



Submission on Proposed Waimakariri District Plan Variation 1

R[REDACTED] and G[REDACTED] Spark

September 2022

Waimakariri District Council

RESOURCE MANAGEMENT ACT 1991

WAIMAKARIRI DISTRICT COUNCIL

SUBMISSION ON VARIATION 1 TO THE PROPOSED WAIMAKARIRI DISTRICT PLAN

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 of the Proposed Waimakariri District Plan Variation 1, including but not limited to:

- District Planning Maps, in particular but not limited to the Site as identified below.
- Objectives and policies relating to urban growth and development
- Certification

Note: R [REDACTED] and G [REDACTED] Sparks lodged 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.

Decision we wish the Council to make:

Amend Proposed Waimakariri District Plan (PWDP) Planning Maps by:

1. Rezoning all land north and south of Boys Road outlined in red on Figure 1 below ('the Site') Medium Density Residential Zone (MDRZ). With respect to the land south of Boys Road and west of the eastern bypass, in the alternative, rezone this land to MDRZ, BIZ, Format Retail/Mixed Use or a mix of these zones.

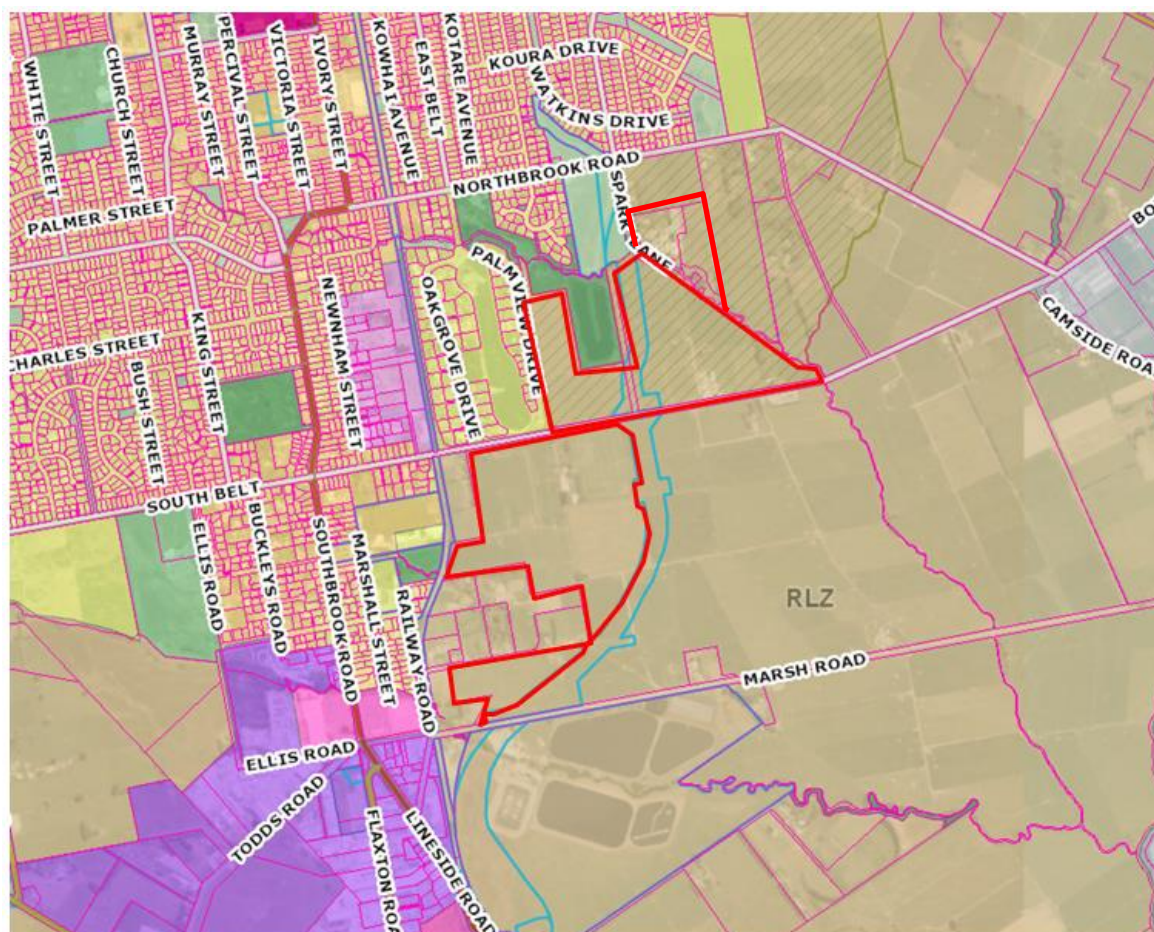


Figure 1: Land to be rezoned MDRZ outlined in red.

Note: the land to be rezoned is part of the Spark dairy farm, located at 197 Boys Rd, Rangiora. The land north of Boys Road is contained in four titles:

Address	Legal description	CT Ref	Area (ha)
19 Spark Lane	Lot 2 DP 418207	469981	2.1080

	Lot 3 DP 418207	469982	14.1950
	Part Rural Section 1436	CB9F/58	1.7275
234 Boys Road	Lot 1 DP 22100	CB1C/810	7.6739
TOTAL			25.7044 ha

It also includes the Rossburn Events Centre and Northbrook Museum - 17 Spark Lane, legally described as Lot 1 DP 418207 (2.08 ha).

Land south of Boys Road (appx 30 ha) is part of the larger Sparks farm title, legally described as LOTS 1, 3 DP 418207 LOT 1 DP 80780 LOT 1 DP 80781 RURAL SECS 1883 1884 2452 2512 PT RURAL SECS 316 358A 387 1436 1438 BLK VII XI RANGIORA SD 1.

Note: The entire Spark dairy farm is shown on Figure 2 below.

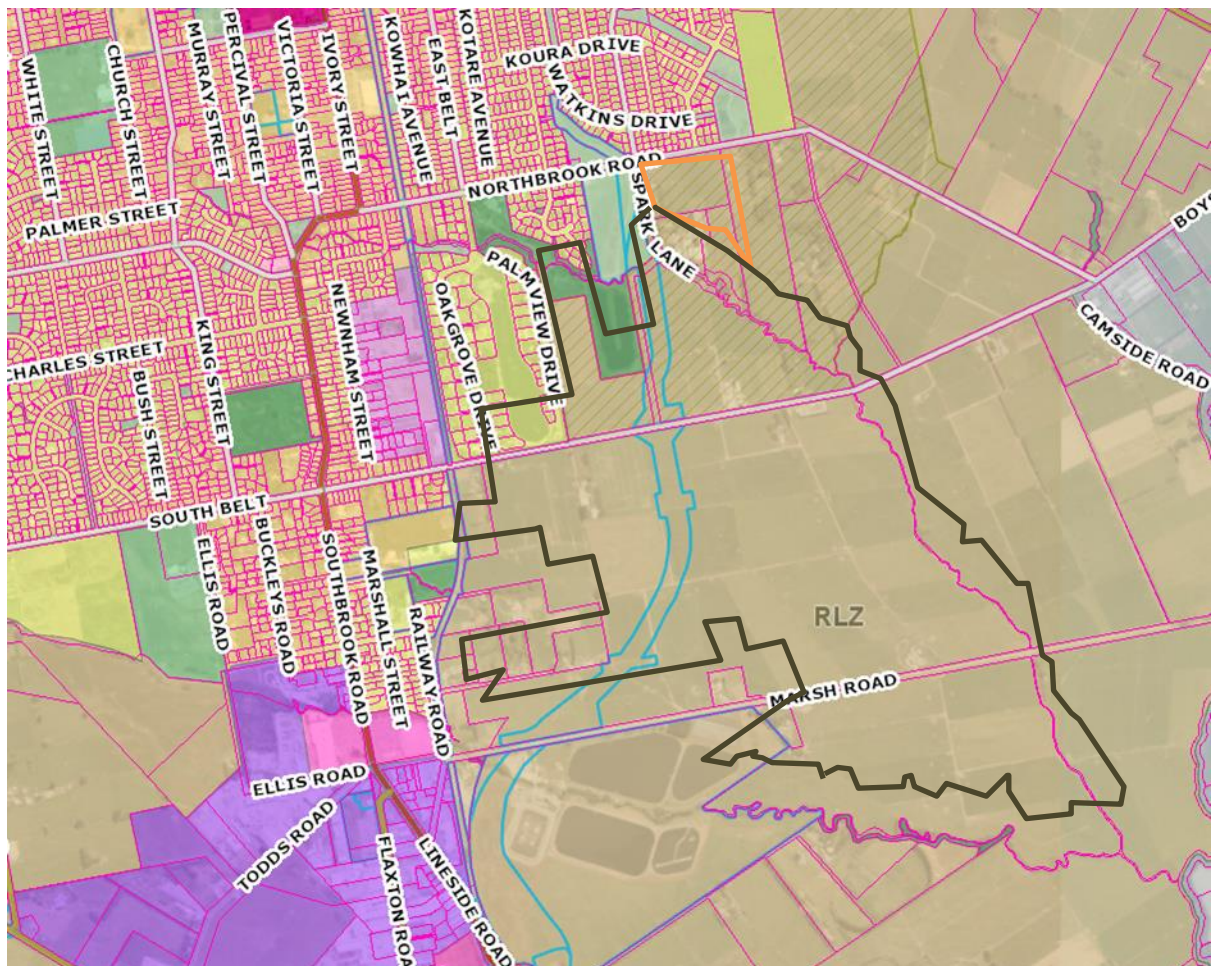


Figure 2: Spark dairy farm outlined in brown, Rossburn (17 Spark Lane) and 19 Spark Lane outlined in orange.

2. Amend the South East Rangiora Outline Development Plan and associated narrative to identify all residential areas as Medium Density Residential; and give effect to the other changes to the SE Rangiora Outline Development Plan sought in the Sparks submission on the notified PWDP as shown below (for the reasons outlined in the Spark submission on the notified PWDP).



Figure 3: Amendments to the South East Rangiora Outline Development Plan sought by Spark submission on notified PWDP. These changes are sought by this Variation 1 submission, and in addition that all residential areas be identified as Residential Medium Density.

3. Delete or in the less preferred alternative amend the PWDP certification process including so that it is a lawful, fair, equitable, transparent, appealable, efficient and fast process for delivering land for housing and does not duplicate matters than can be dealt with at subdivision stage; and to address any other concerns which arise on further investigation.

4. Amend the PWDP provisions (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 3. above.
5. Any consequential, further or alternative amendments to the PWDP and Variation 1 to be consistent with and give effect to the intent of this submission and in 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 MDRZ: 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 East 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). Simply and on that analysis, there is not enough land set up for rezoning.
6. The challenge that is also not addressed by Variation 1 is that the proposed re-zoning 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.
7. 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.
8. 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.
9. 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)

10. The 32RRR at page 6 does acknowledge that *it would seem clear that the rezoning of 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.
11. The Waimakariri situation needs a Waimakariri solution. It is unlike Selwyn District 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 private 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 in Waimakariri District for rezoning additional land for urban development, at Ohoka). The Selwyn private plan changes 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 into 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.
12. 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 MDRZ standards and

thereby diluting the potential yield of lots, and reducing the potentially feasible provision for new households.

13. There are landowners wanting to be part of the answers to land supply, and to responding 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.
14. 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 operative¹. 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 MRZ: Site specific considerations and reasons

The entire Site (north and south of Boys Road)

15. The proposed rezoning 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.
16. The Site identified in **Figure 1** is a logical and preferred location for further urban growth of Rangiora.
17. 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.
18. The proposed rezoning will, as a minimum, accommodate approximately 836 6 lots (based

¹ In accordance with RMA Schedule 1 Clause 25(2)
2230 Spark Variation 1 MDRS Submission

on yield of 15 hh/ha and excluding the Rosburn Event Centre and Northbrook Museum site), which will contribute towards meeting the housing needs of Rangiora. Of these appx 386 will be north of Boys Road, and 450 south of Boys Road.

19. The rezoning is consistent with the PWDP objectives and policies as proposed to be amended in this Submission and the Spark submission on the notified PWDP.
20. Rezoning the entire Site is consistent with the preferred growth directions for Rangiora identified in the Waimakariri District Development Strategy (WDDS)



Figure 4: - Figure 11 Waimakariri District Development Strategy (blue arrows residential growth path; pink arrows business growth paths).

21. Whilst land south of Boys Road is identified in the WDDS as a 'business' growth path, the level of demand for business land is not known, and it may be more appropriate for this land to be zoned for residential purposes, or a mix of business and residential purposes. It will

provide an ideal location for residential housing readily accessible by multiple transport modes including walking and cycling to support the south Rangiora business 'hub'.

22. Rezoning the entire Site (both north and south of Boys Road) will help achieve a compact, and efficient, urban form with connectivity with multiple transport modes and will contribute to a well functioning urban environment.
23. Adverse effects on the environment arising from the proposed rezoning will be minimal, if any, and can be adequately mitigated. A high amenity master planned development is feasible and intended given the substantial site size, and location adjoining the SE Rangiora Development area.
24. References to the feasibility of development in the SE Rangiora ODP narrative are inappropriate, unhelpful and should be removed. The existing Northbrook Waters and Springbrook residential subdivisions have been successfully developed with similar ground conditions. Feasibility is also affected by market prices for residential land, which have nearly doubled in the Rangiora and Woodend locations within the last 12-18 months.
25. The alternatives of retaining RLZ or developing as LLRZ are not an efficient use of the land located as it is immediately adjoining the intended urban area of Rangiora, and in a location accessible to the town centre by active transport modes as well as car.
26. The proposed rezoning is consistent with and the most appropriate, efficient and effective means of achieving the purpose of the Resource Management Act 1991.

Land north of Boys Road

27. That part north of Boys Road has been identified in the Proposed Waimakariri District Plan (PWDP) as part of the South East Rangiora Development Area and recognized as a Future Development Area (FDA) in the Canterbury Regional Policy Statement (CRPS).
28. 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.
29. Rezoning of the land north of Boys Road for residential purposes will give effect to Policy 12 in the CRPS.
30. The Submitters plan to proceed with urban development of the land north of Boys Road, within the South East Rangiora Development as soon as zoning is in place and/or the planning framework enables this as this land is becoming increasingly difficult to farm. The principle issue is the difficulty in taking cows across Boys Road as it becomes busier. This is a significant safety risk to road users, farm workers and the cows. It also creates an amenity issue close to the urban area with effluent and road seal breakdown at the crossing

point.

Land south of Boys Road

31. The land to the west of the Eastern Bypass between Boys and Marsh Roads will become isolated and difficult to continue to farm as part of the bigger dairy unit. The Bypass will act as a strong boundary to urban and residential development. The land here should be shown as a residential or BIZ or Large Format/Mixed Use area (or a mix) so there is a clear signal of the planned future of the land. An ODP will appropriately manage the structured development of the land.
32. The Site forms part of a bigger and logical extension to the growth of SE Rangiora; the decision on this land should go hand in glove with decisions on the eastern by-pass designation 47 so it is not potentially left as an isolated block of RLZ land sandwiched between the bypass and MDRZ land to the west and so consideration can be given now to strategic decisions to address reverse sensitivity from the Bypass.
33. The DEV-SBK-APP1 - Southbrook ODP for the existing development area at Southbrook does not extend into the Spark land.
34. The rezoning of this land as a residential/ business area will enable consideration to be given to servicing, the interfaces with the Bypass and appropriate roading and walking/cycling connections.
35. It is sound resource management practice for the Site to now be rezoned MDRZ or Future Residential Zone/BIZ/Large Format Retail/Mixed Use zone (or mix of same) to provide a strategic and long term pathway for use of the land consistent with the eastward growth of Rangiora.
36. The land comprises Temuka soils classed as LUC 3. These soils are not versatile under the CRPS (Land Use Capability Classes 1-2) but would qualify as highly productive as defined in the Proposed National Policy Statement – Highly Productive Land (LUC 1-3).
37. The future costs of developing the land can be negotiated in a timely way with the Council as the land should be planned to be developed according to future housing capacity trends and patterns.

Certification

38. The proposed novel certification procedure for subdivision of MRZ land is not supported.
39. 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 MDRZ in Variation 1.

40. 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.
41. 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.
42. The Submitter wishes to obtain residential rezoning as soon as possible so they can either proceed with development.
43. 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.
44. A risk for subdividers is that certification lapses if a s224 subdivision completion certification is not granted within three years of obtaining certification².
45. 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 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.
46. 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 South East Rangiora Development Areas.
47. 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 elements of the

² PWPDP DEV-WR-S1.2

certification provisions are not covered by Variation 1) 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.

48. 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.
49. 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 South East 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.
50. 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 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.

³ PWDP WR-South East 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'*

DEV-SER Proposals

51. The submitters support DEV-SER in principle noting that the eastern bypass makes that part of the farm north of Boys Road unviable as it splits that area into two blocks within the DEV-SER. The loss of this land does not of itself make the balance of the farm (appx 150 ha) unviable and unable to operate in a sustainable way.
52. The proposed rezoning to be enabled by DEV-SER-APP1 has the potential to take greater advantage of its location near the Northbrook Wetlands, and to borrow off the significant amenity provided by the North Brook by extending the scale and extent of the proposed medium density residential area. The Spark submission on the notified DEV-SER seeks amendments to the DEV-SER to enable this. The proposed MDRZ and amendments to the South East Rangiora Outline Development Plan sought by this submission will also enable this.
53. Additional medium density housing is both appropriate and necessary to achieve sustainable growth and development of Rangiora and meet the requirements of the NPS-UD 2020 and Amendments to the DEV-SER-APP1
54. The ideal location for the Local Centre is on the new north-south road, on the south bank of the North Brook (in the position shown on the amendments sought to the South East Rangiora Outline Development Plan in Figure 3 above. It will provide a focus to and support within walking distance from the submitted further area of medium density housing in the DEV-SER nearest to Rossburn. It will also be an extremely attractive location for a café/restaurant, with open north facing views onto the North Brook, Council wetlands and the mountains and with excellent connectivity to the proposed Northbrook walkway.

STATUTORY PLANNING CONTEXT

Chapter 6 of the Canterbury Regional Policy Statement ('C6'):

55. As a result of the Minister for the Environment's decision of 28 May 2021 on Change 1 to Chapter 6 of the CRPS two Future Development Areas (**FDA**) were confirmed for Rangiora: an area to the South East of Rangiora between Oxford Road and Fernside Road, and an area to the east of Rangiora including part of the dairy farm Site north of Boys Road (**Figure 5** orange).

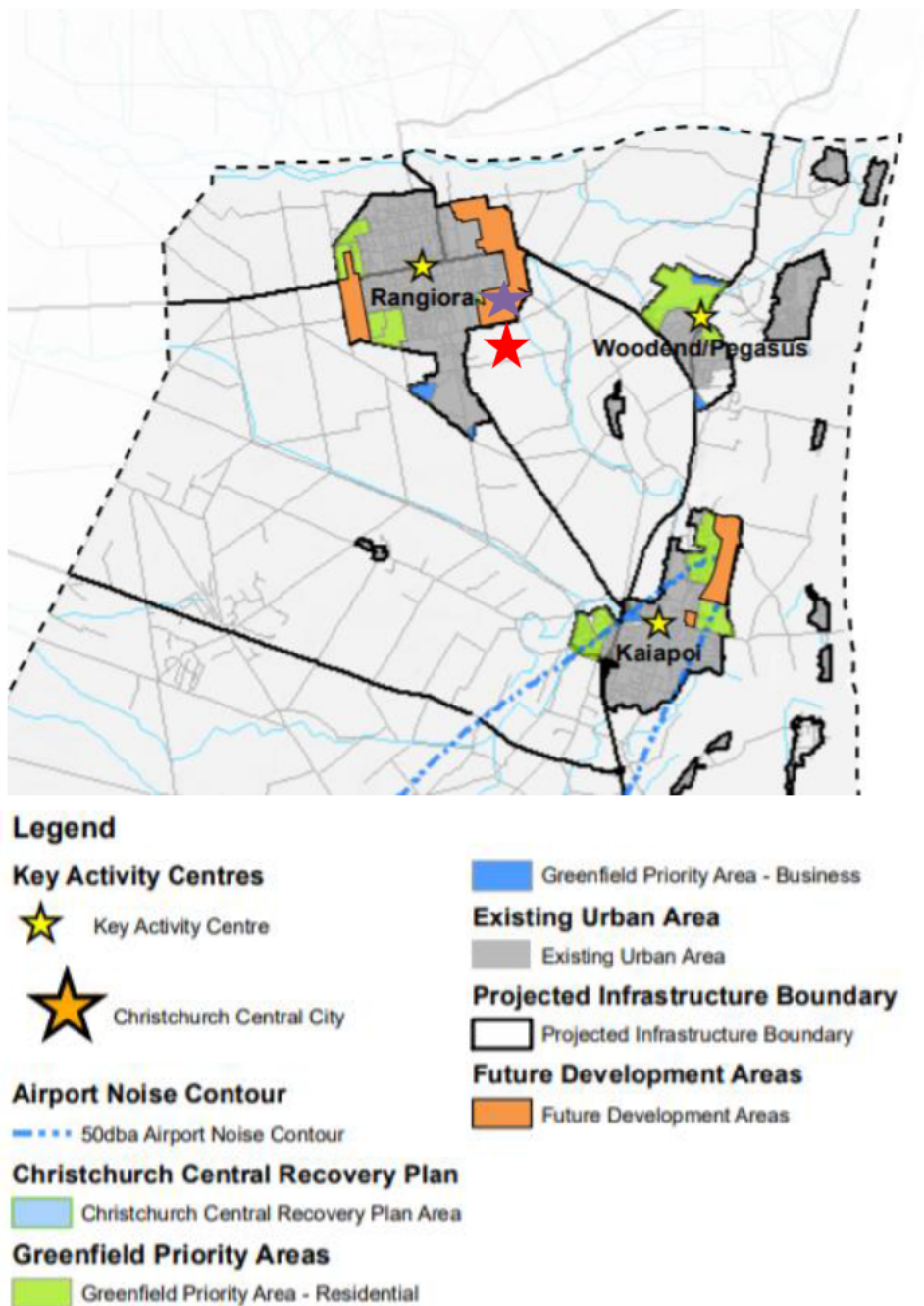


Figure 5: Map A Chapter 6 Regional Policy Statement Greenfield Priority and Future Development Areas
Location of Spark farm north and south of Boys Road to be rezoned MDRZ (appx) marked with purple and red stars respectively (appx)

56. The FDAs are intended to accommodate the increased demand for new dwellings (not business land) 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.

57. 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.*
58. 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):

- i. Infrastructure is either in place or able to be economically and efficiently provided to support the urban activity;
- ii. 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.

59. 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

60. 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.
61. 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) the equivalent of the General Residential Zone on the PSDP. This suggests that there will be little or no vacant land left by 2025-26, if not sooner.
62. 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. Similarly,

rezoning additional land adjoining but outside the Rangiora FDA is consistent with the NPS_UD 2020 to ensure there is 'at least' sufficient capacity to meet housing needs. There are no resource management reasons why all the FDA land and the Spark land south of Boys Road should not be made available for development.

63. 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

64. 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 South East Rangiora Outline Development Plan (WRODP). An ODP can be provided for the land south of Boys Road to ensure a coordinated and comprehensive approach to urban development of the land.

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;

65. 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.
66. 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.

67. 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.
68. In conclusion, there are no compelling reasons in terms of Change 1 to the CRPS why the zoning north Boys Road cannot be approved.
69. With respect to the land south of Boys Road, outside the CRPS FDA, the National Policy Statement – Urban Development 2020 provides for rezoning of land not anticipated for urban development (in RMA documents) where this adds significant additional development capacity and contributes to a well functioning urban environment. Both criteria are easily met in this case. The NPS-UD 2020 is the 'higher order' planning document, and the CRPS must give to it. The Current CRPS is not fully consistent with the NSP-UD 2020 because it adopts a restrictive, allocative approach to urban growth management with a hard immoveable urban/rural boundary line; and it does not include criteria for determining what plan changes will be treated, for the purpose of implementing Policy 8, as adding significantly to development capacity⁴.

Proposed Waimakariri District Plan as amended by Proposed Variation 1

70. The Site is zoned Rural Lifestyle Zone (**LRZ**) (Figures 2 and 3). The minimum lot size for subdivision and a dwelling in the LRZ is 4 ha and subject to various planning layers none of which restrict subdivision and land development.

⁴ As required by Subpart 2, 3.8 (3) Responsive Planning
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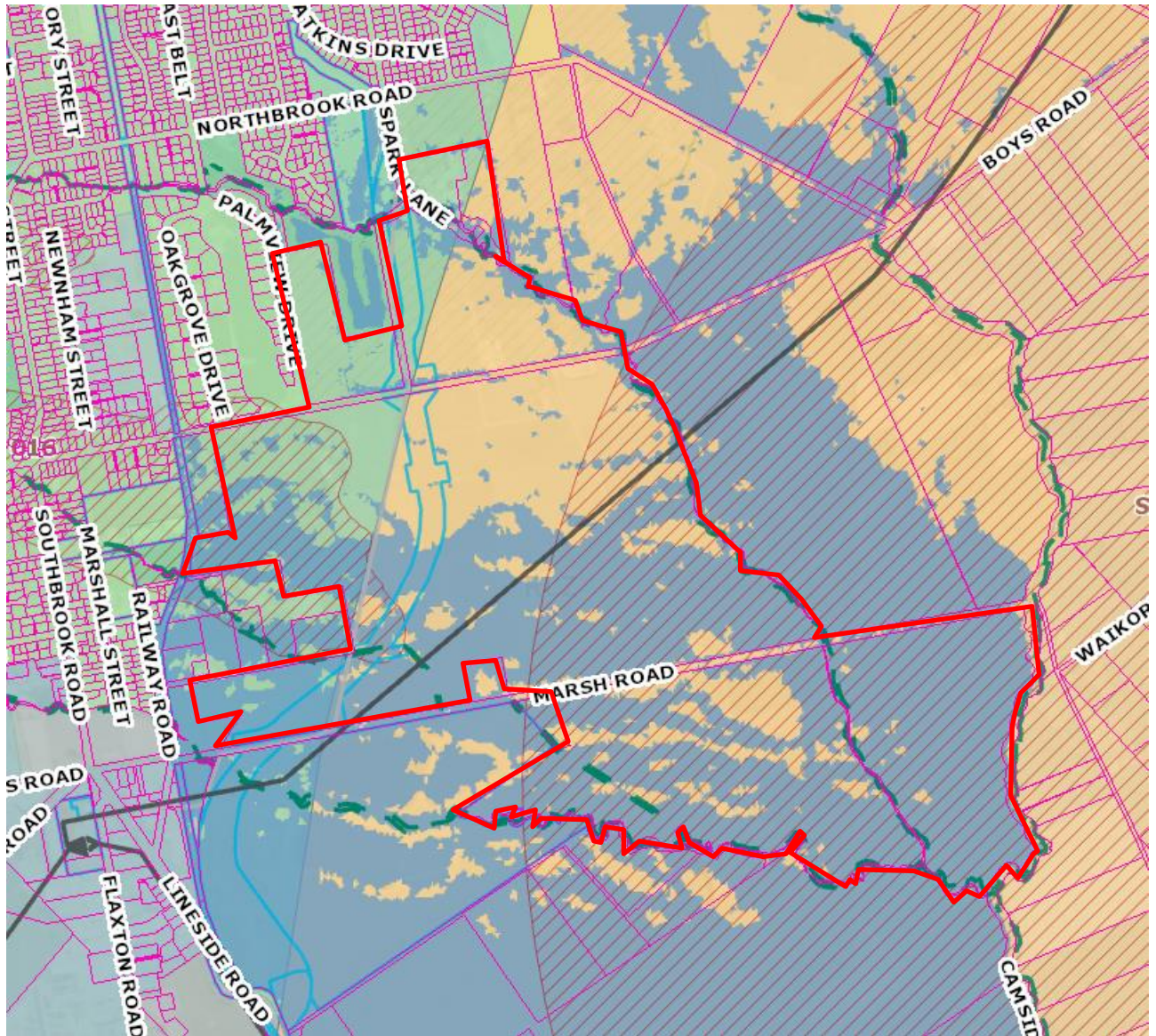


Figure 6: Proposed District Plan Zoning and overlays (dairy farm Site including Rosburn outlined in red)

Liquefaction damage possible (Light green); liquefaction damage unlikely (Tan); National; Grid Transmission lines (black); Major electricity lines (faint blue); Nga Turanga Tupuna Overlays (SASM-016 brown hatch); Esplanade provisions (green dotted lines); Designations (light blue lines)

71. The Site as a whole is also subject to a number of Overlays but those relevant to the land sought to be rezoned are:
 - a) SE Rangiora Development Area (north side of Boys Road)
 - b) Geographic areas: Ecological – Plains
 - c) Ecological District – Low Plains

- d) National Grid Transmission Lines and Yard
 - e) Major Electricity Distribution Lines (66kV/33kV) and setbacks corridor
 - f) Liquefaction Overlay: liquefaction damage is possible for part of the South Eastern parts of the Site
 - g) Liquefaction Overlay: liquefaction damage is unlikely for part of the eastern parts of the Site
 - h) Non-urban Flood Assessment Area
 - i) Nga Turanga Tupuna Overlays SASM-016 (Sites of Significance to Maori)
 - j) Esplanade provisions
 - k) Designations KRH-11, WDC-14, WDC-47
72. The FDAs have been identified at various locations around Rangiora and Kaiapoi. They have been located to satisfy the urban form identified in the Future Development strategy (**FDS**). The FDS has yet to be prepared (PWDP UFD-P2) and to give effect to the WDDS.
73. SASM-016 is part of a cultural landscape (Ngahere a Rangiora) which is the former podocarp forest which centered on present day Rangiora.

National Policy Statement on Urban Development

74. 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 Corridor and public transport) and a growing economic base for employment within the District and the City.
75. 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.
76. 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.

77. 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.
78. 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 developed⁵. Medium term means that at all times, there must be a least 10 years supply available.
79. For the medium term, 'plan enabled' land must be zoned for housing in a proposed district plan.
80. 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.
81. The PWDP certification approach does not satisfy the above mandatory requirements.
82. Rezoning the land south of Boys Road is consistent with the NPS-UD including Policy 8 which requires decision makers to be responsive to plan changes which add significant additional development capacity and contribute to a well functioning environment, even if the development capacity is not anticipated in RMA documents.

Other Planning Documents

83. 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

⁵ NPS-UD clauses 3.2 and 3.4
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- b) Undertaking further work to determine the specific growth areas through the NPS-UDC and the District Plan Review.
84. 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 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.*
85. The Strategic Planning documents clearly signal a change in land use for the Site including growth to the east of Rangiora which includes this Site.
86. Planned residential growth is intended to step block by block northwards from Boys Road to Northbrook Road and to keep the town edge squared up providing depth to future development and providing a rational basis for providing movement networks. The SE Rangiora Future Development Area, and subsequent residential zoning is the resource management instrument that implements this strategy. Land south of Boys Road is shown as a business growth area. However, the amount of land required for business purposes is not assessed, and residential growth may be a more appropriate use of all or part of this land.

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

87. 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.
88. 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

- 89. The Nga Turanga Tupuna Overlay SASM-016 (Sites of Significance to Maori) overlay affects the Site.
- 90. The Site is not listed as an archaeological site on the NZ Archaeological Site database.

Landscape and visual effects

- 91. The proposal will lead to a change in the landscape of the Site from a predominantly rural farm 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.
- 92. 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 west of the Site already.
- 93. The landscape, amenity and visual changes have been foreshadowed in the PWDP Future Development Overlay for the Site (north of Boys Road) 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

- 94. The PWDP planning maps show the Site as being within a Non-Urban Flood Assessment Area.
- 95. 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).
- 96. Parts of the Site are within a low flood hazard area, with some parts medium hazard.

97. 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.

98. 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.

99. There will be no hazardous installations proposed on the Site.

Geotechnical assessment

100. The PWDP planning maps show the Site as being “Liquefaction damage is unlikely” . Standard investigation procedure outlined in NZS3604 is appropriate”; and part of the south east portion of “Liquefaction possible’. Input from geotech engineer needed for ground characterisation regarding liquefaction potential. Deep investigations as per section 3.4 of MBIE 2017. Inv. Level C or D (depending on scope) per Table 3.2 of MBIE 2017.

101. Geotechnical investigations can support a subdivision application.

Contaminated land

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

Positive effects

103. 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.

104. 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

105. 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.
106. The Submitter's position is that the Council must provide this information given that the NPS-UD directs it to rezone the Site.

CONCLUSION

107. The submission seeks to
 - a) amend the PWDP planning maps to rezone about 56 ha of land north and south of Boys Road from Lifestyle Rural Zone (LRZ) to Medium Density Residential (MDRZ); and
 - b) amend or delete the certification procedure proposed for subdivision in the SER-DEV; and
 - c) amend PWDP objectives and policies to give effect to the NPS-UD; and
 - d) make amendments to the South East Rangiora Outline Development Plan.
108. There are no sound resource management reasons for not rezoning the land now, or for the other amendments sought.
109. The use of the land to be rezoned for medium density residential purposes has been demonstrated through this submission to be a sustainable and efficient use of land and infrastructure. The proposed rezoning better provides for the social, economic, environmental well-being of the Rangiora community than continuation of the increasingly problematic use as a full scale dairy farm hard on the edge of an urban area.
110. The potential adverse effects of the implementation of the proposed rezoning have been described in this submission. Capacity will need to be confirmed for infrastructure, power and road network. Any future subdivision of the Site will need to confirm water supply and wastewater treatment and disposal options.
111. The submission helps achieve the purpose of the RMA, is consistent with the relevant provisions of the NPS-UD, and the Amendment Act, and the relevant regional and district policies and plans, except where they are out of step, and inconsistent, with the NPS-UD. Rezoning and the other PWDP amendments sought are consistent with and the most appropriate, efficient and effective means of achieving the purpose of the Resource Management Act 1991.

112. The submission can be accepted by Waimakariri District Council.

A handwritten signature in black ink, appearing to be 'T. D. a. A. D.', written on a light blue background.

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

Date: September 9, 2022

Appendices:

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

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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

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