

**BEFORE THE HEARINGS PANEL
FOR THE SELWYN PROPOSED DISTRICT PLAN**

UNDER

the Resource
Management Act 1991

IN THE MATTER

of of Private Plan
Change 67 (West
Melton)

**STATEMENT OF EVIDENCE OF KEITH ROGER TALLENTIRE ON BEHALF OF THE
CANTERBURY REGIONAL COUNCIL AND CHRISTCHURCH CITY COUNCIL**

6 September 2021



Barristers & Solicitors

J G A Winchester / M G Wakefield

Telephone: +64 3 365 9914

Facsimile: +64-3-379 5023

Email: mike.wakefield@simpsongrierson.com

PO Box 874

CHRISTCHURCH

CONTENTS

	PAGE
SUMMARY	1
INTRODUCTION	4
STATUTORY AND PLANNING FRAMEWORK	7
SUBSTANTIVE MATTERS OF CONCERN REGARDING PC67	25

SUMMARY

1. Canterbury Regional Council (**CRC**) and Christchurch City Council (**CCC**) have sought that Private Plan Change 67 (**PC67**) be declined in its entirety.
2. They consider the plan change request is inconsistent with the agreed strategic planning framework established through *Our Space 2018-2048: Greater Christchurch Settlement Pattern Update* and the Canterbury Regional Policy Statement.
3. I have reviewed the plan change request and supporting material, together with the relevant statutory documents and legislation and, in my view, conclude that:
 - (a) PC67 would not add significant development capacity because:
 - (i) the scale of the development is not significant in relation to the urban environment; and
 - (ii) sufficient development capacity is already identified to meet expected housing demand over the medium-term and the proposed housing typologies do not align with the housing needs stated in the 2021 Housing Capacity Assessment; and
 - (iii) it would not contribute to a well-functioning urban environment that is well-connected along transport corridors;
 - (b) By not adding significant development capacity PC67 does not engage Policy 8 of the National Policy Statement on Urban Development 2020, leaving its assessment against the relevant statutory planning framework provided by the Canterbury Regional Policy Statement and the Selwyn District Plan;
 - (c) In relation to the Canterbury Regional Policy Statement, PC67 is clearly inconsistent with Objective 6.2.1(3) which “*avoids urban development outside of existing urban areas or greenfield priority areas for development*”, and Policy 6.3.1(4) to “*ensure new urban activities only occur within existing urban areas or*

identified greenfield priority areas as shown on Map A, unless otherwise expressly provided for", as well as a number of other provisions, particularly Objective 6.2.4, and Policies 6.3.4 and 6.3.5.

- (d) In relation to the Selwyn District Plan, while PC67 does not seek to amend any objectives and policies, to comply with section 75 of the Resource Management Act 1991 it must "implement" those objectives and policies. It is clear to me that this is not the case and PC67 is contrary to Objective B4.3.3, Policy B2.1.13 and Policy B4.3.1A;
 - (e) I therefore concur with the relief sought by CRC and CCC that PC67 be declined in its entirety.
-
- 4. In reaching these conclusions I outline why I consider the Canterbury Regional Policy Statement is not inconsistent with the National Policy Statement on Urban Development Capacity 2020.
 - 5. I also highlight the importance of strategic planning in Greater Christchurch. The local authorities in Greater Christchurch, together with other agencies and iwi, have undertaken collaborative strategic planning for nearly twenty years.
 - 6. Importantly, a comprehensive spatial planning exercise has recently been initiated by the Greater Christchurch Partnership and this provides the ideal opportunity to undertake comprehensive engagement and strategically consider preferred locations for future growth, including identifying the broad locations in which development capacity will be provided over the long term.
 - 7. Given the large number of private plan change requests seeking additional urban development in Selwyn, any planning decisions that are not aligned with the current strategic planning framework and that are made prior to completion of this initiative run the risk of being narrowly framed, based on incomplete information and could potentially undermine the achievement of longer-term outcomes. This should be a relevant consideration, as approving any of these requests could result in ad hoc development and set a precedent for subsequent hearings

without fully considering the cumulative impacts of other requests or having previously analysed alternative growth scenarios.

INTRODUCTION

8. My full name is Keith Roger Tallentire.
9. I hold a Master's degree in Environmental Policy and Legislation and a Bachelor's degree in Geography (Hons). I have over 25 years' experience in urban development and regeneration planning, obtained equally between the UK and New Zealand.
10. I am Director of i2i Strategies Limited, a strategy and planning consultancy, and have been in this position for the last year. Prior to this I was Partnership Manager for the Greater Christchurch Partnership (**GCP**) for nine years, and previously a Senior Policy Advisor on urban development for both the Canterbury Earthquake Recovery Authority (CERA) and CRC.
11. I have been heavily involved with strategic planning for Greater Christchurch since 2007. I have contributed to and/or led planning processes including Proposed Change 1 to the Canterbury Regional Policy Statement 1998, the Land Use Recovery Plan, Our Space 2018-2048: Greater Christchurch Settlement Pattern Update *Whakahāngai O Te Hōrapa Nohoanga*, and most recently Proposed Change 1 to the Canterbury Regional Policy Statement 2013.
12. I am familiar with the submissions made by CRC and CCC dated 12 April 2021 in relation to this private plan change request, and the planning issues raised by those submissions. I have been authorised by both CRC and CCC to provide evidence on their behalf.

Code of Conduct

13. While this evidence is not being prepared for an Environment Court hearing, I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2014. I agree to comply with it, including when giving any oral evidence during this hearing, and have prepared my evidence on that basis. Except where I state that I am relying on the evidence of another person, I confirm that the matters addressed in my evidence are within my area of

expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

Scope of evidence

14. As noted above, my evidence is on behalf of CRC and CCC in relation to PC67 to the Selwyn District Plan (**SDP**).
15. My evidence addresses:
 - (a) CRC and CCC's interest in PC67 and how it relates to strategic planning in Greater Christchurch [para 18-21];
 - (b) the relevant statutory and planning framework with a focus on the Canterbury Regional Policy Statement (**CRPS**) and the National Policy Statement on Urban Development 2020 (**NPSUD**) [22- 82]; and
 - (c) the substantive matters of concern, as outlined in the CRC and CCC submissions, regarding the PC67 proposal [para 82 onwards].
16. Where relevant to the matters considered in my evidence, I discuss the analysis and recommendations contained in the Section 42A Report, prepared by Liz White, Consultant Planner for Selwyn District Council (**SDC**), dated 23 August 2021 (**s42A Report**). In preparing my evidence I have reviewed the following documents:
 - (a) the notified PC67 plan change request and further information received;
 - (b) the submissions made on PC67, to the extent they are relevant to the interests of CRC and CCC;
 - (c) the s42A Report and associated expert evidence;
 - (d) the NPSUD;
 - (e) the CRPS, including Change 1 to Chapter 6 (**Change 1**);
 - (f) the SDP and the proposed SDP (**pSDP**)
 - (g) Our Space 2018-2048: Greater Christchurch Settlement Pattern Update *Whakahāngai O Te Hōrapa Nohoanga* (**Our Space**), the future development strategy for Greater Christchurch (**FDS**); and

(h) Greater Christchurch Housing Development Capacity Assessment (HCA), 30 July 2021.

17. Although I have not visited the subject site itself I have previously visited the adjacent Wilfield subdivision and I am very familiar with the West Melton township and the surrounding area. Anticipating a change to the COVID alert levels over the coming weeks, I intend on visiting the site ahead of the PPC 67 hearing.

CRC and CCC's interest in PC67 and how it relates to strategic planning in Greater Christchurch

18. CRC and CCC are local authorities with statutory functions under sections 30 and 31 of the Resource Management Act 1991 (RMA) respectively. In performing these functions, these councils (together with SDC and Waimakariri District Council) have long recognised that urban development interrelationships across the Greater Christchurch sub-region necessitate strong collaborative strategic planning. Since 2003, CRC and CCC have therefore worked together with SDC and other entities through the Greater Christchurch Partnership¹ on planning and managing urban growth and development in Greater Christchurch².
19. This collaboration is then supported by further engagement on a raft of mechanisms that assist delivery of agreed strategic objectives, including district plans, district development strategies³, structure plans and town centre strategies. Where necessary, to maintain alignment with these objectives and relevant individual plans of each organisation, the councils also lodge submissions on publicly notified plan changes.
20. In this case, both the submissions address strategic planning matters. Related to this, the CRC submission is focused on ensuring that the CRPS is given effect to by the SDP and any inconsistency with the

¹ The Greater Christchurch Partnership (previously the Greater Christchurch Urban Development Strategy Implementation Committee) comprises Canterbury Regional Council, Christchurch City Council, Selwyn District Council, Waimakariri District Council, Canterbury District Health Board, Te Rūnanga o Ngāi Tahu, and Waka Kotahi New Zealand Transport Agency (Waka Kotahi).

² Being the metropolitan urban area comprising towns stretching from Lincoln, Prebbleton and Rolleston in the south to Kaiapoi, Rangiora and Woodend/Pegasus in the north and the rural areas between (as described in the Introduction to Chapter 6 of the CRPS).

³ Such as Selwyn 2031

regional planning framework is avoided. The CCC submission provides additional detail in relation to matters that are considered to result in negative cross-boundary effects for Christchurch City and potentially beyond.

21. Both submissions consider PC67 is inconsistent with the agreed strategic planning framework established through Our Space and the CRPS and seek that the request be declined (although I acknowledge that the relief sought in the CCC submission is less directive).

STATUTORY AND PLANNING FRAMEWORK

22. Section 75(3) of the RMA requires that:

A district plan must give effect to –

(a) any national policy statement; and

.....

(c) any regional policy statement.

23. In addition, when preparing or changing a district plan, section 74(2) requires the territorial authority to have regard to:

(b) any—

(i) management plans and strategies prepared under other Acts;

..... and

(c) the extent to which the district plan needs to be consistent with the plans or proposed plans of adjacent territorial authorities.

24. This part of my evidence focuses on these aspects of the statutory framework. Firstly, it briefly describes the pertinent aspects of both the NPSUD [para 25-34] and Chapter 6 of the CRPS [para 35-45] and puts this in the context of the collaborative strategic planning that has occurred in Greater Christchurch [para 46-54]. Secondly, it then provides my views on if and how the NPSUD is relevant to PC67, considers the interplay between giving effect to both the NPSUD and the CRPS, and how it has regard to the directions within the strategic planning framework.

National Policy Statement on Urban Development 2020

25. The NPSUD came into force on 20 August 2020, replacing the National Policy Statement on Urban Development Capacity 2016. It applies to all local authorities that have all or part of an urban environment within their district or region, and to planning decisions by any local authority that affect an urban environment⁴. An urban environment means any area of land that is, or is intended to be, predominantly urban in character and is, or is intended to be, part of a housing and labour market of at least 10,000 people⁵.
26. The NPSUD identifies Christchurch as a Tier 1 urban environment. Although the NPSUD does not identify the geographic extent of the Christchurch urban area it specifies CRC, CCC, SDC and Waimakariri District Council as Tier 1 local authorities relevant to this area⁶.
27. The NPSUD contains 8 objectives and 11 policies. No objectives or policies are expressed as having priority over another. The introductory guide to the NPSUD confirms this where it states: “*Policies in the NPS-UD interact and affect the interpretation and implementation of each other*”⁷.
28. Despite this, in my view, given the prevalence of its use, the direction to achieve ‘well-functioning urban environments’ (from Objective 1 and Policy 1) is central to the NPSUD⁸. Policy 1 elaborates on this direction by listing a set of outcomes that are to inform planning decisions made by local authorities. The wording used in Policy 1, and the supporting Ministry for the Environment (MfE) guidance recognises however that the list in Policy 1 is not exhaustive⁹. I provide my assessment of PC67 in

⁴ NPSUD 1.3 Application

⁵ NPSUD 1.4 Interpretation

⁶ Our Space, the future development strategy adopted by each of these local authorities, has determined that the Greater Christchurch area (as identified within Chapter 6 of the CRPS) is the relevant urban environment for the purposes of the NPS requirements.

⁷ Introductory Guide to the National Policy Statement on Urban Development 2020, p10.

⁸ The associated factsheet on well-functioning urban environments states that Policy 1 “sets direction for the intended outcomes of the NPS-UD”, p1

⁹ Policy 1 uses the term “as a minimum” and the above factsheet states, p2: “*The NPS-UD does not provide an exhaustive list of factors that contribute to well-functioning urban environments. There are other factors that contribute to the outcomes that councils and other decision-makers may wish to consider alongside those of the NPS-UD, such as principles of urban design.*”

relation to contributing to a well-functioning urban environment later in my evidence.

29. The other objectives and policies that I consider to be particularly relevant to the matters raised by PC67 are summarised below (with emphasis through underlining):

Objective 2 - that planning decisions improve housing affordability

Objective 3 - enable more residents and jobs in areas of an urban environment in or near employment centres, (and/or) well-serviced by existing or planned public transport, (and/or) where there is high demand relative to other areas;

Objective 6 - decisions on urban development are integrated with infrastructure planning and funding, strategic over the medium term and long term, and responsive to significant development capacity proposals;

Objective 8 - urban environments support reductions in greenhouse gas emissions and are resilient to the effects of climate change;

Policy 2 - local authorities, at all times, provide at least sufficient development capacity to meet expected demand for housing and for business land over the short term, medium term, and long term;

Policy 6 - when making planning decisions, decision makers must have particular regard to the planned urban built form anticipated by RMA planning documents, the benefits of and changes resultant from urban development, and the relevant contribution to provide or realise development capacity;

Policy 8 - decisions are responsive to plan changes that would add significantly to development capacity and contribute to well-functioning urban environments, even if the development capacity is unanticipated or out-of-sequence with planned land release;

Policy 10 - local authorities that share jurisdiction over urban environments work together when implementing this National Policy Statement and engage with infrastructure providers to achieve integrated land use and infrastructure planning and the development sector to identify development opportunities.

30. Finally, I draw attention to two clauses within the balance of the NPSUD that provide further direction on two important matters.

31. Relative to Policy 2, ‘sufficient’ development capacity means:

- (a) Plan-enabled (i.e. in relation to the short term, zoned in an operative district plan; in relation to the medium term zoned in an operative or proposed district plan; in relation to the long term, zoned or identified for future urban use or intensification in an FDS);¹⁰
- (b) Infrastructure-ready (i.e. development infrastructure is available (short term), funded (medium term), or identified in a local authority’s infrastructure strategy (long term));¹¹
- (c) Feasible and reasonably expected to be realised;¹² and
- (d) For Tier 1 and 2 local authorities, is required to meet the expected demand plus the appropriate competitiveness margin.¹³

32. Second, the Policy 8 requirement for local authorities decisions to be responsive to plan changes that would add significantly to development capacity is elaborated on by clause 3.8. Clause 3.8 requires that local authorities must have particular regard to the development capacity provided by the plan change if that development capacity:

- (a) would contribute to a well-functioning urban environment; and
- (b) is well-connected along transport corridors; and

¹⁰ NPSUD 2020 Part 3, sub-part 1, clause 3.4(1).

¹¹ NPSUD 2020 Part 3, subpart 1, clause 3.4(3).

¹² NPSUD 2020 Part 3, subpart 5, clause 3.26.

¹³ NPDUD 2020 Part 3, subpart 1, clause 3.2.

- (c) meets the criteria set and included in a regional policy statement, that determine what plan changes will be treated as adding significantly to development capacity.
33. CRC has initiated but not yet completed work to formulate and include such criteria in the CRPS in response to clause 3.8(3). These criteria will, on my understanding, determine what constitutes significant development capacity in a Greater Christchurch and Canterbury context¹⁴.
34. The Environment Court in *Eden-Epsom Residential Protection Society Incorporated v Auckland Council*¹⁵ recently considered the application of the NPSUD in the context of a private plan change and held that it “*is not required and will not be giving effect to*” the objectives and policies in the NPSUD that do not require “planning decisions”. I have considered the NPSUD as a whole for the purpose of this evidence. I understand that it will be a matter for legal submissions as to how, and what provisions of the NPSUD should be applied to PC67.

Canterbury Regional Policy Statement

35. The policy framework in the operative CRPS that is relevant to urban development is primarily found in Chapters 5 - Land Use and Infrastructure and 6 - Recovery and Rebuilding of Greater Christchurch. Some of the issues and objectives within Chapter 5 apply across the entire Canterbury region, while others apply outside the Greater Christchurch area. For the Greater Christchurch area, the issues to be resolved, and the manner in which the objectives are to be implemented, are set out in Chapter 6. Given West Melton is located within Greater Christchurch my evidence concentrates on Chapter 6.
36. Chapter 6 provides the resource management framework for earthquake rebuild and recovery in Greater Christchurch through to 2028. Its insertion was directed by the Minister for Canterbury Earthquake Recovery through the Land Use Recovery Plan 2013 (**LURP**). Chapter 6

¹⁴ Noting that Timaru and Ashburton also qualify as urban environments under the NPSUD.

¹⁵ *Eden-Epsom Residential Protection Society Incorporated v Auckland Council* [2021] NZEnvC 082.

also implements the strategic direction provided in the Greater Christchurch Urban Development Strategy 2007 (**UDS**).

37. Chapter 6 introduced a directive framework for urban growth and development within Greater Christchurch. The relevant key features of this framework (as inserted through the LURP) are:
- (a) Identification of the existing urban area and the Projected Infrastructure Boundary (**PIB**);
 - (b) Policies to avoid urban development outside of identified locations;
 - (c) Greenfield Priority Areas adjacent to the Christchurch urban area and the key towns in the Selwyn and Waimakariri Districts; and
 - (d) Map A to accompany the policy provisions and clearly depict the Greater Christchurch area.
38. Map A in Chapter 6 identifies the location and extent of urban development that will support recovery, rebuilding and planning for future growth and infrastructure delivery in Greater Christchurch. Importantly, all land identified for urban development is located within the PIB as this constitutes the agreed area that the local authorities and other infrastructure providers have planned to service with the necessary supporting urban infrastructure.
39. This provides certainty for development, encourages the sustainable and self-sufficient growth of the key towns, enables efficient long-term planning and funding for strategic, network and social infrastructure (such as schooling and healthcare), and protects significant natural and physical resources.
40. In addition, on 28 May 2021, the Minister for the Environment (**the Minister**) approved Change 1 to Chapter 6 via a streamlined planning process. Change 1 implements agreed actions in Our Space and supports the requirement in the NPSUD for local authorities to provide at least sufficient development capacity to meet expected demand for housing and business land over the short, medium, and long term.

41. When CRC provided its recommendation report to the Minister it included an evaluation of Change 1 against the relevant statutory framework, which included the NPSUD. The evaluation documented how Change 1 would give effect to the NPSUD. In approving Change 1 the Minister specifically acknowledged that CRC had complied with the RMA, regulations made under it, and any relevant national direction.
42. In summary, Change 1 amended Chapter 6 and Map A of the CRPS to identify Future Development Areas (**FDAs**) within the existing PIB in Rolleston, Rangiora and Kaiapoi, and inserted associated policy provisions which enable land within these areas to be rezoned by the Selwyn and Waimakariri District Councils if required to meet their medium term (10 year) housing needs¹⁶. Change 1 was made operative on 28 July 2021.
43. Within the PIB, the policy framework in Chapter 6 now provides for the development of land within existing urban areas, greenfield priority areas, and FDAs (where the circumstances set out in Policy 6.3.12 are met) at a rate and in locations that meet anticipated demand and enables the efficient provision and use of network infrastructure¹⁷. Urban development outside of these identified areas is to be avoided, unless expressly provided for in the CRPS¹⁸.
44. As outlined in more detail later in my evidence, PC67 is rural land outside the PIB that has not been identified as a greenfield priority area or FDA, nor is development of the site expressly provided for in the CRPS.
45. Other provisions in the CRPS that I consider relevant to PC67 include:
- (a) Objective 6.2.1a - that sufficient, feasible development capacity for housing is enabled in Greater Christchurch in accordance with the targets set out in Table 6.1;
 - (b) Objective 6.2.4 - which prioritises the planning of transport infrastructure so that it maximises integration with priority areas and settlement patterns, and Policies 6.3.4 and 6.3.5 which

¹⁶ Policy 6.3.12

¹⁷ Objective 6.2.2

¹⁸ Objective 6.2.1 and Policy 6.3.1.

- support this objective, and others, in respect of transport effectiveness and the integration of land use and infrastructure;
- (c) Policy 6.3.7 – which specifies minimum densities to be achieved in order to efficiently utilise identified areas and create a compact urban form with appropriate development controls that support more intensive developments;
- (d) Policy 6.3.11 – which prescribes the monitoring and review methods to demonstrate there is an available supply of residential and business land and provides the circumstances for initiating a review of the extent and location of land for development; and
- (e) Policies 5.3.2 and 5.3.12, which are relevant to the management of versatile soils.

Strategic planning in Greater Christchurch

- 46. The local authorities, together with other agencies and iwi, have undertaken collaborative strategic planning through the GCP for nearly twenty years. Commencing with development of the UDS this collaboration was in recognition of the interconnected nature of the Greater Christchurch urban environment and the complexity of the statutory legislation that underpins how councils enable and accommodate urban growth¹⁹.
- 47. Collaborative strategic planning enables cross-agency tensions to be resolved, provides certainty for investment decisions (for councils, other infrastructure providers and the development sector), and provides the lens to achieve long term environmental and wellbeing outcomes. In many ways the NPSUD (including Policy 10) and the current review of resource management legislation are only now catching up with voluntary partnership arrangements that have been successfully operating in Greater Christchurch over this time.
- 48. Strategic planning exercises such as the UDS, Our Space, and more recently the Partnership's Greater Christchurch 2050 Strategic Framework, can offer more integrated and accessible mechanisms to

¹⁹ Integrated decision making must traverse the RMA 1991, Local Government Act 2002, Land Transport Management Act 2003 and a range of other supporting statutes.

galvanise wider community engagement than standard RMA processes. Agreed strategic directions can then be consistently anchored in statutory and non-statutory plans which provide greater detail and reflect local circumstances.

49. Importantly, a comprehensive spatial planning exercise has recently been initiated by the GCP in conjunction with delivery of the Greater Christchurch 2050 Strategic Framework and the establishment of an Urban Growth Partnership with the Crown. It is my understanding that the Greater Christchurch Spatial Plan will fulfil the FDS requirements under the NPSUD as well as integrating the future mass rapid transit and public transport business cases currently underway to determine routes and investment requirements to significantly improve the provision of public transport services across Greater Christchurch.
50. In this regard, it provides the ideal opportunity to undertake comprehensive engagement and strategically consider preferred locations for future growth, including identifying the broad locations in which development capacity will be provided over the long term.
51. I understand there are a large number of private plan change requests to the SDP before SDC, many of which seek urban development outside the PIB. In my view, this is a relevant consideration for SDC, as approving any of these requests could result in ad hoc development and set a precedent for subsequent hearings without fully considering the cumulative impacts of other requests or having previously analysed alternative growth scenarios.
52. In my view (and with reference to NPSUD Objective 6(b)), any planning decisions that are not aligned with the current strategic planning framework and that are made prior to completion of this initiative run the risk of being narrowly framed, based on incomplete information and could potentially undermine the achievement of longer-term outcomes set by the GCP following extensive engagement with communities. In an RMA context I would question whether such decisions would be sound resource management practice.

53. The spatial plan is expected to be completed within the next two years, to inform the 2024 Long Term Plans (**LTPs**) as required by the NPSUD. This work will inform a full review of the CRPS, which is scheduled to be notified in 2024²⁰, and at a more local level the proposed development of an area plan for the Greater Christchurch part of the Selwyn District²¹.
54. Finally, it is noteworthy that in July 2021 the Greater Christchurch Partnership collaboratively prepared and published a Housing Capacity Assessment (**2021 HCA**)²², in accordance with the requirements of the NPSUD. The 2021 HCA provides an assessment of expected housing demand and the sufficiency of development capacity, through to 2051. Table 3 within the 2021 HCA shows that, with the inclusion of the FDAs identified through Change 1, there is sufficient development capacity (including the required competitiveness margin) within Selwyn, Waimakariri and Christchurch City, to meet expected housing demand at least over the medium term (i.e. 2021 to 2031)²³.

Reconciling the NPSUD, CRPS and the strategic planning framework

55. As noted in paragraphs 22 and 23, the SDP must give effect to the NPSUD and the CRPS and have regard to the strategic planning framework²⁴.
56. The NPSUD provides direction for urban environments only. I acknowledge, as does the s42A Report, that West Melton (a township comprising less than 1,000 households) is not of itself large enough to meet the definition of an urban environment and so, to encompass West Melton, PC67 relies on the urban environment being the Greater Christchurch area.

²⁰ Environment Canterbury Long Term Plan 2021-2031, p90

²¹ Growth Planning memorandum from Mr Ben Baird, paragraph 35.

²² Greater Christchurch Housing Development Capacity Assessment, 30 July 2021.

²³ As noted in paragraph 31)(a), the NPSUD only requires development capacity required in the long term to be identified within an FDS, and in relation to development infrastructure within a local authority's infrastructure strategy.

²⁴ The UDS (and 2016 Update) prepared under the LGA 2002 and arguably its implementation arguably through the LTPs and infrastructure strategies of CRC and CCC. Our Space updated the UDS settlement pattern but as the FDS it is also a document under the RMA.

- 57.** For the purposes of applying the NPSUD I agree that the relevant urban environment is Greater Christchurch. This approach aligns with the position adopted in Our Space by the GCP and the information provided with the PC67 request in relation to the significant transport and employment links that West Melton has with Christchurch City.
- 58.** In my view, this has fundamental implications for the second test which is whether PC67 would add 'significantly' to development capacity and contribute to a well-functioning urban environment, thereby engaging Policy 8 of the NPSUD.
- 59.** Guidance released by MfE²⁵ on this matter in September 2020 advises that the scale of a development proposal and the extent to which it fulfils an identified demand are particular factors that should influence an assessment as to its significance.
- 60.** In relation to scale, PC67 reports the anticipated yield of 131 allotments as representing a 17% growth in residential capacity within West Melton and therefore considers this a significant improvement on the current growth capacity within the township.
- 61.** Based on my reading of the NPSUD I do not consider that West Melton is the appropriate frame of reference for assessing 'significant development capacity'. This is particularly so given the applicant's reliance on the Greater Christchurch urban environment to engage Policy 8.
- 62.** As noted in the CRC submission the medium-term housing target for Greater Christchurch as a whole is 32,300 households²⁶. PC67 would amount to 0.04% of this total which in my view is clearly insignificant across the urban environment. I consider PC67 to be representative of the 'small, speculative proposals' the MfE guidance suggests should be 'filtered out' in relation to Policy 8.

²⁵ <https://environment.govt.nz/publications/understanding-and-implementing-responsive-planning-policies/>

²⁶ CRPS Objective 6.2.1a Table 6.1 (now referred to in the NPSUD as bottom lines not targets).

63. The applicant is clearly being selective and is seeking to have ‘two bobs each way’ on this matter. The s42A Report cites the submissions points that raise this inconsistency and I agree with Ms White that the submission and hearing process enables further consideration of the significance of the development capacity.
64. However, I disagree with Ms White that this is a ‘potential’ inconsistency, and also that clause 3.8(2) of the NPSUD may allow this point to be circumvented. Clause 3.8(1) states that the whole clause applies to plan changes that provide significant development capacity, which means that 3.8(2) cannot be read in isolation. In addition, I interpret clause 3.8(2) as working in tandem with (1), and being engaged once a request has been deemed to provide significant development capacity, with the assessment then directed at whether the request contributes to a well-functioning urban environment, is well-connected along transport corridors, and meets the criteria to be included in the CRPS.
65. I do not agree with Ms Seaton that the significance of development capacity can be decoupled from the urban environment to which it pertains, or that developments will not come forward that could meet the test of being significant at a Greater Christchurch level. Ms Seaton already identifies one such instance, and I understand PC73 at Rolleston proposes up to 2,100hhs. While it will be up to CRC to clarify this matter when implementing clause 3.8(3), in my opinion it would not constitute requests in the order of ‘several thousand’ to be significant and I note that CRC did not question the significance of some of the other larger plan change requests in Selwyn that have recently been notified.
66. Therefore, on this matter alone, I do not consider PC67 adds significantly to development capacity to warrant consideration under Policy 8 of the NPSUD. As a result, my view is that PC67 should be declined, as it cannot satisfy the relevant statutory and planning framework, specifically the CRPS.
67. Secondly, according to the MfE guidance, adding significantly to development capacity requires fulfilling an identified demand.

68. As outlined in paragraph 54, the recent 2021 HCA confirms that sufficient development capacity to meet expected housing demand over the medium term has already been identified in the CRPS. The s42a Report correctly states that the additional capacity directed to Rolleston, Rangiora and Kaiapoi through Change 1 supports the strategic direction provided by Our Space to promote *“a compact urban form, which provides for efficient transport and locates development in a manner that takes into account climate change and sea level rise”*.
69. Furthermore, the 2021 HCA assesses trends in household composition, affordability, tenure and the resultant housing typologies most suited to future housing needs. It reconfirms previous analysis showing the *“large growth in one person households and ‘couples without children’ households, for both ownership and rental. In terms of housing typology, Greater Christchurch’s aging population leads to significant growth in the number of one person and couple only households, resulting in a significant increase in the demand for smaller and multi-unit dwellings”*. As discussed later in my evidence PC67 does not propose to provide housing typologies that align with these future housing needs/demands.
70. This reinforces my opinion that PC67 cannot be viewed as adding significantly to development capacity and should be rejected.
71. In this context, and put simply, I agree with the s42a Report that states *“the rezoning of this land is not required in order to give effect to the minimum requirements of the NPS-UD”*. Instead, I believe the merits of the proposal are best considered in conjunction with and subsequent to a broader assessment of the desirability of urban growth at West Melton. This is the opportunity afforded through the recently initiated spatial plan and would ensure that the benefits and implications of additional urban growth at West Melton are appropriately weighed against alternative spatial growth scenarios at a Greater Christchurch level.
72. At this point I briefly provide my opinion on three interrelated matters raised by some parties to these and other proceedings that suggest PC67 can still be enabled by the NPSUD:

- (a) Firstly, that there are presently limited growth opportunities at West Melton and the NPSUD requirement to enable housing needs 'by location' in this instance means by township²⁷;
- (b) Secondly, that the NPSUD requires 'at least' sufficient development capacity and as such local authorities should be more enabling and provide 'plentiful' or 'ample' capacity for housing development; and
- (c) Thirdly, that the CRPS does not give effect to the NPSUD and so the CRPS is somehow less relevant to decision makers.

Housing needs by location

- 73. I acknowledge that the NPSUD identifies that enabling a variety of homes (that meet the needs, in terms of type, price, and location, of different households) is integral to a well-functioning urban environment. I see this as a broad objective relevant to the whole urban environment and not in any way a requirement that applies for individual streets, suburbs or townships.
- 74. From a locational perspective there is perhaps more direction provided by Objective 3 which seeks that 'more' people live in or near areas akin to the key activity centres of the CRPS. I also note that clause 3.24(2) states that "*Local authorities may identify locations in any way they choose*".
- 75. I disagree with Ms Seaton and Ms Lauenstein that the existing low density character of West Melton somehow sets the township apart from other locations, and I note that NPSUD Objective 4 clearly identifies that urban environments will need to change over time in order to achieve the overall outcomes of the NPSUD.
- 76. As outlined earlier in my evidence, several important factors guided the recent identification of additional development capacity through Change 1. In my view the newly introduced FDAs are distributed across the urban environment to complement existing capacity and support the above objective, which will better achieve the overall outcome of a well-functioning urban environment.

²⁷ NPSUD Policy 1(a)(i)

“At least” sufficient development capacity

- 77.** As I have explained in paragraph 54, sufficient development capacity to meet expected housing demand over the medium term has already been identified. Indeed Table 3 of the HCA shows a medium-term surplus capacity in Selwyn of between 3,667 and 4,961 households (depending on the assumed average number of households per hectare (**hh/ha**)). Given the extensive upzoning in Christchurch City, across the whole urban environment it identifies a potential medium-term surplus of up to 92,453 households.
- 78.** Whilst this is clearly providing for ‘at least’ sufficient development capacity there is no requirement in the NPSUD to enable anything more than is sufficient, noting that this already includes a competitiveness margin. Providing ‘abundant’ development capacity could undermine the efficient and timely uptake of existing capacity and may run counter to CRC’s statutory function to ensure the strategic integration of infrastructure with land use²⁸. In my view, this integration should include consideration of effects in respect of the wider surrounding area, including neighbouring Districts i.e. the urban environment.
- 79.** I have reviewed the evidence of Mr Colegrove who suggests deficiencies with the 2021 HCA methodology and therefore the measure of sufficiency contained therein. Although I was not involved in the preparation of the 2021 HCA I make the following points:
- (a) I consider the 2021 HCA is generally consistent with requirements for preparing a HCA as outlined in subpart 5 of the NPSUD, including the use of population projections as the initial basis for an assessment of housing demand (adjusted as appropriate following consideration of other relevant information including for example building consents);
 - (b) Change 1 is now operative and the FDAs are identified on Map A. Three private plan changes in the Rolleston FDA are already significantly advanced, which in total could enable nearly

²⁸ RMA section 30(1)(gb). This point was made in the recommendations report provided to the Minister as part of his approval of Change 1 under the streamlined planning process.

1,200hhs, and notably there are only a limited number of submissions in opposition. In addition, on 27 August the Environmental Protection Authority granted consents under the COVID-19 Recovery (Fast-track Consenting) Act 2020 for 970 lots that will extend the Farringdon subdivision in Rolleston²⁹. I am therefore comfortable that the FDA development capacity is included in the medium-term capacity figures in Table 3 of the 2021 HCA;

- (c) The term 'net density' is defined in Chapter 6 of the CRPS. In the context of the Rolleston FDA the only land likely to be excluded from this calculation would be areas set aside for neighbourhood commercial activities and possibly stormwater retention and treatment (although these areas sometimes double-up as local reserves which are not excluded). Local roading is not excluded. As an example of this requirement playing out in the Rolleston FDA (which is relatively unconstrained by other exemptions in the definition), PC75 identifies a developable area of 94.5%, which in my view suggests the 2021 HCA assumption is perfectly adequate, if not conservative. In Mr Colegrave's evidence he appears to have misunderstood this point and taken a very conservative view on what constitutes the developable area of the FDAs;
- (d) Mr Colegrave cites the developer margin assumption in the 2021 HCA as being too low, suggesting that 20% or a higher return of around 25% is targeted by developers to reflect the significant risks associated with large scale property development. While I am not an economic expert, I am aware of developers that are comfortable with margins below 20% and I would not characterise the subdivision market in Selwyn as particularly high risk;
- (e) Linked to the above point, developer margins will be significantly influenced by the selling price obtained, in this case the section prices of new subdivisions. I note from the evidence of Mr Sellars that during the last eight months section prices sales have increased in the order of 50 to 100% in the Selwyn district. I would expect this recent information was not factored

²⁹ <https://www.epa.govt.nz/fast-track-consenting/referred-projects/faringdon/the-decision/>

into the 2021 HCA and would significantly alter any calculation of feasible development.

- (f) Finally, Mr Colegrove distinguishes between capacity and likely market supply. I agree that not all development capacity is likely to be released at the same time but, in my view, the factors cited by Mr Colegrove as inhibiting the release of land would not be significant over the medium-term, being the relevant time horizon for the SDP to consider under the NPSUD. I also note that the 2021 HCA includes a section on development capacity that is 'reasonably expected to be realised', which analyses past developments trends to provide a more realistic capacity assessment from that which is simply plan-enabled³⁰.
- (g) In conclusion, I consider point-in-time assessments of development capacity to be important benchmark reports to guide strategic planning, but these will always be able to benefit from the more regular monitoring and reporting required by the NPSUD. The three-year cycle for completing HCAs (or in the first instance a NPSUD deadline for a full housing and business assessment by December 2021) ensures that any new information, methodological improvements, and views from the development sector can be considered in an orderly manner³¹.

CRPS giving effect to the NPSUD

- 80.** In my opinion, the CRPS is not inconsistent with the NPSUD. I understand that through the hearings for the pSDP, some submitters have suggested that the CRPS is inconsistent with the need for flexibility that is required by the NPSUD. On this point I make the following observations:

- (a) While the NPSUD requires local authorities to be responsive to plan changes, that is only if the relevant requests satisfy certain important criteria. There is nothing express or inherent in the NPSUD that demands flexibility more generally across the planning framework when enabling urban growth. Instead, the

³⁰ 2021 HCA, section 6.4

³¹ Policy 10(c) and clause 3.21 of the NPSUD requires that engagement occur with the development sector, including on HCAs. I note that in June/July 2021 a survey was sent to development sector stakeholders to elicit feedback to inform the 2021 HCA.

NPSUD remains focussed on integrated decision-making to achieve well-functioning environments.

- (b) Chapter 6 of the CRPS provides clear strategic direction for urban development that in my view better contributes to a well-functioning urban environment for Greater Christchurch and now, with the inclusion of Change 1, gives effect to Policy 2 of the NPSUD;
- (c) Part 4 of the NPSUD sets out the important timeframes for implementing aspects of the NPSUD and so far these have been achieved (i.e. through completion of the 2021 HCA). Outside of these specific timeframes, local authorities must amend their regional policy statement or district plan to give effect to the provisions of the NPSUD as soon as practicable;
- (d) CRC has, and in my view correctly, prioritised completion of the 2021 HCA notification and adoption of Change 1 over finalising the criteria under clause 3.8(3), as this is a more immediate, clearer and prudent way to identify additional development capacity as required by Policy 2 of the NPSUD. When CRC implement clause 3.8(3) it will need to clarify how the intent of Policy 8 is interpreted and enabled alongside the existing CRPS policy provisions that seek to avoid urban development on land outside the PIB;
- (e) Ahead of the inclusion of the criteria under 3.8(3) in the CRPS, the MfE guidance on the responsive planning policies provides quantitative and qualitative factors to determine what constitutes significant development capacity.
- (f) Ahead of the clarification signalled in (d) a pathway open to applicants seeking plan changes outside the PIB, that would give effect to both the CRPS and the NPSUD, would be to request that SDC propose to CRC an accompanying change to the CRPS to rectify the inconsistency with avoid policies. This has not occurred in relation to PC67.
- (g) Objective 6 of the NPSUD requires that decisions are integrated with infrastructure and strategic over the medium and long term. This recognises the importance of the strategic planning framework and confirms that Policy 8 should not operate in isolation.

81. Notwithstanding this, if it is accepted through this hearing that PC67 will add significant development capacity and is effectively enabled by the NPSUD (over the CRPS), my evidence below on the substantive matters of the plan change concludes that PC67 does not meet the full requirements of Policy 8 (as expressed in paragraph 32) or the wider provisions of the NPSUD and the CRPS.

SUBSTANTIVE MATTERS OF CONCERN REGARDING PC67

82. The evidence above ultimately leads to my opinion that PC67 is inconsistent with CRPS Objective 6.2.1(3) which “*avoids urban development outside of existing urban areas or greenfield priority areas for development*”, and Policy 6.3.1(4) to “*ensure new urban activities only occur within existing urban areas or identified greenfield priority areas as shown on Map A, unless otherwise expressly provided for in the CRPS*”.
83. It follows that PC67 is therefore also inconsistent with SDP Objective B4.3.3 and Policy B4.3.1, and also pSDP Policy UG-P3 and UG-P13, as in my view, the intent of these provisions is to give effect to the above CRPS direction.
84. In my view, Objective 6.2.1 seeks to achieve an urban form that achieves consolidation and intensification of urban areas, and avoids unplanned expansion of urban areas. In this regard it complements Objective 6.2.2. I agree with the evidence provided by Mr Nicholson, which is accepted in the s42A Report, that PC67 does not consolidate the West Melton township or contribute to a compact urban form³². I therefore consider PC67 is inconsistent with Objective 6.2.2(5) and SDP Policies B2.1.13, B4.3.98 and B4.3.99.
85. On this point I note the evidence of Mr Compton-Moen. In justifying his opinion on whether PC67 contributes to a compact urban form Mr Compton-Moen relies on West Melton ‘developing over time into a compact urban form’ and Appendix 2 of his evidence clearly shows how the two other private plan changes lodged with SDC contribute to this view. In my view, the applicant has therefore clearly brought the matter

³² s42A Report, paragraph 68.

of associated plan changes into much stronger relevance for determining the merits of PC67.

86. The CRC and CCC submissions also raise the following matters of merits regarding PC67, and a concern that it does not give effect to other provisions in the higher order documents of the CRPS and NPSUD relating to:

- (a) Infrastructure;
- (b) Transport and public transport;
- (c) Residential density;
- (d) Highly productive land and versatile soils; and
- (e) Contributing to a well-functioning urban environment.

87. I address these matters in turn below.

Infrastructure

88. CRPS Policy 6.3.5(2) seeks to ensure that the nature, timing and sequencing of new development is co-ordinated with the development, funding, implementation and operation of transport and other infrastructure. Policy 6.3.5(2)(e) states that this is in order to ensure new development does not occur until provision for appropriate infrastructure is in place.

89. My interpretation of (2)(e) is that provision for appropriate infrastructure should be real and demonstrable. In this regard, I consider that it should be identified and budgeted for in a timely manner in an Annual Plan or LTP of the local authority (unless it can be evidenced as being provided through a developer agreement or similar third party arrangement).

90. This is supported by the principal reasons and explanation of Policy 6.3.5, which states that it is important that timing and sequencing of development are aligned with funding and implementation of infrastructure. I do not agree that evidence merely demonstrating feasible servicing options exist is sufficient³³.

³³ s42A Report, paragraph 74.

91. Nevertheless, I acknowledge that in his evidence Mr Bishop states that water supply upgrades have now been included in the 2021-2031 Selwyn LTP and he provides new information that a 2020 Infrastructure Report commissioned by SDC concludes that the wastewater system has capacity to accept and convey flows from the existing catchment and proposed flows from PC67 to the main Rossington Drive pump.
92. In relation to wastewater treatment Mr Bishop also states that the Pines Waste Water Treatment Plant (**WWTP**) is currently at or near capacity with upgrades currently underway and additional upgrades planned and budgeted for. He states that the current connected catchment (2021) has a population equivalent of approximately 42,000 – 45,000 person equivalents (**PE**)³⁴.
93. I understand the current operational consents granted by CRC for the WWTP allow for up to 47,777 PE and there has been no application to increase this.
94. This position in my view reintroduces the “first in first served” allocation issue cited in the s42A Report and accepted by Ms White where she emphasises: “*particularly where doing so would use up capacity intended to service planned growth, or where it would prevent the development of potentially more suitable locations*”³⁵.
95. Enabling PC67 could therefore undermine the timely delivery of land already identified for urban development within the PIB in the CRPS that will be reliant on remaining infrastructure capacity.

Transport and Public Transport

96. CRPS Objective 6.2.4 prioritises the planning of transport infrastructure so that it maximises integration with land use patterns and facilitates the movement of people and goods and provision of services in Greater Christchurch, while (1) managing network congestion; (2) reducing dependency on private motor vehicles; (3) reducing emission of contaminants to air and energy use; (4) promoting the use of active and

³⁴ Officer Comments, S Bishop, paragraph 39.

³⁵ s42A Report, paragraph 74.

public transport modes; (5) optimising use of existing capacity within the network; and (6) enhancing transport safety.

97. This objective is supported by CRPS Policies 6.3.3, 6.3.4 and 6.3.5 that seek to ensure an efficient and effective transport network across Greater Christchurch, with Policy 6.3.4 (2) stating that this is achieved by: *“providing patterns of development that optimise use of existing network capacity and ensuring that, where possible, new building projects support increased uptake of active and public transport, and provide opportunities for modal choice”*.
98. The CCC submission cites Section 8.2 of the Integrated Traffic Assessment accompanying the plan change request, which assumes that 90% of traffic from West Melton commutes to Christchurch City for employment. In his evidence, Mr Smith reports his findings that 75% of working residents leave West Melton for employment but agrees that: *“West Melton residents are heavily reliant on Christchurch as the main centre for employment”*³⁶.
99. There is currently only one Metro service that operates with a route through West Melton. This is a single express commuter bus service from Darfield to Christchurch City, stopping in West Melton, that only operates on weekdays during the morning and evening peak.
100. The lack of both employment opportunities in West Melton, and a regular public transport service, in my view means these and other trips beyond West Melton will be dependent on private motor vehicle use. As such I consider PC67 would be inconsistent with the above policies and Policy B2.1.13 of the SDP that requires PC67 to result in *“consolidated land use patterns that will reduce the demand for transport”*.
101. While I am not a transport expert, I am familiar with the public transport planning functions performed by CRC. I would not characterise the model as one where *“bus services typically involve responding to residential development”* as described by Mr Metherall³⁷. In relation to population growth in Greater Christchurch the vision section of the Regional Public

³⁶ Transport Comments on PC76, D Smith, paragraph 59.

³⁷ Statement of Evidence, Andrew Metherall, paragraph 9.3

Transport Plan states: “*The integration of public transport and land use planning is essential to managing this growth*”. In my view, approving unplanned or out-of-sequence development outside the PIB inhibits this strategic direction and the efficient and effective provision of public transport and can force CRC to be reactive to such unanticipated service demands.

- 102.** The CRC submission confirms there are currently no planned upgrades or changes to the Metro route passing through West Melton. Furthermore, the investment business cases underway (referred to in paragraph 49 of this evidence) are focused on improving services within Christchurch City and only the larger towns identified for urban growth through the CRPS.
- 103.** In my view, development should be commensurate with the level of accessibility already existing or planned, not reliant on a future of level of public transport service that is unplanned, unfunded and runs counter to the stated policy directions of statutory documents.
- 104.** In relation to transport infrastructure, I acknowledge that Mr Smith reports that road widening along Weedons Ross Road is out to tender for construction and the proposed new Rule 12.1.57A limits development of the subject land until such time as the State Highway 73/Weedons Ross Road intersection is signalised.
- 105.** Nevertheless, in terms of access to the West Melton village and school, the location of the PC67 site requires crossing a State Highway. As such, in my view, the location of PC67 would not promote walking, cycling and other alternative modes of transport and would encourage the use of private motor vehicles, even when traffic signals are installed.
- 106.** In relation to the wider network, Mr Metherall's evidence is that the forecast extra vehicle movements would not be noticeable and can be accommodated by SH73 and Weedons Ross Road respectively.
- 107.** Neither Mr Smith nor Mr Metherall assess the impacts on the wider network further into Christchurch City which will be where many of the ultimate destinations of West Melton residents lie and where levels of

service in relation to traffic congestion are already poor. Modelling indicates that average speeds at the AM peak period could fall substantially by 2048, especially for trips between Selwyn, Waimakariri and Christchurch. Average travel speeds in the morning peak could reduce by over 6km/h over the next 30 years (from 42km/h in 2013 to 36km/h in 2048³⁸).

- 108.** While the traffic volumes associated with PC67 are not substantial, as I state in paragraph 51, the ad hoc assessment of individual plan changes without fully assessing potential impacts on the wider network does not provide an assessment of cumulative effects on these transport network bottlenecks. Ms White recognises this point³⁹ and in my opinion a more strategic transport assessment would likely reach quite different conclusions on whether urban development in the smaller townships in Greater Christchurch would 'ensure an efficient and effective transport network' as required by Policy 6.3.4 of the CRPS.
- 109.** Strategic transport assessments undertaken for Our Space and the Future PT Business Case have already been undertaken. The Housing Interactions analysis that informed Our Space concluded: *"A sensitivity test for 2048 was also modelled to test the extent to which the location of growth has an impact on the transport network. The same projected population growth total for Greater Christchurch was used, but a higher proportion of the growth was distributed to Christchurch City, rather than Selwyn and Waimakariri Districts. The results of the sensitivity test demonstrated that the location of land use growth can significantly impact the distribution of trips and the resulting levels of congestion, with marginally better average speeds and travel times with a higher proportion of the growth distributed to Christchurch City"*⁴⁰.
- 110.** I further address the transport and greenhouse gas emission effects of PC67 below, when considering whether the request would contribute to a well-functioning urban environment.

³⁸ Greater Christchurch PT Business Case: <https://www.ecan.govt.nz/your-region/living-here/transport/public-transport-services/future-public-transport>, p5

³⁹ s42A Report, paragraph 41.

⁴⁰ <https://www.greaterchristchurch.org.nz/assets/Documents/greaterchristchurch/Capacity-Assessment-reports/Housing-and-Business-Development-Capacity-Assessment-Summary.pdf>, p41

Residential Density

111. Both CRC and CCC have concerns regarding the proposed lot sizes and resultant housing density associated with PC67. CRPS Policy 6.3.7 requires minimum net densities to be achieved, in order to:
- (a) efficiently utilise identified land;
 - (b) help create a compact urban form that can be served efficiently by infrastructure, including public transport; and
 - (c) help ensure that housing supply and housing choice, including affordable housing options, meet demand.
112. PC67 is only proposing to achieve an average density of 3.9 hhs/ha. The majority of lots provided would be between 1,100sqm to 3000sqm, with a low density area located on the eastern periphery of the site comprising lots of between 3,000sqm and 5,000sqm.
113. In my view, this does not efficiently use the subject land and as already detailed elsewhere in this evidence (particularly paragraphs 69 and 84) would not create a compact urban form or align with future housing needs identified in the 2021 HCA. In my view, PC67 is not future-focused and simply provides 'more of the same' when there is sufficient provision for this housing typology within the existing housing stock in the District. Furthermore, this would not be a subdivision providing affordable homes.
114. The CCC submission refers to Action 3 in Our Space to review appropriate densities for new greenfield developments. This review has now been completed and the resultant report concluded that on a case-by-case basis 15 hh/ha is both desirable and feasible as the minimum net density in new greenfield areas⁴¹.
115. While I would consider a density at or close to 15 hh/ha would use the subject land more efficiently, given the location of the site, I tend to agree with Mr Nicholson that increased densities would likely exacerbate the transport issues of concern as it would seem unlikely to improve the viability of enhanced public transport services.

⁴¹ https://www.selwyn.govt.nz/__data/assets/pdf_file/0005/475466/UG-Chapter-Appendix-3-HG-Greenfield-Density-Analysis.pdf

116. Nevertheless, my opinion on an appropriate density might be different if additional urban growth at West Melton was considered desirable as part of a strategic planning exercise and this direction was coordinated through integrated infrastructure provision and a resultant masterplan, with sufficient critical mass to justify greater urban amenities, such as enhanced public transport services.

Highly Productive Land and Versatile Soils

117. The rural land subject to PC67 is identified on Canterbury Maps as comprising Land Use Capability Classes 2 and 3 using the New Zealand Land Resource Inventory data set from Manaaki Whenua Landcare Research.
118. Policy B1.1.8 of the SDP seeks to: “Avoid rezoning land which contains versatile soils for new residential or business development if:
- *the land is appropriate for other activities; and*
 - *there are other areas adjoining the township which are appropriate for new residential or business development which do not contain versatile soils”.*
119. This aligns with CRPS Policy 5.3.12 which seeks to maintain versatile soils that contribute to Canterbury’s overall rural productive economy and emerging national direction on this matter as outlined in the proposed National Policy Statement on Highly Productive Land (**pNPS-HPL**).
120. I note that the CRC submission states that the High Court has held that regard may be had to non-binding national policy documents, as relevant background material, even if those documents do not have any status under the RMA⁴².
121. Objective 3 of the pNPS-HPL seeks to protect highly productive land, including by: “avoiding uncoordinated urban expansion on highly

⁴² Citing *West Coast Regional Council v The Friends of Shearer Swamp* [2012] NZRMA 45.

productive land that has not been subject to a strategic planning process"⁴³.

122. In my view, this is a clear signal that any 'consideration around the costs and benefits associated with impacts on highly productive soils and feasibility of alternatives' would be undertaken through a strategic process rather than ad hoc and simply at a local level.
123. I acknowledge that Mr Mthamo considers that site specific factors suggest the LUC classifications of the PC67 soils misrepresent their current versatility for productive use, and that any loss of versatile soils through PC67 would be insignificant in the context of Selwyn and Canterbury. My concern however is that again PC67 is being considered in isolation and I note that he reaches the same conclusions for other plan changes currently being processed in Selwyn.
124. I agree with paragraph 62 in the s42A Report that this issue should not be the 'sole determining factor' when considering whether PC67 is the most appropriate way to achieve the objectives of the District Plan (and the wider relevant statutory framework). However, taken together with the other matters where, in my evidence, I consider PC67 to be inconsistent with the CRPS and SDP this provides a strong further argument for rejecting the plan change.

Well-functioning urban environment

125. Policy 1 of the NPSUD describes well-functioning urban environments as those that, as a minimum below (with emphasis through underlining):
- (a) have or enable a variety of homes that:
 - (i) meet the needs, in terms of type, price, and location, of different households; and
 - (ii) enable Māori to express their cultural traditions and norms; and;

⁴³ <https://www.mpi.govt.nz/consultations/proposed-national-policy-statement-for-highly-productive-land/>

- (b) Have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and
- (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; and
- (d) Support and limit as much as possible adverse impacts on the competitive operation of land and development markets; and
- (e) Support reductions in greenhouse gas emissions; and
- (f) Are resilient to the likely current and future effects of climate change.

126. I note that the factsheet published by MfE on well-functioning urban environments provides guidance on the application of Policy 1⁴⁴, including:

- (a) that the term 'accessibility' in Policy 1 refers to the ease and cost of accessing opportunities (e.g. amenity, employment) across an urban area;
- (b) that the outcomes referenced in the well-functioning urban environments policy are interrelated and need to be considered together – for example, housing and transport choices that relate to Policies 1(a) and 1(c) have an impact on greenhouse gas emissions, policy 1(e); and
- (c) that the well-functioning urban environments policy is central to the NPS-UD and is to be read alongside other key policies, such as the intensification and responsive planning policies.

127. Expanding on the Policy 1(c), and in relation to Policy 8, clause 3.8 requires that unanticipated or out-of-sequence plan changes must be '*well-connected along transport corridors*'.

128. The MfE guidance on understanding and implementing the responsive planning policies states that ideally the transport corridors should be connected via a range of transport modes and proximate to amenities and services. The guidance states that, if possible, people should not need to rely solely on private vehicles to travel to other urban areas, or

⁴⁴ <https://environment.govt.nz/publications/national-policy-statement-on-urban-development-2020-well-functioning-urban-environments-fact-sheet/>

to access essential services like employment, and health or community services. It further states that ideally, developments under this policy will be transit-orientated with mixed land uses and densities⁴⁵.

- 129.** As I have outlined elsewhere in this evidence but reiterate, I do not consider PC67 achieves Policy 1(a) or (c), or that the plan change is well-connected along a transport corridor, particularly one planned for a form of mass rapid transport.
- 130.** I also consider the poor accessibility by public transport and an associated reliance on private vehicle use will inevitably prevent PC67 from supporting reductions in greenhouse gas emissions (Policy 1(e)). I therefore agree with (albeit more vehemently) the conclusion in Paragraph 95 of the s42A Report that PC67 will not contribute to a well-functioning urban environment.
- 131.** I acknowledge and applaud the sustainability features being promoted internal to the development, as outlined in the evidence of Ms Seaton and Mr Wheelans. However, in my opinion the proposed rule relating to the requirement for such features is uncertain, and is unquantified with regard to offsetting greenhouse gas emissions.
- 132.** Furthermore, I note that the recent mode shift plan for Greater Christchurch, prepared by Waka Kotahi with the GCP⁴⁶, states that land transport currently accounts for 41% of greenhouse gas emissions in Greater Christchurch and do not consider that onsite features can mitigate the increased emissions from car travel resultant from PC67, particularly as PC67 is more remote from the service and facilities available in the larger urban centres, including Christchurch City.
- 133.** I appreciate that increases in homeworking and the use of electric vehicles could help reduce total emissions resultant from PC67, but these would not be consequent from the development itself and evidence to support this is not yet available so, in my view, should not be presumed to occur. Ultimately, clause 3.8 requires that PC67 contributes to a well-functioning urban environment that supports reductions in greenhouse

⁴⁵ ibid, Footnote 25.

⁴⁶ <https://www.nzta.govt.nz/assets/resources/keeping-cities-moving/Christchurch-regional-mode-shift-plan.pdf>

gases and Ms Seaton states, in paragraph 7.29, that this will not be the case.

- 134. To conclude, I do not consider PC67 would add significant development capacity, firstly due to the scale and housing typologies of the proposed development, and secondly when considering whether it would contribute to a well-functioning urban environment that is well-connected along transport corridors. In this regard, I agree with the findings of Ms White in the s42A Report, paragraph 115 (a) and (b).
- 135. This in my view, negates consideration of PC67 under Policy 8 of the NPSUD and leaves its assessment against the relevant statutory planning framework provided by the CRPS and SDP.
- 136. I consider that PC67 is clearly inconsistent with Objective 6.2.1(3) and Policy 6.3.1(4) of the CRPS, as well as a number of other provisions, particularly Objective 6.2.4, and Policies 6.3.4 and 6.3.5, and as such should be declined in its entirety.
- 137. While PC67 does not seek to amend any of the operative objectives and policies of the SDP, to comply with section 75 of the RMA it must “implement” those objectives and policies. Again, it is clear to me that this is not the case and PC67 is contrary to Objective B4.3.3, Policy B2.1.13 and Policy B4.3.1.

Dated this 6th day of September 2021

.....
Keith Tallentire