

**From:** [Mark Brown](#)  
**To:** [Mailroom Mailbox](#)  
**Subject:** Chapter 6 CRPS submission  
**Date:** Monday, 15 February 2021 4:02:01 pm  
**Attachments:** [image001.png](#)  
[118045-2 \(2208002-1\) HDL - PC1 Submission Form.pdf](#)  
[118045-2 \(2207938-1\) HDL PC 1 Submission.pdf](#)

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Hello

Please find attached a submission prepared on behalf of Hughes Developments Limited.  
regards

**Mark Brown**

Director



**Davie Lovell-Smith Ltd**

[Planning](#) [Surveying](#) [Engineering](#)

PO Box 679 | Christchurch | DDI: (03) 963 0710 | Mobile: 0275 489 560 | [www.dls.co.nz](http://www.dls.co.nz)

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RMA FORM 5

# Submission on publicly notified Proposed Change 1 to Chapter 6 of the Canterbury Regional Policy Statement

CLAUSE 6 OF SCHEDULE 1, RESOURCE MANAGEMENT ACT 1991

## Note to person making submission:

The submission period for Proposed Change 1 to Chapter 6 of the Canterbury Regional Policy Statement closes at **5pm Monday 15 February 2021**.

To return this form you can:

- email it to **mailroom@ecan.govt.nz** (subject line: Chapter 6 CRPS submission)
- post it to **Customer Services, Environment Canterbury, PO Box 345, Christchurch 8140**

Your submission (or part of your submission) may be struck out if at least one of the following applies to the submission (or part of the submission):

- It is frivolous or vexatious.
- It discloses no reasonable or relevant case.
- It would be an abuse of the hearing process to allow the submission (or the part) to be taken further.
- It contains offensive language.
- It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

## To: Environment Canterbury

### 1. Submitter details

*Please note: all fields marked with an asterisk (\*) are required.*

Name of submitter(s)\* \_\_\_\_\_

Submitter address\* \_\_\_\_\_

City/Town\* \_\_\_\_\_ Postcode\* \_\_\_\_\_

Contact name (if different from above) \_\_\_\_\_

Contact organisation \_\_\_\_\_

Contact email address \_\_\_\_\_

Contact address (if different from above) \_\_\_\_\_

City/Town \_\_\_\_\_ Postcode \_\_\_\_\_

Contact phone number \_\_\_\_\_

**Please note** that by making a submission your personal details, including your name and contact details, will be made publicly available in accordance with the Resource Management Act 1991. While all information in your submission will be included in papers which are available to the media and the public, your submission will be used only for the purpose of this process.

**2. Trade competition declaration\* (Please tick the statement that applies)**

I could gain an advantage in trade competition through this submission.

☐ Yes    ☐ No

If yes: I am directly affected by an effect of the subject matter of the submission that

(a) adversely effects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

☐ Yes    ☐ No

**Note:** *If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.*

### 3. Submission details\*

☐ I am enclosing further supporting information in addition to this submission form.

Provision to which my/our submission relates: <i>(Please specify the provision or other aspect of the proposed change your submission relates to)</i>	My/our position on this provision is: <i>(Select one option)</i>	My/our reasons for supporting/opposing the amended provisions are:	The decision I/we want is: <i>(Please specify if you want the provision to be retained, amended or deleted)</i>
	<input type="checkbox"/> Oppose in part <input type="checkbox"/> Oppose in full <input type="checkbox"/> Support in part <input type="checkbox"/> Support in full		
	<input type="checkbox"/> Oppose in part <input type="checkbox"/> Oppose in full <input type="checkbox"/> Support in part <input type="checkbox"/> Support in full		

## 2. Submission details\*

	<input type="checkbox"/> Oppose in part <input type="checkbox"/> Oppose in full <input type="checkbox"/> Support in part <input type="checkbox"/> Support in full		
	<input type="checkbox"/> Oppose in part <input type="checkbox"/> Oppose in full <input type="checkbox"/> Support in part <input type="checkbox"/> Support in full		

**Signature of submitter** (or person authorised to sign on behalf of submitter) \_\_\_\_\_ **Date** \_\_\_\_\_

**Note:** A signature is not required if you make your submission by electronic means.

## PC 1 Submission – Hughes Developments Limited – Policy 6.3.12(1)

The NPS-UD requires the provision of at least sufficient feasible development capacity to meet expected demand over the short, medium and long term. “Sufficient” in that context means “plan-enabled”.

Capacity assessments undertaken through the Our Space process identified a shortfall in housing capacity over the medium term in Waimakariri and very marginal medium term capacity for Selwyn. These assessments were considered to warrant a more immediate response than what could be provided by the scheduled full Regional Policy Statement Review. On that basis, a streamlined planning process was sought (which significantly limits the rights of participation by submitters) and granted. Such a process was considered to be warranted based on the urgency of response required to the identified capacity shortfall. The request to the Minister to utilise this process specifically sought “*an expeditious completion of [PC1]*” on the basis that it “*is...necessary to ensure that the Waimakariri and Selwyn District Councils can rezone areas within the Future Development Areas, as required, to meet shortfalls in capacity for housing as part of their upcoming district plan reviews*”.

Despite this identified urgency, proposed policy 6.3.12(1) does not respond to the already identified shortfall but simply establishes a further process by which a capacity shortfall may be demonstrated. In our submission this defeats the purpose of the interim, fast tracked change.

It is the strong view of the submitter that consistent with the requirements of the NPS-UD, a demonstrated “need” to provide further capacity through the zoning of additional land in the relevant district plans to address that shortfall has already been demonstrated.

Despite this and contrary to the clear intention of the Our Space process, proposed policy 6.3.12 does not readily enable the Selwyn or Waimakariri District Plans to zone the Future Development Areas for residential development, making any such action conditional on collaborative monitoring of capacity undertaken by the GCP.

This approach provides significant scope for the Greater Christchurch Partnership to relitigate the sufficiency or otherwise of development capacity which will inevitably result in:

- further delays in the rezoning of the FDAs for housing;
- intensifying pressure on the housing market in these areas which will in turn result in increased housing prices;
- the loss of any efficiencies in the provision of affordable housing gained through interventions such as the Housing Accords and Special Housing Areas Act;
- the erosion of any process gains provided by the streamlined plan process.

Such outcomes are unacceptable in the context of the current national housing shortage, and potentially unlawful in terms of the NPS-UD.

HDL understands that GCP housing capacity assessments for Selwyn and Waimakariri had no choice but to assume that 100% of available of capacity was feasible due a lack of an agreed approach to calculate feasibility between the GCP partners. If a feasibility calculation was applied to the Selwyn modelling it is very likely that actual capacity is far lower than that described in ‘Our Space’ let alone what has actually transpired within the land development and housing sector since 2018 which is the date of the latest assessment. Guidance documents released for the NPS-UD stress that housing capacity assessments should include capacity that is *feasible* and *reasonably expected to be realised*. The reasoning behind this approach being... *To provide greater direction, flexibility and transparency when calculating housing development. The intent is to err on the higher side of realistic supply, to avoid an undersupply of development capacity*<sup>1</sup>.

<sup>1</sup> Ministry for the Environment. 2020. *Guidance on Housing and Business Development Capacity Assessments (HBAs) under the National Policy Statement on Urban Development*. Wellington: Ministry for the Environment.

The lack of agreement within the GCP on such a fundamental aspect of Policy 6.3.12(1) and the NPS-UD further questions the rationale for a collaborative approach to be an inherent component of Policy 6.3.12(1) when the sole purpose of this policy is to facilitate an urgent and responsive approach to housing capacity.

HDL also has significant concerns with the references within the proposed policy to the targets in Table 6.1. In particular, it is concerned that the drafting enables these targets to be treated as limits or maximums on available capacity, rather than as the bottom lines or minimums as required under the NPS-UD. Guidance documents for the NPS-UD identify the expectations for Housing and Business Development Capacity Assessments to ensure *there is at least a minimum provision of supply, and encouraging supply beyond this minimum bottom line as needed*<sup>2</sup>.

Objective 6.2.1a and Table 6.1 are not consistent with this intended outcome.

Analysis commissioned by HDL illustrates that the shortfall in feasible residential development capacity in Selwyn (and Rolleston in particular) is significantly more acute than the Our Space capacity assessments reveal, particularly given that this data is now close to 4 years old. If the GCP is to appropriately respond to this shortfall (and therefore realise the outcomes sought by the NPS-UD), it must ensure that there is flexibility within the CRPS (as the higher order document) which will then enable district plans to be responsive in providing sufficient development capacity. Rigid adherence to targets as if they are limits to be merely achieved or attained is inconsistent with this approach.

HDL therefore requests that policy 6.3.12(1) is deleted.

<sup>2</sup> Ministry for the Environment. 2020. *Guidance on Housing and Business Development Capacity Assessments (HBAs) under the National Policy Statement on Urban Development*. Wellington: Ministry for the Environment.