

**BEFORE INDEPENDENT HEARING COMMISSIONERS
AT CHRISTCHURCH**

**I MUA NGĀ KAIKŌMIHANA WHAKAWĀ MOTUHAKE
KI ŌTAUTAHI**

UNDER the Resource Management Act 1991

IN THE MATTER of submissions and further submissions on Proposed Plan Change 14 to the Christchurch District Plan (PC14)

SUBMITTER **Danne Mora Limited**
Submitter 903

Milns Park Limited
Submitter 916

STATEMENT OF EVIDENCE OF ANDREW MACTIER
Planning
20 September 2023

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1 SUMMARY STATEMENT

- 1.1 Danne Mora Limited and Milns Park Limited oppose the zoning of their respective landholdings to High Density Residential Zone (HRZ). In proposing to rezone to HRZ, I believe Council has neglected to consider the consequences this will have on the following matters:
- (a) the provision of infrastructure, most notably stormwater and wastewater, with a further consequence being a reduction in the area of land available for residential development
 - (b) development issues, including reduced provision of a range of different housing densities and typologies, and affordability, and a loss of confidence by the development community
 - (c) whether the level of development anticipated to the HRZ density is likely to be achievable.
- 1.2 There is a limited area of land within the North Halswell ODP that is still available for development. Lot 120 DP 514570 (225 Hendersons Road) and Lot 3000 DP 575180 (275 Sparks Road), comprising a combined area of approximately 12.27 hectares, is all that remains available for residential development within the Danne Mora Limited site. The Commercial Core area, comprising 11.30 hectares also remains undeveloped.
- 1.3 Within the landholdings of Milns Park there is no undeveloped land available. Lot 600 DP 579587 and Lot 500 DP 579587 (25-51 Milns Road, and 32 Kearns Drive respectively) comprising a combined area of approximately 14.23 hectares has a subdivision application for 242 residential allotments lodged with the Christchurch City Council
- 1.4 Plan Change 14 (PC14) rezoned areas within a walkable 400m catchment around the commercial centre to High Density Residential Zone (HRZ). The walkable catchment was subsequently increased to 600m as a result of recommendations by the s42A Report author, Mr Ike Kleynbos.
- 1.5 Danne Mora Limited made submissions seeking that the High Density Residential Zone (HRZ) boundary stops at Manarola Road with all land to the south owned by Spreydon Lodge Limited to be zoned Future Urban Zone (FUZ). A submission supporting the zoning of Lots 120 and 121 DP 514750 as Future Urban Zone was also made. Milns Park Limited made submissions seeking that the FUZ be retained over 25-51 Milns Road (submission 916.1) and that Lot 500 DP 579587 at 32 Kearns Drive be rezoned to FUZ.
- 1.6 Having considered the expert evidence of Mr Jamie Verstappen, I believe Council has not paid sufficient attention to the impacts the rezoning will have on the provision of infrastructure, notably stormwater and wastewater, to accommodate the anticipated increased densities of the HRZ.

- 1.7 As set out in Mr Verstappen's evidence, stormwater and wastewater infrastructure for the site, and the wider North Halswell ODP Area has been sized and largely built, based on the area developing to the RNN subdivision standard and not the densities anticipated by PC14, particularly the HRZ. A large majority of land within the Danne Mora site and the Milns Park site is either already developed, has been consented for development or currently has an application being processed by Council. As such there is limited opportunity to introduce further land allocations for stormwater management without compromising land currently intended for residential development.
- 1.8 With respect to wastewater, Mr Verstappen notes that the increase in density proposed by PC14 will lead to an increase in the volume of wastewater discharge from the sites. It is likely that upgrading of recently installed sewer infrastructure would be required to accommodate the additional sewage loading presented by the rezoning of land prescribed by PC14. The cost-implications and feasibility of undertaking upgrades are likely to be significant. This conclusion is consistent with the findings of a memo prepared as part of the Council's own s32 analysis in respect of the impacts of planned intensification on three-waters infrastructure.
- 1.9 As set out in the evidence of Mr Thompson, sales and development of properties within the Halswell North ODP area have been slow due to a complete lack of demand for properties in the comprehensive and intensive forms of residential development, and required direct intervention, in the form of discounted land sales and subsidised investment by the landowners to ensure sales of allotments. This contrasts markedly with the experience when sales on the same landholding but with RNN zoning is considered, where 155 new allotments were created, with dwellings designed, consented, constructed and sold within the last two years.
- 1.10 Retaining the MRZ and FUZ, as notified by PC14, still provides options to develop to a range of densities which will provide for a wider range of housing typologies. The MRZ, and particularly the FUZ, do not preclude higher density development from occurring, they provide greater choice in minimum site area than the HRZ. Furthermore, the Town Centre Zone (TCZ) adjacent to Halswell Road is also able to accommodate higher density residential development if there is demand for this type of development.
- 1.11 In terms of the Plan's centres-based approach, the North Halswell commercial area has been classified and zoned as a Town Centre. The initial decision to introduce HRZ within the North Halswell ODP appears to ignore the intentions of the sub-clauses of Policy 3 and instead adopts a blanket 'one-size-fits-all' approach. I believe this is an error, one which has been further compounded by the recommendations in the s42A report to further extend the HRZ.
- 1.12 The size of the Town Centre zone and the respective limits on retail and office space are deliberate controls inherent to this commercial centre to reflect both its proximity to the CBD and the intention to establish high density residential within its extent. There is ample residual land within the Town Centre available for high density residential

development up to 22m in height. I am of the opinion the development capacity within the Town Centre for commercial and community services alongside generous residential capacity has clearly been overlooked. Accordingly, I believe the extent of HRZ proposed is not commensurate with intended levels of commercial activity and community services.

- 1.13 Based on the Council's own s32 assessment, the proposal to rezone areas within a walkable catchment of the North Halswell TCZ to HRZ (400m as notified, 600m recommendation of the s42A Report) has a risk of significantly oversupplying land zoned for a housing density and typology that is unappealing to buyers. The Council's s32 assessment recognises that while medium density development of 2-3 storey townhouses may be feasible, higher densities envisioned by the HRZ may struggle to be realised. The Council's s32 assessment notes that *'the impact of medium density and lower density housing prices means it would be unlikely that potential buyers would purchase a high density premium product for more than a standalone or terrace dwelling within the same suburb'*.
- 1.14 The s32 assessment concludes that it is unlikely that high density residential development of 4 storeys and above will be feasible without a significant shift in the market, or significant government intervention, and that the given the required price points for apartments to become feasible, it is difficult to foresee the private development market delivering substantially more affordable housing options. It appears these reservations along with the clear direction intended by NPS-UD Policy 3(d) in respect of town centre zones have simply been overlooked in preference to an all-encompassing approach of applying a walkable catchment to all centres to inform the introduction and extent of HRZ.

2 QUALIFICATIONS AND EXPERIENCE

- 2.1 My name is Andrew Noble Shane Mactier. I am a Consultant Planner with Davie Lovell-Smith, Planners, Engineers and Surveyors of Christchurch.
- 2.2 I hold the qualifications of a Bachelor of Environmental Management from Lincoln University. I have approximately eighteen years' experience in planning and resource management, primarily in local government in New Zealand with the Selwyn District Council, and the Dunedin City Council.
- 2.3 My experience includes district plan development, processing and reporting on plan changes and notices of requirement, preparation of resource consent applications, and submissions on plan changes and National Policy Statements and National Environmental Standards. I have also been involved in a number of non-statutory township structure plans in the Selwyn District, and the development of the Malvern and Ellesmere Area Plans.

3 SCOPE OF EVIDENCE

- 3.1 My evidence is presented on behalf of Danne Mora Holdings Limited and Milns Park Limited and addresses the rezoning of land within the North Halswell ODP area from Residential New Neighbourhood to Medium Density Residential Zone, and subsequently, the High Density Residential Zone as a result of recommendations in the s42A Report.
- 3.2 In preparing my evidence I have reviewed:
- (a) Plan Change 14 as notified
 - (b) The National Policy Statement on Urban Development 2020
 - (c) The Plan Change 14 Section 32 Assessment (Part 1)
 - (d) Applicable parts of the section 42A report of Mr Ike Kleybos
 - (e) The Statement of Evidence of Mr Jamie Verstappen
 - (f) The Statement of Evidence of Mr Ian Thompson

4 CODE OF CONDUCT

- 4.1 Although this is not an Environment Court hearing, I note that I have read the Environment Court's Code of Conduct for Expert Witnesses, contained in Part 9 of the Environment Court Te Kōti Taiao o Aotearoa Practice Note 2023, and agree to comply with it. My qualifications as an expert are set out above. Other than where I state that I am relying on the advice of another person, I confirm that the issues addressed in this statement of 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 that I express.

5 DANNE MORA LIMITED AND MILNS PARK LIMITED AND PLAN CHANGE 14

- 5.1 The site subject to the submissions of Danne Mora Limited (submitter 903) is within the North Halswell Outline Development Plan (ODP) Area. Zoning over the site prior to Plan Change 14 was predominately Residential New Neighbourhood (RNN), including the Meadowlands Exemplar area, along with an area zoned Commercial Core immediately adjacent to Halswell Road. The site includes:
- (a) approximately 11.3 hectares within the Commercial Core zoned area, in Lot 501 DP 566273 and part of Lot 503 DP 583268 (4 Monsaraz Boulevard and part of 20 Monsaraz Boulevard respectively)
 - (b) approximately 8.40 hectares in the Meadowlands Exemplar area
 - (c) approximately 9.91 hectares in the balance area of Lot 503 DP 583268
 - (d) approximately 8.47 hectares in Lot 120 DP 514570 (225 Hendersons Road)

- (e) approximately 9.20 hectares in Lot 121 DP 514570 (155 Hendersons Road)
 - (f) approximately 3.80 hectares in Lot 3000 DP 575180 (275 Sparks Road)
- 5.2 Mr Ian Thompson's evidence sets out a more detailed description for development of the Danne Mora Limited site but in summary development has been occurring since 2016.
- 5.3 The majority of the Meadowlands Exemplar site has been developed and sold, while consent for subdivision to provide for 139 residential allotments, including 4 duplex allotments at 20 Monsaraz Boulevard (part of Lot 503 DP 583268) is currently progressing through the consenting process with the Christchurch City Council. The property at 155 Hendersons Road (Lot 120 DP 514570), on the corner of Sparks and Hendersons Roads, is marked down to be developed for stormwater management purposes.
- 5.4 The property at 225 Hendersons Road (Lot 120 DP 514570) and 275 Sparks Road (Lot 3000 DP 575180), comprising a combined area of approximately 12.27 hectares, is all that remains available for development into residential housing. There are no current proposals for subdivision of these areas currently being considered by the Council. The Commercial Core area, comprising 11.30 hectares also remains undeveloped.
- 5.5 With respect to the Milns Park Limited site, Lot 600 DP 579587 and Lot 500 DP 579587 (25-51 Milns Road, and 32 Kearns Drive respectively) comprising a combined area of approximately 14.23 hectares, is currently undeveloped but has a subdivision consent for 242 residential allotments, at the RNN subdivision standard of 15 households per hectare lodged with the Christchurch City Council. The balance of Milns Park, to the east of 25-51 Milns Road and 32 Kearns Drive has been developed and residential dwellings have been built and are occupied.

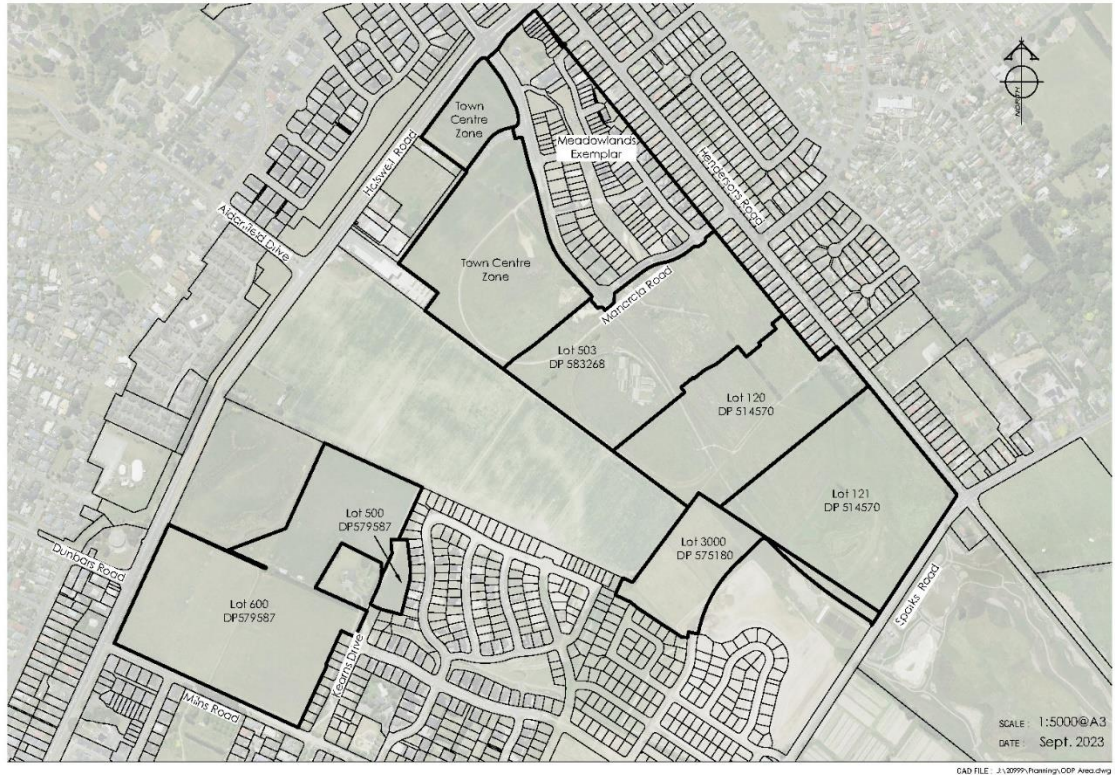


Figure 1: Indicative layout of the Danne Mora Limited and Milns Park Limited sites.

- 5.6 Plan Change 14 (PC14) rezoned areas within a walkable 400m catchment around the commercial centre to High Density Residential Zone (HRZ), consistent with Council’s approach to the implementation of Policy 3 of the National Policy Statement on Urban Development 2020 (NPS-UD).
- 5.7 The area rezoned to HRZ includes the Meadowlands Exemplar area and part of 20 Monsaraz Boulevard (approximately 18.31 hectares), along with an area of land across Hendersons Road that falls outside of the North Halswell ODP (but which discharge stormwater into the North Halswell ODP stormwater management area). The property at 275 Sparks Road (3.80 hectares) was rezoned to Medium Density Residential Zone (MRZ).
- 5.8 The balance of the Danne Mora Limited site, at 155 and 225 Hendersons Road, was rezoned from RNN to FUZ, a total of 17.66 hectares, although it is anticipated that all of 155 Hendersons Road will be required for stormwater management purposes, assuming development in the catchment proceeds under the RNN zoning standard.
- 5.9 With respect to the Milns Park Limited site, the un-developed land at 25-51 Milns Road and 32 Kearns Drive was rezoned from RNN to FUZ, while the balance of the land in the Milns park development that has already been developed to the RNN zone standards of 15 households per hectare, to the east of 51 Milns Road, was rezoned to MRZ.

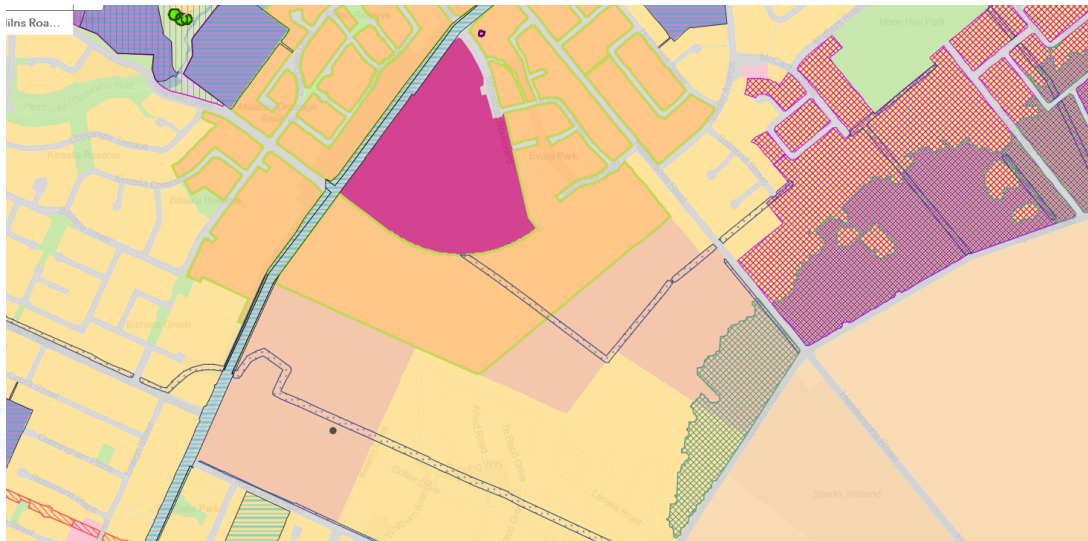


Figure 2: PC14 (as notified) zoning pattern for North Halswell ODP Area.

- 5.10 Recommendations from the section 42A Report of Mr Ike Kleynbos (the s42A Report) are that areas within the submitter’s sites that PC14 rezoned to MRZ and FUZ should be rezoned to HRZ, on the basis that a 600m walkable catchment of the North Haswell Town Centre Zone (TCZ), located adjacent to Halswell Road, was more appropriate than a 400m catchment (see revised planning zone map on page 532 of the s42A Report). This recommendation resulted in 225 Hendersons Road and part of 51 Milns Road, a total of approximately 13.47 hectares, being rezoned from FUZ (PC14 as notified) to HRZ.

6 SUBMISSIONS ON PC14

- 6.1 Danne Mora Limited made submissions seeking that the High Density Residential Zone (HRZ) boundary stops at Manarola Road with all land to the south owned by Spreydon Lodge Limited to be zoned Future Urban Zone (FUZ) (submissions 903.10 and 903.11). A submission supporting the zoning of Lots 120 and 121 DP 514750 as Future Urban Zone was also made (submission 903.12).
- 6.2 Milns Park Limited made submissions seeking that the FUZ be retained over 25-51 Milns Road (submission 916.1) and that Lot 500 DP 579587 at 32 Kearns Drive be rezoned to FUZ (submission 916.2)

7 MATTERS OF CONTENTION

- 7.1 The following evidence addresses the areas of contention, namely the rezoning of the site from RNN to MRZ and subsequently to HRZ through recommendations in the s42A Officers Report of Mr Ike Kleynbos, and the consequence this rezoning will have on:
- (a) the provision of infrastructure, most notably stormwater and wastewater, with a further consequence being a reduction in the area of land available for residential development

- (b) development issues, including loss of development community confidence and the reduced provision of a range of different housing typologies and affordability.
- (c) whether the level of development anticipated to the HRZ density is likely to be achievable.

8 STATUTORY FRAMEWORK

- 8.1 The following is a summary of the statutory framework in relation to rezoning land to give effect to the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (the Housing Supply Amendment Act) the National Policy Statement – Urban Development 2020 (NPS-UD) and an assessment as it relates to the Danne Mora and Milns Park sites within the North Halswell ODP area.

Resource Management Act 1991

- 8.2 In response to the Housing Supply Amendment Act, tier 1 territorial authorities were required to notify changes or variations to their district plans to incorporate the Medium Density Residential Standards (MDRS) and give effect to Policy 3 of the NPS-UD.
- 8.3 Section 77G(1) of the RMA requires that every relevant residential zone of a specified territorial authority must have the MDRS incorporated into that zone. Schedule 3A of the RMA (also incorporated by the Amendment Act) sets out those requirements in more detail. It directs the incorporation of the MDRS as part of every 'relevant residential zone', including in relation to; number of units per site; building height; height in relation to boundary; setbacks; building coverage; outdoor living space; outlook space; windows to street; and landscaped area.
- 8.4 The MDRS are to be incorporated irrespective of any inconsistency with a regional policy statement (s77G(8)). If there are any other inconsistencies between the regional policy statement and the requirements of the Act (or the NPS-UD and other higher order documents), the plan change must give weight to those higher order directions to the extent required by the Act.
- 8.5 Section 77G(2) requires every residential zone in an urban environment to give effect to Policy 3 of the NPS-UD, which specifies the parameters for the level of density and building height enablement in specific spatial locations, principally commercial centres.
- 8.6 Council may choose to make the MDRS less enabling of development if authorised under section 77I which relates to 'qualifying matters' specified by the Act. Section 77J sets out further requirements for the evaluation of a qualifying matter, including assessing the impact that limiting development capacity, building height, or density will have on the provision of development capacity, and the costs and broader impacts of imposing those limits.

- 8.7 Under Section 77L 'other qualifying matters' (being those that may be identified under s77I(j)) must be justified by way of a site-specific analysis including in regard to the specific characteristics of the matter.

National Policy Statement on Urban Development 2020 (NPS-UD)

- 8.8 Objective 1 of the NPS-UD aims to make sure that New Zealand's towns and cities are well-functioning urban environments that meet and enable all people and communities to provide for their social, economic and cultural wellbeing now and into the future, while Objective 2 sets out that planning decisions improve housing affordability by supporting competitive land and development markets.
- 8.9 Policy 1 seeks planning decisions that contribute to a well-functioning urban environment, which as a minimum have or enable a variety of homes that meet the needs of different households, in terms of type, price and location.
- 8.10 Policy 2 requires Tier 1,2 & 3 local authorities to, at all times provide at least sufficient development capacity to meet expected demand for housing and for business land over the short, medium and long term. Development capacity must, amongst others, be plan-enabled, infrastructure ready (as defined in Clause 3.4(3)), feasible¹ and reasonably expected to be realised (assessed in line with Clause 3.26). For local authorities such as Christchurch, a competitiveness margin must also be accommodated.
- 8.11 What "Infrastructure ready" means is set out in Clause 3.4 (3) of the NPS UD:

(3) *Development capacity is **infrastructure-ready** if:*

- (a) *in relation to the short term, there is adequate existing development infrastructure to support the development of the land*
- (b) *in relation to the medium term, either paragraph (a) applies, or funding for adequate development infrastructure to support development of the land is identified in a long-term plan*
- (c) *in relation to the long term, either paragraph (b) applies, or the development infrastructure to support the development capacity is identified in the local authority's infrastructure strategy (as required as part of its long-term plan).*

¹ **feasible** means:

- (a) *for the short term or medium term, commercially viable to a developer based on the current relationship between costs and revenue*
- (a) *for the long term, commercially viable to a developer based on the current relationship between costs and revenue, or on any reasonable adjustment to that relationship*

- 8.12 Policy 3 seeks that in relation to tier 1 urban environments, district plans enable building heights and densities of urban form commensurate with the level of commercial activity and community services within and adjacent to town centre zones (Policy 3 (d)).

Christchurch District Plan

- 8.13 Objective 3.3.1 The Christchurch District Plan seeks to enable recovery and facilitate the future enhancement of the district as a dynamic, prosperous and internationally competitive city, in a manner that meets the community's immediate and longer term needs for, among other matters, housing, and also by fostering investment certainty.
- 8.14 Chapter 8 of the Christchurch District Plan includes objectives and policies which promote the efficient provision and use of infrastructure.
- 8.15 Policy 8.2.2.2 sets out that the layout, size and dimensions of allotments created by subdivision are appropriate for the anticipated or existing land uses, and also provide for a variety of allotments sizes to cater for different housing types and affordability.
- 8.16 Policy 8.2.3.2 seeks to manage subdivision to ensure development does not occur in areas where infrastructure is not performing, serviceable or functional and also seeks to ensure that there is adequate provision, with sufficient capacity, to service the scale and nature of anticipated land uses resulting from subdivision, particularly in respect to wastewater disposal.

9 INFRASTRUCTURE ISSUES ASSOCIATED WITH PROPOSED REZONING

- 9.1 As set out in the evidence of Mr Jamie Verstappen, stormwater and wastewater infrastructure for the site, and the wider North Halswell ODP Area has been sized and largely built, based on the area developing to the RNN subdivision standard and not the densities anticipated by PC14, particularly the HRZ.
- 9.2 As noted above, the majority of land within the Danne Mora site and the Milns Park site is either already developed, has been consented for development or currently has an application being processed by Council. As such there is limited opportunity to introduce further land allocations for stormwater management upstream of the Site.
- 9.3 The rezoning of land prescribed within PC14 will require significant increases in stormwater retention capacity of facilities located within Spreydon Lodge Ltd land. This corresponds to an increase in the land area required for stormwater management; Mr Verstappen estimates that this will require an increase in area of approximately 1.85 hectares if PC14 as notified is approved, and approximately 3.4 hectares if the recommendations of the S42A Report are adopted.
- 9.4 With respect to wastewater, Mr Verstappen notes that the increase in density proposed by PC14 will lead to an increase in the volume of wastewater discharge from the sites. It is

likely that upgrading of recently installed sewer infrastructure would be required to accommodate the additional sewage loading presented by the rezoning of land prescribed by PC14.

- 9.5 The cost-implications and feasibility of undertaking upgrades are likely to be significant. This conclusion is consistent with the findings of a memo prepared as part of the s32 analysis in respect of the impacts of planned intensification on three-waters infrastructure (refer Appendix 3) and the subsequent evidence of Council's Michele MacDonald in respect of Three-Waters Infrastructure.
- 9.6 Policy 2 of the NPS-UD, as it relates to the provision of sufficient development capacity to meet expected demand for housing and business over the short, medium and long term appears to be satisfied by PC14. However, based on the evidence of Mr Verstappen I am of the opinion that the development capacity theoretically enabled by the HRZ is not infrastructure ready in accordance with Clause 3.4(3) of the NPS-UD. I also consider that the relevant provision of Chapter 8 of the Operative Christchurch District Plan, in relation to the efficient provision and use of infrastructure, have not been sufficiently considered when formulating PC14.

10 **ALIGNMENT OF PROPOSED REZONING WITH NPS -UD (POLICY 3(d))**

- 10.1 Plan Change 14 introduces a new objective (**14.2.7 Objective – High Density Residential Zone**) and a new policy (**14.2.7.2 Policy – Provide for a high density urban form**) which seek to give effect to Policy 3 of the NPS-UD by enabling high density residential development near larger commercial centres commensurate with the expected demand for housing in these areas, and within walking catchments of, among others, town centres.
- 10.2 In my opinion, the proposed new objective and policy do not accurately reflect the wording and intent of Policy 3(d) of the NPS-UD and is far more broad brush than the clear specificity that Policy 3 intends, in terms of where higher density residential development is enabled.
- 10.3 Policy 3(d) seeks that, in relation to tier 1 urban environments, district plans enable building heights and densities of urban form commensurate with the level of commercial activity and community services within and adjacent to town centre zones.
- 10.4 In terms of the proposed Policy 14.2.7.2, it is not anticipated by Policy 3(d) of the NPS-UD that walkable catchments are applicable to all centres, only within a walkable catchment of existing or planned rapid transit stops, the edge of city centres, or the edge of metropolitan centre zones. None of these criteria apply to the North Halswell TCZ.

- 10.5 In relation to town centre zones, Policy 3(d) of the NPS-UD only anticipates enabling increased building heights and densities of urban form commensurate with the level of commercial activity and community services.
- 10.6 The policy direction at both a national and local Christchurch City level is explicit that planning decisions are required to provide for a variety of allotment sizes, housing typologies while also making housing affordable. It is also clear that any planning decisions are required to support a competitive land and development market, and foster investment certainty.
- 10.7 The proposed rezoning of the submitters land as proposed by PC14, and amended through recommendations, goes against this policy direction. Rezoning to HRZ narrows the range of housing densities and typology options available to the landowners and does not foster investment confidence.
- 10.8 As set out in the evidence of Mr Thompson, sales and development of properties within the Meadowlands Exemplar portion of North Halswell ODP area have been slow due to a complete lack of demand for properties in the comprehensive and intensive forms of residential development, and required direct intervention, in the form of discounted land sales and subsidised investment by the landowners to ensure sales of allotments. This contrasts markedly with the experience when sales on the same landholding but with RNN zoning is considered, where 155 new allotments were created, with dwellings designed, consented, constructed and sold within the last two years.
- 10.9 Retaining the MRZ and FUZ, as notified by PC14, over the submitters landholdings still provides options to develop to a range of densities which will provide for a wider range of housing typologies than is able to be provided if the HRZ as recommended in the s42A Report is imposed. The MRZ, and particularly the FUZ do not preclude higher density development from occurring, they provide greater choice in minimum site area than the HRZ. Furthermore, the Town Centre Zone (TCZ) adjacent to Halswell Road is also able to accommodate higher density residential development if there is demand for this type of development.
- 10.10 In terms of the Plan's centres-based approach, the North Halswell commercial area has been classified and zoned as a Town Centre. Accordingly, NPS-UD Policy 3(d) is the relevant consideration in terms of determining the most appropriate residential development capacity for this area.
- 10.11 The initial decision to introduce HDZ within the North Halswell ODP appears to ignore the intentions of the sub-clauses of Policy 3 and instead adopts a blanket 'one-size-fits-all' approach. I believe this is an error, one which has been compounded by the recommendations in the s42A report to further extend the HRZ.
- 10.12 Policy 3(d) of the NPS-UD makes no specific provision for increasing densities to HRZ within walkable catchments from town centre zones as has been promoted through PC14

and the s42A report, only that building heights and densities within and adjacent to town centre zones are commensurate with the level of commercial activity and community services.

- 10.13 While Policy 3(d) may allow individual councils the scope to determine the scale and extent of increased densities around town centre zones, it is not clear that it is appropriate that increased densities to HRZ should apply around the North Halswell TCZ, and the section 32 assessment provides no justification that such an approach is appropriate. It is my opinion that the MRZ is likely to achieve a more commensurate height and density around the North Halswell TCZ.
- 10.14 The North Halswell TCZ has a total size of approximately 180,000m². Provisions of the Operative Christchurch District Plan only enable a maximum of 25,000m² Gross Floor Area (GFA) of retail², and 5,000m² GFA for offices³ within the TCZ with building heights up to six storeys, to a height of 20m (PC14 as notified) or 22m (s42A Report recommendation)⁴. Based on the Council's own s32 assessment, it seems unlikely that additional GFA for retail or office is anticipated.
- 10.15 The Council's s32 assessment recognises that the entire Christchurch population has good accessibility to the central city and its broad range of activities and facilities, with none of them being further than 8km driving distance. The North Halswell TCZ is approximately 6.4km from the City's bus exchange, a 25–30-minute journey in a bus, or 13 minutes by private motor vehicle. The consequence of this is that it is not anticipated that suburban TCZ and other commercial centres will replicate the activities and facilities available in the central city. As a result, there will be a considerable area of land still available within the North Halswell TCZ for alternative uses, including higher density residential development.
- 10.16 The size of the Town Centre zone at North Halswell and the respective limits on retail and office space are deliberate controls inherent to this centre to reflect both its proximity to the CBD and the intention to enable high density residential within its extent. As previously indicated, there is ample residual land area within the Town Centre available for residential development up to 22m in height. I am of the opinion the development capacity within the Town Centre for commercial and community services alongside generous residential capacity has been overlooked. Accordingly, I believe the extent of HRZ proposed is not commensurate with intended levels of commercial activity and community services.
- 10.17 Associated with this, is the level of development that HRZ enables. Based on the Council's own s32 assessment, the proposal to rezone areas within a walkable catchment of the North Halswell TCZ to HRZ (400m as notified, 600m recommendation of the s42A

² Rule 15.4.4.2.3 Maximum retail activity threshold

³ Rule 15.4.4.2.4 Maximum office threshold

⁴ Rule 15.4.2.2 Maximum building height

Report) has a risk of significantly oversupplying land zoned for a housing density and typology that is unappealing to the development community and the housing market.

- 10.18 The Council's s32 assessment recognises that while medium density development of 2-3 storey townhouses may be feasible, higher densities envisioned by the HRZ may struggle to be realised⁵. The Council's s32 assessment notes that The Property Group Limited considers that *'the impact of medium density and lower density housing prices means it would be unlikely that potential buyers would purchase a high density premium product for more than a standalone or terrace dwelling within the same suburb'*.
- 10.19 The s32 assessment concludes that it is unlikely that high density residential development of 4 storeys and above will be feasible or realised without a significant shift in the market, or significant government intervention. Furthermore, the s32 assessment notes that the given the required price points for apartments to become feasible, it is difficult to foresee the private development market delivering substantially more affordable housing options.
- 10.20 It appears these reservations along with the clear direction intended by NPS-UD Policy 3(d) in respect of town centre zones have simply been overlooked in preference to an all-encompassing approach of applying a walkable catchment to all centres to inform the introduction and extent of HRZ.

11 CONCLUSION

- 11.1 Overall, I am reliant on the evidence of Mr Verstappen's expert assessment of the infrastructure constraints that are faced in the North Halswell ODP area. Stormwater and wastewater infrastructure is in many cases already designed and built to cater to the development profile of the RNN Zone of the Operative Christchurch District Plan. This infrastructure will not accommodate the level of intensification anticipated by PC14 without significant investment and/or further land earmarked for residential development being used for stormwater management purposes. Accordingly, I am of the opinion that the development capacity theoretically enabled by the HRZ is not "infrastructure ready" in accordance with Clause 3.4(3) of the NPS-UD.
- 11.2 Section 77I provides an avenue to make MDRS less enabling of development where 'qualifying matters' apply. The infrastructure constraints identified in Mr Verstappen's evidence clearly meets the requirement for 'other matters' under section 77I(j) that makes higher density inappropriate in the North Halswell ODP area.
- 11.3 Policy 3(d) of the NPS-UD provides no specific requirement that HRZ is to be provided within a walkable catchment of town centres, only that building heights and densities of urban form are to be commensurate with the level of commercial activity and community service. The Halswell North TCZ, while approximately 11.8 hectares in size, only provides

⁵ Paragraph 3.2.6 – Plan Change 14 Section 32 Evaluation: Part 1 – Overview and High Level District Issues

for a maximum retail GFA of 25,000m² for retail activities and 5,000m² for office space, leaving a significant amount of land available for alternative uses, including higher density residential development.

- 11.4 Mr Thompson's evidence is also clear, that rezoning to HRZ will be to the detriment of supplying residential allotments that are able to provide for a range of housing typologies and densities, without developers needing to heavily subsidise such developments or alternatively leave land lying idle.
- 11.5 Given the above I consider retaining the submitters landholdings as FUZ and MRZ as set out in submissions 903 and 916 would better achieve the purpose of the Resource Management Act 1991, and be more consistent with the National Policy Statement on Urban Development 2020.

Andrew Mactier
20 September 2023