

Before the Hearings Panel
appointed by Waimakariri District Council

Under the Resource Management Act 1991

In the matter of a hearing on submissions on the proposed Waimakariri District
Plan

Hearing Streams 1 and 2

Ravenswood Developments Limited

Submission Number: 347

Legal submissions on behalf of Ravenswood Developments Limited

8 May 2023

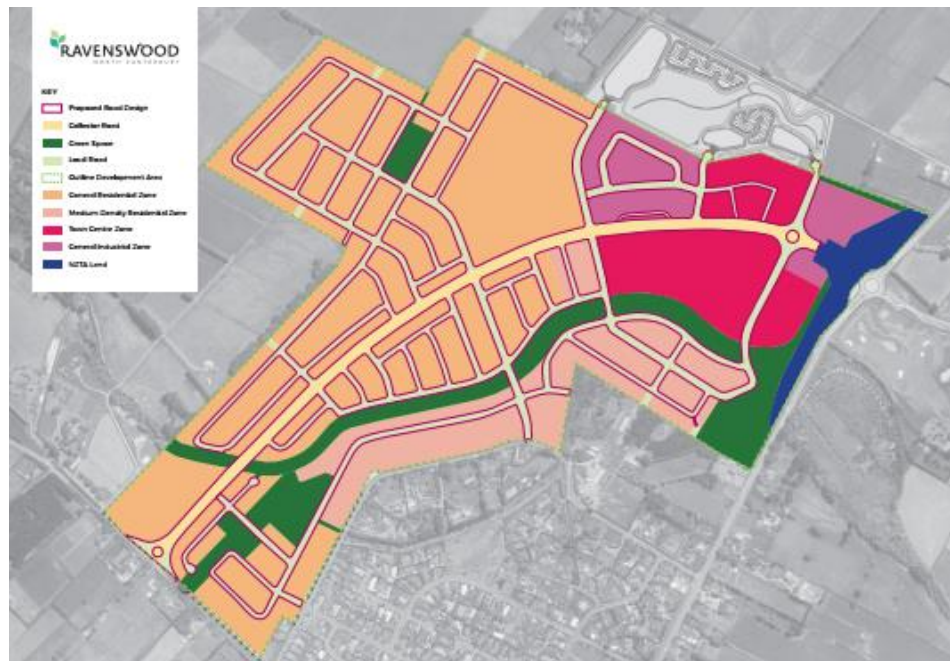
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**anderson
lloyd.**

May it please the Commissioners

- 1 These submissions are provided on behalf of Ravenswood Developments Limited (**RDL**, Submission: 347), on the proposed Waimakariri District Plan (**PWDP**).
- 2 RDL is a subsidiary of Infinity Investment Group Limited, an established and leading developer of master-planned communities across the South Island. Their developments within the Waimakariri District include the established settlement of Pegasus and the emerging residential neighbourhood and commercial centre at Ravenswood.
- 3 Ravenswood is located north of the existing Woodend Township, and west of the State Highway roundabout that also leads to Pegasus Town. Ravenswood comprises approximately 150ha of largely flat land, which contains an emerging town centre and a fast-growing residential community of approximately 1,350 existing and planned residential sections.
- 4 RDL was the proponent of private plan change 30 (**PC30**) to the operative Waimakariri District Plan (**Operative Plan**). At the time the PWDP was notified, PC30 had progressed to Council hearing stage. It has subsequently been confirmed by Environment Court consent order.¹
- 5 PC30 provides for the expansion of the Ravenswood commercial area, within the wider Ravenswood development, as depicted below (Town Centre Zone in red; General Industrial Zone in purple, see **Appendix 1** for full size image):



¹ Dated 24 January 2023

- 6 PC30 also identified and provided for the Ravenswood commercial area as an emerging Key Activity Centre (**KAC**). This responded to the identification of an indicative Woodend-Pegasus KAC within the hierarchy of centres identified on Canterbury Regional Policy Statement (**CRPS**) Map A (except below), and the subsequent conclusion in the Waimakariri District Development Strategy (**WDDS**) that Ravenswood would be the most appropriate location for establishment of this KAC.²



Excerpt of Map A showing Woodend/Pegasus KAC. Ravenswood is identified as a greenfield development area in green

- 7 RDL has a strong interest in ensuring that the established and planned residential and commercial areas of Ravenswood are afforded the necessary zoning and planning provisions under the PWDP to meet the present and future needs of this growing community, and of the District at large. RDL's submissions throughout the various hearing streams seek to incorporate and integrate the confirmed PC30 commercial zoning outcome within the new framework of the PWDP.
- 8 In the context of the Definitions, Strategic Directions, and Urban Form and Development provisions, RDL's submission points are directed towards:
- (a) Incorporating recognition of Ravenswood as a Key Activity Centre; and
 - (b) Providing consistent and appropriate descriptions and references to the urban area of Woodend, Ravenswood and Pegasus.
- 9 While consistency of drafting is generally desirable, in this context it also has the potential to impact application and interpretation of objectives and policies

² Waimakariri District Development Strategy at p29 and 33.

implementing a centres hierarchy. The terminology will also follow through into a suite of provisions to incorporate the PC30 rezoning into the PWDP, to be addressed through later hearing streams.

References to Woodend, Ravenswood and Pegasus

- 10 In relation to descriptions and references to urban areas, it is noted that the Operative Plan (including as amended by PC30) includes:
 - (a) A definition of Ravenswood, and a number of provisions that specifically refer to Ravenswood;
 - (b) An ODP, and other related provisions, which describe Ravenswood as "North Woodend (Ravenswood)";
 - (c) Definition and related provisions for Key Activity Centres which refer to Ravenswood as "North Woodend (Ravenswood)"; and
 - (d) Provisions relating to the wider urban area, referencing "Woodend (including Ravenswood and Pegasus)".
- 11 The Operative Plan descriptions reflect the previous way in which the area had been referenced in the Operative Plan, as well as a desire to align with the Canterbury Regional Policy Statement reference to a "Woodend/Pegasus" KAC.
- 12 The PWDP provides an opportunity to reconsider and refine the terminology used. RDL's submission seeks that descriptions of areas are consistent and appropriate, and in particular:
 - (a) Recognise the Ravenswood KAC and its role within the wider Woodend/Ravenswood/Pegasus urban environment; and
 - (b) Reflect that the area is commonly referred to as Ravenswood, and is likely to be increasingly so as the commercial centre develops, and accordingly it is likely that references to this centre as "Woodend" or "North Woodend" will not be readily understood by plan readers as referring to Ravenswood without further definition.
- 13 This issue of area descriptions is addressed through submission points on the definitions of Key Activity Centre, Principal Shopping Street, and Urban Environment; and on Strategic Direction Objective 2 (**SD-O2**). RDL understands that the definitions of Key Activity Centre and Principal Shopping Street will be addressed in Hearing Stream 9: Commercial and Industrial. Submissions on the definition of "Urban Environment" and on SD-O2 are addressed below.

Definition of "Urban Environment"

- 14 The proposed definition of "Urban Environment" includes a description of the Waimakariri District and states that it "*comprises the towns of Rangiora, Kaiapoi, Woodend (including Ravenswood), Pegasus ...*"
- 15 RDL's submission sought to clarify that the three urban areas – Woodend, Ravenwood and Pegasus – are contiguous and have a single KAC. RDL sought to amend the wording to read "*Woodend (including Ravenswood and Pegasus).*"
- 16 The section 42A Report – Strategic Directions recommends that RDL's submission point 347.4 be rejected. The basis for the recommendation is that Pegasus was gazetted in 2004 by the New Zealand Geographic Board as a town located between Woodend and Waikuku Beach. The gazettal is for a separate town called Pegasus and is not recorded as being part of Woodend. The report recommends no change to the definition of "Urban Environment".
- 17 The Section 42A Report – Urban Form and Development recommends the inclusion of the term "Urban Centres" to improve consistency with the NPS-UD and the CRPS. It is proposed that "Urban Centres" be defined to mean "*The area encompassing the townships of Rangiora, Kaiapoi, Woodend, Ravenswood and Pegasus*".³
- 18 It is proposed that "urban environment" be replaced with "urban centres" in SD-O2(1), SD-O2(7), UF-P1(1), UFD-P2(2)(a) and UFD-P8(3). It is not clear whether, beyond those provisions, the definition of "Urban Centres" is more generally intended to replace, or be additional to, the definition of "Urban Environment". However, the inconsistency between the two Officer recommendations highlights the issue of consistent drafting raised by RDL.
- 19 Having considered the Officers' comments, RDL seeks that:
 - (a) references to all three locations be made as "*Woodend, Ravenswood and Pegasus*"; and
 - (b) references to the town centre are made as "*Ravenswood*".

³ Section 42A Report – Urban Form and Development at [176].

- 20 It is submitted that this approach:
- (a) better reflects the role of Ravenswood as a KAC;
 - (b) gives effect to the intent of the CRPS which recognises a KAC in this location, notwithstanding that the terminology within the CRPS (before the location of the KAC was confirmed) is "Woodend/Pegasus";
 - (c) gives effect to the Objective 4 of the NPS-UD, by providing planning recognition of the changing urban environment and Ravenswood's status as and development into a KAC, to achieve a well-functioning urban environment; and
 - (d) reflects that, notwithstanding that Ravenswood is not an official name gazetted by the NZ Geographic Board, it is the name by which the area is commonly known and is likely to be most readily recognised and understood by plan readers.
- 21 As an alternative, the reference to "Woodend (including Ravenswood), Pegasus" could be retained. However, in our view this suggests that Ravenswood is a lesser area within Woodend, and does not reflect that Ravenswood is the focal point for commercial activity across the Woodend / Ravenswood / Pegasus urban area.

SD-O2

- 22 This strategic direction supports a centres hierarchy for the district's towns and business areas, with SD-O2(5) listing the district's main centres and attributes. RDL seeks to replace the reference to Woodend in SD-O2(5) with Ravenswood. The Officer recommends this amendment be rejected on the grounds that place names are determined by the New Zealand Geographic Board and not the District Council.⁴
- 23 For the reasons set out in paragraphs 19 and 20 above, RDL maintains that "Woodend" should be exchanged with "Ravenswood".

UFD-P4

- 24 UFD-P4 seeks to (my emphasis):

"Provide for the extension of existing Town Centres and locate and develop new commercial activities to implement the urban form identified in the Future Development Strategy, WDDS or Town Centre Plans".

⁴ Section 42A Report – Strategic Directions at [168].

25 RDL sought to amend this to (my emphasis):

"Enable the extension of existing Town Centres, and where possible provide for the extension of Town Centres in the locations identified in the Future Development Strategy, WDDS or Town Centre Plans".

26 As phrased, the policy operates in a relatively restricted way, only directing that extension to town centres is provided for where this implements urban form identified in the Future Development Strategy, WDDS or Town Centre Plans. RDL considers that a more responsive approach is required under the NPS-UD, which seeks a well-functioning urban environments and responsive planning decisions (see particularly Objectives 1, 3, 4, 6 and 7, and Policies 1, 2 and 8).

27 The need for a more enabling and responsive approach is demonstrated by the accepted rezoning of the Ravenswood commercial area, which includes rules permitting up to 25,500m² of retail activity. In comparison:

(a) The Future Development Strategy, Our Space 2018-2048: Greater Christchurch Settlement Pattern Update (July 2019) states⁵ –

For Waimakariri, the Council is at the early stages of planning to develop Structure Plans for east and west Rangiora and east Kaiapoi to identify how best to respond to the residential shortfall in capacity for the medium to long term. This is along with considering the long term capacity requirements of Ravenswood/Pegasus and Woodend, outlined in Waimakariri 2048: District Development Strategy.

The Council is also focusing on adopting the Kaiapoi Town Centre Plan and updating the Rangiora Town Centre Strategy to continue to improve the self-sufficiency of these townships. Once these planning documents have been completed, additional zoning requirements to meet capacity shortfalls in both residential and commercial will be considered as part of the District Plan Review. This will be supported by monitoring ongoing market indicators and detailed commercial assessments.

(b) The WDDS (July 2018) states that Council will "Confirm the Woodend/Pegasus Key Activity Centre at a location within the business area at North Woodend (Ravenswood) through the District Plan Review if good town centre outcomes are able to be achieved"⁶ and notes that "it has been

⁵ Section 5 Our Plan, 5.3 Selwyn and Waimakariri Towns, page 29

⁶ Page 29

identified that more than 14,000m² of additional retail floor space could be sustainable in a KAC by 2043"⁷.

- (c) There is no "Town Centre Plan" prepared by Council for Ravenswood, however the Woodend Pegasus Area Strategy (October 2013) anticipated the development of Business 1 and 2 areas in Ravenswood as previously zoned, and noted that "Given Ravenswood's advantages in locality, connectivity and availability for business establishment and growth, this Strategy acknowledges the likely longer term future market force trend of Ravenswood developing as a major centre for the wider Woodend Pegasus area".⁸

28 The economic justification for development of a larger commercial centre has been accepted through PC30, notwithstanding that the Future Development Strategy, WDDS or Town Centre Plans are out of date and anticipate a lesser scale of commercial development.

Other provisions submitted on

29 In relation to other provisions addressed through this hearing stream:

- (a) The Officers' reports recommend that RDL's minor submission points, or support for the notified provisions, be accepted in respect of UFD-O1; UFD-O2 and UFD-P1; and
- (b) RDL does not pursue its submission on UFD-P7.

Statutory tests

30 The statutory tests for changing a district plan, which will be well known by the Hearings Panel. RDL submits that the changes it proposes will:

- (a) assist the Council in carrying out its statutory duties under the Resource Management Act 1991 (RMA) including the integrated management of the effects of the use, development, or protection of land;
- (b) give effect to the NPS-UD and the CRPS; and
- (c) meet the requirements of section 32 of the RMA.

⁷ Page 33

⁸ Page 22

- 31 The district plan review process provides WDC with the opportunity to make changes that reflect the changing urban environment and to appropriately recognise Ravenswood as a KAC in accordance with the CRPS.
- 32 RDL requests that its submissions on the definition of urban environment, and on SD-O2 and UDF-P4 be accepted, and will advance further amendments to integrate the PC30 rezoning through later hearing streams.

Dated this 8th May 2023

A handwritten signature in black ink, appearing to read 'S Eveleigh', written in a cursive style. The signature is positioned above a horizontal line.

Sarah Eveleigh
Counsel for Ravenswood Developments Limited

Appendix 1 – Ravenswood Master Plan

