

**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

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**SUMMARY STATEMENT OF MARK BROWN  
PLANNING**

**Dated 22 November 2023**

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**Christchurch**

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## **1 INTRODUCTION**

- 1.1 My name is Mark Brown. I am a Director of Davie Lovell Smith.
- 1.2 I hold the qualifications of Bachelor of Arts, Post Graduate Diploma and Master of Regional and Resource Planning.
- 1.3 I have over 25 years' experience as a planner working predominantly throughout the South Island. I have prepared planning assessments and evidence for a range of land development projects, urban activities such as mixed-use developments, retirement villages and visitor accommodation facilities.
- 1.4 I have previously appeared at the Christchurch City Council Replacement District Plan Hearings, including appearing on behalf of the submitter for the North Halswell ODP area and have recently appeared at hearings for the Proposed Selwyn District Plan and Variation 1 to that Plan.
- 1.5 My former colleague, Andrew Mactier has provided a statement of evidence which I have reviewed. I agree with, and adopt, his statement of evidence.
- 1.6 Mr Mactier has included an executive summary in his evidence in chief and I do not propose to repeat nor provide an additional summary of my own. The focus of my summary will centre on comments provided in Mr Kleynbos' rebuttal evidence of 16 October 2023.
- 1.7 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.

## **2 RESPONSE TO REBUTTAL EVIDENCE OF IKE KLEYNBOS**

- 2.1 Mr Kleynbos' rebuttal evidence in respect of the Danne Mora and Milns Park submissions addresses two issues, one relating to the Town Centre classification of North Halswell and the other addressing the matter of infrastructure.
- 2.2 In respect of the North Halswell commercial centre I would like to clarify that the submissions and evidence in chief prepared on behalf of Danne Mora and Milns Park are not challenging the classification of North Halswell as a Town Centre.
- 2.3 Reference to the Town Centre classification of North Halswell in Mr Mactier's evidence in chief is being made in respect of the direction provided by Policy 3(d) in the National Policy Statement on Urban Development (NPS-UD). Policy 3d invites urban heights and

density within and adjacent to Town Centres to be commensurate with the level of commercial activity and community services.

- 2.4 Mr Mactier's evidence in chief illustrates that the North Halswell Town Centre is somewhat different to other Town Centres within the City, particularly in respect of the extent of residential development that can be enabled within the zone. This position is helpfully outlined within Appendix 5 and 7 of the Section 42A report of Mr Lightbody<sup>1</sup>.
- 2.5 I agree with Mr Kleynbos' conclusion in paragraph 79 of his rebuttal evidence where he states *the fact that the centre is currently undeveloped is not considered material in its classification*<sup>2</sup>. A reclassification of the centre is not being sought.
- 2.6 I am however of the opinion that the Centre's somewhat unique position of being undeveloped (or greenfield in nature), maximum threshold caps on commercial activity and the residential potential of the centre have not been recognised in Council's rezoning approach. In particular, I consider these factors have not triggered any form of commensurate approach being adopted in respect of the zoning adjacent to this Town Centre when compared to other Town Centres or equivalent scaled centres.
- 2.7 With regards to the matter of infrastructure, I do not support Mr Kleynbos's dismissal of the seriousness of the infrastructure implications arising from the extent of the proposed HRZ within the North Halswell ODP area. The agreed position of the expert infrastructure witnesses for Danne Mora, Milns Park and Council presented in their Joint Witness Statement confirms that HRZ will give rise to infrastructure demands that cannot be accommodated in North Halswell.
- 2.8 Mr Verstappen's evidence in chief illustrates the additional land required to accommodate HRZ over and above the land area already set aside for stormwater infrastructure.
- 2.9 Mr Verstappen's evidence in chief also expands on the wastewater infrastructure that currently exists to serve the North Halswell ODP and its current zoning and its insufficiency to cater for HRZ.
- 2.10 The position expressed by Mr Kleynbos in his rebuttal evidence does not recognise the infrastructure implications that accompany HRZ. The status quo cannot be maintained until such time "*as localised uptake in intensification occurs*."<sup>3</sup> Provision needs to be made for the capacity enabled by any future zone at subdivision consent stage, regardless of the density being proposed.

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<sup>1</sup> <https://chch2023.ihp.govt.nz/assets/Council-Evidence-11-August-2023/04-Kirk-Lightbody-Section-42A-Final.PDF>

<sup>2</sup> <https://chch2023.ihp.govt.nz/assets/Rebuttal-Council/05.-Ike-Kleynbos-Rebuttal-Evidence-16-October-2023.pdf>

<sup>3</sup> <https://chch2023.ihp.govt.nz/assets/Rebuttal-Council/05.-Ike-Kleynbos-Rebuttal-Evidence-16-October-2023.pdf> (p.82)

- 2.11 To illustrate this point, the size (and capacity) of the existing stormwater basins and the size and capacity of the existing pressure sewer main installed within Monsaraz Boulevard were established and formed part of the first subdivision consents to be approved within the North Halswell ODP. In calculating the size and capacity of infrastructure, the underlying Commercial Core zone, the Meadowlands Exemplar zone and the Residential New Neighbourhood Zone were all used as a basis for infrastructure calculations.
- 2.12 Once PC14 becomes Operative, the next subdivision consent within North Halswell will be required to demonstrate sufficient infrastructure capacity exists to accommodate the potential capacity enabled by the Operative zone at the time of consent. For example, in respect of stormwater, land is a finite resource, so provision for future capacity and the land area required (as identified by Mr Verstappen's evidence in chief) will need to be preserved at the very first opportunity available to Council. Infrastructure provision cannot simply be deferred until such time as it might be needed.

### **3 CONCLUSION**

- 3.1 In conclusion I wish to emphasise that the submission of Danne Mora in particular, should not be viewed as an aversion to delivering higher density. To date they have delivered a variety of housing typologies at varying densities within North Halswell, much of which has far exceeded the prescribed 15hh/ha.
- 3.2 The Danne Mora development within North Halswell has been master planned and has included significant forward investment in infrastructure aligned to these master planned outcomes. Central to this master plan is the provision of high density residential within the proposed Town Centre Zone. The zone has an area of 16.6ha and maximum threshold restrictions on GFA ensure considerable land is available for residential development to heights of either 20m as notified, or 22m as recommended by Mr. Kleynbos.
- 3.3 The opposition to the HRZ was initially predicated on the requirement to deliver housing within a minimum height of 7.0m, the lack of market demand and variation for typologies of this minimum height and the significant infrastructure implications that arise from HRZ.
- 3.4 Mr Kleynbos has accepted the relief requested in respect of minimum heights, however the matter of infrastructure remains a concern. Significant cost will be incurred in replacing relatively recent wastewater infrastructure, and the stormwater implications include the loss of a minimum 4ha of the remaining 11ha of Danne Mora's undeveloped land.

3.5 Given the extent of increased building density and height that can be enabled within the proposed Town Centre zone and the fact that this is already factored into the capacity of existing infrastructure, I am of the opinion that the zoning of land adjacent to the Town Centre is more appropriately zoned either as MRZ or a mix of MRZ and FUZ. I further believe this outcome reflects the commensurate approach to building height and density encouraged by Policy 3d and is the most appropriate approach to give effect to the wider outcomes of the NPS-UD.

Mark Brown

22 November 2022