

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

IN THE MATTER of the Resource
Management Act 1991

AND

IN THE MATTER of the Proposed Selwyn
District Plan

**EVIDENCE IN CHIEF OF DAVID IAN FALCONER ON BEHALF OF CHRISTCHURCH
CITY COUNCIL AND THE CANTERBURY DISTRICT HEALTH BOARD**

HEARING TOPIC 1 – STRATEGIC DIRECTIONS

23 July 2021

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Appendix 1: Independent advice on the development of the Social and Affordable Housing Action Plan

1. INTRODUCTION

- 1.1** My full name is David Ian Falconer. I hold the position of City Planning Team Leader, at the Christchurch City Council (**Council**). I have been in this role for over two years, and have been employed by the Council since 2009. Before moving into my current role, I held the position of Principal Advisor – Transport and prior to that Senior Transport Policy Planner, which I held for 7 years.
- 1.2** I hold a Bachelor of Resource Studies (Honours), majoring in Environmental Policy and Planning from Lincoln University. I have over 17 years' experience in resource management and transport planning. I am a full member of the New Zealand Planning Institute.
- 1.3** In addition to my employment with the Council, I have previously worked as a planning consultant, a resource management planner for a different local authority and for a number of Central Government Agencies. I have experience in developing proposed district plans, transport planning, preparing plan changes and section 32 reports and the preparation and processing of resource consent applications for a wide range of activities.
- 1.4** I led the development of the Transport chapter for the Christchurch Replacement District Plan (**CDP**). I also provided evidence for Council on the Strategic Directions chapter of the CDP, dated 18 November 2015.

2. SCOPE OF EVIDENCE

- 2.1** This statement of planning evidence is provided on behalf of the Council and Canterbury District Health Board (**CDHB**) in relation to the Strategic Directions section of the Proposed Selwyn District Plan (**PDP**). Both Council and the CDHB have sought amendments to the Strategic Directions provisions, which I address in this evidence.
- 2.2** In this statement, I specifically address:

- (a) Council's submissions on the Strategic Directions (both primary and further submissions); and
- (b) the 'Section 42A Report – Report on submissions and further submissions – Strategic Directions' dated 9 July 2021 prepared by Mr Robert Love (**s42A**) for Selwyn District Council (**SDC**).

2.3 In preparing this statement I have reviewed the following documents:

- (a) the Section 32 report prepared and notified by SDC;
- (b) the notified Strategic Directions provisions;
- (c) the submissions made on the notified Strategic Directions provisions;¹
- (d) the s42A report;
- (e) the operative Canterbury Regional Policy Statement (**CRPS**);
- (f) Proposed Change 1 to Chapter 6 of the CRPS (**Change 1**), which has been developed using the streamlined planning process under Schedule 1 to the Resource Management Act 1991 (**RMA**). I note that the Minister for the Environment, the Hon David Parker, has now approved Change 1. CRC has published a public notice confirming that the change will become operative on 28 July 2021; and
- (g) the National Policy Statement on Urban Development (**NPS-UD**).

This statement is provided in the context of the statutory framework for decision-making on district plans, as set out in the RMA and summarised by the Environment Court in *Long Bay-Okura Great Park Society Incorporated & Others v North Shore City Council*,² and updated in *Colonial Vineyard Limited v Marlborough District Council*.³

2.4 I have used the following abbreviations in this statement:

- (a) Canterbury District Health Board (**CDHB**);
- (b) Canterbury Regional Policy Statement (**CRPS**);

¹ To the extent that they are relevant to CCC's interests.

² EnvC Auckland A078/08, at [34].

³ [2014] NZEnvC 55.

- (c) Change 1 to Chapter 6 of the CRPS (**Change 1**);
- (d) Christchurch City Council (**Council**);
- (e) Christchurch District Plan (**CDP**);
- (f) Environment Canterbury/ Canterbury Regional Council (**CRC**);
- (g) National Policy Statement on Urban Development (**NPS-UD**);
- (h) Proposed Selwyn District Plan (**PDP**);
- (i) Resource Management Act 1991 (**RMA**);
- (j) Selwyn District Council (**SDC**); and
- (k) Waka Kotahi/ New Zealand Transport Agency (**NZTA**).

3. CODE OF CONDUCT

- 3.1** In accordance with the 'Minute and Directions of Hearings Commissioners on Procedures for Hearing of Submissions' dated 8 June 2021, I confirm that I have read the code of conduct for expert witnesses as contained in the Environment Court's 2014 Practice Note. I have complied with the Practice Note when preparing this written statement of evidence, and will do so when I give oral evidence before the Hearings Panel (**Panel**).
- 3.2** My qualifications as an expert are set out above in paragraph 1.1 to 1.4. I confirm that the issues addressed in this statement of evidence are within my areas of expertise.
- 3.3** The data, information, facts and assumptions I have considered in forming my opinions are set out in my evidence. The reasons for the opinions expressed are also set out in the evidence. I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.

4. EXECUTIVE SUMMARY

- 4.1** I have read and considered the s42A report prepared by Mr Robert Love for SDC, which sets out his recommended amendments in response to the submissions made on the Strategic Directions provisions of the PDP.

- 4.2** I am generally supportive of the recommended changes he has proposed, and the reasoning given. I acknowledge that Mr Love's recommended amendments largely address the points raised in the Council's submissions (including further submissions).
- 4.3** However, several key issues remain which I address in this statement. At a high level, those issues relate to:
- (a) The need for greater integration and/or alignment between the CRPS, the Strategic Directions and the Urban Growth sections of the PDP;
 - (b) The need to clarify SD-UFD-01, specifically the proposed approach to urban growth in the context of the Township network and how that aligns with the CRPS framework; and
 - (c) The potential to strengthen the Strategic Directions in relation to the matter of urban growth.
- 4.4** The need for greater integration and / or alignment between the above mentioned documents is required to avoid any ambiguity or uncertainty. This issue arises from the fact that the CRPS contains specific directive provisions regarding the location of urban growth in Greater Christchurch. More specifically, the CRPS seeks to avoid urban development outside specifically identified areas shown on Map A to the CRPS.
- 4.5** This "avoidance" framework is not mentioned in the Strategic Directions section of the PDP. Instead it is mentioned in the Urban Growth section.
- 4.6** The construct of the PDP, as described in the s42A report (at 20.3.1) is that the Strategic Directions should be "kept broad and outcome focused rather than specifically addressing the issues of urban growth in detail". In light of the fact that the Strategic Directions will be relevant to plan interpretation, application and that they are intended to provide guidance for lower order provisions, it is my view that higher order avoidance objectives (as in the CRPS), should be reflected in the Strategic Directions. This is required to avoid ambiguity when applying

potentially conflicting objectives and policies through decision-making processes.

4.7 The other key issues raised in this evidence relate to the need to clarify the application of SD-UFD-01, so that it is clear that it does not conflict with the CRPS framework, and the potential to strengthen the Strategic Directions in relation to the matter of urban growth, to better give effect to the CRPS and NPS-UD.

4.8 I address these issues in further detail below.

5. COUNCIL AND CDHB'S INTERESTS IN THE PDP AND REASONS FOR THEIR SUBMISSIONS ON THE STRATEGIC DIRECTIONS

5.1 Council is the relevant local authority for land adjoining the north-eastern boundary of the Selwyn District. CDHB is responsible for promoting the reduction of adverse environmental effects on the health of people and communities, and to improve, promote and protect the health and wellbeing of the Selwyn community.

5.2 Council made a total of 4 submission points and 21 further submission points on the Strategic Directions, which have been allocated to Hearing Topic 1.

5.3 Council appreciates the strong partnership it shares with Selwyn District Council through the Greater Christchurch Partnership (**Partnership**).⁴ These two councils are joint signatories to the Greater Christchurch Urban Development Strategy (**UDS**) and Our Space 2018-2048. Council and SDC have worked in partnership for many years to manage urban growth and cross-boundary issues together. Council is largely supportive of the PDP.

5.4 The joint work on the UDS is reflected in Chapter 6 of the CRPS, which contains specific directive provisions that identify where urban growth should be located within the Greater Christchurch urban area. If land

⁴ The Partnership comprises of Christchurch City Council, Environment Canterbury, Selwyn District Council, Waimakariri District Council, Te Rūnanga o Ngāi Tahu, Waka Kotahi New Zealand Transport Agency and the Canterbury District Health Board.

is outside of these identified areas, then the CRPS directs that urban development is to be avoided. I explain this in more detail when discussing proposed Objective SD-UFD-O1 of the PDP.

- 5.5** The CRPS framework of providing for or avoiding urban development in certain areas is significant in terms of informing the approach taken by the PDP, and SDC's approach to managing and providing for growth more generally. The key point to note is that the CRPS framework provides for growth within the infrastructure boundary depicted on Map A of the CRPS only.⁵
- 5.6** This framework is important to Council, and the other Greater Christchurch Partners (the **Partners**), because it underpins the infrastructure investment decisions they have, and continue to, make for Greater Christchurch. For many years the infrastructure boundary has provided certainty for the Partnership in terms of the investment decisions, and financial implications of infrastructure required to service and unlock future urban growth. Maintaining this infrastructure boundary, and the integrity of the CRPS framework is a key focus for Council, and CDHB.
- 5.7** Council's own interest in ensuring that the location and quantum of urban growth enabled through the PDP is appropriate is primarily driven by the impact of downstream transport effects on Council's transport network. This is because a significant proportion of Selwyn residents travel into Christchurch daily for work, education and other activities. NZTA, CRC, Council and SDC have worked together to model the transport movements resulting from the urban growth anticipated to occur within the infrastructure boundary, and the transport network has been designed to accommodate this. Provision for additional growth in locations outside the infrastructure boundary could have downstream implications on the transport network that have not been considered, or properly assessed.
- 5.8** The Partners are currently working together on a Spatial Plan for Greater Christchurch which will consider the potential for (and location

5 <https://ecan.maps.arcgis.com/apps/instant/interactivelegend/index.html?appid=1cbda0b57a5145e9b7b70111955bf721>

of) additional urban growth, beyond the current 30-year planning horizon. This work will not be completed until after the PDP hearings are completed, as it is being undertaken to inform the next review of the CRPS in 2024. In the meantime, the CRPS framework must be given effect to by the PDP,⁶ through the Strategic Directions section and Urban Growth provisions, and avoid urban development outside the infrastructure boundary. If this avoidance framework is not properly reflected in the PDP, then there would be resulting uncertainty and potential for the PDP to *not* give effect to the higher order CRPS, by allowing for ad hoc, unplanned urban growth.

5.9 I note that the Strategic Directions section of the PDP has been developed on the basis that it will provide “overarching direction”⁷ for the District Plan, and that it will also be relevant to consenting processes.⁸ With these points in mind, I note that the avoidance aspect of the CRPS framework is only referenced in the Urban Growth provisions of the PDP, and not the Strategic Directions. While I address this further below, it is my view that there should be greater alignment between the CRPS, Strategic Directions and Urban Growth sections of the PDP, to ensure that there is no conflict between the policy direction provided by the Urban Growth and Strategic Direction sections.

5.10 While I agree with Mr Love that the strategic objectives can be kept “broad and outcome focused rather than specifically addressing the issues of urban growth in detail” (refer: s42A, at 20.3.1),⁹ it is important that the Strategic Directions provide accurate guidance on key strategic issues, particularly where there is a mandatory and directive higher order objective in play. In my view, it would be inefficient and inappropriate for there to be any potential for ambiguity when it comes to implementing the CRPS framework, due to a lack of alignment between the Strategic Directions and Urban Growth chapter.

6. STATUTORY FRAMEWORK

6.1 Section 75(3) of the RMA requires that:

⁶ RMA, s75(3)(c).

⁷ PDP, SD–Overview.

⁸ s42A, Appendix 2: Recommended amendments (SD-Overview).

⁹ s42A, at 20.3.1, page 106.

A district plan must give effect to—

- (a) any national policy statement; and*
- (b) any New Zealand coastal policy statement; and*
- (ba) a national planning standard; and*
- (c) any regional policy statement.*

6.2 National and regional planning documents that the PDP must give effect to, include:

- (a) The NPS-UD; and
- (b) The CRPS.

6.3 In relation to the NPS-UD, the s42A report provides two high-level paragraphs on the role and requirements of this national policy statement. At 5.20 of the Overview s42A report, Mr Love notes that the NPS-UD requires that councils:¹⁰

- (a) Ensure that plans make room for growth both 'up' and 'out', and that rules are not unnecessarily constraining growth; and
- (b) Align and coordinating planning across urban areas.

6.4 In my view, this is an overly simplistic summary of the NPS-UD. There are a number of objectives and policies in the NPS-UD which will have relevance to the development of the PDP, but it is more important to consider the direction provided by the NPS-UD in the context of the CRPS, which is also a planning instrument that must be given effect to under section 75(3).

6.5 After considering the NPS-UD alongside the CRPS (which I note also receives a high-level summary only in the s42A Overview report, at 5.31), it is my view that the CRPS gives effect to the NPS-UD, particularly in terms of the approach to managing urban growth. For example, the CRPS sets a framework that would result in a well-functioning urban environment, which is integrated with infrastructure planning and funding decisions, as required by Objectives 1 and 6.

¹⁰ s42A Overview Report, at 5.20.

- 6.6** I outline in more detail below the CRPS regime for urban growth, when addressing Objective SD-UFD-O1.
- 6.7** Section 74(2)(a)(i) requires that SDC “shall have regard to” any “proposed regional policy statement”. In this instance Change 1 remains proposed, but is effectively operative, having been approved by the responsible Minister under clause 85 of Schedule 1 to the RMA, and awaiting notification (at which point it will become operative under clause 90).
- 6.8** I note that there is no reference in the s42A report to Change 1 at all. This may have been because at the time of writing the s42A report Change 1 was still proposed, however it should still have been considered under section 74(2)(a)(i) of the RMA. At the very least, for the purposes of the s42A report, it is a relevant matter and should have been given significant weight.
- 6.9** As noted above, the Minister has since approved Change 1 and CRC have advised, in accordance with clause 90 of Schedule 1 to the RMA, that Change 1 will become operative on 28 July 2021. As a result, Change 1 will have been incorporated into the CRPS by the time the Panel makes its recommendations, and the PDP *must* give effect to it.

7. COUNCIL RESPONSE TO THE s42A

- 7.1** In this evidence, I respond to certain issues discussed in the s42A, including those addressed within Council’s submissions. Where I agree with Mr Love’s recommendations, I have generally adopted his analysis and not provided any further commentary (unless I consider it useful). Where I disagree with his recommendations, I have summarised the issue(s) and his recommendation, and considered whether the relief sought better achieves the relevant objectives of the applicable policy documents, and evaluate the appropriateness, including costs and benefits, of the requested changes in terms of s32AA of the RMA.
- 7.2** My evidence is structured by PDP provision in the following paragraphs.

SD-DI-O1

- 7.3 CHDB sought an amendment to this Objective. Council supported this submission point through a further submission. At paragraph 7.4 of the s42A report Mr Love supports this amendment suggested by CDHB. I support the recommended amendment.

SD-DI-O2

- 7.4 Council, though its further submission, opposed relief sought by Federated Farmers in relation to this provision. CRC sought that this provision be retained as notified.
- 7.5 Mr Love has addressed the Federated Farmers submission in paragraph 8.5 of the s42A. He has recommended that the submission be rejected and no changes be made to SD-DI-O2. I agree with Mr Love's conclusions on this.

SD-DI-O5

- 7.6 Council and CRC sought that this provision be retained as notified. Mr Love has not recommended any changes to SD-DI-O5.
- 7.7 I agree with Mr Love's recommendation. I also note that SD-DI-O5 needs to be retained in order for the PDP to give effect to the CRPS Objectives and Policies regarding the Activity Centre Framework, including Objectives 6.2.1 (2), 6.2.2 (2) and 6.2.5.

SD-UFD-O1

Context

- 7.8 CDHB and CRC sought that the provision be retained as notified, whilst Council sought an amendment to better give effect to the CRPS. Council also lodged further submissions in opposition to certain

submissions, which sought relief that Council considered would not give effect to the CRPS.

- 7.9** The specific amendment that Council sought to SD-UFD-01 is as follows (strike through and underline):

Urban growth is located only in or ~~around~~ adjoining existing townships and in a compact and sustainable form that aligns with its anticipated role in the Township Network, while responding to the community's needs, natural landforms, cultural values, and physical features.

- 7.10** This amendment has been accepted by Mr Love in the s42A, as shown in the recommended amendments in Appendix 2 of the s42A.

- 7.11** While I consider that this amendment better gives effect to the CRPS than the notified version of SD-UFD-01, I remain concerned about the way in which it could be interpreted alongside other provisions of the PDP, and the CRPS.

Urban growth within Greater Christchurch

- 7.12** As already noted, the CRPS framework (including Change 1) directs that urban growth be limited to within the infrastructure boundary (ie. Greenfield Priority Areas and Future Development Areas). The consequence of this framework is that there is a very carefully prescribed ability to provide for urban growth where land *adjoins* townships, and otherwise such unplanned growth is to be avoided.

- 7.13** Objective 6.2.1 of the CRPS is as follows:

Recovery, rebuilding and development are enabled within Greater Christchurch through a land use and infrastructure framework that:

- 1. identifies priority areas for urban development within Greater Christchurch;*

2. *identifies Key Activity Centres which provide a focus for high quality, and, where appropriate, mixed-use development that incorporates the principles of good urban design;*
3. ***avoids urban development outside of existing urban areas or greenfield priority areas for development, unless expressly provided for in the CRPS;***

...

7.14 The direction provided by Objective 6.2.1 is unambiguous and must be given effect to. With reference to SD-UFD-01, it is relevant to note that the greenfield priority areas (and future development areas, as discussed below) identified in the CRPS adjoin some existing townships in the Selwyn District, but not all townships (for example: West Melton, Springston and Tai Tapu). The current drafting of SD-UFD-01 leaves the door ajar for urban growth adjoining these townships, which would conflict with the CRPS.

7.15 In relation to the future development areas (**FDA**), Change 1 makes the following amendment to Objective 6.2.2 - Urban form and settlement pattern:

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

...

4. *providing for the development of greenfield priority areas, and of land within Future Development Areas where the circumstances set out 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;*

7.16 While the FDAs in the CRPS adjoin the existing town of Rolleston in Selwyn District, there are no other FDAs in the District. What this means is that for the rest of Selwyn District, urban growth is either

constrained by Objective 6.2.1 (where it is inside the Greater Christchurch urban environment), or Chapter 5 of the CRPS applies (if land is outside Greater Christchurch).

- 7.17** In my view, there is the potential for uncertainty relative to the townships within Greater Christchurch, with SD-UFD-01 arguably anticipating urban growth adjoining all existing townships, irrespective of whether land is within the greenfield priority areas, or future development areas. This potential uncertainty should be removed from the Strategic Directions, by clarifying that any urban growth of townships within Greater Christchurch can only occur in a manner provided for by the CRPS.

Urban growth outside Greater Christchurch (ie. rural townships)

- 7.18** Policy 5.3.1 of the CRPS requires that urban growth is “attached” to existing urban areas, within the wider region.

- 7.19** I understand this policy to apply to the more rural townships within the balance of the Selwyn District, rather than those within Greater Christchurch. It is on this basis that Council’s submission supported the amendment to add “adjoining” to SD-UFD-01, as that term better aligns with the word “attached” as used in the CRPS.¹¹

I therefore consider the recommended amendment to SD-UFD-01 better gives effect to Policy 5.3.1 of the CRPS, as required by the RMA, than the notified version of SD-UFD-01. This however does not resolve the concern I have expressed above in relation to the Greater Christchurch area.

Concern in relation to the application of the Strategic Objectives

- 7.20** Mr Love has recommended that the following wording be added into the Strategic Directions SD-Overview section:

11 The Oxford Dictionary definition of adjoining refers to being “next to or joined to something”.

“For the avoidance of doubt, this means that for resource consent applications, the Strategic Objectives may require specific consideration and application to proposals, as a relevant consideration under Section 104(1)(b)(vi)¹²”.

- 7.21** While, in general, this recommendation is supported by Council, if the Strategic Directions objectives are to be considered and applied through the consideration of resource consent applications, they cannot be so broad as to create ambiguity about how they should be applied in the resource consent context. This is particularly so given that the Strategic Directions are intended to inform the interpretation of “all other objectives and policies” in the PDP.
- 7.22** In my view, the intended function of the Strategic Directions requires that there is vertical alignment and consistency between the Strategic Directions objectives, and the lower order chapters, particularly in relation to key strategic matters.
- 7.23** As noted earlier, the CRPS is specific about where urban growth should be avoided in Greater Christchurch. The CRPS regime has been reflected in the Urban Growth section of the PDP, through the following provision:

UG-P3 - Avoid the zoning of land to establish any new urban areas or extensions to any township boundary in the Greater Christchurch area of the District outside the Urban Growth Overlay.

- 7.24** However, this policy is not completely aligned with SD-UFD-O1. SD-UFD-O1 could be interpreted as providing for growth outside of the CRPS framework (i.e. adjoining an existing township, regardless of whether it is within a greenfield priority area or Future Development Area or not). Given that “all other objectives and policies in all other chapters of this District Plan are to be read and achieved in a manner consistent with these Strategic Directions”, this ambiguity in my view warrants review.

12 CCC supported this change through a further submission

7.25 It is important that the Strategic Directions provide the same direction as UG-P3, so that the Strategic Directions provides the same clear direction that the CRPS requires. Without that, there is the potential for undesirable conflict between these key strategic provisions.

7.26 I consider that there is scope to address this issue, as:

- (a) Council's submission sought that the PDP give effect to the Greater Christchurch urban growth strategy in the CRPS; and
- (b) Kainga Ora have also sought to shift the objectives and policies within the Urban Growth chapter into the Strategic Directions chapter of the PDP. This relief would go some way towards addressing the issue, as UG-P3 would be incorporated into the Strategic Directions.

7.27 In my view, there are two potential options available to the Panel:

- (a) UG-P3 could be included as a standalone objective within the Strategic Directions. I note that there would need to be a consequential amendment to SD-UFD-01 to address the ambiguity outlined above. For example:

SD-UFD-XX Avoid the zoning of land to establish any new urban areas or extensions to any township boundary in the Greater Christchurch area of the District outside the Urban Growth Overlay.

*SD-UFD-01 Urban growth outside of the Greater Christchurch area of the District is located only in or ~~around~~ **adjoining** existing townships and in a compact and sustainable form that aligns with its anticipated role in the Township Network, while responding to the community's needs, natural landforms, cultural values, and physical features.*

- (b) An alternative would be to consolidate UG-P3 with SD-UFD-O1, as shown below:

Urban growth is located:

- a. If outside of the Greater Christchurch area of the District, only in or ~~around~~ **adjoining** existing townships and in a compact and sustainable form that aligns with its anticipated role in the Township Network, while responding to the community's needs, natural landforms, cultural values, and physical features; and*
- b. If inside the Greater Christchurch area of the District, only within the Urban Growth Overlay.*

- 7.28** To assist the Panel, I note the following specific provisions in the Strategic Directions Chapter of the CDP that give effect to the CRPS urban growth framework:

3.3.7 Objective - Urban growth, form and design

- a) A well-integrated pattern of development and infrastructure, a consolidated urban form, and a high quality urban environment that: ...*
- iii) Provides for urban activities only:*
 - A) within the existing urban areas unless they are otherwise expressly provided for in the CRPS; and*
 - B) on greenfield land on the periphery of Christchurch's urban area identified in accordance with the Greenfield Priority Areas in the Canterbury Regional Policy Statement Chapter 6, Map A; ...*

- 7.29** In my opinion, this is an example of a Strategic Objective that clearly gives effect to the CRPS.

- 7.30** In conclusion, while I support the recommended amendment to SD-UFD-01 for townships outside Greater Christchurch, I consider that further amendments are required to ensure proper alignment between the Strategic Directions chapter and the CRPS.

Social and Affordable Housing

7.31 Council has also sought under SD-UFD-O1 that:

The relevant recommendations from Social and Affordable Housing Action Plan of the Greater Christchurch Partnership should be incorporated in the District Plan.

7.32 The s42A (at paragraph 16.4, page 61) correctly points out that the Action Plan is currently in development and has not been approved by the Partnership. I agree with this statement. However, the Partnership has commissioned some independent advice from Community Housing Aotearoa (which is the peak body for New Zealand's community housing sector) on the development of the Social and Affordable Housing Action Plan, which is contained in **Appendix A** of my evidence.

7.33 This independent advice makes the following recommendations, at paragraph 6.3.2:

Both Selwyn and Waimakariri District Councils should ensure their District Plan reviews enable the development of smaller affordable homes, and create additional choice for older homeowners to “age in place” by:

- i. Adopting minimum density residential zones allowing for a mix of 1 & 2-bedroom homes/attached products within a traditional development of 3 & 4-bedroom homes*
- ii. Zoning retirement village developments so they are connected and integrated into the community and not isolated enclaves*
- iii. Allowing existing homes to be partitioned to create multiple smaller unit options*
- iv. Providing guidelines for universal design features in newly built homes*
- v. Providing information regarding Accessory Dwelling Units.*

7.34 This independent advice can assist in the development of the Partnership's Social and Affordable Housing Action Plan and I bring it

to the Panel's attention, if the Panel wishes to consider how the PDP can provide for more affordable housing options.

SD-UFD-02

7.35 A number of submitters have requested an amendment to this objective, seeking to replace the term 'sufficient' with 'as a minimum, ample' or another similar term i.e. 'plentiful'.

7.36 Council made a further submission in opposition to those submissions. The Council's further submission states that:

... providing for excessive development capacity can result in inefficiencies, poor integration with infrastructure provision, and not achieving a well - functioning urban environment.

7.37 In my view, the relief sought by these submitters risks enabling excessive unplanned development. Council's opposition to this relief is supported by Issue 6.1.2 of the CRPS which states:

The links between the size of a future urban footprint and the level of energy used need to be given weight. Urban growth occurred before the earthquakes across Greater Christchurch in a way that resulted in accelerated energy use, in particular where development has created a more dispersed and fragmented urban form. Smaller and consolidated urban footprints encourage the use of less energy, especially those areas where travel patterns can be reduced through optimum relationships between residential, employment, shopping, educational and recreational activities. They also provide better opportunity and choice for people in terms of transport modes.

The costs of the infrastructure necessary to sustain rebuilding and recovery are significant. There are advantages in extending existing services and encouraging a scale of growth sufficient to promote servicing economies rather than meeting the demands of dispersed development.

Costs of growth must be factored into location decisions, as unplanned growth can impact on the rural land resource, existing rural industries and rural character.

- 7.38** The Partnership's Our Space 2018 - 2048 (Greater Christchurch Settlement Pattern Update - Whakahāngai O Te Hōrapa Nohoanga), shows that, with the inclusion of Change 1, there is sufficient housing capacity within Greater Christchurch to meet the expected needs over the next 30 years.¹³ There is therefore sufficient capacity and no need for additional areas (outside the Future Development areas) to be zoned for urban development. The Strategic Directions of the PDP should recognise this.
- 7.39** Transport modelling undertaken as part of the Housing Capacity Assessment for Our Space 2018-2048, showed that a more dispersed urban form, could add a cost of \$50 million a year to the regional economy from increased travel times, as freight, for example, takes longer to transport around Greater Christchurch, including to and from the airport, port, distribution centres and warehouses.¹⁴ The dispersed urban form also had higher vehicle trips and therefore higher greenhouse gas emissions, than a consolidated urban form.
- 7.40** The Partnership is also currently working together on a Spatial Plan, which will include updating the housing capacity assessment. This will fulfil the requirements for a Future Development Strategy under the NPS-UD, and provide the opportunity to comprehensively consider the optimum locations for future growth, that best minimise adverse effects and additional costs. Public consultation on this is expected in 2022. The Spatial Plan is expected to be completed within the next two years to inform the 2024 Long Term Plans, as required by the NPS-UD. The Spatial Plan is the strategic approach to considering additional urban growth areas, rather than the ad hoc extensions to urban boundaries in response to re-zoning submissions on the PDP, which adding the

¹³ Page 28 of Our Space 2018-2048 (Greater Christchurch Settlement Pattern Update - Whakahāngai O Te Hōrapa Nohoanga) <https://greaterchristchurch.org.nz/assets/Documents/greaterchristchurch/Our-Space-final/Our-Space-2018-2048-WEB-FINAL.pdf>

¹⁴ Page 264 of the Housing Development Capacity Assessment <https://greaterchristchurch.org.nz/assets/Documents/greaterchristchurch/Our-Space-consultation/Greater-Christchurch-Housing-Capacity-Assessment-reports-1-4.pdf>

term 'ample' or 'plentiful' to SD-UFD-O2 could encourage. I note that Spatial Planning is recommended in the Randerson Report on the Resource Management System, and requirements to give effect to Regional Spatial Strategies is included in the exposure draft of the Natural and Built Environments Bill.

- 7.41** In my view, this will be the best avenue to fully consider the merits of additional urban growth areas and compare them with other options for growth areas, so the preferred growth location can be chosen to ensure the benefits of urban development are maximised, and costs and effects are minimised.
- 7.42** I support Mr Love's recommendation in the Section 42A report (at paragraph 17.3) to reject these submissions as the term "sufficient" is consistent with the language used in the NPS-UD, notably Policy 2 which states that "*...local authorities, at all times, provide at least sufficient development capacity to meet expect demand...*". The PDP must be prepared in accordance with the NPS-UD, under section 74(1)(ea) of the RMA. In my opinion, this should – where possible – be achieved by using terminology that is consistent with that used in the NPS-UD.
- 7.43** There is also a risk that the PDP will not give effect to the urban growth regime in the CRPS if it is required to provide for ample / plentiful development capacity. This could potentially create arguments in support of urban growth in locations where the CRPS seeks to avoid such growth, based on the fact that "plentiful" capacity is provided. The CRPS framework has been developed to provide sufficient development capacity for housing across a 30-year period, through the development of the greenfield priority areas and future development areas. Allowing urban growth in a manner that departs from the Partners integrated approach to managing growth alongside infrastructure would likely result in ad hoc development that places increased demands on the Partners that is unplanned, and that does not accord with the NPS-UD and CRPS intentions.

SD-UFD-03

- 7.44 CRC has sought that the provision be retained as notified. However, Council has sought to amend SD-UFD-03 as follows;

Urban growth and development:

1. **is of a form and density that supports the viable provision of public transport services and provides for well-integrated public transport infrastructure;**
2. *is well-integrated with the efficient provision, including the timing and funding, of infrastructure; and*
3. *has the ability to manage or respond to the effects of climate change.*

- 7.45 Mr Love has recommended amendments to SD-UFD-01. I agree with Mr Love that the matters sought to be included by Council in SD-UFD-03 are now covered in the amended SD-UFD-01. I also support Mr Love's recommended addition of the term "health", as sought by CDHB.

General Rural Zone specific objective

- 7.46 Council supported HortNZ and NZ Pork's submissions for a General Rural Zone specific objective. Council's interest in supporting these submission points was to have an objective that directed the protection of productive and versatile rural land for primary industry. Whilst the s42A report rejected these specific submission points, it recommended a change to SD-UFD-01 to include "highly productive land"¹⁵ as a consideration. I support this change and consider this addresses Council's submission point that consideration be had to protection of highly productive rural land.

Kainga Ora's proposed move of the urban growth objectives into the Strategic Directions Chapter

¹⁵ CCC also submitted in support to this.

- 7.47** Section 20 of s42a report refers to Kainga Ora's proposed move of the urban growth objectives into the Strategic Directions Chapter. I have addressed Kainga Ora's submission earlier in my evidence under SD-UFD-01.



David Ian Falconer

23 July 2021

**APPENDIX 1 - Independent advice on the development of the Social and
Affordable Housing Action Plan**