

**BEFORE INDEPENDENT HEARING COMMISSIONERS APPOINTED BY THE
WAIMAKARIRI DISTRICT COUNCIL**

IN THE MATTER OF

The Resource Management Act 1991 (**RMA** or
the Act)

AND

IN THE MATTER OF

Hearing of Submissions and Further
Submissions on the Proposed Waimakariri
District Plan (**PWDP** or **the Proposed Plan**)

AND

IN THE MATTER OF

Hearing of Submissions and Further
Submissions on Variation 1 to the Proposed
Waimakariri District Plan

AND

IN THE MATTER OF

Submissions and Further Submissions on the
Proposed Waimakariri District Plan and on
Variation 1 by **Doncaster Developments
Limited** (Stream 12E)

**EVIDENCE OF PATRICIA HARTE
ON BEHALF OF DONCASTER DEVELOPMENTS LIMITED**

27 MARCH 2024

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INTRODUCTION

- 1 My name is Patricia Harte. I am a Consultant Planner with Davie Lovell-Smith, Planners, Engineers and Surveyors of Christchurch.
- 2 I have a Bachelor of Laws (Hons) and Master of Science in Resource Management and am a full Member of the New Zealand Planning Institute.
- 3 I have over thirty years' experience in planning and resource management. Throughout this period I have been involved in the preparation of seven district plans and numerous plan changes. I have assisted Councils in processing private plan changes and resource consents for large projects. This has included providing evidence at Council level and at extended Environment Court hearings.
- 4 I have read the Environment Court's Code of Conduct and agree to comply with it. My qualifications as an expert are set out above. The matters addressed in my evidence are within my area of expertise, however where I make statements on issues that are not in my area of expertise, I will state whose evidence I have relied upon. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in my evidence.

PROPOSED WAIMAKARIRI DISTRICT PLAN and VARIATION 1- DONCASTER DEVELOPMENTS SUBMISSION

- 5 Doncaster Developments Limited (Doncaster) is the owner of the land in north west Rangiora adjoining Lehmens Road. This site is currently zoned Residential 4A in Operative District Plan, which provides for rural-residential development. The site also falls within the Northwest Rangiora Development Area. Under the Proposed Waimakariri District Plan (Proposed Plan) the Doncaster site is zoned Large Lot Residential (rural-residential) and is within the NWR-Northwest Rangiora Development Area. Doncaster's submission requests that the Large Lot Residential zoning of the site be changed to either General Residential or Medium Density Residential. The submitter, having reconsidered its submission and the predominance of Medium Density Residential Zoning (MDR) throughout Rangiora, has opted to proceed only with its request for MDR zoning for this site.
- 6 The Large Lot Residential Zone referred to in the Doncaster submission is identified in Figure 1 below and contains the following properties:

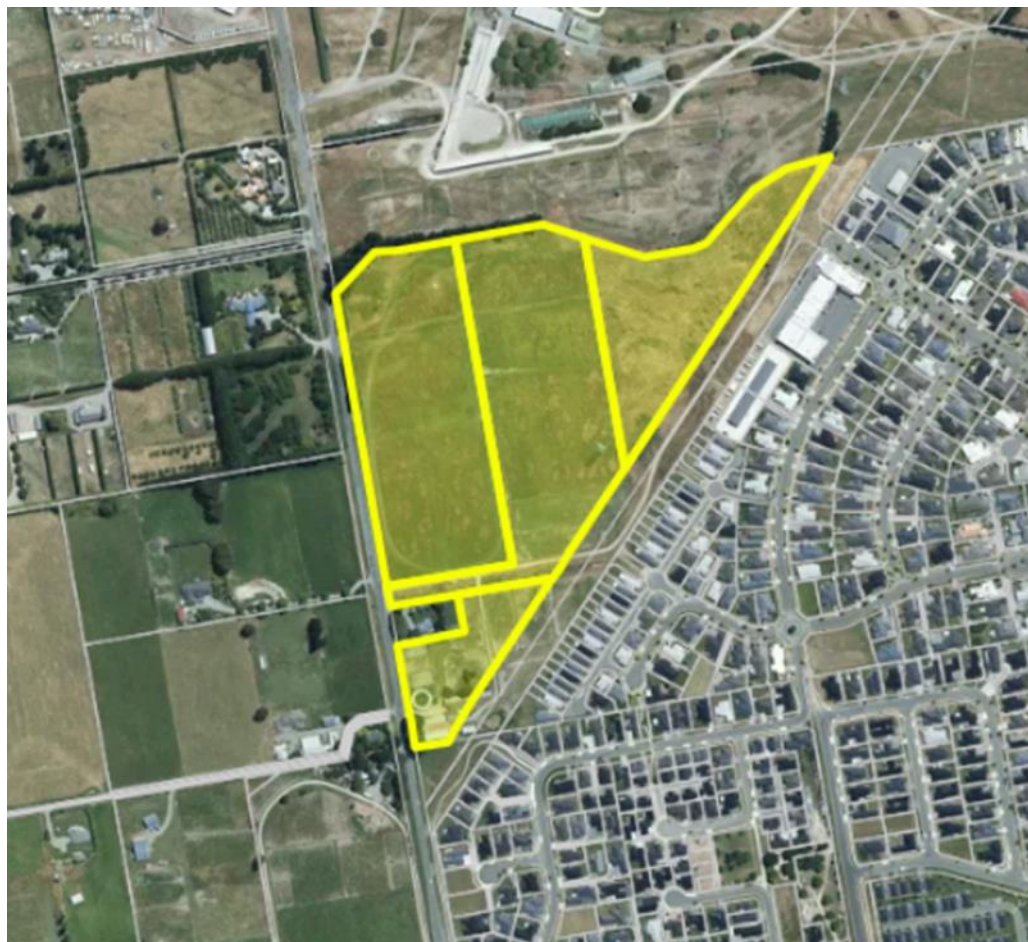


Figure 2 – Land owned by Doncaster Developments

- 8 Doncaster Developments Limited has, for a number of years, been seeking to have this site rezoned to enable full residential development as it considers this to be a significantly better utilisation of this land which adjoins the town and which “squares off” the north-western corner of Rangiora. This history of seeking rezoning is apparent from the submissions to various planning and policy documents over the last 7 years that are attached to Doncaster’s submissions to the Proposed Plan and Variation 1.
- 9 Doncaster’s request to the Greater Christchurch Partnership to extend the Urban Limits line in Map A to include the Doncaster site was not accepted. No particular reason was given for this decision, but then the GCP did not accept any requests to extend the urban limits. Doncaster Developments and Suburban Estates also sought that the north-western area of Rangiora be included in Proposed Change 1 to the Canterbury Regional Policy Statement as a “Future Development Area”. Again this was not accepted.

- 10 The current Residential 4A zoning in the Operative Waimakariri District Plan has a permitted minimum lot size of 2000m² and a minimum average density of one house per 5000m². The site also falls within the North-west Rangiora Outline Development Plan area in the Operative and Proposed Plans, refer Figure 3 below. The Development Plan area is unusual as it includes both Residential zoning and Rural-residential land. In fact, Doncaster Developments developed the residentially zoned area contained in the North-West Outline development Plan. This land is to the south of the submission site and is now known as Arlington Park. The Arlington Park development incorporates medium density housing and townhouse development, a preschool, church and small shopping centre.



Figure 3 North West Rangiora ODP – Proposed District Plan

- 11 In response to the notification of the Proposed Waimakariri District Plan (Proposed Plan) in September 2021, Doncaster Developments lodged a submission requesting full residential zoning of their site to enable the residential development that it has been planning for many years. This request was for the site zoning to be changed from Large Lot Residential to General Residential. Doncaster submitted a replacement Outline Development Plan for the site referred to as the Arlington West Outline Development Plan— see Figure 4 below.



Figure 4 – Arlington West – Outline Development Plan

In addition it:

- Supported Policy UFD-P2 which enabled residential rezoning and development in areas outside the identified Residential Development Areas (RDAs) in the District Plan subject to the eight criteria in that policy.
- Opposed the North West Rangiora Outline Development Plan , DEV-NWR-APP1 as it did not provide for the development of the submitters site for urban residential housing.

12 The Proposed Plan was followed in November 2022 by Variation 1 which incorporated the requirements of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (the Enabling Act). The submitter then lodged a submission confirming and requesting that its land (as listed in paragraph 6 above and in Figure 1) be rezoned for residential (as opposed to rural residential) use. In response to the Enabling Act purpose of providing for, and encouraging higher residential densities, the submitter sought alternative decisions either:

- That the submission to the Proposed District Plan be allowed in full and the property be included in the General Residential zone, along with adjacent residential areas of Rangiora, if Variation 1 has been appropriately modified to enable that outcome

OR

- That the zoning of the property be changed to Medium Density Residential zone if Variation 1 proceeds in approximately its notified form

The submitter, having reconsidered its submission and the predominance of Medium Density Residential Zoning (MDR) throughout Rangiora, now wishes to proceed only with its request for MDR zoning for this site.

- 13 Since lodging submissions, the submitter has fine-tuned its outline development plan to provide a more comprehensive approach to this extension of North West Kaiapoi. The replacement ODP is shown below as figure 5 below.

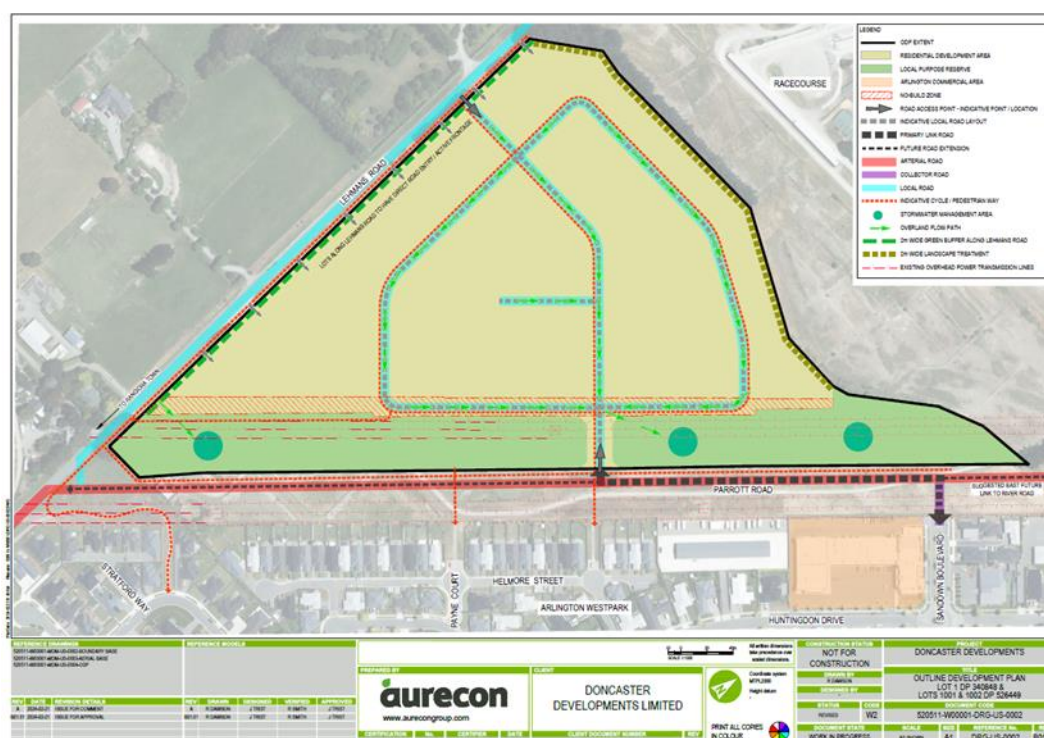


Figure 5 – Revised Outline Development Plan

- 14 The key changes to the ODP are:

- 2m wide landscape strips are required along the Lehmans Road frontage and along the northern boundary facing the Racecourse.
- The Local purpose reserve under the Transpower lines is shown.
- Stormwater flow paths along the roads are identified.
- The status of the internal and external roads is specified.
- The main entrance to the site from the Arlington residential area is now opposite the Helmore Street roundabout then north-east along Parrott Road
- Cycleways and pedestrian ways are identified.

- The Arlington area east of Parrott Road is not included as it is now fully developed.

SUBMISSION SITE AND SURROUNDINGS

- 15 The site to be rezoned and its surroundings are described in detail in the Urban Design assessment of Vikramjit Singh and the Transport Assessment of Ray Edwards. It is essentially the final triangular corner piece of land on the northwest edge of Rangiora that has not been zoned for residential use. It is currently vacant and is very unlikely to have any productive values. A key element on the site is the twin 220kv Transpower lines which run diagonally from the southwest to northeast of the site. Another important element is the unformed Parrott Road which is parallel to the Transpower lines but further south east. This road will provide the key road linkage through to the Arlington residential area by way of Sandown Boulevard. There are currently no buildings on the site.
- 16 The adjoining land uses are:
- Rangiora Harness Racecourse to the north
 - A vacant strip of land to the north east
 - The Arlington residential and commercial development to the south across Parrott Road
 - Rural residential type development on the west side of Lehmans Road.
- 17 The submission site is therefore a logical residential extension of Rangiora as it occupies the last remaining area of land in the north-western corner of the town. It effectively squares off this corner of Rangiora.

PLANNING CONTEXT – PROPOSED WAIMAKARIRI DISTRICT PLAN

- 18 The following assessments consider the proposed rezoning of the submitter's site from Large Lot Residential in the Proposed Plan (Residential 4A Operative Plan) to Medium Density Residential (MDR). I firstly consider the suitability of Large Lot Residential zoning for the site, and secondly the suitability of Medium Density Residential zoning.

Large Lot Residential Zoning

- 19 The Large Lot zones in the Proposed Plan incorporate both the Residential 4A and 4B zones of the Operative Plan. The current Residential 4A zoning and

proposed Large Lot residential zoning provide for rural-residential type development with a minimum average lot size of 5000m² and minimum lot size of 2000m². The Proposed Plan states that;

The purpose of the Large Lot Residential Zone is to provide residential living opportunities for predominantly detached residential units on lots larger than other Residential Zones. The Large Lot Residential Zone are located near but outside the established townships. Some opportunity is also provided for rural activities where the effects of these activities will not detract from the purpose, character and amenity values of the residential zone.

In my opinion this statement is at odds with the actual location of existing Large Lot zones as the majority of the Res 4A/4B /LLR zones within the rural area are quite distant from settlements. I note there are only two Residential 4A zones in the Operative Plan being the Doncaster land and at Waikuku Beach.

20 **Urban form and development, Policy 3** addresses the identification/location and extension of **Large Lot Residential zone** areas. The focus of the policy is new Large Lot residential development; however I consider that the criteria contained in the policy provide a useful basis for considering the appropriateness of the Doncaster land being zoned Large Lot Residential. Clause 2 of the policy states:

New Large Lot Residential development, Is located so that it:

- a. occurs in a form attached to an existing large Lot Residential Zone or Small Settlement zone and promotes a coordinated pattern of development;*
- b. is not located within an identified Development Area of the District's main towns of Rangiora, Kaiapoi and Woodend identified in the Future Development Strategy;*
- c. is not on the direct edge of the District's main towns of Rangiora, Kaiapoi and Woodend, nor the direct edges of these towns identified new development areas as Woodend identified in the Future Development Strategy*

The Doncaster site does not satisfy any of these criteria as it **is not** attached to an existing large lot or settlement zone, it **is** located in an identified development area (North West Rangiora Development Area) and **is** on the "direct edge" of Rangiora. The site's large lot zoning therefore does not, in my opinion, have a sound planning/policy basis.

Medium density residential zoning

21 **Strategic Directions, Objective 2** in the Proposed Plan sets out the desired outcomes for urban development including Urban development and infrastructure that:

- a. is consolidated and integrated with the urban environment,
- b. Recognises the existing character, amenity values and is attractive and functional to residents, business and visitors,
- c. Utilises the Council's wastewater, potable water supply and stormwater infrastructure where available;
- d. Provides a range of housing opportunities, focusing on new residential activity within existing towns;
- e. Supports a hierarchy of urban centres, with the District's main centres in Rangiora, Kaiapoi, Oxford and Woodend being the focus around which residential development and intensification can occur;
- f. Provides people with access to a network of spaces with urban environments for open space and recreation.

22 My assessment of the requested MDR rezoning against these criteria is set out below and draws on the Urban Design assessment of Vikramjit Singh. All of these criteria are met.

- a. The Doncaster site immediately adjoins the Rangiora township and its residential zoning, accepting that visually the Transpower Lines require a degree of separation.
- b. The proposed rezoning and revised outline development plan recognise the character of the area incorporating the area under the Transpower lines as reserve and as a stormwater area available to the public.
- c. The development will connect to Council's existing reticulated services, thereby avoiding the need to construct new facilities as discussed in the evidence of Regan Smith of Aurecon

- d. The submission requests General Residential or Medium Density Residential zoning. However, in keeping with the remainder of Rangiora under Variation 1, and to enable a variety of section sizes the submitter is now only seeking Medium Density Residential zoning. This will provide for a wider range of housing opportunities. This zoning is supported by the submission of Kāinga Ora who consider that MDR zoning should not be limited to areas within 800m of the Town Centre zone.
- e. The proposed Medium Density zoning will provide for full residential use of this site which provides the final piece of the puzzle on the north west corner of Rangiora. Doncaster is keen to provide for a range of housing types including more intensive housing.
- f. The new ODP prepared for the site provides for very good connectivity within the site as well as access to the local purpose reserve under the transmission lines and through to the adjoining Arlington area and links through to Lehman Road and therefore River Road to the north and northeast.

23 **Urban Form and development, Policy 2** (UFD-P2) addresses the identification and location of new Residential Development Areas. It is therefore not directly relevant as Doncaster is not seeking a new development area as its site is already within the North West Rangiora Development Area. However I consider it is useful to assess the proposed residential zoning of Doncaster site rezoning against the criteria in this policy. These criteria are in clause 2 of UFD-P2 which I set out below with associated comments:

UFD-P2 Identification/location of new Residential Development Areas

2. For new Residential Development Areas, other than those identified by (1) above, avoid residential development unless located so that they:

a. occur in a form that concentrates, or are attached to, an existing urban environment and promotes a coordinated pattern of development; Comment:

The Doncaster site is attached to the Arlington area of Rangiora township and the outline development plan provides for a coordinated pattern of development in this north western corner of Rangiora providing vehicle and cycle/pedestrian links

b. Occur in a manner that makes use of existing and planned transport and three waters infrastructure, or where such infrastructure is not available, upgrades, funds and builds infrastructure as required;

Comment: The development associated with the rezoning will require and facilitate the construction of Parrott Road which is a primary link road that has been planned by the Council for some time. It is understood this may provide a useful link in the proposed heavy traffic bypass in this area.

c. have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport;

Comment: The area under the transmission lines will provide a very accessible and extensive reserve space for residents as well as providing for stormwater detention and treatment. In addition Arlington Park is within easy walking distance of the Doncaster site

d. concentrate higher density residential housing in locations focusing on activity nodes such as key activity centres, schools, public transport routes and open space

e. take into account the need to provide for intensification of residential development while maintaining appropriate levels of amenity values on surrounding sites and streetscapes;

Comment: These requirements are now less relevant with the global rezoning of Rangiora's residential areas as Medium Density Residential as this zoning provides for medium, and possibly some higher density development throughout the town. Doncaster intends to incorporate a variety of housing within this development recognising a demand for this and because the site is close to a shopping area and open spaces.

f. are informed through the development of an ODP;

Comment: A new ODP has been prepared for the site which provides for very good connectivity within the site as well as access to the local purpose reserve under the transmission lines and through to the adjoining Arlington area and links through to Lehman Road and therefore River Road to the north and northeast.

g. supports reductions in greenhouse gas emissions; and

Comment: The ODP provides for passive and active transport and provides ready access to the Park and Ride facility for people wishing to commute to Christchurch.

h. are resilient to natural hazards and the likely current and future effects of climate change as identified in SD-O6

Comment: The non-urban flood overlay on the Proposed District Plan planning maps indicates a flood channel running along the northern boundary of the site, presumably overflow from the Ashley River. The potential flood levels will be taken into account in developing the site by raising ground levels while ensuring any runoff onto adjoining properties is controlled to avoid any increase in flooding.

- 24 The above assessments of the Doncaster site based on the requirements of **Urban form and development, Policy 3** (for Large Lot Residential) and **Strategic Objective 2** and **Urban Form and development, Policy 2** (for residential zones and development areas) show that the Doncaster site satisfies both higher level and more detailed location and servicing requirements as well as all relevant planning criteria. On this basis I consider that the requested residential zoning of the Doncaster site is most appropriate option for achieving these objectives and policies.

HOUSING DEMAND AND CAPACITY

- 25 Review of the Waimakariri District Plan under the RMA provides a logical and appropriate opportunity for consideration of growth needs for all sectors of the community and District. This is confirmed by Urban Form and Development **Objective UFD-O1** which specifies “**Sufficient feasible development capacity for residential activity to meet specified housing bottom lines and a changing demographic profile of the district**” and then includes a table of the number of Residential Units that meet the Short to Medium term, Long Term and 30 Year Time frame housing bottom lines. I note that the council officer reporting on the Urban Form and Development chapter recommends that the words “At least..” be added to the beginning of **Objective OFD-01**.
- 26 I understand that as part of the review of the District Plan capacity assessments of the likely demand and supply of land for housing have been undertaken and that this has formed the basis for retaining existing Development Areas and

including a new development area. The capacity assessments have recently been interrogated with the hearing of Plan Change 31 proposing multi-use development at Ohoka. However, as detailed in the evidence of Tim Heath, this capacity assessment has a number of calculations and assumptions that potentially overestimate supply.

- 27 Mr Heath considers that given Waimakariri's growth trajectory the High Growth projection used by Stats NZ strongly indicates that more capacity is needed to meet the medium and long term household projections. This scenario estimates the number of households in Rangiora to increase from 8,340 in 2023 to 11,620 in 2048. This implies a demand for 3,280 dwellings reflecting a 39% increase over the next 25 years. The demand is expected to be reinforced by the relative competitiveness of the Waimakariri housing market due to its lower than average property values as compared to Christchurch City and Selwyn District.
- 28 With regard to supply, Mr Heath assesses the latest estimated housing capacity. In his opinion the various scenarios, including development of the Future Development Areas (FUDAs), involve a number of uncertainties. These include the density of development (12-15 households per ha) and the feasibility of development within some of these FUDAs. Overall he considers the capacity assessments presented in the HBA2023 (Christchurch Housing Development Capacity Assessment) are overstated.
- 29 In relation to the Doncaster site he considers that "given its close proximity to Rangiora's urban residential environment, amenities and established infrastructure, it would seamlessly integrate into the existing urban environment. Enabling the proposed rezoning would provide location and typology choice and improve competitiveness in the market and therefore contribute to the establishment of a well-functioning urban environment" as required by Policy 1 of the NPS-UD. Importantly, he then states that the "rezoning will not come at the expense of other zoned capacity, given the anticipated shortfall of residential capacity within the district over the medium term. To the contrary, the rezoning would provide more supply certainty in Rangiora over the short to medium terms."
- 30 Section 32(1) requires consideration be given to whether a proposal is the most appropriate way to achieve an objective, including assessing the efficiency and effectiveness of the provisions. In this regard it is my opinion that retaining the Large Lot Residential zoning for the site is not the most effective or efficient

option as it provides a for a limited number of sites for housing at a density of only 1 house per 5000m². In addition, it fails to meet all relevant locational criteria in the Proposed Plan. In contrast, the MDR zoning enables a significantly greater density with no minimum lot size and up to 3 residential units per site. This zoning is clearly the more efficient and effective way of providing for new residential sites.

ASSESSMENT OF EFFECTS

31 The following summary of potential impacts of the development draws on the specialist reports and evidence relating to transportation, visual/urban design, contamination, geotechnical and infrastructure assessments and evidence.

Roading and access

- The site is well-connected to the wider road network to and from the South, South east, North, North West and West.
- The site is serviced by a nearby bus “park and ride” facility on River Road which links through to Christchurch
- The highest concentrations of site generated traffic concentrations would occur on Lehmans Road, Charles Upham Drive, Sandown Boulevard, Oakwood Drive, Belmont Avenue and West Belt and the key intersections impacted from traffic generated by the new zone are:
 - Lehmans Road and Oxford Road
 - West Belt with Oxford Road and High Street
 - West Belt with Belmont and Kingsbury
- Based on an estimated 110 allotments being created the modelled generation shows that the identified roads remained within suitable volumes given their hierarchy classification and that there is unlikely to be any material effect on the performance of the identified key intersections.

Urban Design

- The ODP provides for good connectivity within and beyond the site including a park and ride facility to Christchurch close by on River Road
- The street pattern will enable a diversity of house and lot sizes including higher density close to open spaces

- Walking and cycle network links both internally and to adjoining existing and future residential areas and community facilities
- Proposed green space and facilities will serve the future population

Infrastructure

- The good ground conditions allow low risk, cost-effective subdivision development and house construction.
- Stormwater from hard-surfaces can be managed onsite through soakage based disposal which will not put any additional demand on downstream infrastructure
- Water supply and wastewater can be efficiently served by extensions to service the site

Contamination and Geotechnical

- There are no geotechnical issues and the existing burn pit can be easily remediated

32 The above assessments conclude that there are no adverse effects, including adverse environmental effects, anticipated from the MDR rezoning of the Doncaster site and its subsequent residential development.

STATUTORY ASSESSMENT OF REZONING REQUEST

33 The following assessment addresses relevant provisions in the Resource Management Act, the National Policy Statement for Urban Development, the National Policy Statement for Highly Productive Land, and the Canterbury Regional Policy Statement.

34 The purpose of the RMA is promoting the sustainable development of natural and physical resources. This includes development at a rate which enables people and communities to provide for their social, economic and cultural wellbeing while meeting a number of bottom lines including meeting the reasonably foreseeable needs of future generations. The requested rezoning is intended to provide for development at a rate which enables people and the communities of Rangiora and greater Christchurch to provide for their wellbeing. In particular it will assist in providing for one of the basic needs of people, namely provision of homes to live in.

National Policy Statement for Urban Development 2020

35 The most relevant national policy statement is the National Policy Statement on Urban Development 2020. The NPS-UD has a number of significant objectives, the most relevant of which is:

Objective 2: Planning decisions improve housing affordability by supporting competitive land and development markets.

The Economic assessment undertaken by Tim Heath of Property Economics analyses the current and predicted future market forces operating in the housing market and in particular the housing market in Waimakariri District and Rangiora. These markets have been reacting in a classic way with section prices rising in direct response to limited supply of sections. He concludes that:

"...it can be anticipated that the wider Waimakariri District will face a significant shortfall of approximately 1,240 dwellings over the medium term (2032). Consequently, there is a real requirement to provide additional residential capacity in the main urban areas of the district over the forecast period.

Based on my assessment of its locational characteristics, the submission site is an appropriate and economically efficient location to address a portion of this anticipated demand over the medium term, given its proximity to a large amount of existing infrastructure, services and amenities.

36 **Objective 2** of the NPS-UD states very clearly that planning decisions made on plan changes and the like need to fully acknowledge and address the affordability issue which is causing significant economic and personal stress for many households. From my working relationship with developers I am aware that is also of great concern to them. While they might, at times, be getting increased prices for individual sections due to limited residentially zoned land, they would much prefer a situation where they can supply sections and houses to meet demand. I have addressed housing demand and capacity earlier in this evidence.

37 Also of significance are NPS-UD Objectives 3 and 6, namely

Objective 3: Regional policy statements and district plans enable more people to live in, and more businesses and community services

to be located in, areas of urban environment in which one or more of the following apply:

- a) The area is in or near a centre zone or other area with many employment opportunities
- b) The area is well-serviced by existing or planned public transport
- c) There is a high demand for housing or business land in the area relative to other areas within the urban environment

Objective 6: Local authority decisions on urban development that affect urban environments are:

- d) Integrated with infrastructure planning and funding decisions; and
- e) Strategic over the medium term and long term;
- f) Responsive, particularly in relation to proposals that would supply significant development capacity

38 **Objective 3** makes specific reference to enabling people to live in an area "in or near" a centre zone. The Doncaster site actually adjoins the Arlington Local Centre zone which contains a range of commercial and community services. The transportation assessment also indicates efficient connections through to the Rangiora town centre and through to Christchurch by the nearby Park and Ride facility. In my opinion the site is therefore well located in regard to connections to services. With regard to closer employment opportunities, some of these may be available locally or within Rangiora which has a substantial and growing industrial sector.

Objective 6 is also very relevant to consideration of this submission as it sets down 3 requirements as the basis for making decisions on urban development. The first requirement is that urban development decisions need to be integrated with decisions on infrastructure planning and funding. The infrastructure evidence of Regan Smith indicates that there are no impediments to the Doncaster site connecting to local reticulated services. The evidence of Tim Heath confirms the need to be "strategic" by rezoning now to meet the anticipated medium term demand for housing in Rangiora, addressing the second requirement. The third matter in this Objective requires local authorities decisions on urban development to be "responsive". Clearly that instruction must apply to decisions on rezoning requests contained in submissions to

proposed district plans. In my opinion, this Objective by referring to being “responsive” also empowers district councils to make decisions that are not fully consistent with dated higher level policy documents.

39 I now assess whether the requested rezoning satisfies relevant NPS-UD policies.

- **Policy 1- Planning decisions to contribute to a well-functioning urban environments**
 - The location of the Doncaster site will enable easy access to jobs, community services and open space and routes for public and active transport.
 - There is some potential for reduced greenhouse emission through a compact urban form. The site is relatively close to some community facilities. There are also a range of green spaces and reserves in the vicinity. In particular the Arlington Park is very close to the site and to the River Road reserve, Ashgrove Park and Regent Reserve also serve residents of the area.
- **Policy 2 – Sufficient development capacity**
 - The economic analysis concludes that there will be a shortage of residential capacity in the medium term and that if this is not planned for that market forces will result in both new and existing housing becoming more expensive, creating significant issues for many households. Although the Doncaster site is not large, it is well located and, in my opinion, it has the required and valued features of land suited for housing development.

National Policy Statement for Highly Productive Land

40 The National Policy Statement on Highly Productive Land has the objective of:

“Highly productive land being protected for use in land-based primary production, both now and for future generations.”

As the Doncaster site already has an urban zoning it is not subject to the NPS-HPL.

Canterbury Regional Policy Statement (CRPS)

41 The proposed rezoning of the Doncaster site meets the key requirements for new development set out in **Objective 5.2.1 Location, design and function of development** as detailed below:

- It will achieve a consolidated, well designed and sustainable growth in and around an existing urban area
- It will enable people to provide for their social, economic and cultural well-being
- It provides housing choice
- It is located close to main routes and public transport
- The outline development plan ensures compatibility with the adjoining Transpower lines
- It avoids conflicts between incompatible activities

42 **Policy 5.3.1 Regional growth** implements Objective 5.2.1 and states:

To provide, as the primary focus for meeting the wider region's growth needs, sustainable development patterns that:

1. ensure that any urban growth; and limited rural residential development occur in a form that concentrates, or is attached to, existing urban areas and promotes a coordinated pattern of development;
2. encourage with urban areas, housing choice, recreation and community facilities, and business opportunities of a character and form that supports urban consolidation;
3. promote energy efficiency in urban forms, transport patterns site location and subdivision layout;
4. maintain and enhance the sense of identity and character of the region's urban areas; and
5. encourage high quality urban design, including the maintenance and enhancement of amenity values.

43 The Doncaster site and proposed residential development provided for in the latest Outline Development Plan address/satisfy all these matters as:

- Its location is attached to an existing urban area and so achieves a coordinated pattern of development.
- The MDR zoning and ODP will provide for housing choice and recreation opportunities.
- The site connects well with key transport routes both for private vehicles, cycling and public transport.

- The design of the development will be linked to the adjoining Arlington development as a result of shared ownership.
- The developers are experienced and pride themselves in achieving high quality urban design

44 The most contentious policy is policy 6.3.2 clauses 1 and 4 which state:

6.3.1 Development within the Greater Christchurch area

In relation to recovery and rebuilding for Greater Christchurch:

1. give effect to the urban form identified in Map A, which identifies the location and extent of urban development that will support recovery, rebuilding and planning for future growth and infrastructure delivery;
3. enable development of existing urban areas and greenfield priority areas, including intensification in appropriate locations, where it supports the recovery of Greater Christchurch;
4. ensure new urban activities only occur within existing urban areas or identified greenfield priority areas as shown on Map A, **unless they are otherwise expressly provided for in the CRPS;**

45 The Doncaster development appears to be contrary to clauses 1 and 4 as the site adjoins but is just outside the Map A urban limit. The Doncaster submission sets out a number of reasons why these provisions should not prevent the District Council deciding to rezone the Doncaster land for resident development including:

- That the conflict is a minor technicality, well below regional significance.
- That the decision in Our Space indicated that the boundaries were indicative only and that the merits of any proposal could be considered without being precluded by Map A
- The fact that the land is zoned for Rural residential use and adjoins Rangiora town is contrary to policies in the CRPS and District Plan, but now appears to prevent its logical use for residential development.
- The CRPS provisions are historical and out of date and arguably contrary to the NPS-UD as a planning tool
- There are no local or regional concerns that justify the continued existence and restrictive effects of the urban limit line in its present location, separating the site from the remainder of the housing area of North-west Rangiora

I agree with all these reasons and am therefore of the opinion that the Map A boundary in north- west Rangiora should not impede the logical rezoning of the Doncaster land from Large Lot Residential to Medium Density Residential.

46 In previous Doncaster submissions to Greater Christchurch policy documents providing for growth the requested rezoning of the Doncaster land has been refused, either with no reason or on the basis that is not in accordance with Map A in the Canterbury Regional Policy Statement, which is overdue for review. I note that Environment Canterbury has not directly opposed Doncaster's or other requested rezonings to the Proposed Waimakariri District Plan, with concerns limited to natural hazard issues. However they have requested that references to new Development Areas in policies including UFD-P2 Identification/location of new Residential Development Areas be replaced with reference to Map A. The reporting officer recommended rejection of this submission and commented that Policy UFD-P2 "enables Council to meet the requirements of Policy 2 of the NPS-UD" which requires local authorities at all times provide at least sufficient development capacity to meet expected demand for housing over the short, medium and long term" with the clear implication that compliance with the NPS-UD is the Council's priority.

47 **Policy 6.2.1.(3)** directs avoidance of residential development outside of Map A "*unless it is expressly provided for in the RPS.*" This then requires consideration of the other provisions such as those I have addressed above, namely **Objective 5.2.1 Location, design and function of development** and **Policy 5.3.1 Regional growth**. Both these provisions provide criteria for growth areas without limiting them to Map A. Also relevant is Policy 6.2.2 Urban Form and Development which specifies that:

The urban form and settlement pattern of Greater Christchurch is managed to provide sufficient land for rebuilding and recovery needs and set a foundation for growth, with an urban form that achieves consolidations and intensification in urban areas and avoids unplanned expansions of urban areas by:

5. encouraging sustainable and self-sufficient growth in the towns of Rangiora, Kaiapoi, Woodend, Lincoln, Rolleston and Prebbleton....

In my opinion this policy clearly recognises the need to enable growth of these towns to provide for future growth the population of greater Christchurch, and

in particular the provision of housing for this growth in the short, medium and long term. This should not be compromised by limiting development to the Map A areas. This approach is supported by the decision of Greater Christchurch Partnership on the Our Space - 2018-2048 document in the statement:

*We agree with officers that additional land is best considered as part of subsequent RMA planning processes, including reviews of the CRPS and **district plans**, and relevant LGA processes, including structure planning. ... we have recommended amendments to ensure Our Space does not preclude the consideration of further land that may be appropriate for future housing and business*

SUMMARY

48 My assessment in this evidence is based on the requirements of the RMA and in particular sections 31, 32, and 74-76 as set out in the *Middle Hill* and *Colonial Vineyard* cases. In my opinion, although the focus of these cases has been on plan changes, they logically are also relevant to consideration of changes to proposed district plans requested by way of a formal submission.

49 In summary with regard to:

Section 31 – the requested rezoning is in accordance with Council’s function in s31(1)(aa) of reviewing and establishing methods to ensure that there is “sufficient development capacity in respect of housing and business land to meet the expected demands of the district”.

RMA – Part 2 section 5(2) – the rezoning provides for development of the physical resources at a rate which enable people and communities provide for housing needs and therefore their social and economic wellbeing. In addition, it does not compromise in any way natural values, including those referred to in Matters of National Importance.

Section 75(3)(c) – The rezoning meets all the criteria for urban form and development in the Proposed Plan and within the CRPS other than reference to land not being within Map A (which is due for review).

Section 73(3)(a)- The rezoning from LLR to MDR is fully in accordance with the NPS-UD, which requires local authorities to provide for development capacity

into the future and specifically it achieves the most efficient use of land by providing for greater density than the current LLRZ.

CONCLUSION

- 50 In my opinion Doncaster Development's submission requesting its northwest Rangiora site be upzoned from Large Lot Residential to Medium Density Residential is a logical planning response to the clear need to provide for the growth of Rangiora and, in particular, to provide for more housing. Accepting the submission is consistent with all higher and lower level resource management policies and plans and will seamlessly extend the residential area in the northwest of Rangiora.

Patricia Harte

Date: 27 March 2024