



Submission on Proposed Waimakariri District Plan Variation 1

M [REDACTED] Hales

9 September 2022

Waimakariri District Council

RESOURCE MANAGEMENT ACT 1991

WAIMAKARIRI DISTRICT COUNCIL

SUBMISSION ON THE PROPOSED WAIMAKARIRI DISTRICT PLAN VARIATION 1

Submitter Details

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Trade Competition:

Ability to gain a trade competition advantage through this submission - No

Hearing Options:

We do wish to be heard in support of our submission.

If others are making a similar submission, we may consider presenting a joint case with them at the hearing.

Specific Provisions to Which this Submission Relates:

All the Proposed Waimakariri District Plan (PWDP) Variation 1, including but not limited to:

- District Planning Maps.
- General District Wide Matters – Strategic Directions
- Area Specific Matters – New Development Areas – West Rangiora Development Area
- Subdivision certification

Note: M [REDACTED] Hales made a submission on the notified PWDP. Except where this submission provides an update to the relief sought, this submission should be read alongside and subject to that earlier submission.

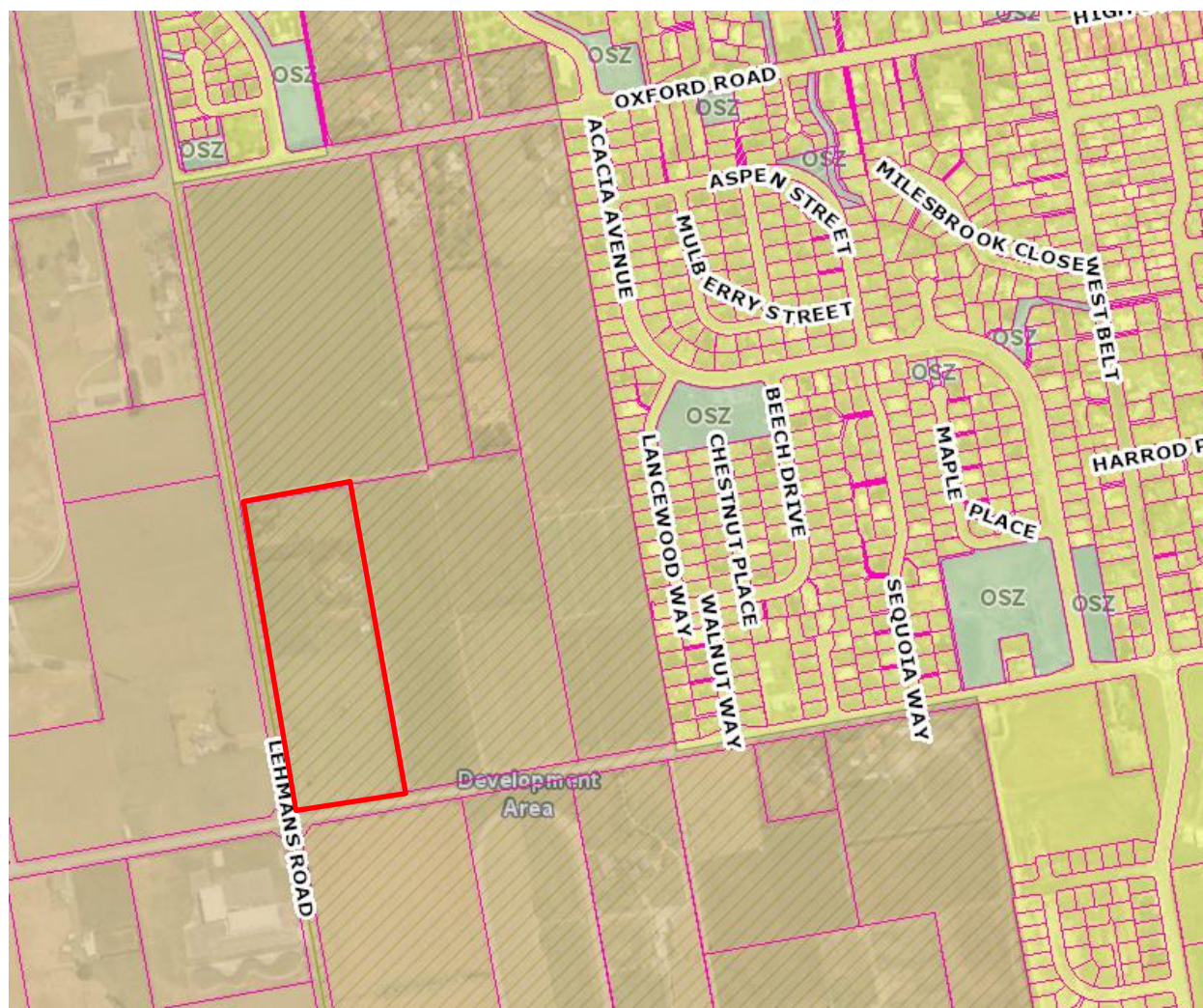


Figure 1: Site subject to the submission (outlined in red)

Decisions we wish the Council to make:

1. **Amend** Proposed Waimakariri District Plan (PWDP) Planning Maps by rezoning the land identified in **Figure 1** ('the Site') from Rural Lifestyle Zone (**RLZ**) to Medium Density Residential Zone (**MDRZ**).

The landownership and legal description of the land affected by this submission is shown in **Table 1** below.

Registered Owner	Appellation Title	Area (ha)
Miranda Hales	Pt RS 48562	5.57 ha

Table 1. Legal description and ownership of land parcel for which residential rezoning is sought.

2. **Delete** or in the alternative **amend** the PWDP subdivision certification process provisions including so that it is a fair, equitable, transparent, appealable, efficient and fast process for delivering land for housing and does not duplicate matters that can be dealt with at subdivision stage; and to address any other concerns with certification which arise on further investigation.
3. Amend the PWDP provisions as follows: (additions in bold and underlined, and deletions as strike out) as below and in addition delete or amend the PWDP certification provisions to give effect to the relief outlined in 2. above. This includes by amending the West Rangiora Development Area provisions to removal all references to the certification process, and instead rezoning the land the subject of this submission to MDRZ
4. Amend the West Rangiora Outline Development Plan by identifying all residential areas as Medium Density Residential.
5. Any consequential, further or alternative amendments to the PWDP to be consistent with and give effect to the intent of this submission and and the interests of the Submitter.

Part 2 – District Wide Matters.

Strategic Directions

SD-03

Urban development and infrastructure that:...

4. *provides a range of housing opportunities, focusing new residential activity within existing towns, and identified development areas in Rangiora and Kaiapoi, in order to **as a minimum** achieve the housing bottom lines in UFD-O1*

REASONS FOR THE SUBMISSION

Rezoning additional land as MRZ: general considerations and reasons

1. The documents in support of the Variation have usefully and in some detail, set out the Waimakariri context for the approach taken in the Variation and the extent to which the Council has taken on the challenge of addressing an imminent shortfall in residentially zoned and, and in addressing the requirements of the Amendment Act.
2. Overall though, the Variation is an inadequate and short-sighted response to the housing challenges faced by the District. It does adopt the requirements of the Amendment Act in terms of density standards but takes an unduly conservative and short-run view of the amount of residentially zoned land needed to set up the District and Rangiora to meet the challenge identified in the Variation s32 Rangiora Rezone Report (32RRR) assessing the re-zoning choices made for Rangiora.
3. The challenge is plain. It is set out in para 1 of the Executive Summary of the 32RRR in plain terms:
The population of the Waimakariri District is projected to grow to 100,000 people by 2051 (35,300 more people than live here today). To provide dwellings for these people, the District will need at least an additional 13,600 new dwellings (450 per annum for 30 years). A planned approach to growth is required.
4. The planned approach has to be more ambitious than *to rezone 68 (sic) [86] hectares of greenfield land identified within the North East and South West Rangiora Development Areas within Variation 1 of the PDP [to] support a further 1,000 houses in order to help further address housing supply in Rangiora along with the enabling provisions contained in Variation 1 to make it easier for housing to develop within the existing zoned land in Rangiora...*(para 8 Executive Summary).
5. Ambition and planning stretch in the Variation is needed because, as set out at section 3.5 of the 32RRR, the District Development Strategy (WDDS) identified in 2018 that 5025 additional households were needed in Rangiora by 2048. That is about 170 new households for each of the next 30 years. Providing 86ha of rezoned land, yielding about 1000 households provides only about 5.8 years supply of zoned land if it is all taken up in a sequenced and timely way. That just about gets the provision of land past the short-term planning horizon (0-3 years), but does not even begin stretch the planning response to the end of the intermediate planning period (3-10 years).
6. Increased intensification opportunities resulting from MDRZ are anticipated to result in an

additional 269 dwellings in Waimakariri in the next five to eight years¹.

7. The challenge that is also not addressed by Variation 1 is that the proposed re-zones at Rangiora of 1000 households over 86ha only yields about 11.6hh/ha. That is well short of the PWDP and CRPS targets of 15hh/ha. It falls short the Government ambition for the medium density outcomes and yields enabled by the Amendment Act standards.
8. Notwithstanding the enabling provisions of the Amendment Act, it is moot just how influential the new medium density planning provisions will be in boosting house supply, and house supply of a type, and in locations that meets the market's needs. That is cause to think generously in planning terms, in taking a bigger step in opening up more land so the market has fewer constraints by location and land type to work at responding to the on-going housing demand that is forecast to continue for the next 25 years. The opportunity to enable medium density housing to play a role in housing supply without restrictive command and control policies, and without conservative allocation approaches is important.
9. The Variation has to go further. More extensive rezoning is needed now and in this Variation 1. It is the appropriate, and Government directed, planning vehicle to lock in greater future proofing of residentially zoned and infrastructure ready land supply than what is proposed.
10. The 32RRR sets out clearly the likely consequence of not getting at least sufficient development capacity confirmed as part of the PWDP. There is a stark message about not getting land supply responses right through this Variation. The Hearing Panel on the Fast Track Bellgrove decision confirmed how the market responds to not having at least sufficient development capacity in a district:
"[35] In relation to housing affordability, we are advised that the poor market supply of residential sections in and around Rangiora led to sections in an area known as Ravenswood, which sold for \$140,000 to \$160,000 prior to the Covid-19 lockdown in 2020, now selling for between \$340,000 to \$380,000. This is an increase well in excess of 100% over an 18 month period.
[37] This indicates to the panel that there is an extreme shortage which is driving up the price. The only way of correcting this is to provide more sections, ... we are strongly of the view that there is some urgency about the need for supply in the short term and long term. This consent process will not solve the entire problem, but it is a step in the right direction.
 ((section 2.3 32RRR))
11. The 32RRR at page 6 does acknowledge that *it would seem clear that the rezoning of*

¹ Section 32 page 46

additional land would be significant in further addressing housing supply within Rangiora but then it dances on the head of a pin rather than taking a bold step in response to that proposition. Rezoning is not just significant in addressing housing supply; it is a planning imperative in 2022.

12. The Waimakariri situation needs a Waimakariri solution. It is unlike Selwyn which has also rezoned rural land adjoining urban areas to boost the stock of land to be brought within MRZ zones at Lincoln, Prebbleton and Rolleston and therefore subject to the standards and requirements of the Amendment Act. But Selwyn also has the benefit of a number of plan changes in and adjacent to its main towns that have responded to surging demand for housing (there is just one current private plan change request in Waimakariri District for rezoning additional land for urban development, at Ohoka). The Selwyn private plan change requests have successfully made the case for rezoning outside the framework of the established planning documents. By sweeping up many residential zoning plan changes that have been adopted by the Council in to its Variation, Selwyn has acknowledged that the present Council-driven planning system is neither agile nor flexible enough to match the rush for residential land. By being bold, and by taking a longer term strategic look at housing trends, it has established a much larger pool of new land capable of befitting from the MRDS and the Amendment Act.
13. The Variation needs to be amended; it needs to better respond to the NPS-UD about feasible development capacity, and to provide scope for more land to contribute to housing supply. It needs to provide generous land provision in the Variation if only on the basis that much of that land will likely be developed to GRZ standards, not MRZ standards and thereby diluting the potential yield of lots, and reducing the potentially feasible provision for new households.
14. There are landowners wanting to be part of the answers to land supply, and to respond to housing demand. These landowners can act now, and will act upon re-zoning. The submitter is one such landowner. They are ready to start development, to unlock the potential in their land, but still there are planning barriers to them doing so. These landowners bring the additional benefit of providing more developers in to the response mix; presently the Variation re-zone favours just two major existing developers and that is inconsistent with the direction of the NPS-UD which, among other things, promotes a competitive land market.
15. An additional issue that drives the argument for re-zoning more land in the Variation is that one effect of the PWDP as it works through its statutory processes is, that when decisions

are made in 2024, there is a two year period when any plan changes following the PWDP are likely to be slow to progress, in part because Council can reject plan changes made within two years of the PWDP being made operative. What the Variation puts in place will be all that gets re-zoned until about 2026. Getting the equation of demand and supply in the right scale of response falls to the Variation.

Rezoning additional land as MDRZ: Site specific considerations and reasons

16. The preferred relief (the proposed rezoning and other amendments) is both appropriate and necessary to achieve sustainable growth and development of Rangiora and to meet the requirements of the National Policy Statement for Urban Development 2020 (NPS-UD) and the Amendment Act. It is consistent with and gives effects to the Resource Management Act 1991, including Part 2 and Section 32.
17. The Site identified in **Figure 1** is a logical and preferred location for further urban growth of Rangiora. It has been identified in the Proposed Waimakariri District Plan (PWDP) as part of the West Rangiora Development Area and recognized as a Future Development Area (FDA) in the Canterbury Regional Policy Statement (CRPS).
18. The FDAs for Rangiora on Map A of the CRPS need to be rezoned as soon as possible to give effect to the NPS-UD.
19. At present rates of land uptake there is about 4 years vacant land supply in Rangiora. Given it takes 3-5 years to bring land from zoned state to on the market as developed lots, there is some urgency in providing additional capacity. This proposal helps address an anticipated shortfall in residential zoned plan enabled land.
20. Rezoning of the Site for residential purposes will give effect to Policy 12 in the CRPS.
21. It will help achieve a compact, and efficient, urban form with connectivity with multiple transport modes.
22. The proposed rezoning will, as a minimum, accommodate approximately 84 lots (based on yield of 15 hh/ha) which will contribute towards meeting the housing needs of Rangiora.
23. Adverse effects on the environment arising from the proposed rezoning will be minimal, if any, and can be adequately mitigated.
24. The proposed rezoning is consistent with the PWDP objectives and policies, relating to Strategic Directions Urban Form and Development and Urban Growth, particularly as proposed to be amended in this Submission and the Hale submission on the notified PWDP.

25. The alternatives of retaining Rural Lifestyle or Large Lot Residential zones across the entire Site are not an efficient use of land and does not give effect to Change 1 of the CRPS.
26. The proposed rezoning is consistent with and the most appropriate, efficient, and effective means of achieving the purpose of the RMA.

Certification

27. The proposed novel certification procedure for the subdivision of MDRZ land is not supported.
28. This submission requests that the Council re-zone the appropriate residential zones and the means to bring land to the market through an RMA process. The land within the Development Areas is required to be rezoned in the Proposed Waimakariri District Plan to meet the requirements of the National Policy Statement – Urban Development and the Enabling Housing Supply Amendment Act (the Amendment Act) 2021. It should be zoned RMDZ in Variation 1.
29. The intent behind the certification process is understood, but its benefits are uncertain at best, and are a poor planning substitute for a full re-zoning process either as part of the PWDP (and this Variation which is preferred), or by plan change.
30. Certification does not provide the security of a rezoning. It is a hybrid and very discretionary and non-statutory decision by delegated staff authority. It that does not fit in a consent process with its controls and basis of decisions, nor is it a substitute for rezoning.
31. The Submitter wishes to obtain residential rezoning as soon as possible so they can either proceed with development, or sell it to another party for urban development.
32. There is a risk that developers and landowners may shy away from certification because of the uncertainties associated with it as it is presently set out in the PWDP. The process is highly discretionary, does not provide conventional rights to an applicant (e.g. right of objection/appeal) meaning decisions cannot be challenged, and it is not apparent that the process will be appropriately documented with a transparent record of the decision-making within the certification process.
33. A risk for subdividers is that certification lapses if a s224 subdivision completion certification is not granted within three years of obtaining certification².
34. We understand that there is an ability to meet the s224 subdivision ‘completion’ requirement by, for example, completing an initial 2 lot subdivision of a larger development area. The

² PWPD DEV-WR-S1.2

subdivision is in reality hardly underway, but services will have been allocated to potentially a much larger area indefinitely but which may not be subdivided in a sequential and timely manner. This will prejudice other subdividers if there are, for example, servicing capacity constraints.

35. This sets up an unnecessary contest for access to services. It is not clear how services will be allocated between different certification applicants. Will it be on a first come first served basis, or does the Council have a view on sequencing and priorities and does it favour some areas ahead of others within, in this case, the West Rangiora Development Areas.
36. The certification rules do not take effect until Council decisions are issued on submissions and further submissions (earliest late 2024 as it is understood that some of the PWDP certification provisions are not covered by the Variation)) and later if the certification provisions are subject to appeal. The information and design details required for certification are substantial. The process can be expected to take 1- 2 years+ depending on the size of subdivision. This is a slower and far less certain method for delivering land for housing than the submitter's preferred option of the Council rezoning the land in Variation 1.
37. In circumstances where there is an acute housing need and rapidly escalating house and land prices fuelled in part by a shortage of supply, the Council needs to act quickly and with certainty to address the shortfall. Whilst innovation is important, this is perhaps not the time to be testing a new uncertain and unproven method for delivering land for housing.
38. A major issue for the submitter is that rezoning does not follow certification. So even if a block such as the submitters is successfully certified, it does not get the security of rezoning at the s224 stage. Rezoning only occurs when the entire West Rangiora Development Area is developed.³ This may well not happen during the life of the PWDP; the Development Area is a large block of land owned by a number of landowners all who will have their own imperatives and drivers for subdivision and development. The prospect of a tidy, sequenced and co-ordinated or staged development is not certain. There may be some landowners not wishing to develop in the short-medium term; one landowner can delay the Council action to remove the planning layer and can leave all other land in a statutory limbo over its zoned status indefinitely.
39. The Certification process is unhelpful because it is also contrary to the directive of the higher order planning documents. Policy 6.12 of the CRPS expressly refers to demonstrating a

³ PWDP WR-West Rangiora Development Area Introduction ..'Once development of these areas has been completed, the District Council will remove the Development Area layer and rezone the area to the appropriate zones'

need to provide further feasible development capacity *through the zoning of additional land* in a district plan to address a shortfall in the sufficiency. The explanation to Policy 6.3.12 *provides for the re-zoning of land within the Future Development Areas, through district planning processes*, in response to projected shortfalls in feasible residential development capacity over the medium term. Certification does not do this. Although well-intentioned it may have the unintended effect of creating other planning issues around process and land status.

Note: the balance of the submission below largely reproduces assessment included with the Hales submission on the PWDP, amended and updated as appropriate to reflect Variation 1 and other changes since the PWDP submission was lodged.

The Site and Background

40. The subject site ('the Site') is legally described as Pt RS 48562 and is approximately 5.5 hectares located on the south west corner of Lehmans Road and Johns Road (as shown on **Figure 2**). The anticipated net residential yield from the site is around 70 sections, based on 15 hh/ha.
41. The land is currently leased for grazing and cropping purposes. The submitter intends to make the land available for development as soon as urban zoning is in place. Existing urban services extend to Lehmans Road, and it is understood to be planned to extend to Johns Road.

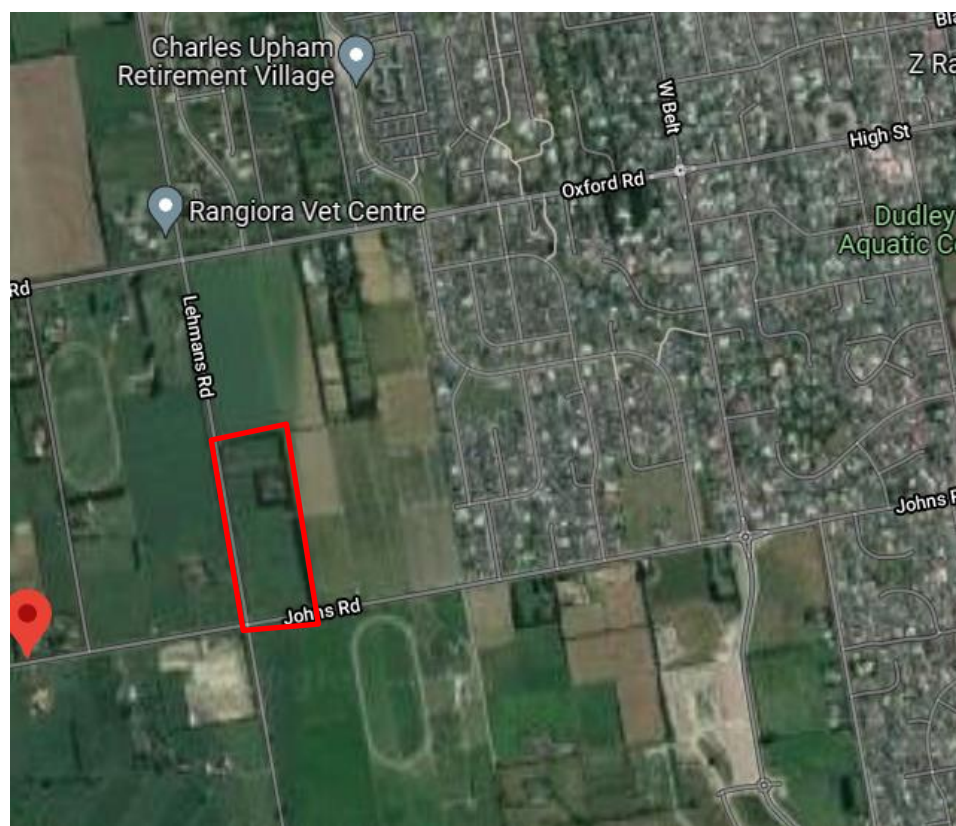


Figure 2: Locational Context of the site (outlined in red)

42. The Site is identified as part of the West Rangiora Development Area in the PWDP. This gives effect in part to one of the growth options for Rangiora shown in the Waimakariri District Development Strategy (WDDS).

STATUTORY PLANNING CONTEXT

Chapter 6 of the Canterbury Regional Policy Statement ('CRPS):

43. The Site is included as a Future Development Area (**FDA**) the CRPS on Map A of (**Figure 3** orange). The Site location is marked approximately by the blue arrow.
44. The FDAs are intended to accommodate the increased demand for new dwellings in that part of Waimakariri District within the Greater Christchurch Urban Area and to respond to the NPS-UD. They do not provide "plan enabled" land as they need to negotiate a re-zoning process to confirm their status as land developable for housing and other urban purposes.

45. Policy 6.3.12 in Chapter 6 of the CRPS provides for the re-zoning of land within the Future Development Areas, through district planning processes, in response to projected shortfalls in feasible residential development capacity over the medium term. The Policy establishes several criteria to be considered when deciding whether to put a residential zoning in place.

Policy 6.3.12 Future Development Areas

Enable urban development in the Future Development Areas identified on Map A, in the following circumstances:

1. *It is demonstrated, through monitoring of housing and business development capacity and sufficiency carried out collaboratively by the Greater Christchurch Partnership or relevant local authorities, that there is a need to provide further feasible development capacity through the zoning of additional land in a district plan to address a shortfall in the sufficiency of feasible residential development capacity to meet the medium term targets set out in Table 6.1, Objective 6.2.1a; and*
2. *The development would promote the efficient use of urban land and support the pattern of settlement and principles for future urban growth set out in Objectives 6.2.1 and 6.2.2 and related policies including by:*
 - a. *Providing opportunities for higher density living environments, including appropriate mixed use development, and housing choices that meet the needs of people and communities for a range of dwelling types; and*
 - b. *Enabling the efficient provision and use of network infrastructure; and*
3. *The timing and sequencing of development is appropriately aligned with the provision and protection of infrastructure, in accordance with Objective 6.2.4 and Policies 6.3.4 and 6.3.5; and*
4. *The development would occur in accordance with an outline development plan and the requirements of Policy 6.3.3; and*
5. *The circumstances set out in Policy 6.3.11(5) are met; and*
6. *The effects of natural hazards are avoided or appropriately mitigated in accordance with the objectives and policies set out in Chapter 11.*

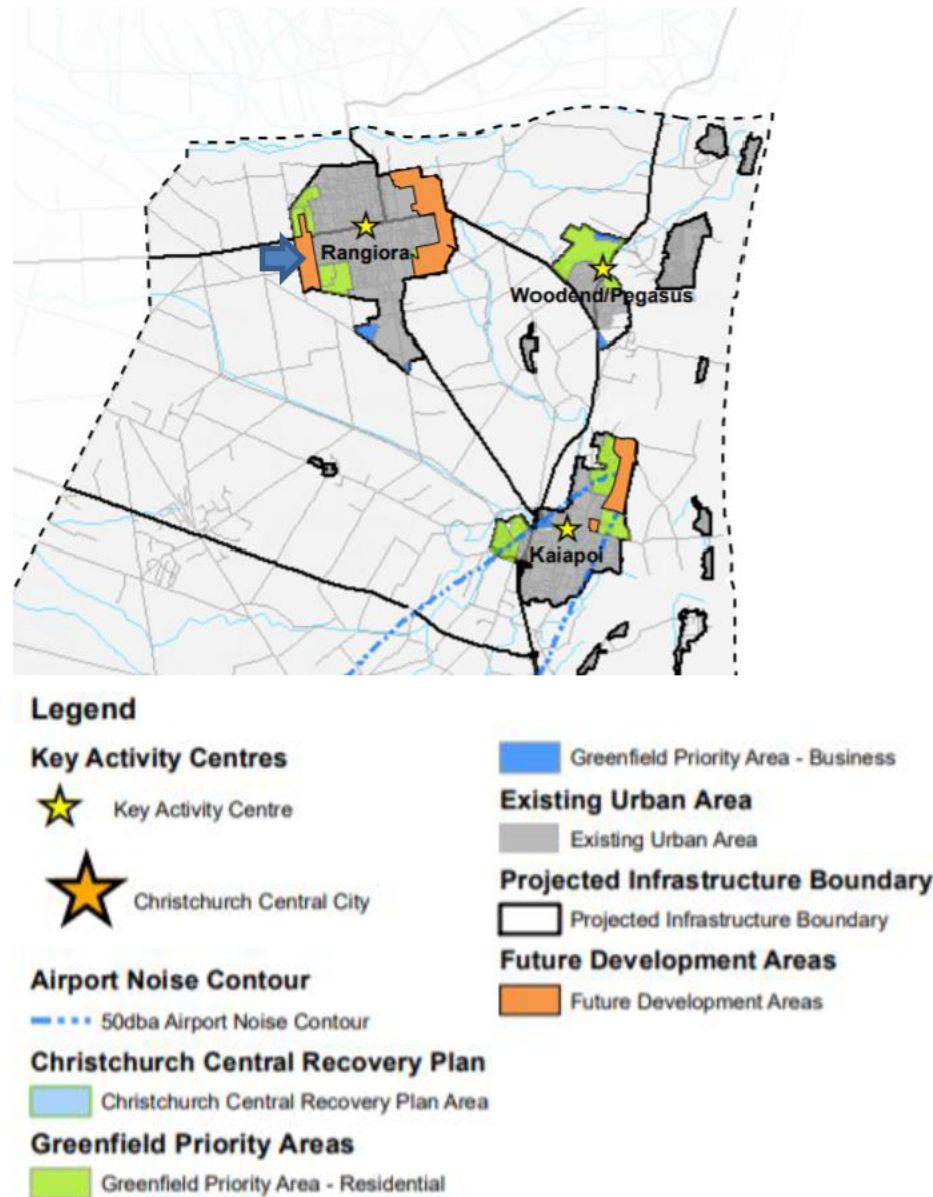


Figure 3: Map A Chapter 6 Regional Policy Statement Greenfield Priority areas (Approximate location of Site indicated by the )

46. Policy 6.11.5 relates to any changes resulting from a review of the extent, and location of land for development, any alteration to the Greenfield Priority Areas, Future Development Areas, or provision of new greenfield priority areas, shall commence only under the following circumstances (relevant to this Variation):

- Infrastructure is either in place or able to be economically and efficiently provided to support the urban activity;
- Provision is in place or can be made for safe, convenient and sustainable access to

community, social and commercial facilities;

iii. The objective of urban consolidation continues to be achieved.

47. There are two parts to consider. Firstly there is a trigger to enable a change of zoning, and secondly there are qualitative matters that must apply when the zone is developed. The triggers are Policy 6.3.12. (1) (2) and (3) and (5), discussed in turn below.

Policy 6.3.12. (1):

There is a need to provide further feasible development capacity through the zoning of additional land in a district plan to address a shortfall in the sufficiency of feasible residential development capacity to meet the medium-term targets set out in Table 6.1

48. The latest Housing Development Capacity Assessment (HDCA) was publicly released in July 2021 by the Greater Christchurch Partnership – see relevant tables in **Appendix 1**. They project a Medium Term (at 2031) shortfall in capacity for Waimakariri of between 3137 if the recently Gazetted Future Development Areas are excluded. If the FDAs are developed at 12hh/ha (lower projection) or 15hh/ha (higher projection) there is a projected medium term surplus of 2263 or 3713 respectively. The figures suggest that the Council would be justified in terms of Policy 12 of the CRPS in rezoning the FDAs now. Whilst the Variation 1 MDRZ enables much higher density residential development, this is not mandatory. It is not anticipated that there will be widespread ‘take up’ of these much higher densities in greenfield locations as they will entail very different forms of residential development in township edge locations where there is currently no known demand for such development. It is anticipated that developer covenants may well preclude such development in any case, in the interest of protecting the overall residential amenity expectations of new subdivisions. Accordingly, any yield calculations should be based on 15 hh/ha (unless a qualifying matter applies) not the maximum yield enabled under the MDRZ.
49. The situation for Rangiora is particularly urgent. The rate of residentially zoned land take-up over recent years has averaged around 180 hh/annum or the equivalent of around 15 ha/annum. There is currently capacity for 800 dwellings (approximately 65ha of vacant land if there is no intensification or infill) in the equivalent of the General Residential Zone (zoned MDRZ in the Variation) in the PSDP. This suggests that there will be little or no vacant land left by 2025-26, if not sooner.
50. There are 330 hectares of FDA land in Rangiora. If this was all made available 20 years of

land supply would potentially be ‘shovel ready’ from around 2025 following decisions on the PWDP and Variation 1. The figures suggest that all the FDA land needs to be made available to enable housing development as soon as possible. Whilst this may create more residential land that is needed to meet demand in the short to medium term, the alternative of rationing supply in this instance would not be giving effect to the NPS-UD. There are no resource management reasons why all the FDA land should not be made available for development.

51. In fact, even if the FDAs were zoned in the PWDP process, it will be ‘touch and go’ whether there will be any residential land left by the time the subdivision consents are processed, titles issued, and houses built and occupied. Submissions that are promoting rezoning in the FDAs should be seen as an immediate opportunity to bridge the projected shortfall and provide at least sufficient land for the Medium Term (3-10 years) and early part of the Long Term.

Policy 6.3.12. (2):

The development would promote the efficient use of urban land and support the pattern of settlement and principles for future urban growth

52. Development of the Site needs careful integration with connections (including for active transport) to the town centre, current and potential employment areas, and community facilities. This is achieved through development being in accordance with the West Rangiora Outline Development Plan (WRODP).

Policy 6.3.12. (1)

The timing and sequencing of development is appropriately aligned with the provision and protection of infrastructure, in accordance with Objective 6.2.4 and Policies 6.3.4 and 6.3.5;

53. Policy 6.3.4 is about integrating transport infrastructure and land use, including reducing auto-dependency and promoting public and active transport. Sub-regionally Rangiora is well connected to strategic rail and road connections both of which have potential to provide mass rapid transport services.
54. Policy 6.3.5 is directed at integrating land use and infrastructure: Ensuring that the nature, timing and sequencing of new development are co-ordinated with the development, funding,

implementation and operation of transport and other infrastructure. Based on the District Development Strategy, it is assumed that the Site can be serviced through existing funding mechanisms and costs recovered through the Council's Development Contributions Policy. The matters listed under Policy 6.11 .5 are met, and there are no matters under Policy 11 (Avoidance of Natural Hazards) to consider.

55. Regarding the qualitative matters referred to above Policy 6.3.12 (4) requires the development to occur in accordance with an outline development plan and the requirements of Policy 6.3.3. Outline development plans and associated rules must be prepared as either a single plan for the whole of the Future Development Area or, where an integrated plan adopted by the territorial authority exists, for the whole of the Future Development Area. The WRODP applies to the wider area that incorporates this FDA, and the requirement is for the outline development plan to be consistent with that integrated plan. Due to the relative size of the Site many of the requirements Policy 6.3.3 may not apply but it is noted that the Development Plan appears to give effect to the Policy in most respects.
56. In conclusion, there are no compelling reasons in terms of Change 1 to the CRPS why this zoning cannot be approved.

Proposed Waimakariri District Plan as amended by Variation 1

57. The Site is zoned Rural Lifestyle Zone (LRZ). The minimum lot size for subdivision and a dwelling in the LRZ is 4 ha. It is located within the West Rangiora Development Area (**Figure 4**) and subject to various layers in the West Rangiora Outline Development Plan none of which restrict subdivision and land development.
58. A planning assessment based on a Selwyn Proposed District Plan framework contains criteria that by most measures are the basis for sound strategic planning decisions about rezoning and also specific site-merit based decisions. This is set out at **Appendix 1**.

National Policy Statement on Urban Development

59. Rangiora is growing apace. It is attracting significant interest from new home buyers as people respond to the significant investment in upgraded transport links (Northern Outlet and public transport) and a growing economic base for employment within the District and the City.
60. Rangiora is well connected to Christchurch City, both via the new Northern Corridor, and a recent cycleway link into Christchurch City. There is a regular bus service and potentially a

future mass rapid transit service.

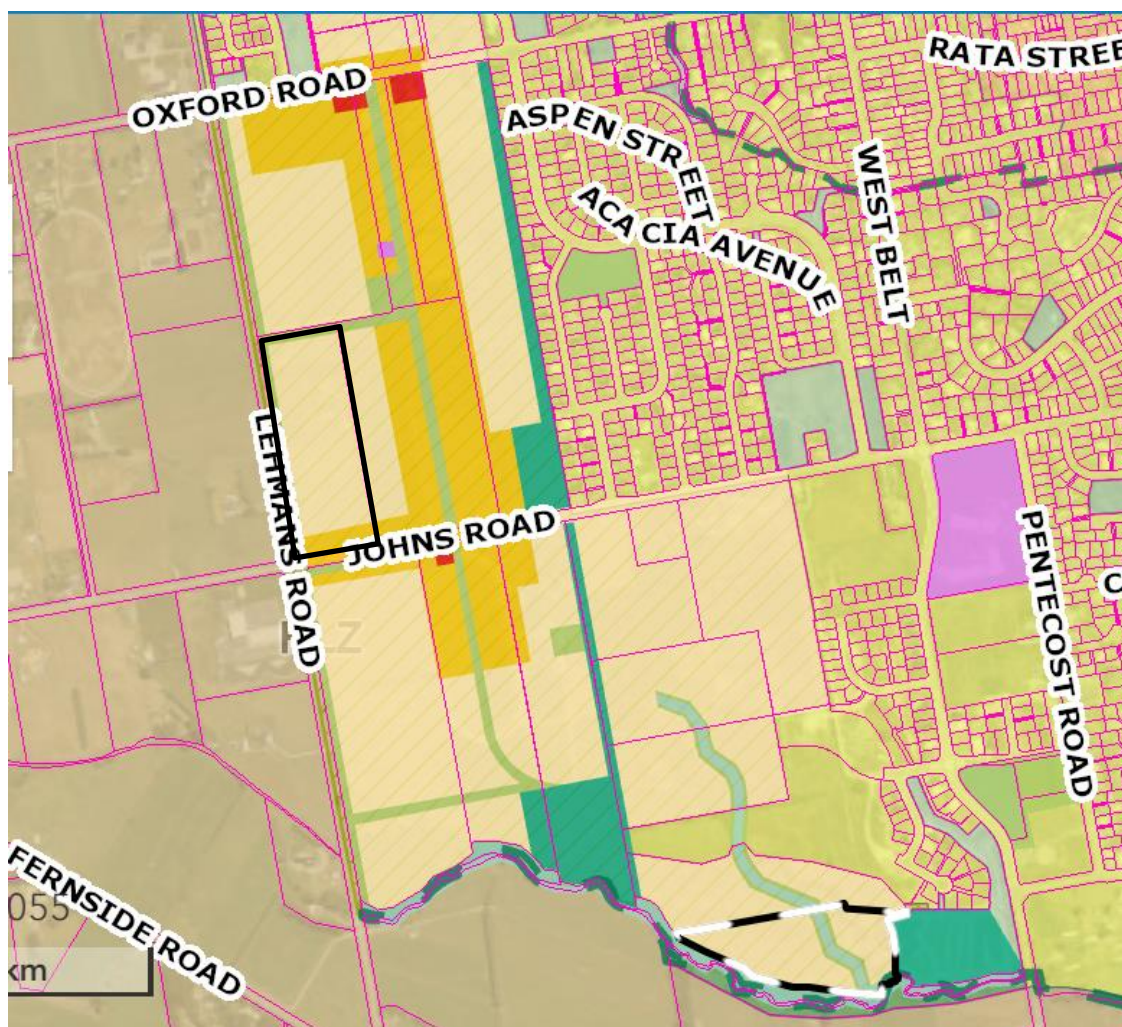


Figure 4: West Rangiora Development Area ODP (Site outlined in Black)

61. The proposed rezoning will support the competitive operation of land and development markets, both within Waimakariri District and the Greater Christchurch sub-region. The Site is identified as a location where Council and the community would prefer additional plan-enabled housing capacity for mixed density sections. These sections will go some way to meeting the emerging medium term capacity shortfalls for the District, which forms a component part of the housing shortfall across the District and the Greater Christchurch sub-region. In doing so, the proposed rezoning will enable Council to carry out its functions under s31(1) (aa) by ensuring there is sufficient development capacity in respect of housing.
62. The proposed rezoning also contributes to a 'well-functioning urban environment' as it will be able to satisfy the NPS-UD Policy 1 criteria and Policy 6, including by:

- (a) enabling a variety of homes that meet the needs of different households at densities that are in excess of the 10hh/ha minimum densities provided in the CRPS and Operative WDP;
 - (b) supporting, and limiting as much as possible adverse impacts on, the competitive operation of land and development markets;
 - (c) having good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and
 - (d) supporting reductions in greenhouse gas emissions through current and future Council and Greater Christchurch Partnership transport initiatives and investment.
63. The mandatory requirement of the NPS-UD is that every tier 1 local authority must provide at least sufficient development capacity to meet expected demand for housing. Development capacity for the medium term must be plan enabled; infrastructure ready; and feasible and reasonably expected to be developed⁴. Medium term means that at all times, there must be a least 10 years supply available.
64. For the medium term, 'plan enabled' land must be zoned for housing in a proposed district plan.
65. For the medium term, 'infrastructure ready' means there is either adequate existing development infrastructure to support the development of the land; or funding for adequate infrastructure to support development is identified in a long term plan.
66. The PWDP certification approach does not satisfy the above mandatory requirements.

Other Planning Documents

67. The Waimakariri District Development Strategy (WDDS) indicated a general preference for the direction of urban growth of Rangiora. The WDDS set itself the task of:
- a) Confirming a plan for land for new houses within broad residential growth directions for Rangiora, Kaiapoi, Woodend/Pegasus and Oxford (see Figures 11-14 of the WDSS); and
 - b) Undertaking further work to determine the specific growth areas through the NPS-UDC and the District Plan Review.
68. The approach of the WDDS was to signal growth options to be confirmed in the District Plan Review:

The broad directions for greenfield residential growth for the District's main towns are set

⁴ NPS-UD clauses 3.2 and 3.4

out in Figures 11 to 14. Further work will be carried out to identify and confirm the exact locations and extent of these residential growth areas, together with the intensification opportunities within existing urban areas. These will be enabled through the District Plan Review and other planning tools.

69. The Strategic Planning documents clearly signal a change in land use for the Site including growth to the west of Rangiora which includes this Site.
70. Planned growth is intended to step block by block westwards out to Lehmans Road and to keep the town edge squared up providing depth to future development and providing a rational basis for providing movement networks. The West Rangiora Future Development Area, and subsequent residential zoning is the resource management instrument that implements this strategy.

Proposed National Policy Statement for Highly Productive Land (NPS-HPL)

71. The Government proposed in 2019 an NPS-HPL to prevent the loss of productive land and promote its sustainable management. The overall purpose of the proposed NPS-HPL is to improve the way highly productive land is managed under the Resource Management Act 1991 (RMA) to:
 - a) Recognise the full range of values and benefits associated with its use for primary production
 - b) Maintain its availability for primary production for future generations
 - c) Protect it from inappropriate subdivision, use, and development.
72. The NPS-HPL is still a proposal and not intended to take effect until after Gazettal anticipated mid-2021. At the date of this submission the NPS-HPL has no effect and no assessment of it is required for the purposes of this submission. In any event, the site has already been committed for housing development through the CRPS and the decision on whether soils on this site should be protected has already been made.

Effects on tangata whenua values

73. There are no cultural value overlays affecting the Site.
74. The site is not listed as an archaeological site on the NZ Archaeological Site database.

Landscape and visual effects

75. The proposal will lead to a change in the landscape of the Site from a predominantly lifestyle block landscape to an urban environment dominated by residential building that will, in time, get the benefit of street tree and reserve plantings and landscape treatments around the houses.
76. The visual effects which will arise from a change in the number of vegetative and built elements in the landscape are significant, but not avoidable, if the Site is to contribute to the on-going growth of Rangiora. The change will contribute to a different amenity and quality of environment, still of a high quality, and one that will be entirely consistent with and supportive of the urban residential development that has proceeded to the north and east of the Site respectively already.
77. The landscape, amenity and visual changes have been foreshadowed in the PWDP Future Development Area Overlay for the Site and the Site's status as being within a preferred growth direction in the WDSS. The Strategy provides guidance and policy direction on how best to manage future residential development within the Waimakariri district.

Risks from natural hazards or hazardous installations

78. The PWDP planning maps show the Site as being within a Non-Urban Flood Assessment Area.
79. The District Plan maps do not identify high flood hazard areas or high coastal flood hazard areas but are identified through the flood assessment certificate process. This enables the most up-to-date technical information to be used. However, as a guide, areas that are potentially high hazard can be identified through the Waimakariri District Natural Hazards Interactive Viewer (NH - Introduction).
80. Parts of the Site are within a low flood hazard area, with a very small area medium hazard (**Figure 5**).



Figure 5: Flooding status of Site (outlined in red). Green – low risk; Blue – moderate risk; Grey; flood exclusion

81. Rules that refer to a Flood Assessment Certificate require a certificate to be obtained from the District Council to determine compliance with the relevant rule. The alternative is to apply for resource consent as set out in the rule.
82. Rule NH-R2 states

if located within the Non-Urban Flood Assessment Overlay, the building:

- a. is not located on a site within a high flood hazard area as stated in a Flood Assessment Certificate issued in accordance with [NH-S1](#); and
- b. has a finished floor level equal to or higher than the minimum finished floor level as stated in a Flood Assessment Certificate issued in accordance with [NH-S1](#); and

- c. is not located within an overland flow path as stated in a Flood Assessment Certificate issued in accordance with [NH-S1](#);

Assessment of flood risk and consequence can be undertaken at subdivision stage.

- 83. There will be no hazardous installations proposed on the Site.

Geotechnical assessment

- 84. The PWDP planning maps show the Site as being “Liquefaction damage is unlikely. Standard investigation procedure outlined in NZS3604 is appropriate”.
- 85. Geotechnical investigations can support a subdivision application.

Contaminated land

- 86. A Preliminary Site Investigation will be conducted for the Site at subdivision stage.

Positive effects

- 87. The proposed rezoning will provide for the continued growth of Rangiora by managing the development by adding to the supply of land and providing an addition locational choice for future residents The proposal will provide a buffer to on-going high-level demand for lots in Rangiora. The Rangiora West Development Area Plan is anticipating an urban use that is a much more efficient use of a qualifying site supporting a well-functioning urban area. It is a positive endorsement of Rangiora as a growth node in the District.
- 88. From a community well-being perspective, the provision of additional land for residential growth will continue to support the Council’s investment in community infrastructure by maintaining and facilitating growth rates, increasing the rating base and attracting development contributions.

SERVICING FOR PROPOSAL & EFFECTS ARISING FROM SERVICING

- 89. Proposals for servicing the Site as MDRZ and the effects from such servicing in relation to domestic water supply, wastewater, stormwater, roading, and telecommunications can be provided as evidence for any hearing if required.
- 90. The Submitter’s position is that the Council must provide this information given that the NPS-UD directs it to rezone the Site.

CONCLUSION

91. There is no resource management reason as to why the Site cannot be zoned for residential development immediately as part of Variation 1. The Council, through its planning has removed most of the statutory barriers to bringing the land to the market. Leaving the Site zoned Rural Lifestyle is not an efficient, nor appropriate use of the Site given the high demand and high land prices in Rangiora and other parts of the District. It is understood that vacant standard residential section prices in Rangiora have, similar to Rolleston, approximately doubled in price in the last 6-18 months.
92. The proposal is in accordance with and supports the growth direction for Rangiora set down in the Canterbury Regional Policy Statement and Proposed Waimakariri District Plan. It promotes the social economic and cultural well-being of current and future residents of Rangiora by adding to land supply. It gives effect to Change 1 of the CRPS and the National Policy Statement on Urban Development 2020 (NPS-UD) and is in accordance with, and supports, the objectives and policies of the other relevant planning documents. The proposed rezoning is the most appropriate planning outcome for using the land in a manner the promotes the purpose and principles of the RMA and delivers on the amendment Act; it supports the Council in carrying out its functions under Section 31 of the Act.
93. The proposed certification process for delivering land for housing within the New Development Areas including at West Rangiora is opposed. In circumstances where there is an acute housing need and rapidly escalating house and land prices fueled in part by a shortage of supply, the Council needs to act quickly and with certainty to address the shortfall. Whilst innovation is important, this is not the time to be testing a new uncertain and unproven method for delivering land for housing. A much quicker and more certain method for the Council to rezone the land in the New Development Areas, including the Site as part of the Variation.
94. The mandatory requirement of the NPS-UD is that every tier 1 local authority must provide at least sufficient development capacity to meet expected demand for housing. That capacity has to provide 10 years capacity at each point in the planning period. Development capacity for the medium term must be zoned in a proposed plan and be infrastructure ready⁵.
95. In accordance with the above, the Council's s32AA assessment of Variation 1 is considered

⁵ NPS-UD clauses 3.2 and 3.4

to be inadequate. Rezoning the Site RMDZ (and other West Rangiora Future Development Area land), and the other relief sought in this submission and the Hale submission on the PWDP is the most appropriate way of achieving the purpose of the RMA, and the objectives of the PWDP and Variation 1, as sought to be amended by the Hale submissions on the PWDP and Variation 1.

A handwritten signature in black ink, appearing to read 'T. D. A. A.', enclosed within a thin black rectangular border.

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(Signature of applicant or person authorized to sign on behalf of the submitter)

Date: September 9, 2022

Appendix 1: Greater Christchurch Partnership Housing Capacity Assessment (July 2021)

Table 2: Urban Housing Sufficiency within Greater Christchurch in the Medium Term 2021 – 2031 – excluding Selwyn and Waimakariri Future Urban Development Areas

Area	Feasible Capacity	Medium term demand + 20% short term margin	Surplus / Shortfall
Waimakariri	2,273	5,410	-3,137
Christchurch	101,994	18,215	83,779
Selwyn	6,452	8,541	-2,089
Total	110,719	32,166	78,553

Table 3: Adjusted Urban Housing Sufficiency within Greater Christchurch in the Medium Term 2021 – 2031 including Selwyn and Waimakariri Future Urban Development Areas at 15hh/ha.

Area	Feasible Capacity + FUDA 12/12.5hh/ha	Feasible Capacity + FUDA 15hh/ha	Medium term demand + 20% medium term margin	Medium term Surplus / Shortfall @ 15hh/ha	Medium term Surplus / Shortfall @ 12/12.5hh/ha
Waimakariri	7,673	9,123	5,410	3,713	2,263
Christchurch	101,994	101,994	18,215	83,779	83,779
Selwyn	12,208	13,502	8,541	4,961	3,667
Total	121,875	124,619	32,166	92,453	89,709

Table 4: Housing Urban Sufficiency within Greater Christchurch in the Long Term 2021-2051 including Selwyn and Waimakariri Future Urban Development Areas at 15hh/ha.

Area	Feasible Capacity + FUDA 12/12.5hh/ha	Feasible Capacity + FUDA 15hh/ha	Long term Demand + 15% long term margin	Long term Surplus / Shortfall @ 15hh/ha	Long term Surplus / Shortfall @ 12/12.5hh/ha
Waimakariri	12,192	13,642	13,059	583	-867
Christchurch	101,994	101,994	41,231	60,763	60,763
Selwyn	12,208	13,502	25,338	-11,836	-13,130
Total	126,394	129,138	79,628	48,344	46,766

Appendix 2: Framework Rezoning Assessment

Land within Future Development Areas in Rangiora

There are a number of sites in Rangiora identified as FDA within the CRPS that have not, to date, been subject to any other process that would facilitate residential development, such as a Plan Change request to the Operative District Plan or a resource consent.

In the PWDP, the underlying zoning of this Lehmans Road site is RLZ but its future land use has been recognised in the West Rangiora Development Area as land for future urban growth.

The Site and Surrounding Environment

The site is located on the western side of Rangiora at the corner of Johns and Lehmans Roads. Land to the west across Lehmans Road is rural in outlook and use. Nearby the Site to the south, east and north is Rangiora township, and that land is either recently developed for residential purposes or progressively being developed for the same, through various RMA processes.

The site exhibits a rural-residential nature, containing a residential dwelling and associated outbuildings, with the balance of the site being used as farm paddocks. The attributes of the site and locality are further described in the submission on the PWDP.

Rezoning Framework

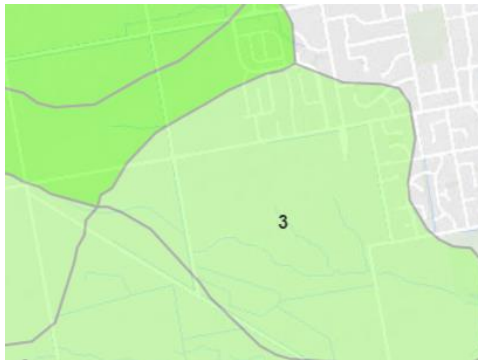
Selwyn District Council staff prepared a s42A report to provide a framework for the assessment of rezoning requests in the Proposed Selwyn District Plan (PSDP) – see <https://www.selwyn.govt.nz/property-And-building/planning/strategies-and-plans/selwyn-district-plan/selwyn-district-plan-review/hearings/hearing-rezoning-requests-under-proposed-district-plan>. This framework can usefully be applied to this Lehmans Road submission on Variation 1. It has been modified to be relevant to the Waimakariri context.

The Lehmans Road site is greenfield in nature; seeking rezoning for residential purposes and being located within the West Rangiora Future Development area in the PWDP suggest an assessment against the Selwyn greenfield framework is appropriate.

This framework contains criteria that by most measures are the basis for sound strategic planning decisions and site-based merit decisions.

Criteria	Assessment
Does it maintain a consolidated and compact urban form?	The site is located within the West Rangiora Development Area which provides for the extension of Rangiora westwards. It will

	maintain the compact and consolidated urban form of the township. The site is bounded to the east by land that has been approved for residential development through other processes. The proposed rezoning is consistent with the WDDS directions for township growth.
Does it support the township network?	Rezoning of the site concentrates growth adjacent to Rangiora as planned and directed by the WDDS, maintaining the relative scale of the township network
If within the FDA, is it consistent with the goals and outline development plan?	The site is located within the FDA identified in Map A Chapter 6 CRPS and the rezoning of this site will accord with the outcomes sought by the CRPS.
Does not affect the safe, efficient, and effective functioning of the strategic transport network?	The proposed rezoning of the sites will not affect the safe, efficient and effective functioning of the strategic transport network. Any upgrades to the network required by the proposed rezoning will be led by Council and funded by development contributions.
Does not foreclose opportunity of planned strategic transport requirements?	The proposed rezoning of the site will not foreclose the opportunity of planned strategic transport requirements. Rather, the ODP for West Rangiora identifies upgrades to the road network and how those upgrades are to be integrated with the surrounding network.
Is not located in an identified High Hazard Area, Outstanding Natural Landscape, Visual Amenity Landscape, Significant Natural Area, or a Site or Area of	None of the sites are located within areas of this nature.

Significance to Māori?	
Does not locate noise sensitive activities within the Rangiora Airfield Air Noise Contours	The sites are not located within the Rangiora Airfield Noise Contours.
The loss of highly productive land	<p>The proposed rezoning will result in the marginal loss of highly productive land as the 5.6ha site contains Class 2 and 3 soils</p> 
Achieves the built form and amenity values of the zone sought.	The adoption of the proposed MRZ provisions without amendment will ensure the rezoning achieves the built form and amenity values of the zone sought.
Protects any heritage site and setting, and notable tree within the re-zoning area	The sites do not contain any heritage sites or settings, or notable trees.
Preserves the rural amenity at the interface through landscape, density, or other development controls	<p>The site occupies a corner with an arterial road providing a buffer and physical separation to the rural environment to the west.</p> <p>The other three sides are part of the West Rangiora Development Area where further residential development is planned to occur. Consistent with existing urban development at the rural interface, no additional landscaping or density controls are proposed to manage this interface.</p>
Does not significantly impact existing or anticipated adjoining rural zones	Consistent with existing urban development, the existing road network will provide

	separation between rural and urban uses
Does not significantly impact the operation of important infrastructure, including strategic transport network	The proposed rezoning of the sites will not impact on the operation of either any important infrastructure or the strategic transport network
How it aligns with existing or planned infrastructure, including public transport services, and connecting with water, wastewater, and stormwater networks where available	The provision of infrastructure within the West Rangiora Development Area has been planned by Council and the connection to the networks can be provided for at the time of subdivision for urban purposes.
Ensuring waste collection and disposal services are available or planned	Waste collection and disposal services are available in Rangiora and can be extended via the proposed road network connections to support the rezoned site
Creates and maintains connectivity through the zoned land, including access to parks, commercial areas and community services	The West Rangiora ODP shows how the site will be linked to the adjoining land set aside for urban development purposes. This also demonstrates how the site will be connected, and accessible to, parks and commercial areas, both within the sites or adjoining areas.
Promotes walking, cycling and public transport access	The ODP incorporates walking, cycling and public transport routes that are connected to the existing network.
The density proposed is 15hh/ha	The adoption of the MRZ provisions will enable the proposed density of 15hh/ha to be achieved, if desired.
The request proposes a range of housing types, sizes and densities that respond to the demographic changes and social and affordable needs of the district	The MRZ proposed will enable a range of housing types, sizes and densities.
An ODP is prepared	The PWDP has an ODP for West Rangiora. This will ensure the site is integrated with

	existing or proposed development in the immediate vicinity.
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