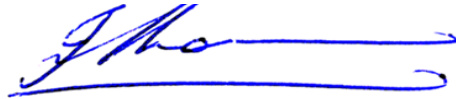


.....
**Mr Mark Allan, Consultant Planner for
Momentum Land Ltd and
Mark & Melissa Prosser**



.....

**Ms Michelle Ruske-Anderson,
Consultant Planner for
Bellgrove Rangiora Ltd**



.....

**Mr Ivan Thomson, Consultant Planner
for Richard and Geoff Spark,
Andrew McAllister,
Woodwater Limited.**



.....

**Mr Bryan McGillan, Consultant Planner
for Hobson and Whimp (4 Golf
Links Rd)**



.....
**Ms Georgia Brown, Consultant Planner
for Crichton Development
Group Limited**