

Before an Independent Hearings Panel
Appointed by Waimakariri District Council

under: the Resource Management Act 1991

in the matter of: Submissions and further submissions on the Proposed
Waimakariri District Plan

and: Hearing Stream 12: Rezoning requests (larger scale)

and: **Carter Group Property Limited**
(Submitter 237)

and: **Rolleston Industrial Developments Limited**
(Submitter 160)

Statement of evidence of Jeremy Phillips (Planning) on behalf of
Carter Group Limited and Rolleston Industrial Developments
Limited

Dated: 5 March 2024

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**STATEMENT OF EVIDENCE OF JEREMY PHILLIPS ON BEHALF OF
CARTER GROUP LIMITED AND ROLLESTON INDUSTRIAL
DEVELOPMENTS LIMITED**

INTRODUCTION

- 1 My full name is Jeremy Goodson Phillips. I am a senior planner and Director practising with Novo Group Limited in Christchurch.
- 2 I hold the qualifications of a Bachelor of Science from the University of Canterbury and a Master of Science with Honours in Resource Management from Lincoln University, the latter attained in 2001. I am an intermediate member of the New Zealand Planning Institute, a member of the Resource Management Law Association and a member of the Institute of Directors. I have held accreditation as a Hearings Commissioner under the MfE Making Good Decisions programme since January 2010 and have held endorsement as a Chair since January 2013.
- 3 I have 21 years of experience as a resource management planner, working within and for territorial authorities, as a consultant and as an independent Hearings Commissioner. I have particular experience in urban land use development planning in Greater Christchurch, predominantly as a consultant to property owners, investors and developers.
- 4 Of relevance to these proceedings, I have had extensive involvement in respect of the Proposed Selwyn District Plan and associated Variation (IPI) process, providing evidence for submitters on a number of chapters and rezoning proposals, where implementation of the NPSUD and the RMA was a key consideration. I was also extensively involved in the hearings on the Replacement Christchurch District Plan and have provided evidence on Plan Change 14 to the Christchurch District Plan (an IPI).
- 5 In a Greater Christchurch context, I have significant experience in all forms of land use planning under the Christchurch, Selwyn and Waimakariri District Plans for projects ranging from small scale residential developments and individual houses, through to large scale residential, commercial and civic projects including Te Kaha, Te Pai, The Crossing, Riverside Farmers Market, large-scale suburban retail and industrial developments, and residential, commercial and industrial greenfield rezoning, subdivision and development projects. Through that experience I have an excellent practical understanding of the application and implementation of District Plan provisions in the region and the plan development process.
- 6 To date I have provided evidence on the Proposed Waimakariri District Plan in regards Hearing Stream 10A: Future Development Areas.

CODE OF CONDUCT

- 7 Although this is not an Environment Court hearing, I note that in preparing my evidence I have reviewed the Code of Conduct for Expert Witnesses contained in Part 9 of the Environment Court Practice Note 2023. I have complied with it in preparing my evidence. I confirm that the issues addressed in this statement of evidence are within my area of expertise, except where relying on the opinion or evidence of other witnesses. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

SCOPE OF EVIDENCE

- 8 My evidence relates to the submissions filed by Carter Group Property Limited ('CGPL') (Submitter 237) and Rolleston Industrial Developments Limited ('RIDL') (Submitter 160) (also referred to collectively as 'the submitters' throughout this evidence) on the proposed Waimakariri District Plan ('PWDP'), Hearing Stream 12: Rezoning, and their submission seeking the rezoning of land at Ōhoka.
- 9 This evidence:
- 9.1 Addresses the definition of 'urban environment' as set out in the National Policy Statement on Urban Development 2020 (NPSUD) and in other statutory planning documents and processes in Greater Christchurch to determine how this term should apply to the Waimakariri District generally, and Ōhoka especially.
 - 9.2 Considers the terms 'urban areas', 'urban centres', and 'urban activities' and the relevance of these to Ōhoka and the Waimakariri urban environment.
 - 9.3 Addresses the application of the defined term 'urban environment' and undefined term 'urban area(s)' in the Waimakariri Residential Capacity and Demand Model – IPI 2023 Economic Assessment' prepared by Formative Limited ('Formative Report'), insofar that this is relevant to its conclusions with regards housing sufficiency and compliance with the requirements of NPSUD policy 2.
 - 9.4 Accounts for the planning evidence of Mr Timothy Walsh and Mr Chris Sexton, insofar that it identifies constraints and opportunities for urban development and rezoning within the 'urban environment' of the District, in a way that provides housing sufficiency and compliance with the requirements of NPSUD policy 2.
- 10 In preparing my evidence I have reviewed the following documents:

- 10.1 The submissions filed by CGPL and RIDL.
- 10.2 The evidence prepared by Mr Walsh, dated 6 March 2024, concerning the submitters requested relief to rezone land at Ōhoka.
- 10.3 The relevant statutory planning documents, including the Resource Management Act 1991 ('the Act'), and the NPSUD.

SUMMARY OF EVIDENCE

- 11 Ōhoka is within the 'urban environment' as defined by the NPSUD and is an 'urban area' insofar that this undefined term is used in the NPSUD. In particular:
 - 11.1 The use of the term 'urban environment' in different statutory and non-statutory planning documents and recent plan change decisions in the region, supports the view that the 'urban environment' as defined in the NPSUD is 'Greater Christchurch' (as depicted in Map A of the CRPS) which includes Ōhoka and its surrounds.
 - 11.2 The term 'urban area' is not defined in the NPSUD, but accounting for the use of this term and mapping in relevant statutory and non-statutory planning documents, I consider Ōhoka is an 'urban area' insofar that the term is used in clause 3.2 of the NPSUD. More specifically, the existing Ōhoka township is an 'existing urban area' and the rezoning sought by the submitter over the adjacent land would be an extension to this, or a 'new urban area'.
 - 11.3 The term 'urban centres' is not relevant to Ōhoka, the submitters' requested relief, or the extent to which sufficient development capacity is provided in accordance with the NPSUD.
 - 11.4 The zoning sought for the subject land by the submitter would provide for a residential density that meets the CRPS definition of 'urban activity'. The existing Ōhoka township is otherwise consistent with the CRPS definition of 'urban activity'.
- 12 The Formative Report does not correctly interpret and apply the NPSUD as it concerns the 'urban environment' and 'urban areas'. On this basis, its conclusions with regards housing sufficiency within the urban environment and compliance with the requirements of NPSUD policy 2 are uncertain.
- 13 The spatial analysis in Mr Sexton's evidence and the evaluation of constraints and opportunities for urban development and rezoning within the 'urban environment' in Mr Walsh's evidence are relevant to the assessment of housing sufficiency for the District's urban

environment and call into question the conclusions in this regard in the Formative Report.

THE 'URBAN ENVIRONMENT'

- 14 The following section of my evidence considers the use of the term 'urban environment' in different statutory and non-statutory planning documents and recent plan change decisions in the region, in order to understand its application to the Waimakariri District and/or Ōhoka.

NPSUD definition of 'urban environment'

- 15 The definition of 'urban environment' in the NPSUD is:

'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

- 16 Based on a plain and ordinary reading of this definition, I consider that:

- 16.1 The phrase '*any area of land (regardless of size, and irrespective of local authority or statistical boundaries)*' implies that the term will, or can, apply over large geographical areas rather than discrete settlements or urban zones.
- 16.2 The phrase '*is or is intended to be*', clearly provides for areas that are not presently urban in character and/or part of a housing and labour market of at least 10,000 people.
- 16.3 The phrase '*is or is intended to be*', does not state who must have the intention (i.e. there is no reference to the intention of a territorial authority, or an intention expressed in a Future Development Strategy). This is notable when read alongside policy 8 and clause 3.8 of the NPSUD which provides for unanticipated or out-of-sequence developments (i.e. the definition does not prevent the intention being expressed by the proponent of a private plan change or a submitter seeking rezoning that may be unanticipated).
- 16.4 The phrase '*predominantly urban in character*', anticipates that areas that are non-urban (i.e. rural, open space, etc) in character may also fall within the urban environment, provided that the character of the urban environment remains

'predominantly urban'. This supports the view that the definition is focused on wider areas (which may include a mix of urban and non-urban land), rather than specific settlements or urban zones which would be exclusively urban.

- 16.5 The phrase *'part of a... market'* has similar implications as the preceding point (in paragraph 15.4 above), insofar that it anticipates areas that form a component part of a larger market, rather than areas that are a market in and of themselves. If the latter were the intention, the words *'part of'* would not be needed in the definition.
- 16.6 *'Housing and labour markets of at least 10,000 people'* may not operate within strict geographical boundaries pertaining to specific settlements or urban zones and a broader focus may be required when attempting to define the spatial extent of those markets.
- 17 Based on the above, I consider that the Ōhoka township (or other townships or urban settlements within Greater Christchurch such as Prebbleton, Lincoln, West Melton, etc) clearly fall within the 'urban environment'. Conversely, adopting the view that Ōhoka is not within the urban environment cannot be easily reconciled with the interpretations set out in paragraph 15.
- 18 For these reasons, I consider Ōhoka is within the 'urban environment' based on a plain and ordinary reading of the term as defined in the NPSUD.

NPSUD definition of 'Tier 1 urban environment'

- 19 The definition of 'Tier 1 urban environment' in the NPSUD is:
- 'tier 1 urban environment'*** means *an urban environment listed in column 1 of table 1 in the Appendix'* (my emphasis/underlining added)
- 20 As emphasised above, the definition clearly stipulates that an area listed in column 1 of table 1 is 'an urban environment'.
- 21 Table 1 in the Appendix is set out below and column 1 refers to 'Christchurch'.

Table 1

Tier 1 urban environment	Tier 1 local authorities
Auckland	Auckland Council
Hamilton	Waikato Regional Council, Hamilton City Council, Waikato District Council, Waipā District Council
Tauranga	Bay of Plenty Regional Council, Tauranga City Council, Western Bay of Plenty District Council
Wellington	Wellington Regional Council, Wellington City Council, Porirua City Council, Hutt City Council, Upper Hutt City Council, Kāpiti Coast District Council
Christchurch	Canterbury Regional Council, Christchurch City Council, Selwyn District Council, Waimakariri District Council

- 22 Whilst Table 1 does not refer to the commonly used term of 'Greater Christchurch':
- 22.1 The Christchurch City district does not otherwise extend into the districts of the other local authorities referred to in column 2 (i.e. Selwyn and Waimakariri Districts); but
- 22.2 Greater Christchurch (as commonly referred to and described in further detail below) does extend into Selwyn and Waimakariri Districts and the territorial authorities listed in Table 1 are parties to the Greater Christchurch Partnership. On this basis, whilst not stated as such, it appears that Table 1 refers to Greater Christchurch.
- 23 In summary, the definition of tier 1 urban environment makes it clear that 'Christchurch' (as expressed in Table 1) is an urban environment, where this term evidently refers to 'Greater Christchurch', which includes Ōhoka.

Other Statutory and Non-Statutory Plans

Our Space

- 24 Our Space¹ states at page 6, '*the Partnership has determined that the Greater Christchurch area shown in Figure 1 should be the geographic area of focus for the Update and the relevant urban environment for the purposes of the NPSUDC requirements*'. Figure 1 from Our Space is reproduced below as **Figure 1**.
- 25 Whilst Our Space was prepared in the context of the NPSUDC² (the precursor to the NPSUD), it is notable that the Greater Christchurch area is explicitly defined as the 'relevant urban environment'. Again, Ōhoka is within that relevant urban environment (and I note it is also shown as an 'urban area' within Figure 1 of Our Space).

¹ Our Space 2018-2048: Greater Christchurch Settlement Pattern Update
Whakahāngai O Te Hōrapa Nohoanga

² National Policy Statement on Urban Development Capacity 2016

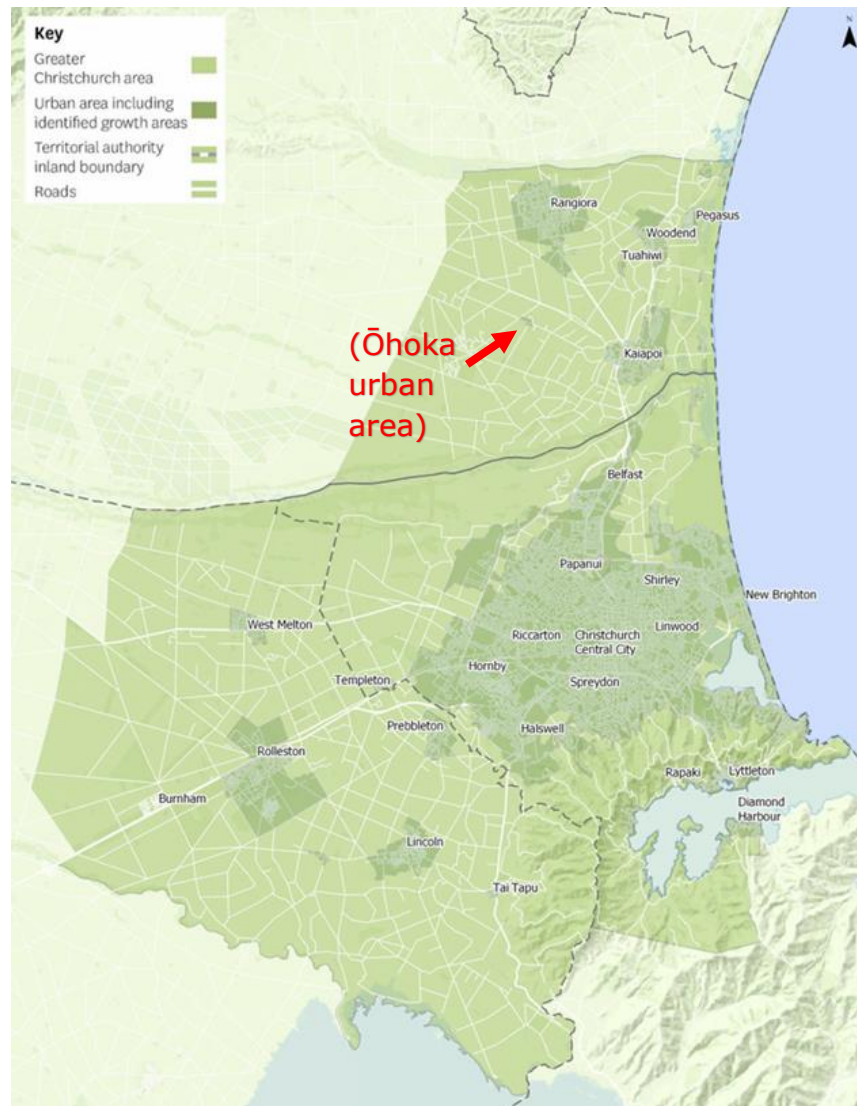


Figure 1: Figure 1 from Our Space showing Greater Christchurch area in dark green

Greater Christchurch Partnership

- 26 The Greater Christchurch Spatial Plan (**GCSP**) (as endorsed on 16 February 2024) relates to the same geographic area as Our Space and therefore Ōhoka is within the spatial extent of the GCSP.
- 27 Whilst the Spatial Plan refers to the urban environment, it does not explicitly define it. At page 15 the GCSP states that '*The Spatial Plan satisfies the requirements of a future development strategy under the National Policy Statement on Urban Development*'.
- 28 In terms of those requirements, clause 3.12(2) in subpart 4 of the NPSUD concerns future development strategies and states that '*The FDS must apply, at a minimum, to the relevant tier 1 and 2 urban environments of the local authority, but may apply to any wider area*'. There is no indication in the GCSP that it applies to a wider area than the relevant tier 1 urban environment and '*Map 2: The*

Greater Christchurch spatial strategy (1 million people)' of the GCSP relates to the Greater Christchurch urban environment (and again identifies Ōhoka as an urban area).

- 29 Accounting for the above, the GCSP indicates that Greater Christchurch is the urban environment, and that Ōhoka (an urban area) is clearly within this.

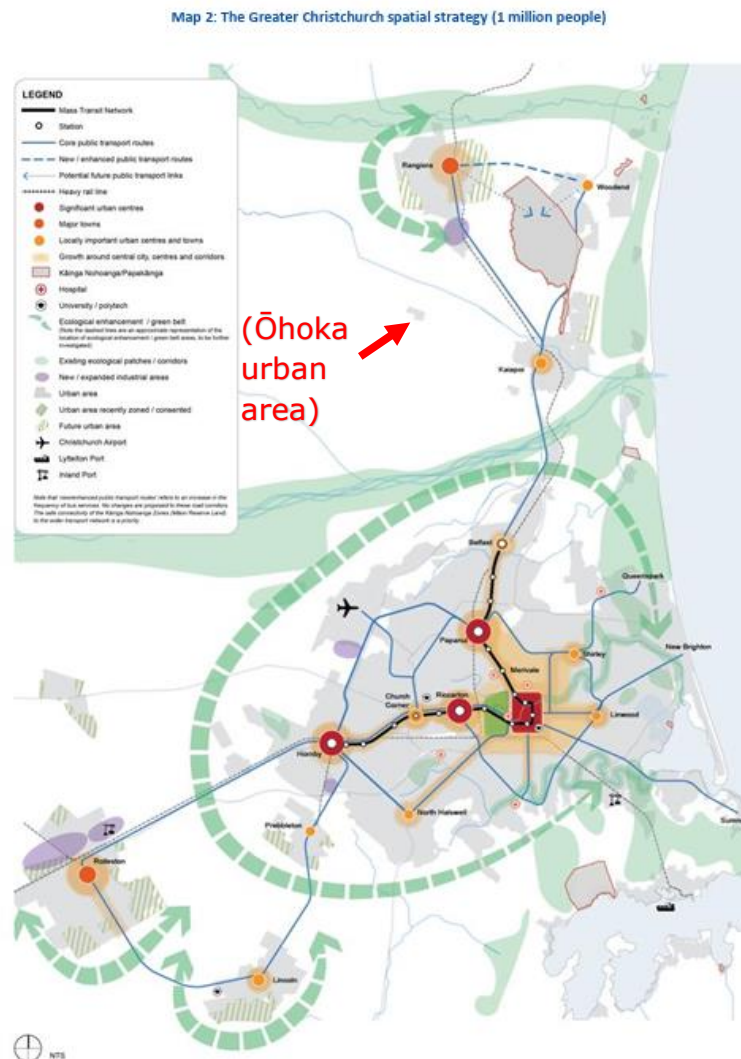


Figure 2: Map 2 from the Greater Christchurch Spatial Plan

Canterbury Regional Policy Statement

- 30 Page 4 of the CRPS notes that in response to the requirements of the NPSUD, 'the Housing Bottom Lines in Table 6.1 represent the amount of development capacity that is at least sufficient to meet expected housing demand in the Greater Christchurch urban environment over the specified period, inclusive of a competitiveness margin' (my emphasis added).

- 31 Policy 6.2.1a requires that '*at least sufficient development capacity for housing is enabled for the Greater Christchurch urban environment*' and the reasons and explanation for this policy unequivocally states that '*The Greater Christchurch Tier 1 urban environment is the area shown on Map A*' (my emphasis added).
- 32 The CRPS (as amended by Change 1 in response to the NPSUD) is explicitly clear that the urban environment constitutes Greater Christchurch as shown on Map A. Accordingly, the CRPS clearly supports the interpretation that Ōhoka is within the urban environment of Greater Christchurch. I also note that CRPS Map A identifies Ōhoka as an 'urban area'.

Map A - Greenfield Priority Areas and Future Development Areas (viewable in more detail at www.ecan.govt.nz)

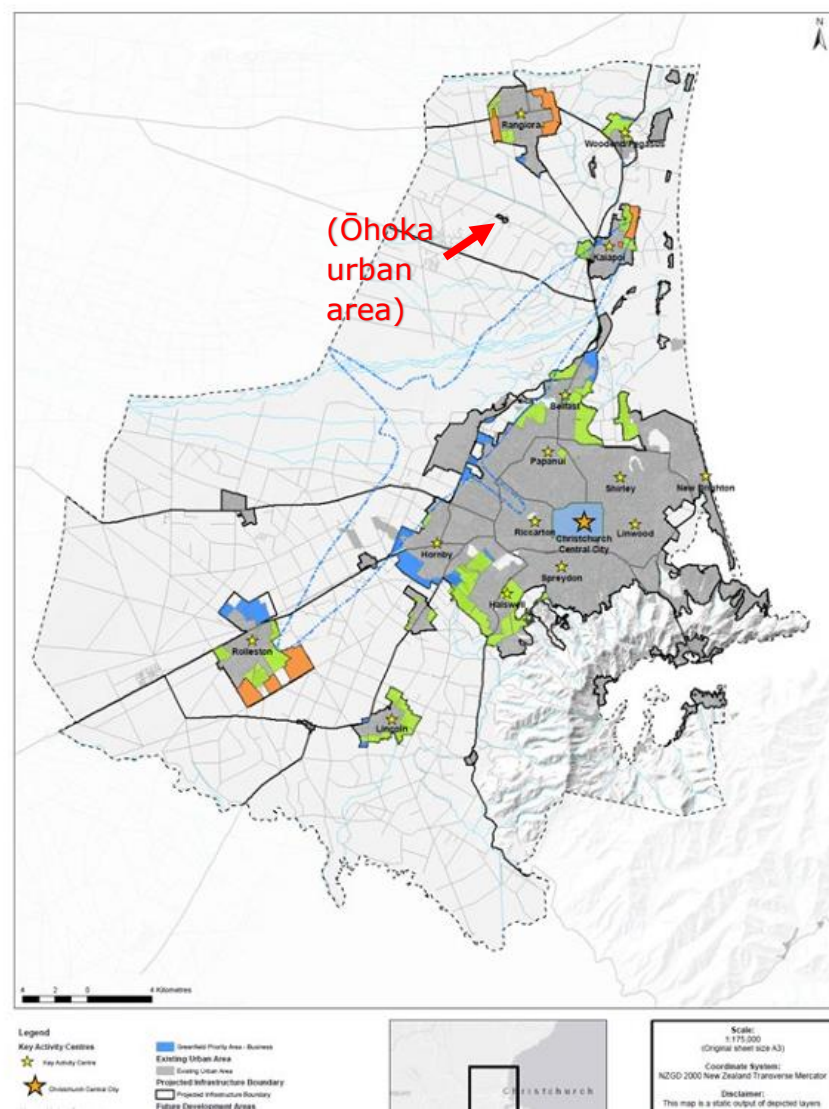


Figure 3: Map A from the CRPS

Operative & Proposed Waimakariri District Plan

- 33 Chapter 15 (Urban Environments) of the Operative Waimakariri District Plan states:

'The urban environment covers all the settlements. This includes Rangiora, Kaiapoi, Ravenswood, Oxford, Woodend and Pegasus, the beach settlements and small towns of Ashley, Sefton, Cust, Ōhoka and Tuahiwi.'

- 34 The Proposed Waimakariri District Plan as notified adopts the same definition for 'urban environment' as in the NPSUD, but goes on to specifically include Ōhoka, as follows:

'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.

For Waimakariri District, the urban environment described in (a) and (b) comprises the towns of Rangiora, Kaiapoi, Woodend (including Ravenswood), Pegasus, Oxford, Waikuku, Waikuku Beach, The Pines Beach, Kairaki, Woodend Beach, the small towns of Ashley, Sefton, Cust, Ōhoka, Mandeville, and all Large Lot Residential Zone areas and Special Purpose Zone (Kāinga Nohoanga).'

- 35 In summary, the provisions in the operative and proposed district plans support the view that Ōhoka is an 'urban environment'.

Other Decisions Reliant on the NPSUD

- 36 A number of private plan change decisions determined in the context of the NPSUD provide relevant guidance on this matter insofar that they engaged with the definition of 'urban environment'. They include:

- 36.1 Selwyn District Plan, Plan Change 67, operative as of 18 May 2022, to rezone approximately 33 hectares of rural land in West Melton to residential land, to enable approximately 131 residential sites. Paragraphs 184-210 of the commissioner recommendation engaged on the definition of urban environment as it related to West Melton. It accepted the planning evidence (and legal submissions) on behalf of the applicant, the Council and the Regional Council to the extent

that this agreed that the 'urban environment' is defined by the boundaries of Greater Christchurch³.

- 36.2 Selwyn District Plan, Plan Change 68, operative as of 3 November 2022, to rezone approximately 67 hectares of rural land in Prebbleton to residential land, to enable approximately 820 residential sites. The commissioner recommendation referenced planning evidence and legal submissions as to the extent of the 'urban environment' and also accepted this was defined by the boundaries of Greater Christchurch⁴.
- 37 A number of other rezoning decisions (now operative) in Selwyn District have also identified Greater Christchurch as the 'urban environment', including PC66, PC75, PC76, PC79 and PC80 at Rolleston. However, the decisions on PC67 and PC68 are particularly relevant noting the settlements of West Melton and Prebbleton are comparable to Ōhoka insofar that they each have populations of less than 10,000 people but were found to be part of the Greater Christchurch 'urban environment' in the context of the NPSUD.
- 38 In summary, recent rezoning decisions in Selwyn District support the view that Ōhoka is an 'urban environment'.

'URBAN AREAS', 'URBAN CENTRES' & 'URBAN ACTIVITIES'

- 39 The following section of my evidence considers the terms 'urban areas', 'urban centres', and 'urban activities' and how these apply to Ōhoka and the Waimakariri urban environment.

'Urban Areas'

- 40 The term 'urban areas' as used in clause 3.2 of the NPSUD is not defined.
- 41 The preceding section of my evidence has noted the specific identification of Ōhoka as an urban area in Our Space, the GCSP, the CRPS, and the operative and proposed District Plan. On that basis, I consider Ōhoka is an 'urban area' insofar that the term is used in clause 3.2 of the NPSUD.
- 42 More specifically, the existing Ōhoka township is an 'existing urban area' in terms of this clause, and the rezoning sought by the submitter over the adjacent land would be extension to this or a 'new urban area' as referred to in clause 3.2. This is relevant to the application of clause 3.24(2) which requires that *'The development capacity [in an HBA] must be quantified as numbers of dwellings: (a) in different locations, including in existing and new urban areas;*

³ PC67 Commissioner Recommendation 10 January 2022 (selwyn.govt.nz)

⁴ PC67 Commissioner Recommendation 10 January 2022 (selwyn.govt.nz)

and (b) of different types, including standalone dwellings and attached dwellings’.

‘Urban Centres’

- 43 The term ‘urban centre’ is not used in the NPSUD, nor was it a term defined in the proposed District Plan as notified.
- 44 However, I understand that a new definition for ‘urban centres’ has been suggested in the section 42A report for the urban form and development chapter and hearing, as follows:

Urban centres *The area encompassing the townships of Rangiora, Kaiapoi, Woodend, Ravenswood and Pegasus*

- 45 The NPSUD uses the defined term ‘urban environment’ extensively and the phrase ‘existing and new urban areas’ (or ‘existing and future urban areas’) is used in Part 3 (Implementation). For the reasons set out in my evidence above, those terms can be clearly understood and applied in a Greater Christchurch and Waimakariri context.
- 46 Conversely, the term ‘urban centre’ is not used in the NPSUD and caution is needed to avoid this proposed new term and its associated provisions resulting in inconsistency with the NPSUD. For example, *encouraging* development within urban centres should not occur at the expense of the obligations under NPSUD clause 3.2 to provide at least sufficient development capacity to meet expected demand for housing *‘in existing and new urban areas’*.
- 47 Ultimately, the term ‘urban centres’ is not relevant to Ōhoka, the submitters’ requested relief or the extent to which sufficient development capacity is provided in accordance with the NPSUD.

‘Urban Activities’

- 48 For completeness, I consider the definitions for ‘urban activity’ and ‘rural activity’ in the CRPS below. The definitions (relevant to the Greater Christchurch sub-region) of these terms are as follows:

Urban activities	<p>means activities of a size, function, intensity or character typical of those in urban areas and includes:</p> <ul style="list-style-type: none"> Residential units (except rural residential activities) at a density of more than one household unit per 4 ha of site area; Business activities, except those that fall within the definition of rural activities; Sports fields and recreation facilities that service the urban population (but excluding activities that require a rural location); Any other land use that is to be located within the existing urban area or new Greenfield Priority Area or Future Development Area.
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Rural activities	<p>means activities of a size, function, intensity or character typical of those in rural areas and includes:</p> <ul style="list-style-type: none"> • Rural land use activities such as agriculture, aquaculture, horticulture and forestry. Businesses that support rural land use activities. • Large – footprint parks, reserves, conservation parks and recreation facilities. Residential activity on lots of 4 ha or more. • Quarrying and associated activities. • Strategic infrastructure outside of the existing urban area and priority areas for development.
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- 49 While the first part of these definitions gives some scope for interpretation, it is clear that dwellings on properties larger than 4 hectares are rural, as are rural residential activities which are defined as *'residential units outside the identified Greenfield Priority Areas and Future Development Areas at an average density of between 1 and 2 households per hectare⁵'*.
- 50 In the case of the submitter's requested relief, the proposed Large Lot Residential Zone (being the lowest density zoning proposed for the land) has a density of three dwellings per hectare and is therefore urban activity (albeit low density) under the definitions above. Accounting for the higher dwelling densities, the balance of the rezoning sought for the land and the existing Ōhoka township is otherwise 'urban activity' under the definitions above.

THE FORMATIVE REPORT

- 51 The Formative Report is unclear as to what constitutes the 'urban environment' (as defined in the NPSUD) and how this is reconciled with the requirement in clause 3.2 of the NPSUD to provide at least sufficient development capacity to meet expected demand for housing in *'existing and new urban areas'* (where the term 'urban area' is not defined). This in turn results in uncertainty as to what the Formative Report has assessed in terms of housing sufficiency within the urban environment and whether it demonstrates compliance with the requirements of NPSUD policy 2.
- 52 Appendix B of the Formative Report sets out the author's interpretation of NPSUD requirements as follows:

⁵ i.e. An average density of at least 5000m² per residential unit.

Waimakariri is defined as a Tier 1 urban environment⁴¹, so it is required to meet this obligation.

First, the implementation section of the NPS-UD refers to different geographies “region”, “district”, and “urban areas”. Also, the focus of the NPS-UD is on “Urban Environment”, with many aspects of the NPS referring to the Urban Environment as the key geography, which can exclude smaller settlements that are not predominantly urban in character or are not within a housing or labour market (of at least 10,000 people).

In terms of geography, the most relevant section of NPS is set out in subpart 5, which outlines the obligations to undertake a housing development capacity assessment (such as the WCGM22) and it notes that (emphasis added):

3.19 Obligation to prepare HBA

(2) The HBA *must apply*, at a minimum, to the relevant tier 1 or tier 2 urban environments of the local authority (i.e., must assess demand and capacity within the boundaries of those urban environments), *but may apply to any wider area*.

Therefore, WDC must at least model the Urban Environment within the District. It is clear that rural areas in the District are not within the Urban Environment, but there may be some small towns that are non-rural zoned that are also not part of the urban environment.

53 In regards this interpretation:

53.1 ‘Waimakariri’ is not defined as a Tier 1 urban environment.

As set out in paragraphs 19-23 of this evidence, Table 1 in the Appendix to the NPSUD refers to ‘Christchurch’ (commonly referred to as ‘Greater Christchurch’) as the Tier 1 urban environment, which encapsulates only part of the Waimakariri District.

53.2 I agree with the view that “*the focus of the NPSUD is on “Urban Environment”, with many aspects of the NPS referring to the Urban Environment as the key geography*”, however I disagree with the view that this “*can exclude smaller settlements that are not predominantly urban in character or are not within a housing or labour market (of at least 10,000 people)*”. As set out in paragraph 16 of my evidence above, smaller settlements (existing or intended) may fall within a broader ‘urban environment’ and should not be excluded when assessing housing capacity and sufficiency in accordance with the NPSUD.

53.3 I disagree with the view that ‘*In terms of geography, the most relevant section of NPS is subpart 5*’. The objectives in subpart 2 of the NPSUD (which consider the ‘urban environment’ geography) are of most relevance and to do otherwise risks ‘reading up’ the provisions. In any event, as I elaborate on below, subpart 5 is still focused on the urban environment (e.g. cl 3.19 and 3.20) and capacity in different locations within that urban environment, including in existing and new urban areas (e.g. cl3.25)

- 53.4 I agree that NPSUD clause 3.19 concerning HBAs requires Council to *'at least model the Urban Environment within the District'* and areas such as Oxford may be considered within an HBA despite being beyond the urban environment.
- 53.5 I disagree with the view that *'it is clear that rural areas in the District are not within the Urban Environment'* noting those rural areas that are within the Greater Christchurch part of the District are clearly within the urban environment.
- 53.6 I consider the statement that *'there may be some small towns that are non-rural zoned that are also not part of the urban environment'* is misguided, insofar that the key determinant is whether those towns are within or beyond the Greater Christchurch urban environment.
- 54 The interpretation issues set out above flow through to the scope and evaluation of capacity for the District within the Formative Report. For example:
- 54.1 'Section 1.2 Scope' of the Formative Report notes the *'Specific outputs for urban environments within Waimakariri (Rangiora, Kaiapoi, and Woodend/Pegasus) for the residential components of the model'*. Noting this focus on Rangiora, Kaiapoi, and Woodend/Pegasus alone, the demand and capacity for housing in rural areas, smaller settlements and other parts of the Waimakariri District urban environment appear to have been overlooked. Notably, the Ōhoka urban area has not been assessed.
- 54.2 Section 3.2 of the Formative Report describes the Capacity Assessment Model (the WCGM22), which is relied on to determine sufficiency for the urban environment. However, an array of terminology is used in this section of the report when describing what has been assessed, with references to the analysis of *'urban areas of the district'*, *'urban land'*, *'land that is currently zoned urban or expected to be zoned urban'*, *'proposed new urban areas'*, *'urban properties'*, *'parcels that can be used for urban activities'*, *'developable urban land'*, *'developable urban properties'* and *'urban parts of the District'*. None of these terms align with the NPSUD definition of 'urban environment' and I am unclear as to how they have been defined or applied. For example, Ōhoka is an 'urban area' (for the reasons set out earlier in this evidence), but appears to be excluded from Formative's assessment. This is concerning, noting the Formative Report states *"The Developable Urban Properties list is a critical element of the assessment as it forms the baseline from which the Capacity Assessment is conducted"*.
- 54.3 Section 3.4 describes the Sufficiency Modelling process and again uses terms such as *'urban parts of the district'* and

'urban areas' which are unclear and undefined, and appears to overlook the Ōhoka urban area.

- 54.4 Section 4 provides the results from the WCGM22, with section 4.1 stating that '*The WCGM22 projects that over the medium term (coming 10 years) there is demand for over 6,260 new dwellings in the **residential areas** of the District (626 a year on average)*' (my emphasis added). I am unclear how the WCGM22 has defined 'residential areas' and whether this is synonymous with the term 'urban areas'. I would not expect the term 'residential areas' to include small semi-rural settlements, rural residential dwellings or clusters of dwellings, or rural dwellings, despite these types of households being within the Waimakariri urban environment.
- 54.5 On reading sections 4.2-4.5, the 'residential areas' referred to in section 4.1 appear to comprise the towns of Rangiora, Kaiapoi and Woodend/Pegasus only, which are each assessed for sufficiency. As set out below, the Formative Report goes on to describe the urban environment as being '*the urban zoned land in Rangiora, Kaiapoi, and Woodend/Pegasus*'. There is no reference in section 4 to sufficiency of housing for locations outside of these towns that are within the urban environment, or urban areas such as Ōhoka.
- 55 In summary, the Formative Report does not correctly interpret and apply the NPSUD, insofar as it concerns the 'urban environment' and 'urban areas'. On this basis, its conclusions with regards housing sufficiency within the urban environment and compliance with the requirements of NPSUD policy 2 are uncertain.

CONSTRAINTS AND OPPORTUNITIES

- 56 Mr Chris Sexton's evidence undertakes spatial analysis of the Formative Report and concludes that '*the WCGM22 model has not been adequately verified and that it clearly overestimates the potential development capacity available within the district*'. I draw attention to this evidence and conclusion, on the basis that these issues would add to, and potentially compound, the concerns I have identified above with the Formative Report.
- 57 The planning evidence of Mr Walsh identifies constraints and opportunities for urban development and rezoning within the 'urban environment' of the District and draws upon the GCSP and its February 2023 'Areas to Protect and Avoid' background report⁶ and the evidence of Mr Sexton. I agree with Mr Walsh's conclusions in this section of his evidence and draw attention to this here, on the basis that it is relevant to the assessment of housing sufficiency for

⁶ https://greaterchristchurch.org.nz/assets/Documents/greaterchristchurch-/HuiHui-Mai/Areas-to-Avoid-and-Protect-Report_FINAL-v2.pdf

the District's urban environment and the conclusions in this regard in the Formative Report.

Dated: 5 March 2024

Jeremy Phillips