

**BEFORE THE HEARING COMMISSIONER
FOR SELWYN DISTRICT COUNCIL**

UNDER

the Resource
Management Act 1991

IN THE MATTER

of Private Plan Change
72 (Prebbleton) by
Trices Road Rezoning
Group

**SUMMARY OF EVIDENCE OF MARCUS HAYDEN LANGMAN
(PLANNING EVIDENCE)**

1 February 2022



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CHRISTCHURCH

INTRODUCTION

1. My name is Marcus Hayden Langman. I am a Planning Consultant self employed planning consultant and have set out my experience in my evidence in chief.
2. In my evidence I address planning issues in relation to Proposed Plan Change 72 (**PC72**), including how the proposed plan change relates to strategic planning for Greater Christchurch, the framework for the higher order planning documents including the National Policy Statement on Urban Development (**NPS-UD**) and the Canterbury Regional Policy Statement (**CRPS**), in particular Chapter 6 which relates to the rebuild and recovery of Greater Christchurch, and issues related to infrastructure, transport, and how these relate to a well-functioning urban environment under the NPS-UD.
3. The key conclusions I reach in my evidence are that:
 - (a) the additional yield provided by PC72 does not result in significant additional development capacity;
 - (b) the immediate area including the subject land is already planned for rural residential development, which (if it proceeds) will place pressure for further expansion of rural residential development elsewhere by reducing the amount of land available for rural residential growth;
 - (c) sufficient development capacity to meet expected housing demand has already been identified over the medium-term, and the proposed housing typologies do not go far enough to align with the housing needs stated in the 2021 Housing Capacity Assessment;
 - (d) the request is out of sequence with planned infrastructure development in terms of the Projected Infrastructure Boundary (**PIB**), and the implications of the Medium Density Residential Standards (**MDRS**) in terms of infrastructure development capacity have not been taken into account;
 - (e) while the contribution to development capacity is considered minor, the cumulative impact of this and further unplanned

greenfield expansion would likely compromise opportunities for intensification elsewhere in Greater Christchurch;

- (f) the government has targeted intensification of existing urban areas through the use of MDRS, with one of the reasons for doing so being to more productively and efficiently use urban land, and reduce pressure for urban expansion/sprawl into greenfield areas, including on to highly productive land.¹
- (g) The primary relief in PC72 does not give effect to the following key policies in the Canterbury Regional Policy Statement (**CRPS**):
 - (i) Objective 6.2.1(3) which seeks that *“recovery, rebuilding and development are enabled within Greater Christchurch through a land use and infrastructure framework that..avoids urban development outside of existing urban areas or greenfield priority areas for development unless expressly provided for in the CRPS”*;
 - (ii) Objective 6.2.2 which seeks an urban form that *“achieves consolidation and intensification of urban areas, and avoids unplanned expansion of urban areas by...providing for development of greenfield priority areas (**GPA**), and of land within Future Development Areas (**FDA**) where the circumstances in Policy 6.3.12 are met, on the periphery of Christchurch’s urban area, and surrounding towns at a rate and in locations that meet anticipated demand and enables the efficient provision and use of network infrastructure”*;
 - (iii) 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, and the methods identifies in the CRPS which direct territorial authorities to

¹ At para 9, Cabinet Paper seeking introduction of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill <https://environment.govt.nz/assets/publications/resource-management-enabling-housing-supply-and-other-matters-amendment-bill-approval-for-introduction.pdf>.

implement the directions set out in the policy statement.

- (h) In relation to the Selwyn District Plan, the limited new provisions sought through PC72 are not the most appropriate to achieve the objectives of the Plan, in particular Objectives B3.3.3, B3.4.5, B3.4.4, B4.3.1, B4.3.3;
 - (i) The Section 32 Report and evidence² filed by the applicant states that Policy 8 of the National Policy Statement on Urban Development 2020 (**NPS-UD**) resolves tension between the provisions of Chapter 6 of the CRPS and PC72. For the reasons explained in this evidence, I disagree;
 - (j) In my opinion, the operative CRPS and the higher order NPS-UD provisions can be read together, and there is nothing in the NPS-UD that can be interpreted to override the statutory requirement to give effect to the provisions of the CRPS; and
 - (k) taking into account the higher order planning documents, the Selwyn District Council Rural Residential Strategy 2014 (**Rural Residential Strategy**), and the provisions of S32 of the Resource Management Act 1991 (**RMA91**), I consider that the most appropriate zone for the land is the Living 3 Zone (identified by the proponent as less preferred alternative Option 3).
4. I have reviewed the Applicant's planning summary and in responding to it, I note the following points of disagreement:
- (a) Ms Aston considers that the development of Birchs Road Park adjoining the site has changed the urban suitability of the site. I disagree with this, noting that Birchs Park is proposed to retain a General Rural Zone (**GRUZ**) in the proposed Selwyn District Plan (**pSDP**). In particular, a strip of GRUZ zoned land will continue to separate the park along the Hamptons Road extension to the north of the Park, from the plan change land.
 - (b) I disagree with both Mr Cleese and Ms Aston in relation to the S42A report that states that it is not appropriate to consider additional capacity at a Greater Christchurch scale because it

² S32 para 12, evidence of Fiona Aston at para 15, 79-84.

would create a bar that is implausibly high, such that the pathway provided by the Policy could never be used. In relation to PC69 to the operative Selwyn District Plan, which seeks to provide up to 2000 households, I presented evidence that the quantum could be considered significant.

- (c) Ms Aston states in her summary that PC72 is consistent with the objectives and policies of the SDP, except as they relate to those which restrict urban development to Map A greenfield priority areas and FDAs. As a plan change process, such changes to the SDP could have been sought, however they have not. It is therefore difficult to reconcile how the provisions are the most appropriate for implementing the objectives of the SDP, in particular Objective B4.3.3.
- (d) Ms Aston describes the Rural Residential Strategy as “outdated”, however the strategy is intended to apply for 10-15 years³, although I accept that the document states it would be reviewed within 5 years. I am not aware of the reason as to why it has not been reviewed.
- (e) I do note, however, that the RRS describes the subject land (Area 8 in the RRS) as follows:

*Areas 4 to 8 are small contained nodes where appropriate boundary treatments are required to integrate the sites into both the urban and rural environments. There are definitive road boundaries, physical features or established land uses that reduce the potential of on-going urban sprawl, avoid adverse reverse sensitivity effects and the urban form of Prebbleton coalescing with Lincoln to the south and Christchurch City to the north.*⁴

*Areas 8 and 9 assist in achieving the long term compact concentric urban form of the Township by assisting to establish a permanent peri-urban edge to Prebbleton north of Hamptons Road and west of Tosswill Road respectively.*⁵

³ https://www.selwyn.govt.nz/_data/assets/pdf_file/0004/139594/02-RRS14-Web.pdf at para 6.3, page 51.

⁴ Ibid, page 66.

⁵ Ibid page 68.

- (f) Given the intent above identified in the RRS, notwithstanding there is a need to go through a plan change process to rezone to Living 3, I maintain my position that rural residential areas should not be seen as in transition to full urban development, and that Living 3 remains the most appropriate zone to achieving the objectives of the PDP.
- (g) At para 41, Ms Aston notes she could not find where Change 1 would give effect to the NPS-UD in the Minister's letter. I understand that the NPS-UD is 'secondary legislation' under the RMA⁶, and that a reference to anything being done under an Act includes anything done under secondary legislation.⁷ The Ministers statement that the proposal complied with the RMA, also applies to the NPS-UD.⁸
- (h) Ms Aston focuses on the Objective 3 of the NPS-UD as justification for expanded greenfield development at Prebbleton, however there are other methods to achieve delivery of supply, including brownfield development and intensification. This in my view is the intention of the MDRS, which, as noted in my evidence, seek to reduce pressure for urban expansion/sprawl into greenfield areas, including onto highly productive land.
- (i) I accept Mr Colegrave's response⁹ in his summary that caution should be applied in assuming any immediate drastic rise in housing capacity through the introduction of MDRS, supported by Ms Aston. The proportion of housing capacity that has been realised in previously urbanised areas, and previously undeveloped areas (i.e. greenfield) is one of the matters under NPS-UD Clause 3.9 which is required to be monitored on a quarterly basis. This will provide firm data on the uptake of the MDRS over a relative short period of time, from their introduction in August 2022 (at the latest). Given that the HCA identifies that, across Selwyn, CCC, and Waimakariri, there is sufficient development capacity¹⁰, I consider there will be

⁶ s52(4) RMA.

⁷ s21 Legislation Act 2019.

⁸ Summary of Ms Aston – Attachment 1.

⁹ Summary of Mr Colegrave para 16-17.

¹⁰ <https://www.greaterchristchurch.org.nz/assets/Documents/greaterchristchurch/Capacity-Assessment-reports-2021/Greater-Christchurch-Housing-Development-Capacity-Assessment-July-2021.pdf> at page 6, Table 1 (Short term), Table 3 (Medium Term).

opportunity in monitor and be responsive to need for further greenfield land if required. I also consider that such monitoring will feed into the special planning exercises, and the subsequent review of the CRPS.

- (j) I maintain my position that there is insufficient information around capacity in light of the MDRS, and what this will mean for development of new residential areas, and the subsequent capacity for network infrastructure being put in place. Absent developer covenants, there is the potential for greater levels of development to take place, than that assessed by both the applicant and the Council, which could place pressure on infrastructure capacity.
- (k) There is little comfort that the proposal will have, or enable a variety of homes that meet the needs of different households, unless the developers commit to not including developer covenants on matters which the MDRS seeks to overcome, including density, building coverage, and height.
- (l) Ms Aston and I disagree on whether the proposal will support a reduction in greenhouse gas emissions. Ms Aston compares the site with other development areas in the district, however the proposal is in addition to these areas, it does not substitute them (and therefore reduce emissions). No attempt to quantify emissions has been made, or comparison made to travel distances within Christchurch, where there is substantial opportunity for intensification with easy access to public transport. Given additional employment is not proposed by the development, it is expected that private vehicle commuting levels will remain the same, if not higher.

5. I have not reviewed any other evidence that has altered the position expressed in my evidence, and I maintain my position set out in my evidence. I am happy to answer any questions.

Dated this 1st day of February 2022



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Marcus Hayden Langman