AGENDA FOR THE

ORDINARY MEETING OF SELWYN DISTRICT COUNCIL

TO BE HELD IN THE COUNCIL CHAMBERS

SELWYN DISTRICT COUNCIL ROLLESTON

WEDNESDAY 8 FEBRUARY 2023

COMMENCING AT 1 PM

Council 8 February 2023

Attendees: Mayor Sam Broughton, Councillors, P M Dean, S N O H Epiha, L L Gliddon, D Hasson, M B Lyall, S G McInnes, G S F Miller, R H Mugford, E S Mundt & N C Reid

08 February 2023 01:00 PM

Agenda Topic

		Page
1.	Karakia and Oath	4
2.	Welcome and Apologies	
3.	Identification of Extraordinary Business	
4.	Conflicts of Interest	
5.	Public Forum	
6.	Confirmation of minutes	6
7.	Mayor's Report	21
8.	Chief Executive's Report	26
9.	Chief Executive Report - Malvern Community Board Delegations	43
10.	Joint District Licensing Committee & Chief Licensing Inspector Monthly Report - December 2022	50
11.	Council Submission on the Natural and Built Environment Bill and the Spatial Planning Bill	55
12.	Private Plan Changes 81 & 82 - Rezoning of land in Rolleston	98
13.	Plan Change 77 West Melton	157
14.	New Designation for Educational Purposes - Rolleston Secondary School	168
15.	Amendment to Designation Conditions - Rakaia Commercial Vehicle Safety Centre	261
16.	Register of Documents Signed and Sealed	356
17.	Resolution to Exclude the Public	358
18.	Public Excluded - Confirmation of Minutes	359
19.	Public Excluded - Purchase of Land and Temporary occupation for Leestons Stormwater Bypass Project	364

Public portions of this meeting are audio-recorded and livestreamed via the Council's YouTube channel.

Whakataka te hau ki te uru	Cease the winds from the west
Whakataka te hau ki te tonga	Cease the winds from the south
Kia mākinakina ki uta	Let the breeze blow over the land
Kia mātaratara ki tai	Let the breeze blow over the sea
E hī ake ana te atakura	Let the red-tipped dawn come with a sharpened air
He tio, he huka, he hau hū	A touch of frost, a promise of a glorious day
Tīhei mauri ora!	

COUNCIL AFFIRMATION

Let us affirm today that we as Councillors will work together to serve the citizens of Selwyn District.

To always use our gifts of understanding, courage, common sense, wisdom and integrity in all our discussions, dealings and decisions so that we may solve problems effectively.

May we always recognise each other's values and opinions, be fair minded and ready to listen to each other’s point of view.

In our dealings with each other let us always be open to the truth of others and ready to seek agreement, slow to take offence and always prepared to forgive.

May we always work to enhance the wellbeing of the Selwyn District and its communities.

MINUTES OF AN ORDINARY MEETING OF THE SELWYN DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBER ON WEDNESDAY 14 DECEMBER 2022 COMMENCING AT 1.00PM

PRESENT

Mayor Sam Broughton, Councillors, P M Dean, S N O H Epiha, L L Gliddon, D Hasson, M B Lyall, S G McInnes, G S F Miller, R H Mugford, E S Mundt & N C Reid

IN ATTENDANCE

Messrs. D Ward (Chief Executive), K Mason (Group Manager Enabling Services), T Harris (Group Manager Development and Growth), M Washington (Group Manager Infrastructure & Property), R Raymond (Communications Advisor), M Johnston (Chief Licensing Inspector), R Love Head of Strategy and Policy), G Sariak (Strategic Planner), G Morgan (Head of Operational Delivery), M Logan (Culture, Content and Learning Manager), and S Tully (Mayor's Advisor); Mesdames D Kidd (Group Manager Community Services & Facilities), E McLaren (Water Services Delivery Manager), C Quirke (Head of Community and Economic Development), N Moen (Head of Arts, Culture & Lifelong Learning), N Sutton (Community Policy Advisor), and N Smith (Executive Assistant to the Chief Executive) and Ms T Davel (Committee Advisor)

The meeting was livestreamed.

The Mayor welcomed everyone to the meeting, also those listening online.

APOLOGIES

None.

IDENTIFICATION OF ANY EXTRAORDINARY BUSINESS

None.

CONFLICTS OF INTEREST

Councillors Lyall, Hasson and Reid in respect to the item on Variation of the District Plan

PUBLIC FORUM

Jens Christensen in respect of including the word 'library' in Te Ara Atea

Mr Christensen said the Rolleston Resident's Association asked Council in June / July to add the word library. Mr Christensen showed Council several photos of other libraries across the country which included the word 'library' in its name. He said they could settle on second best, which was for example reasonably sized letters on the glass doors entering the building, rather than on the actual sign on the footpath.

Anna Clark, Rolleston Resident in respect of including the word 'library' in Te Ara Atea

Anna Clark read a speech to Council in which she started off by apologising to Councillors having been attacked by harsh and cruel words.

She said she couldn't agree with Mr Christensen that the word library need to appear in the name. The building and what it offers was much more than a library where you could take out books. There were meeting spaces, a café, art work and workshop spaces. She said the meaning of the name was a beautiful representation and added that while many people may not have an interest in Te Reo Maori it was one of New Zealand's official languages. She said we should show kindness and care for the treasures of our communities.

Anna did agree that the word 'library' could be added in smaller letters on for example the glass doors, but not on the large prominent sign on the footpath.

The Mayor thanked both Mr Christensen and Ms Clark for their presentations.

Max Lilley in respect to the Weedons Road roundabout and bike park dangers

Mr Lilley spoke about the Weedons Road roundabout which he noticed was quite dangerous. He said the park on the edge of the corner was even more dangerous and said kids were going to have to cross the road there. He also talked about people ending up in the ditch on the side of the road, due to having to pull off and make u-turns. He thought council staff should bring the project forward as the current deadline of 2029 was too far out.

Council discussed the items taken in public forum.

Councillor Mugford spoke about a bilingual signage policy and being uniform across all buildings in the District. He asked for a staff report by March 2023. Councillor Miller thought Council should take a pragmatic approach and simply get the smaller signage on the doors done as soon as possible.

In relation to the Weedons Road roundabout Mr Washington, Council's Group Manager Infrastructure and Property, said his team will add this to the next regular transport report and update Council on a way forward. He said there was significant pressure on funding and this project will probably be in the 2024 / 2034 long-term plan.

Councillor Lyall asked whether, regardless of the timeframe, there was anything to be done now to ease the access for young people into the bike park. Councillor Mundt said this was only one intersection of many across the District which were notoriously dangerous and asked for a comprehensive audit.

CONFIRMATION OF MINUTES

1. Minutes of the ordinary meeting of the Selwyn District Council held in the Council Chamber on Wednesday 23 November 2022

Moved – Councillor Lyall **/ Seconded –** Councillor Mugford

'That the Council confirms the minutes of the ordinary meeting of the Selwyn District Council held on Wednesday 23 November 2022, as circulated.'

CARRIED

MATTERS REQUIRING ATTENTION

See table at the back.

REPORTS

1. Chief Executive
CORDE Limited Annual General Meeting 2022

Moved – Councillor Epiha / **Seconded** – Councillor Dean

That the Council:

a) appoints Mayor Sam Broughton and Councillor Malcolm Lyall (alternate) as its proxy for the CORDE Limited Annual General Meeting (AGM) to be held on Wednesday 14 December 2022.

b) instructs the proxy to vote to confirm:

(1) in accordance with Section 14 of the Public Audit Act 2001, the Auditor-General be appointed as the Company's auditor for the year ending 30 June 2023, with the Directors authorized to fix the auditor's remuneration;

(2) that Mr Pat McEvedy and Mr Murray Harrington are reappointed to the Board of Directors for three years expiring at the company's AGM in 2025 (as per the Council resolution of 14 September 2022);

(3) the addition of a new director to the Board; and

(4) notes that the Directors' total remuneration for the current year is set at $228,375 in total for the five directors combined.'

CARRIED

2. Chief Executive
Chief Executive's Report

Moved – Councillor Lyall / **Seconded** – Councillor McInnes

'That Council:

(a) receives the Chief Executive's report for information; and

(b) approves the additions / alterations to the Delegations Manual as presented.'

CARRIED

3. Chief Executive
Adoption of the Canterbury Local Authorities' Triennial Agreement 2022 - 2025

Moved – Mayor Broughton / **Seconded** – Councillor Mundt

'That Council adopt the Canterbury Local Authorities' Triennial Agreement for 2022 – 2025.'

CARRIED

4. Chief Executive
Committee Structure and Terms of Reference

The Chief Executive noted this was a change in direction. He said the proposed model seeks the following committees of council:

- *Community Services Committee*
- *Finance and Performance Committee*
- *Planning and Climate Change Committee*
- *Transport and Infrastructure Committee*
- *Audit and Risk Subcommittee*

Runanga representation has also been added. Draft job descriptions and other information will be drafted in respect of runanga representation and the roles will extend to councillor workshops and site visits. The committees will be subject to Council's Standing Orders and the Code of Conduct. The model will be reviewed twice over the next 12 months – around 19 July and again 13 December. The Mayor added that rather than get into the details of the terms of reference of each, committees will be asked to review their own terms of reference at their first meetings.

Councillor Hasson said that for transparency she wanted it noted that this matter was discussed in a workshop. It was fair to say it was a Mayoral choice and whilst agreed to by the majority of Councillors, a number of Councillors expressed concerns, particularly in terms of the cost of a new proposed committee structure.

Councillor Epiha said that allowing mana whenua to contribute, participate and partner with Council, this model would be an opportunity to close and tighten a gap that exists.

Councillor Miller said it would create confusion for members of the public in terms of which meetings to attend for which business of Council. He said it was clear the structure would add at least 1% to the general rate and he didn't think it was prudent. Unless people see an immediate and sustained benefit it will be received mostly negatively. This should have gone through a proper Representation Review. Councillor Miller said he would be voting against the proposed model.

Councillor McInnes said that while the additional cost worried her, she thought that, in theory the model should enable greater transparency.

The Mayor said the runanga does not, and did not, want to go through any process to obtain full voting rights. The current legislation did not provide a pathway that they were satisfied with. There will be ongoing discussion with runanga and having them around the table when the Representation Review discussions commence next year will open up this opportunity.

Moved – Councillor Epiha / **Seconded** – Councillor Lyall

'That Council:

(a) Adopts the Governance and Committee structure and confirms the Chair and Deputy Chair appointments for the following committees;

- *Community Services Committee*
- *Finance and Performance Committee*
- *Planning and Climate Change Committee*
- *Transport and Infrastructure Committee*
- *Audit and Risk Subcommittee*

(b) Adopts the Committee Terms of Reference for the Committees noted in (a);

(c) Agrees to review (a) and (b) in July 2023 and December 2023; and

(d) Invites Te Taumutu Rūnanga and Te Ngāi Tūāhuriri Rūnanga to each nominate a representative to sit at the table of the Committees of Council and at the Council table.'

CARRIED

Councillor Miller, Hasson and Gliddon voted against

5. Chief Executive

Adoption of Proposed Meeting Schedule for 2023

Moved – Councillor Dean / **Seconded** – Councillor McInnes

'That Council adopt the proposed meeting schedule for 2023.'

CARRIED

6. Chief Executive

Schedule of Councillor Appointments

Moved – Councillor Lyall / **Seconded** – Councillor Mugford

'That Council adopt the agreed schedule of appointments for the term of the Council, commencing 15 December 2022.'

CARRIED

7. Chief Licensing Inspector

Joint District Licensing Committee and Chief Licensing Inspector Monthly Report for period 1 October 2022 to 31 October 2022

Malcolm Johnston, Chief Licensing Inspector for the District noted the Kirwee Tavern will be opening in February 2023.

Moved – Councillor Gliddon / **Seconded** – Councillor Dean

That the Council receives the report on the activities of the District Licensing Committee and the Chief Licensing Inspector for October 2022.'

CARRIED

8. Group Manager Community Services and Facilities

Engaging with Selwyn Communities: Residents Groups and Community Committees of Council

Nicola Sutton, Community Policy Advisor asked for an amendment to the list in the report.

Nicola briefly provided background noting that previously there were over 70 community committees in the District, all with very different responsibilities. Quite a number of changes happened lately in respect to their roles and responsibilities, for example, District Wide Rating on centres, pools and halls, Service Level Agreements, Council taking on operational management and a new community fund, facilities network plan etc.

It made sense that many of the committees be discharged as their roles have no longer been needed. In relation to the reappointment of the five committees in the report, the first option is that they be reappointed to June 2023, to allow Council to support them as to what they want to do.

The Mayor added there will be continued support from Council around room hire and contributions to secretarial services. Staff said Council will communicate what was available but the onus will be on communities to register with Council as residents groups.

Councillor Hasson said it would have been nice to communicate with the committees that the matter was going to be discussed today so that they could come and speak at

public forum if they wanted to. She said mixed messages had been sent out to communities and it seems to have divided them. Councillor Hasson also said volunteerism was a key function of what we pride ourselves on in Selwyn and the way staff was addressing this, was not a Council or Selwyn model. She said she saw an erosion of volunteerism and it was a shame.

Councillor Mundt said her concern was potential loss of the community voice long-term.

Councillor Epiha said he didn't believe Council had shown communities the level of respect they deserve.

Councillor Miller said he had consistently been against this and thought Council had lost its way in the matter. He said Council had serviced the process poorly and he was concerned with where it was heading. He proposed the matter should lie on the table until at least March giving committees the change to read the report and give feedback.

Moved – Councillor Miller / **Seconded** – Councillor Hasson

'That Council allow the item to lie on the table until March 2023 for a staff report to be prepared allowing sufficient time for consultation and feedback.'

LOST

Councillor Mugford asked whether it was true that staff did not want to see the minutes of any committees any longer. It appeared that Council not only want to get rid of meetings but also take that further and not want to hear what communities were doing.

> *The meeting paused the item to move onto the item on chlorination as Mr Bill Bayfield, Chief Executive Taumata Arowai, joined via Zoom link.*
>
> *The item was paused at 2.37pm and continued at 4.12pm.*

Councillor Lyall said Council will continue to receive feedback on what communities do through Councillor contact. Nicola Sutton told Council that there was an assumption that receiving minutes from meetings was the best way to communicate. She said Residents Associations were independent and Council would want to keep requirements on them as light as possible. They may choose to include business on their minutes which wasn't any of Council's business. It should be up to them what they decide to share with Council or not.

Some Councillors agreed this was a good step forward as staff probably did not have the time to go through minutes of meetings. Staff agreed noting that the Malvern Ward was a good example where no other ward has had the level of staff input dealing with the minutes from committees as was the case in the Malvern Ward.

There were numerous other ways of getting information from communities to Council staff for example snap, send, solve; and contacting relevant staff directly. All of this has been shared with committees numerous times previously and can be done again.

Councillor Miller agreed with Councillor Mugford saying that even with Councillors appointed to committees the responses back from staff were bad and would be even worse if no minutes were coming through. He questioned what the Malvern Community Board would do if their members didn't go to these committees. The Mayor said

Councillors are encouraged to attend committee meetings and it was part of their role. Councillor Miller said the way things were being structured now, and with no minutes coming back to Council, Councillors would need to bring back those issues which would mean more work for Councillors.

Each recommendation was voted on separately.

Moved – Councillor Lyall / **Seconded** – Councillor Dean

Recommendation 1:

It is recommended that

1.1 Council reappoints the five listed Community Committees of Council until 30 June 2023 at which point, they will be discharged

~~a. Kirwee Community Committee~~

b. Springfield Township Committee

c. Little Rakaia Hut Residents Association Advisory Committee

d. Sheffield/Waddington Community Committee

e. Springston Community Committee

f. Lincoln Community Committee.

CARRIED

Councillors Miller, Hasson and Mundt against

1.2 Council will communicate with the Committees to support them to plan their transition to a residents group or to wind-up to pursue another direction on or by 30 June 2023.

CARRIED

Councillors Miller, Hasson and Mundt against

1.3 Council will agree to discharge a Committee earlier than 30 June 2023, if requested by that Committee.

CARRIED

Councillors Miller, Hasson and Mundt against

1.4 Council will not require Committees to hold elections for Committee members prior to their discharge on or before 30 June 2023.

CARRIED

Councillors Miller, Hasson and Mundt against

1.5 Council will support Committees to meet the requirements of Committees of Council until their discharge or 30 June 2023, whichever is first.

CARRIED

Councillors Miller, Hasson and Mundt against

1.6 Council will provide Committees with free meeting room hire and a minute taker (if required) for up to one meeting per month until they are discharged.

CARRIED

Councillors Miller, Hasson and Mundt against

Recommendation 2

It is recommended that Council extends the period of the annual $24,000 Residents Groups Fund until it can be considered in the next Long Term Plan. The fund will cover a small administration grant for recognised residents groups for items such as administration expenses and venue hire/other costs associated with meeting (upon receipt of their annual notification of contact details) and the remainder of the fund will be available as a contestable pool for community projects undertaken by residents groups.

CARRIED

Councillor Malcolm Lyall presided as Chair while the Mayor attended the CORDE Annual General Meeting (AGM).

9. Group Manager Community Services and Facilities
Selwyn Strategic Heritage Plan 2023 - 2027

Nicola Sutton presented the report noting there was engagement with mana whenua and young people through the Selwyn Youth Council.

The report provides the context, vision, goals and outcomes for heritage in the District. The plan builds on what was already happening across teams and was an exciting opportunity to what is uniquely Waikirikiri / Selwyn.

Council thanked staff for a good report.

Moved – Councillor Mugford / **Seconded** – Councillor McInnes

'That

1. *Council agree the vision for the Strategic Heritage Plan 2023-2027.*
2. *Council agree the actions contained within the Strategic Heritage Plan 2023-27, subject to decisions in the Annual Plan 2023-24 and the Long Term Plan 2024-34.*
3. *Council note that costs associated with implementing Strategic Heritage Plan actions for the 2023-27 period will require consideration in the 2023-24 Annual Plan process and the 2024-34 Long Term Plan process.'*

CARRIED

10. Group Manager Community Services and Facilities
Accessibility Charter Actions Update 2021 / 2022

The report was well received. Staff noted footpath accessibility and in particular retrofitting difficult parts, will be incorporated in the audit in 2023. It was also acknowledged that the website could be made more accessible and that it was part of a work programme over the next 24 months or more, in which digital services over all will be reviewed and refreshed.

Moved – Councillor Hasson / **Seconded** – Councillor Miller

'That the Council receives the Report "Accessibility Charter Actions Update 2021/2022", for information.'

CARRIED

The Mayor returned as Chair.

11. Team Leader Strategy and Policy

Selwyn District Council's Submission on Variation 1 (Parts A&B) to the proposed Selwyn District Plan and Private Plan Changes 68, 69, 71, 72, 73, 75, 76, and 78

Councillors Lyall, Hasson and Reid left the room due to a conflict of interest in the item.

Moved – Councillor Epiha / **Seconded** – Councillor Gliddon

'That Council resolves to:

a) Accept the Selwyn District Council submission on Variation 1 (Part A) to the Proposed Selwyn District Plan and on Variation 1 (Part B) to Private Plan Changes 68, 69, 71, 72,73, 75, 76, and 78, and retrospectively endorses it for lodgement; and

b) *Provide all necessary delegation authority to the Team Leader Strategy and Policy in order to give effect to the resolution in a) above.'*

CARRIED

Councillors Lyall, Hasson and Reid returned to the room.

12. Policy Analyst

Council Submission on Amendments to the National Environmental Standards for Plantation Forestry

Moved - Councillor Reid / **Seconded** – Councillor McInnes

'That Council:

(a) Receives the report;

(b) Retrospectively endorses the attached submission on the proposed amendments to the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.'

CARRIED

13. Asset Manager Water Services and Water Services Delivery Manager
Residual Disinfection (Chlorination)

The Chief Executive provided brief background on the matter so far. He also noted the Rakaia Huts exemption which was recently declined.

Council has five options with the favoured option being to continue further temporary chlorinatoin. He added the legal risk of non-compliance lies with staff.

Mr Bill Bayfield, Chief Executive of Taumata Arowai said he was very pleased to get the draft decision to Council's officers. He said Council now had 10 days to provide feedback on that decision. Mr Bayfield said whatever Council decided, his organisation will work through the applications as quickly as they can.

Councillor Hasson spoke at length about non-secure water supplies and whether Taumata Arowai would have any responsibility in respect of chlorinationfiltration systems at the gate. Mr Bayfield said he couldn't get involved in the details and where people choose to treat their water between the toby box and the tap, they effectively become a self supplier which was a personal and often very expensive, choice.

Councillor McInnes said she appreciates the information received.

Moved – Mayor Broughton / **Seconded** – Councillor Hasson

'That the Council extends the meeting time of Council beyond two hours without a break.'
CARRIED

Councillor Epiha said he would have expected more scientific data in the report and also thought 5 months and 2 weeks turn around was a bit long. Mr Bayfield did not agree and said Councillor Epiha's comments should form part of Council's feedback to him.

Councillor Mundt noted she used to work in a water testing lab and said water was important not only for human health but also for agriculture and aquatic life. She asked whether Taumata Arowai had done its due diligence on these matters to which Mr Bayfield said that was all done by the Ministry of Health. He said it was not his role as regulator to do the testing.

The Mayor asked Council to consider the previous Notice of Motion and proceed with the item.

Councillor Miller spoke briefly on his Notice of Motion and Councillor McInnes (as the previous seconder of the Notice of Motion) said she has since had a change of heart. Although the matter was still important she will vote against the direction of the notice of motion at today's meeting. She obtained new important information and has further questions.

Councillor Dean said he was anti-chlorine but thought there was a misunderstanding amongst the community. He said the Government was prescribing what the Territorial Authorities should be doing and he didn't think Council had the right to tell staff to break a law.

Councillor Mundt said it was an incredibly important decision and quote examples of what people had written to her about the matter, in particular the effects of chlorine on their health. Councillor Gliddon also spoke out against chlorination noting she was there to represent the wishes of the District's constituents and she didn't believe they wanted water to be chlorinated.

Councillor Reid reminded Council that the risk did not lie with Councillors but with staff and contractors. She added that the systems aren't completely secure and it was sensible to chlorinate the systems at the moment.

Councillor Epiha asked where the mana whenua view on this was. He said it was the prudent and right thing to do and urged staff to provide assurance that they would work towards the original intent.

Councillor Hasson requested an additional 3 recommendations to the original Notice of Motion (see below).

Councillor Miller said he was disappointed in Taumata Arowai as they provided inconsistent advice. He said he was also concerned about the ability of community concerns to be heard as Council was now in the middle of a central agency telling it to chlorinate with communities saying they don't want it. He said he'd rather see increased water boil notices than chlorination.

The Chief Executive said it was a national law and questioned some of the personal issues being raised by Councillors. He said that voting in favour of the Notice of Motion will be requiring Council to act against the law.

The Mayor said it was quite clear that Council and staff didn't want chlorine in Selwyn's water supplies. He put the recommendation to uplift the Notice of Motion, receive the report and added the three amendments proposed by Councillor Hasson:

Moved (as amended) – Councillor Hasson / **Seconded** – Councillor Epiha

'That the Council:

Uplifts the Notice of Motion – Chlorination, left to lie on the table at the meeting of Council on 23 November 2022; and

(a) receives this report 'Residual Disinfection (Chlorination);

(b) That a staff report be written for Councillors to assess the cost of securing all of our public water supplies to meet Taumata Arowai expectations for exemptions to be approved;
(c) The cost of providing chlorine filters at private property boundaries connected to Council's water supplies; and
(d) The option of a rebate scheme for those ratepayers who wish to install these chlorine filters at their gates.'

LOST
7 against

Moved – Councillor McInnes / **Seconded** – Councillor Mugford

(e) receives this report 'Residual Disinfection (Chlorination);

(f) acknowledges the change in the legislative framework around chlorination and the requirement for residual disinfection;

(g) continues to provide residual disinfection as programmed within Selwyn District; and

(h) continues to work with Taumata Arowai to seek exemptions for all potable water schemes which are not permanently disinfected.'

CARRIED
Against: Councillors Miller, Gliddon and Mundt

GENERAL BUSINESS

None.

MATTERS RAISED IN PUBLIC FORUM

Discussed earlier.

RESOLUTION TO EXCLUDE THE PUBLIC

Moved – Councillor McInnes / **Seconded** – Councillor Lyall

'That the public be excluded from the following proceedings of this meeting. The general subject matter to be considered while the public is excluded, the reason of passing this resolution in relation to the matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered		**Reasons for passing this resolution in relation to each matter**	**Ground(s) under Section 48(1) for the passing of this resolution**	**Date information can be released**
1.	Public Excluded Minutes	*Good reason to withhold exists under Section 7*	*Section 48(1)(a)*	
2.	Chief Executive Appointment			
3.	Discretionary Funds Applications			

4.	Rolleston Town Centre Carpark			16 December (*with some exceptions*)
5.	Greenpark Hall Building Performance			

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act or Section 6 or Section 7 or Section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as follows:

2, 3	Protect the privacy of natural persons, including that of deceased natural persons; or	Section 7(2)(a)
1, 2, 3	Protect information where the making available of information – (i) Would disclose a trade secret; or (ii) Would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of this information	Section 7(2)(b)
1 - 5	To maintain legal professional privilege	Section 7(2)(g)
1 - 5	Enable the local authority holding the information to carry out, without prejudice or disadvantage, commercial activities; or	Section 7(2)(h)
1 - 5	Enable the local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations); or	Section 7(2)(i)

2 that appropriate officers remain to provide advice to the Committee.'

CARRIED

The public meeting moved into Public Excluded at 4.52pm.

The meeting resumed in open meeting at 5.01pm and with no further business being discussed, the meeting closed at 5.01pm.

DATED this day of 2023

_____

CHAIRPERSON

PUBLIC MATTERS UNDER INVESTIGATION

Item	Meeting referred from	Action required	Report Date
Flooding Sansbrook, Taumutu – presentation Tim Sanson, public forum	6 July 2022	Staff report and presentation to Council on options – to include ECan staff	February 2023
Community Centres, Halls and Libraries Network Plan	13 October 2021	Report on landbanking - buying land now for future community facilities	February 2023
Report on Selwyn Hut Licences	14 September 2022	Staff to provide a comprehensive report outlining the LIM note, licence conditions and rates setting.	February 2023

REPORT

TO:	Council
FOR:	Council Meeting – 8 February 2023
FROM:	Mayor Sam Broughton
DATE:	2 February 2023
SUBJECT:	**MAYOR'S REPORT – NOVEMBER-DECEMBER 2022 AND JANUARY 2023**

RECOMMENDATION

'That Council receives the Mayor's Report for November-December 2022 and January 2023 for information.'

1. Overview

I am really looking forward to 2023 as we listen and lead our community. There are a number of pressures on with the cost of living and interest rates rising as well as plenty of opportunities with new families and businesses continuing to move and call Selwyn home. There is also plenty of expectation on us to deliver long anticipated projects as well as plan well with infrastructure to meet future demands.

The flooding in the North Island has brought challenges for many. I have been in touch with those Mayors to offer support. Seeing their needs is a good reminder of the work our response teams and community volunteers put in to stay ready and as prepared as possible for future local emergencies.

I am delighted that we have adopted a new format for our citizenship ceremonies. This format better reflects our cultural values and the ceremonies are continuing to provide a meaningful and much valued experience for our new citizens.

Over the next month we will hold the first of our Committee meetings. I look forward to seeing leadership grow as we share responsibilities. I continue to connect with mana whenua on their partnership with us on these committees. Appointments are still to be made.

The signing of our relationship agreement with Te Taumutu Rūnanga at Ngati Moki Marae in November was a milestone event that cemented the relationship between us.

Based on our previous partnership on projects, the fruits of this relationship will include richer discussions and projects for the community. I also expect we will see shorter project times, financial savings and fewer clean up items at the end of projects as we deal with things upfront.

I am pleased at the progress of our new Council's induction programme including looking at training and support as well as a day looking at individual and team strengths to get the best out of ourselves through the next 3 years.

The past reporting period has seen a strong focus on youth. The new youth space in Rolleston town centre is a roaring success. Our Council is also making significant inroads into a project to provide a Selwyn Integrated Youth Hub that offers alternative education and youth welfare services for all of our District.

Finally, we have worked to contribute to LGNZ submissions, or submit in our own right, on two significant Government bills and one review.

- The Natural and Built Environment Bill
- The Spatial Planning Bill
- The review to the Future for Local Government

2. Acknowledgements

This month's 'Shout Out' goes to Barbara Ellena, Nicola Dance and Barbara Clinton of the Darfield Library/Service Centre. They assisted a customer who on arrival did not look very well and had three children with her. Two of them accompanied the customer to the medical centre whilst the other staff member cared for the children at the library during this time. They showed great compassion in assisting the customer during a time of need.

3. Meetings

November

1 November	Met with Nicola Grigg and Amy Carter of the Christchurch Foundation. Officially opened the Emergency Services Hui held at the Tai Tapu Community Centre.
2 November	Elected Members training. SDC and Malvern Community Board Inaugural Meeting.
3 November	Met with International Education Agents and High School Principals.
4 November	Greater Christchurch Partnership post-election Partner Governance Networking Event.
5 November	Hororata Highland Games. Emergency Services Community event. Selwyn Fireworks event.

8 November Met with James Laughlin to discuss his presentation at the Zone 5&6 Conference.

10 November Canterbury Show.

14-15 November Zones 5&6 Meeting in Nelson.

16-17 November The Chief Executive and I met with Michael Lovett and Hamiora Bowkett of DIA.
Rural & Provincial Meeting held in Wellington.

21 November Met with "298 Youth Health" representatives regarding the development of social services in Selwyn.
GCP Leaders meeting.

22 November Visit to NZ Food Network along with Robb Stevens of Fonterra Co-operative Group Ltd.

23 November Council meeting.

24 November Resource Management Reform Local Government Steering Group teams meeting.
Civil Defence Emergency Management Group Joint Committee meeting.
Canterbury Regional Transport Committee meeting.
Canterbury Mayoral Forum working dinner.

25 November Canterbury Mayoral Forum.

27 November Men's Health Awareness fundraising bicycle ride across Selwyn support dinner.

29 November Dinner for National CIO Awards at Te Pae. SDC Digital and Information Services were a finalist.

30 November Councillors and the ELT (Elected Leadership Team) attended the signing of the relationship agreement with Te Taumutu Rūnanga held at the Ngāti Moki Marae.

December

1-2 December National Council meeting in Wellington.

5 December Officially opened "Starting a Business Later in Life" Graduation for the second intake of students.

6 December Met with High School Principals, Police, Education reps to discuss social services and alternative education provision for Selwyn.

7 December	Councillor briefing session.
8 December	Spoke at the Environmental Compliance Conference held at the Christchurch Town Hall.
9 December	Greater Christchurch Partnership Committee meeting. RM Reform Local Government Steering Group on line meeting.
11 December	Official opening of Youth Space in Rolleston.
12 December	Attended Mini Gym Christmas Party held at the Selwyn Sports Centre.
13 December	Met with new Councillors along with the Chief Executive. LGNZ Meeting with the Prime Minister held at the Beehive in Wellington.
14 December	Councillor workshop. Council meeting.
15 December	Attended Playing with Uncertainty Workshop – Serious Game Resilience Planning for decisionmakers held at Canterbury University. Citizenship Ceremony for 33 people held at Te Ara Ātea.
16 December	Transwaste Canterbury Ltd annual meeting of shareholders.

January

18 January	Strengths Coaching session. On line meeting to discuss LGNZ submission on Resource Management Reform bills.
19 January	Met with Michael Lovett, Deputy Chief Executive of Local Government to discuss Three Waters and CCO's.
23 January	Mayoral Forum triennium strategy workshop.
25 January	ELT strategy / briefing of Council.
31 January	New Councillors session.

3. Events attended by Councillors on behalf of the Mayor

Cr Epiha – Saturday 5 November 10am Burnham Army Camp
Presentation of WW11 Medals to Dependants of the 28th Maori Battalion

Cr Mugford - Saturday 5 November 6.30pm Darfield Recreation Centre
Darfield VFB Gold Star awards ceremony for Duncan Frew

Cr Dean – Thursday 10 November 7pm Rolleston Community Centre
Rolleston Garden Competition presentation of awards

Cr Lyall – Friday 18 November 6pm Christchurch Town Hall
NZ Institute of Architects Awards (Te Ara Ātea won a national NZIA award)

Cr Gliddon **-** Saturday 19 November 7pm Sheffield Hall
Sheffield VFB Gold Star Award Ceremony for Peter Redmond, Daryl Sweeney and Graeme Piper

Cr Dean – Monday 21 November 6pm West Rolleston School Hall
St John Youth Division Prize Giving Ceremony

Cr Epiha – Saturday 26 November 10am Dunsandel Domain
Dunsandel's 150th Anniversary Celebrations

Cr Epiha – Friday 2 December 1pm Hornby Workingmen's Club
Department of Corrections Long Service & Good Conduct Award Ceremony

Cr Mugford – Friday 2 December 6pm The Arts Centre
Reception for 50th anniversary of diplomatic relations between China and NZ and commemoration of 125th anniversary of Rewi Alley's birth

Cr Dean – Tuesday 12 December 7.30am Rolleston Community Centre
Selwyn Business Breakfast

Sam Broughton
MAYOR

REPORT

TO: Council

FOR: Council Meeting on 8 February 2023

FROM: Chief Executive

DATE: 26 January 2023

SUBJECT: **CHIEF EXECUTIVE'S REPORT**

RECOMMENDATION

'That Council:

(a) receives the Chief Executive's report for information;

(b) agrees to the proposed membership of the Westview Special Fund Committee (as a Committee of Council);

(c) agrees to the appointment of Councillor Malcolm Lyall to the Environment Canterbury Climate Change Action Planning Reference Group; and

(d) approves the additions / alterations to the Delegations Manual as presented.'

1. WESTVIEW SPECIAL FUND

At its meeting of 23 September 2020 Council resolved to establish and make appointment to the Westview Special Fund. By way of background, this Committee was formed to distribute around $1.3m on special projects within a defined area around the Darfield township.

The Committee, chaired by Councillor Mugford, and containing representatives from the Malvern Community Board, Malvern Ward Councillors, Darfield Township committee and an independent member met on a number of occasions to consider applications for four rounds of funding. The Committee is shortly to meet again to engage in a process for a fifth round of funding. If all funding allocated thus far is fully expended, the Committee will have $236,000 still to distribute from the Fund.

At the last Council / Community Board election, there were a number of changes noting also that the Darfield Township Committee is no longer a Committee of Council. As the Westview Special Fund Committee is a committee of Council, we need to formally make appointments to that Committee.

My recommendation to Council is that proposed membership of the Committee be as follows:

- Two Malvern Ward Councillors (already formally appointed)
- Two Tawera subdivision members of the Malvern Community Board (Mr Ken May and Ms Sharn Nu'u)
- Mrs Angela Hanrahan and Mrs Mandy McCaughan (previous representatives of the former Darfield Township Committee)
- Mr Rob Lawrence (independent Member)

It is anticipated that this group will allocate all remaining funds through the round five application process thus will have a minimum number of meetings to attend. The administration of funds is undertaken by Council secretariat staff.

2. APPOINTMENT TO THE CLIMATE CHANGE ACTION PLANNING REFERENCE GROUP

The Environment Canterbury Secretariat has requested a Councillor appointment to the Climate Change Action Planning Reference Group.

The Climate Change Action Planning Reference Group will provide feedback and advice at a governance level to the Climate Change Working Group as they develop the Climate Change Action Plan and councillors will need to have the necessary mandate to provide feedback on behalf of their councils.

At today's meeting, the endorsement of Councillor Malcolm Lyall to be Council's appointee on the group is being sought.

3. INFOMETRICS UPDATE

Attached to this report is the latest Infometrics Economic Monitor for Selwyn District for the quarter ended September 2022 of which the highlights have been set out below:

Selwyn's economy grew by a very strong 6.9% over the year to September 2022 outpacing Christchurch City on 3.7% according to Infometrics provisional GDP estimates. However, growth has slowed down, with Selwyn's September 2022 quarter GDP only 3.5% higher than September 2021, whereas Christchurch City's September 2022 quarter GDP was up 4.0%. This trend reflects that New Zealand's main centres and tourism hotspots are benefiting from the resumption of internationaltravel and tourism.

Employment of Selwyn residents grew 7.3% over the year to September 2022, compared to 3.3% for Christchurch City, reflecting Selwyn's strong ongoing population growth. Selwyn's unemployment rate is a very low 2.2%, having fallen steadily over the past year. The number of Jobseeker Support recipients is significantly elevated from pre-pandemic levels, but this trend likely reflects growth in the community at large.

Consumer spending in Selwyn has grown by a very strong 17% in the September 2022 quarter, compared to September 2021. This strong growth reflects a combination of strong population growth, strong consumer confidence, and improving local retail options which is keeping more spending happening locally.

Selwyn's population grew 4.8% in the year to June 2021, a relative slowdown for Selwyn, but still the fastest in the country and well ahead of Christchurch which experienced a 0.2% population decline.

House prices have been easing around the country on the back of rising interest rates, although house values have been resilient around Greater Christchurch. Selwyn's average house value was $839,589 in the September 2022 quarter, up 8.0% from the September 2021 quarter.

New dwelling consents in Selwyn are flattening off at a high level, with the 517 new dwellings consented in the September 2022 quarter, consistent with previous record highs in 2021. Non-residential construction has rocketed up to $335m for the year to September 2022, spread across a range of building types.

The dairy pay-out is forecast to taper off slightly this season, knocking $9m off Selwyn's dairy farming revenues. Rising input costs may see profit margins decrease from last season.

4. UPDATE ON ELECTRICAL VEHICLE CHARGING STATIONS

Seventeen new Zero charging stations are being installed at Council sites by Meridian Energy. Meridian will install these chargers in car parks at West Melton Community Centre, Tennyson Street in the Rolleston Town Centre, Prebbleton's Kakaha Park, Lincoln Events Centre, and the Selwyn Aquatic Centre.

The new charging stations will form part of the Zero public charging network, one of the largest networks in New Zealand with over 85 charging stations already in operation, in turn providing greater access for EV drivers across the Selwyn District.

Council has been working closely with power providers to build up the district's network of public EV chargers. Counci is pleased to provide more options around our townships for a more robust network.

The chargers will join Selwyn's existing network of public EV charging stations at Arthur's Pass, Castle Hill, Dunsandel, Leeston and Lincoln. The new chargers are on track to be finished by April 2023. Four chargers are now available at Foster Park.

5. DELEGATION MANUAL UPDATES – INFRASTRUCTURE & PROPERTY

The following Delegation Manual amendments have been made due to a change in staffing, change in responsibility and roles as part of the organisational structural changes, and / or new warrant officers.

COUNCIL'S PARKS AND RESERVES BYLAW 2009 ENFORCEMENT OFFICERS AB-106

Pursuant to Section 177 of the Local Government Act 2002 the Council appoints the following officers as enforcement officers for the purposes of administering the Council's Parks and Reserves Bylaw 2009:

~~**MARK DEWAR RYKERS**~~	ANTHONY FRANCIS WARD
~~**DEREK GEORGE HAYES**~~	ROBERT ARTHUR PEARD
REBEKAH LAURINA FLETCHER	PHILIP JOHN BRERERTON SCALES
SUSAN NICOLA ATHERTON	CAMERON DOUGLAS WARR
TRISTAN RUSTY SNELL	JONATHAN IAN CRAWFORD
CRAIG ROBIN WESTLEY	RACHEL LOUISE CURZON
ANDREEA MONICA WILSON	TIFFANY LISA PEARD
TIM DAVID GOH	**JOELLE DAWN COULL**

RESERVES ACT 1977 - APPOINTED RANGERS AB-109

Pursuant to Sections 8 and 93 of the Reserves Act 1977, the Council appoints the following officers as Rangers

JONATHAN IAN CRAWFORD	~~**CHRISTOPHER JAMES BURKE**~~
~~**MICHAEL CRAIG WARNER**~~	~~**DOUGLAS DAVID MARSHALL**~~
~~**KEELY OLIVE GWATKIN**~~	TIM DAVID GOH
CRAIG ROBIN WESTLEY	**JOELLE DAWN COULL**

RESOURCE MANAGEMENT ACT 1991 AB-110

Pursuant to Section 88 (1) of the Resource Management Act 1991, the Council delegates authority to make resource consent applications on behalf of the Council to:

CAMERON DOUGLAS WARR	ROBERT NIGEL ALLEN
~~**MARK DEWAR RYKERS**~~	~~**DOUGLAS DAVID MARSHALL**~~
PHILLIP GORDON MILLAR	**DEREK GEORGE HAYES**

Pursuant to Section 95E of the Resource Management Act 1991, should a consenting authority identify Selwyn District Council as an affected person, Council delegates authority to provide written approval in response to an application where that written approval is appropriate, to:

CAMERON DOUGLAS WARR	ROBERT NIGEL ALLEN
~~**MARK DEWAR RYKERS**~~	~~**DOUGLAS DAVID MARSHALL**~~
PHILLIP GORDON MILLAR	**DEREK GEORGE HAYES**

TRESPASS ACT 1980 CE-116

The Council delegates to the Chief Executive, all of its responsibilities, duties and powers under this Act. The Chief Executive is the person in lawful occupation of land owned, occupied or controlled by the Council.

The Council approves the sub-delegation of the powers of the Chief Executive in respect to Section 3 and Section 4 of the Trespass Act 1980 (issuing warnings) to:

~~**DOUGLAS DAVID MARSHALL**~~	JONATHAN IAN CRAWFORD
~~**CHRISTOPHER JAMES BURKE**~~	~~**MICHAEL CRAIG WARNER**~~
~~**KEELY OLIVE GWATKIN**~~	DENISE BERNADETTE KIDD
DAVID BRENT TIPPETT	JAMES CHRISTOPHER RICHMOND
SUSAN NICOLA ATHERTON	NICOLA MARGARENT MOEN
ALASTAIR JOHN LAWN	~~**VALERIE LEATAETA DAVIS**~~
WAYNE JOHN STACK	TIM DAVID GOH
CRAIG ROBIN WESTLEY	**JOELLE DAWN COULL**

Notes:

1. Council staff noted in this delegation cannot both (a) verbally warn an individual to leave a council property / reserve / hall **and** (b) sign a trespass order.
2. The majority of written Trespass notices are served on the person concerned by the New Zealand Police

CEMETERY BYLAW ADMINISTRATION/ENFORCEMENT MD-108

Pursuant to Section 177 of the Local Government Act 2002 the Council appoints the following officers as enforcement officers for the purposes of administering the Council's Cemetery Bylaw 2011:

~~**DOUGLAS DAVID MARSHALL**~~	KELVIN FRANCIS MASON
TREVOR WILLIAM CUNDALL	JONATHAN IAN CRAWFORD
~~**CHRISTOPHER JAMES BURKE**~~	~~**MICHAEL CRAIG WARNER**~~
~~**KEELY OLIVE GWATKIN**~~	TIM DAVID GOH

CRAIG ROBIN WESTLEY	**JOELLE DAWN COULL**

BUILDING CONSENT APPLICATIONS MD-109

The Council delegates authority to make building consent application on behalf of Council as land owner, and to authorise an occupier to apply for a building consent on Council owned land where the occupier is not the land owner, to:

~~**DOUGLAS DAVID MARSHALL**~~	~~**MARK DEWAR RYKERS**~~
ROBERT NIGEL ALLEN	JONATHAN IAN CRAWFORD
CAMERON DOUGLAS WARR	KEVIN PHILIP CHAPPELL
PHILLIP GORDON MILLAR	

LIQUOR APPLICATIONS ON COUNCIL PROPERTY MD-110

The Council delegates authority providing written approval of the Council as landowners (including reserves) for the purpose of applying for a license in respect to the Sale and Supply of Alcohol Act 2012 to

~~**DOUGLAS DAVID MARSHALL**~~	~~**MARK DEWAR RYKERS**~~
ROBERT NIGEL ALLEN	**JONATHAN IAN CRAWFORD**



David Ward
CHIEF EXECUTIVE

Infometrics

Quarterly Economic Monitor

Selwyn District September 2022

Overview of Selwyn District

Selwyn's economy grew by a very strong 6.9% over the year to September 2022, outpacing Christchurch City on 3.7%, according to Infometrics provisional GDP estimates. However, growth has slowed down, with Selwyn's September 2022 quarter GDP only 3.5% higher than September 2021, whereas Christchurch City's September 2022 quarter GDP was up 4.0%. This trend reflects that New Zealand's main centres and tourism hotspots are benefiting from the resumption of international travel and tourism.

Employment of Selwyn residents grew 7.3% over the year to September 2022, compared to 3.3% for Christchurch City, reflecting Selwyn's strong ongoing population growth. Selwyn's unemployment rate is a very low 2.2%, having fallen steadily over the past year. The number of Jobseeker Support recipients is significantly elevated from pre-pandemic levels, but this trend likely reflects growth in the community at large.

Consumer spending in Selwyn has grown by a very strong 17% in the September 2022 quarter, compared to September 2021. This strong growth reflects a combination of strong population growth, strong consumer confidence, and improving local retail options which is keeping more spending happening locally.

Selwyn's population grew 4.8% in the year to June 2021, a relative slowdown for Selwyn, but still the fastest in the country and well ahead of Christchurch which experienced a 0.2% population decline. House prices have been easing around the country on the back of rising interest rates, although house values have been resilient around Greater Christchurch. Selwyn's average house value was $839,589 in the September 2022 quarter, up 8.0% from the September 2021 quarter. New dwelling consents in Selwyn are flattening off at a high level, with the 517 new dwellings consented in the September 2022 quarter, consistent with previous record highs in 2021. Non-residential construction has rocketed up to $335m for the year to September 2022, spread across a range of building types.

The dairy pay-out is forecast to taper off slightly this season, knocking $9m off Selwyn's dairy farming revenues. Rising input costs may see profit margins decrease from last season.

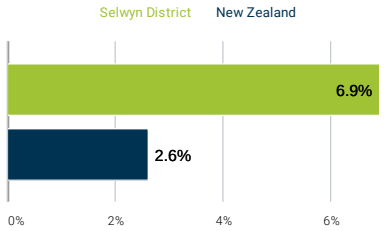
Indicator	Selwyn District	Canterbury Region	New Zealand
Annual Average % change			
Gross domestic product (provisional)	6.9 % ▲	4.1 % ▲	2.6 % ▲
Traffic flow	-0.7 % ▼	2.3 % ▲	-4.1 % ▼
Consumer spending	17.0 % ▲	8.1 % ▲	7.0 % ▲
Employment (place of residence)	7.3 % ▲	3.4 % ▲	3.1 % ▲
Jobseeker Support recipients	-10.1 % ▼	-13.4 % ▼	-11.4 % ▼
Tourism expenditure	22.8 % ▲	5.3 % ▲	3.3 % ▲
Guest nights	14.7 % ▲	-1.2 % ▼	-6.0 % ▼
Health enrolments	6.6 % ▲	2.0 % ▲	0.4 % ▲
Residential consents	-1.3 % ▼	18.1 % ▲	7.0 % ▲
Non-residential consents	137.4 % ▲	35.4 % ▲	19.0 % ▲
House values *	8.0 % ▲	9.1 % ▲	-2.0 % ▼
House sales	-27.9 % ▼	-21.9 % ▼	-25.6 % ▼
Car registrations	4.5 % ▲	13.8 % ▲	5.3 % ▲
Commercial vehicle registrations	8.1 % ▲	5.3 % ▲	6.3 % ▲
Level			
Unemployment rate	2.2 %	3.2 %	3.2 %

* Annual percentage change (latest quarter compared to a year earlier)

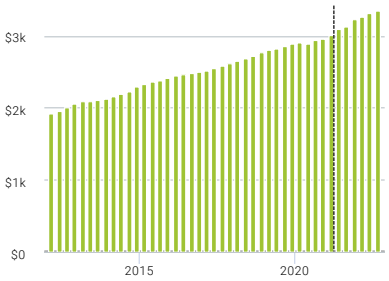
Downloaded: Fri Jan 27 2023

Gross domestic product

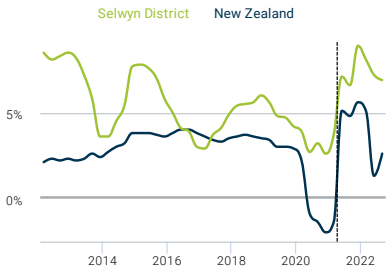
Gross domestic product growth (provisional)
Annual average % change September 2021 - September 2022



Gross domestic product ($m)
Annual level, Selwyn District



Gross domestic product growth
Annual average % change



Highlights for Selwyn District

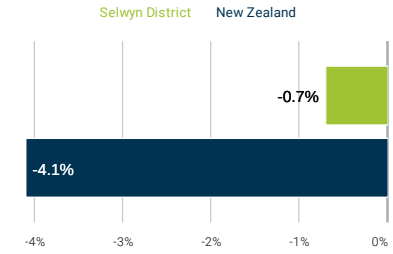
- GDP in Selwyn District was provisionally up 6.9% for the year to September 2022, compared to a year earlier. Growth was higher than in New Zealand (2.6%).
- Provisional GDP was $3,352 million in Selwyn District for the year to September 2022 (2021 prices).
- Annual GDP growth in Selwyn District peaked at 8.9% in the year to December 2021.

National overview

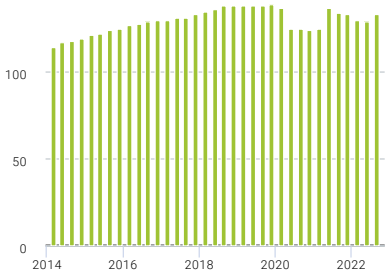
Economic activity remained elevated across New Zealand in the September 2022 quarter, driven by stronger tourism activity and still-solid household spending. Provisional Infometrics estimates suggest a 5.4%pa rise in quarterly economic activity, partially due to the comparison with the Delta lockdown-affected September 2021 quarter, with Auckland activity rising considerably as a consequence. Annually, the economy looks to have expanded 2.6%, despite the limitations on the labour market in more recent times, higher inflation, and concerns for lower economic activity as interest rates ratchet higher. Various provincial areas have recorded slower growth in the September quarter, driven by their stronger results a year earlier during Delta when other parts of the country were more economically constrained. Strong September results point to solid economic foundations, but also underscore the difficulty of taming inflation in a strongly growing economy, and ahead of a likely spending crunch in 2023 as inflation-fighting efforts hit households.

Traffic flow

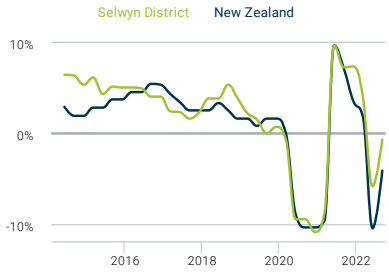
Annual change in traffic flows
Annual average % change September 2021 - September 2022



Traffic
Annual level, Selwyn District



Traffic volume growth
Annual average % change



Highlights for Selwyn District

- Traffic flows in Selwyn District decreased by 0.7% over the year to September 2022, compared to a year earlier. This compares with a decrease of 4.1% in New Zealand.

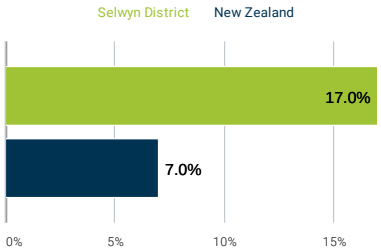
National overview

Traffic volumes remain constrained in the September 2022 quarter, with still-high fuel prices keeping vehicle flows lower. Traffic activity in the quarter was sitting 14% higher than a year earlier, understandable given the lack of traffic movements in the September 2021 quarter as the Delta lockdown hit movements. Traffic activity is sitting 5.9% below pre-pandemic 2021 levels for the September 2022 quarter, providing a more useful benchmark. Using this comparison, traffic activity is strongest in the Hawke's Bay, Gisborne, and Canterbury. The resumption of international visitors is expected to increase traffic activity, although high fuel costs will dampen increased driving enthusiasm.

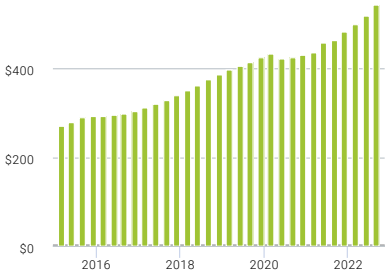
Infometrics
Downloaded: Fri Jan 27 2023

Consumer spending

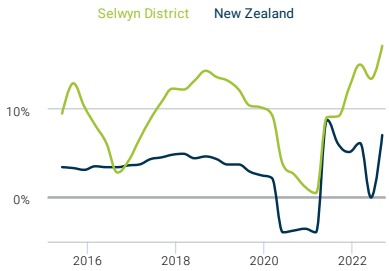
Growth in consumer spending
Annual average % change September 2021 - September 2022



Consumer spending ($m)
Annual level, Selwyn District



Consumer spending
Annual average % change



Highlights for Selwyn District

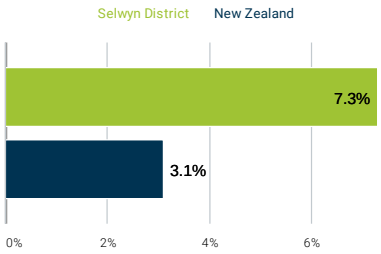
- Electronic card consumer spending in Selwyn District as measured by Marketview, increased by 17% over the year to September 2022, compared to a year earlier. This compares with an increase of 7.0% in New Zealand.

National overview

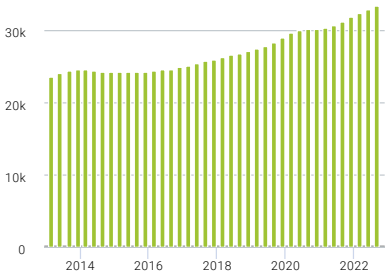
Spending activity across New Zealand remains high, driven partially by persistent and pervasive inflation, with still little indication of a moderation in consumption as mortgage rates rise and household budgets come under pressure. Marketview data shows a 23%pa increase in quarterly spending due to the comparison with the Delta lockdown-affected quarter in 2021. Annual spending activity rose 7.0%pa, just behind the national inflation rate of 7.2%pa, pointing to broadly unchanged volumes of spending into the economy. Expectations remain for spending activity to pull back as higher costs bite into household budgets, but for now household spending remains at elevated levels.

Employment (place of residence)

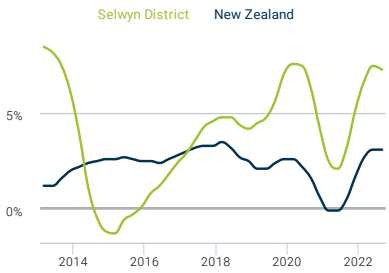
Employment (place of residence) growth
Annual average % change September 2021 - September 2022



Employment (place of residence)
Annual level, Selwyn District



Employment (place of residence) growth
Annual average % change



Highlights for Selwyn District

- Employment for residents living in Selwyn District was up 7.3% for the year to September 2022, compared to a year earlier. Growth was higher than in New Zealand (3.1%).
- An average of 33,408 people living in Selwyn District were employed in the year to September 2022.
- Annual employment growth for Selwyn District residents peaked at 8.5% in the year to March 2013.

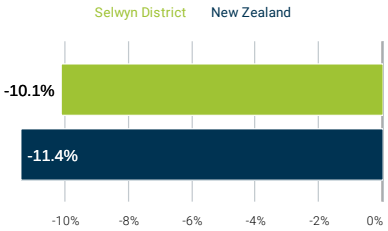
National overview

Employment levels continue to rise, but at a more limited pace, as labour market challenges compromise the ability for businesses to find the levels and types of talent they need. Filled jobs numbers rose 2.6%pa in the September 2022 quarter, slower than seen in the June quarter, limiting annual growth to 3.1%pa over the last 12 months on average. Professional services remain the key driver of higher employment, with sizable contributions from construction, manufacturing, and retail trade. Growth in employment is being enabled by more younger people entering the workforce, particularly the 15-19 age group. The highest pay increases in decades are attracting more people into employment, but the pool of people remaining is shallow.

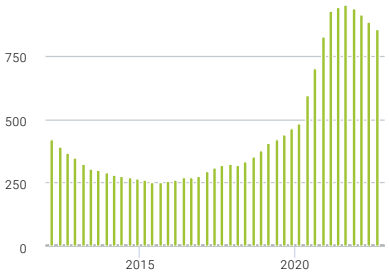
Infometrics
Downloaded: Fri Jan 27 2023

Jobseeker Support recipients

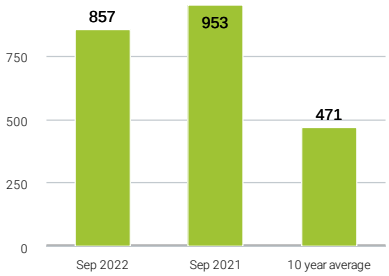
Annual change in Jobseeker Support recipients
Annual average % change September 2021 - September 2022



Jobseeker Support recipients
Annual average, Selwyn District



Jobseeker Support recipients
Annual average, Selwyn District



Highlights for Selwyn District

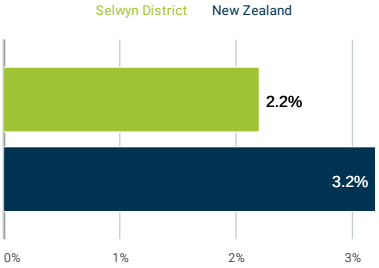
- Jobseeker Support recipients in Selwyn District in the year to September 2022 decreased by 10.1% compared to a year earlier. The decline was not as low as in New Zealand (11.4%).
- An average of 857 people were receiving a Jobseeker Support benefit in Selwyn District in the 12 months ended September 2022. This compares with an average of 471 since the start of the series in 2013.

National overview

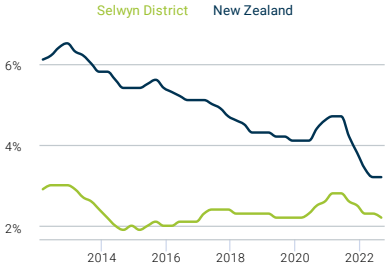
Jobseeker Support recipient numbers are stabilising nationally, with around 170,000 recipients at the end of September 2022. This figure is similar to the number of recipients seen at the end of June 2022, with a plateauing rate of people moving off Jobseeker in recent months, despite the tight labour market. However, Jobseeker recipients usually rise in the September quarter, so the flat numbers are better than usual trends. Just under 99,000 of the total recipients are classified as "Work Ready", around 18,500 higher than pre-pandemic, indicating a frustratingly stubborn disconnect between those that want workers and those that are available to work.

Unemployment rate

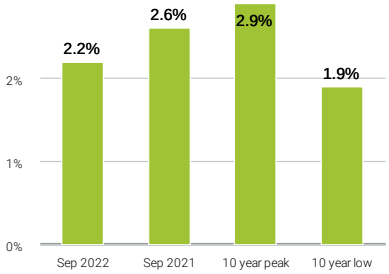
Unemployment rate
Annual average rate to September 2022



Unemployment rate
Annual average rate



Unemployment rate
Annual average, Selwyn District



Highlights for Selwyn District

- The annual average unemployment rate in Selwyn District was 2.2% in the year to September 2022, down from 2.6% in the previous 12 months.
- In the year to September 2022, the annual average unemployment rate in Selwyn District was lower than in New Zealand (3.2%).
- Over the last ten years the annual average unemployment rate in Selwyn District reached a peak of 2.9% in March 2013.

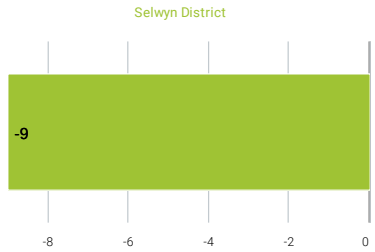
National overview

Labour market tightness continued to keep the unemployment rate at near-record lows in September. The unemployment rate in the September 2022 quarter was unchanged from June, at 3.2%, equating to around 94,000 people. Evidence of a tight labour market was further reinforced by a strong decline in the underutilisation rate, which includes both a broader definition of unemployment and those who are employed but want to work more, as the underutilisation rate fell to 9.0%, its lowest level since 2006.

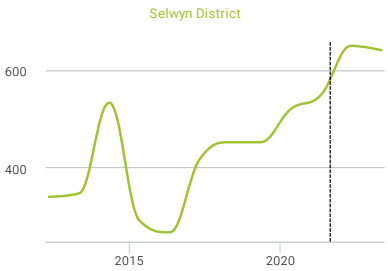
Infometrics
Downloaded: Fri Jan 27 2023

Dairy payout

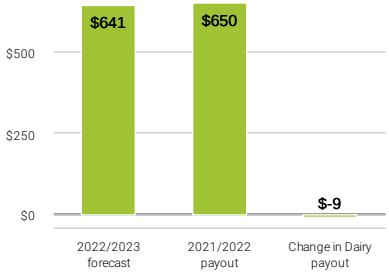
Total dairy payout (provisional)
Change ($m) between 2021/2022 and 2022/2023 seasons



Total dairy payout
$m each season, Selwyn District



Total dairy payout
$m each season, Selwyn District



Highlights for Selwyn District

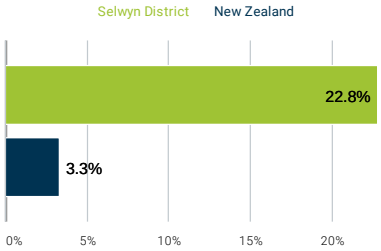
- Selwyn District total dairy payout for the 2020/2021 season is estimated to have been approximately $549 million.
- Selwyn District's dairy payout for the 2021/2022 season is expected to be approximately $650 million, $101 million higher than last season, assuming that production levels from last season are maintained.
- The total dairy payout for New Zealand is estimated to have been approximately $14,684 million in the 2020/2021 season, and is expected to be $2,701 million higher in the 2021/2022 season.

National overview

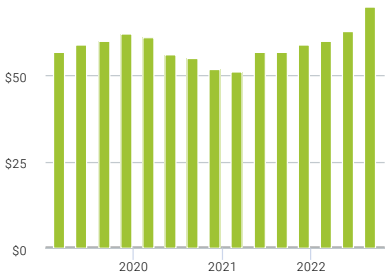
Annual milk production is down 4.3%pa, which in tandem with lower commodity prices, will deliver a haircut to the dairy pay-out for the current 2022/23 season. In total, lower volumes and a lower price could cut around $236m from the nationwide dairy pay-out this season, although this figure could deteriorate further. Fonterra's latest milk price mid-point is $9.25/kgms (and what our dairy pay-out is estimated on), down from the record-high $9.30/kgms seen in 2021/22, but our internal analysis points to an $8.90/kgms price for this season. Despite the lower expected earnings, farm cost increases are at their highest since at least 1993, up around 13%pa, as fuel, fertiliser, and finance costs hit.

Tourism expenditure

Tourism expenditure
Annual average % change September 2021 - September 2022



Tourism expenditure
Annual total, Selwyn District ($m)



Highlights for Selwyn District

- Total tourism expenditure in Selwyn District increased by 22.8% in the year to September 2022, compared to a year earlier. This compares with an increase of 3.3% in New Zealand.
- Total tourism expenditure was approximately $70 million in Selwyn District during the year to September 2022, which was up from $57 million a year ago.

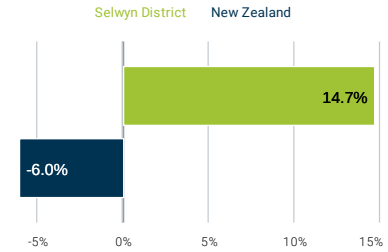
National overview

Visitor spending is bouncing back strongly across New Zealand, as international tourists start to return at stronger levels than first expected. The 3.3% boost in spending over the 12 months to September 2022 is an encouraging sign of continued improvements to come. International spending activity is coming back strongly, although current tourism spending data doesn't capture pre-paid or non-card spending by overseas travellers, which means that the international tourism trends provide a good read on the direction, but not the full magnitude, of the recovery so far. Traditional tourism hotspots have benefited most from the boost in spending, with Otago, Canterbury, and Auckland notably strong regions.

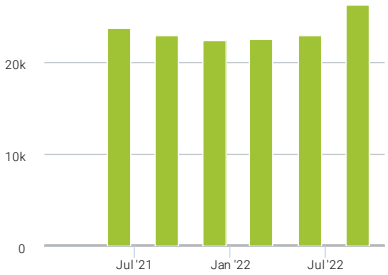
Infometrics
Downloaded: Fri Jan 27 2023

Guest nights

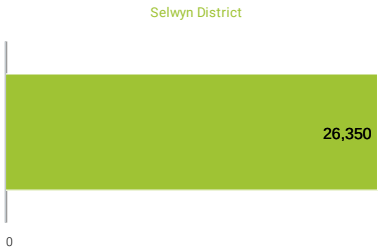
Guest nights
Annual average % change September 2021 - September 2022



Guest nights
Annual number, Selwyn District



Guest nights
Annual total guest nights in September 2022 quarter



Highlights for Selwyn District

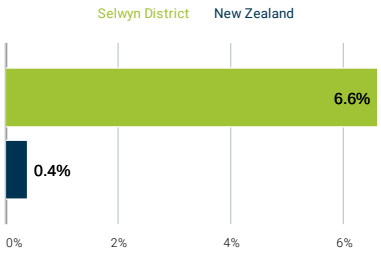
- Total guest nights in Selwyn District increased by 14.7% in the year to September 2022, compared to a year earlier. This compares with a decrease of 6.0% in New Zealand.
- Visitors stayed a total of 26,350 nights in Selwyn District during the year to September 2022, which was up from 22,975 a year ago.

National overview

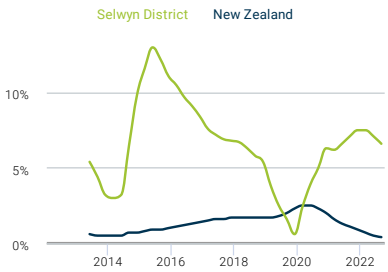
The return of international visitors has bolstered guest nights around the country, with at 57%pa boost in the September 2022 quarter. Total national guest nights are still down 6.0%pa over the 12 months to September 2022, which reflects the Delta lockdown in late 2021 and waning domestic tourism through 2022. There is plenty of room for further recovery, as international guests made up 19% of all guest nights in the September 2022 quarter, compared to 36% in September 2019 (pre-pandemic). In 2018/2019, guest nights in the September quarter were 60% of peak season (December-February), highlighting how far the sector has to scale up in the coming months.

Health enrolments

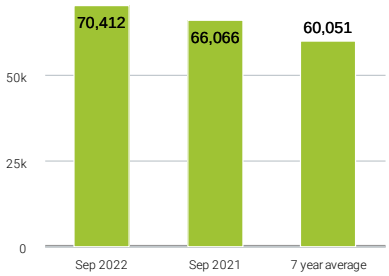
Annual change in health enrolments
Annual average % change September 2021 - September 2022



Health enrolments
Annual average % change



Health enrolments
Annual average, Selwyn District



Highlights for Selwyn District

- The number of people enrolled with a primary health organisation in Selwyn District in the year to September 2022 increased by 6.6% compared to a year earlier. Growth was higher than in New Zealand (0.4%).
- An average of 70,412 people were enroled with primary healthcare providers in Selwyn District in the 12 months ended September 2022. This compares with an average of 56,548 since the start of the series in 2014.

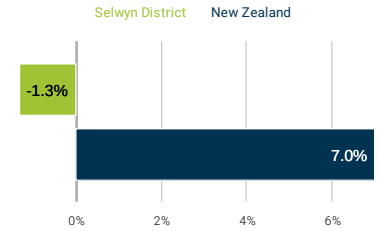
National overview

Population growth remains subdued at a 33-year low, with a sustained net migration outflow of around 11,000pa. Health enrolments, a proxy for local population trends, rose just 0.4%pa in the September quarter, the third straight quarter of 0.3-0.4%pa growth, taking average growth over the 12 months to September 2022 to just 0.4%, the lowest since we have tracked this data starting in 2011. The slower population growth seen through health enrolments was backed up by recently released subnational population estimates from Stats NZ, which showed slow population growth being driven by higher deaths, the loss of international migrants to New Zealand, and slower internal migration movements.

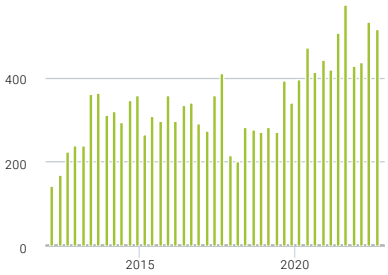
Infometrics
Downloaded: Fri Jan 27 2023

Residential consents

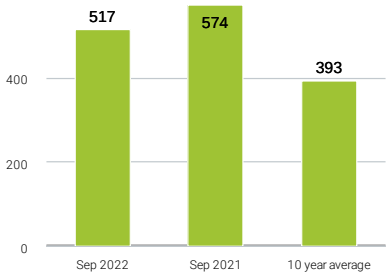
Growth in number of new dwelling consents
Annual average % change September 2021 - September 2022



Residential consents
Quarterly number, Selwyn District



Number of new dwelling consents
Quarterly number, Selwyn District



Highlights for Selwyn District

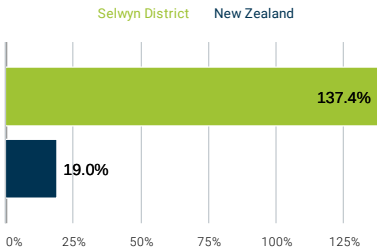
- A total of 517 new residential building consents were issued in Selwyn District in the September 2022 quarter, compared with 574 in the same quarter last year.
- On an annual basis the number of consents in Selwyn District decreased by 1.3% compared with the same 12-month period a year before. This compares with an increase of 7.0% in New Zealand over the same period.

National overview

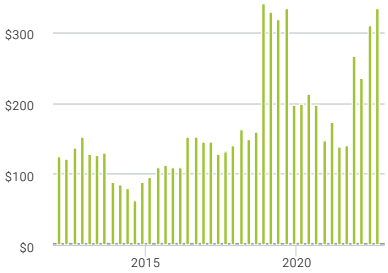
Residential consents were strong in the September 2022 quarter itself, despite annual consent volumes easing from previous highs. Annual consents were 7.0%pa higher over the 12 months to September 2022. Only 45% of residential consents in the year to September 2022 were for standalone houses, whereas in September 2021 standalones comprised 54% of total residential consents. This reduced share for standalones is evidence that smaller and more affordable housing continues to grow in popularity, which is further supported by annual townhouse consents increasing 37%pa in September 2022.

Non-residential consents

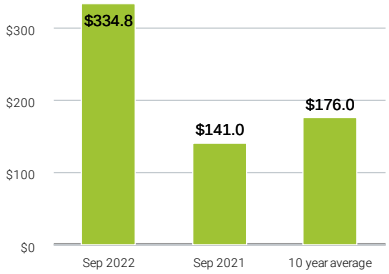
Growth in value of consents
Annual average % change September 2021 - September 2022



Non-residential consents, Selwyn District
$m, annual running total, Selwyn District



Non-residential consents
Annual value ($m), Selwyn District



Highlights for Selwyn District

- Non-residential building consents to the value of $334.8 million were issued in Selwyn District during the year to September 2022.
- The value of consents in Selwyn District increased by 137.4% over the year to September 2022, compared to a year earlier. In comparison, the value of consents increased by 19.0% in New Zealand over the same period.
- Over the last 10 years, consents in Selwyn District reached a peak of $341.3 million in the year to December 2018.

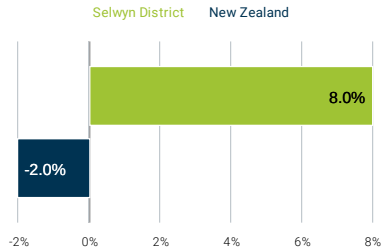
National overview

Non-residential consents accelerated in the September 2022 quarter, unfazed by easing residential consents and widespread capacity constraints in the construction industry. Non-residential consent values totalled $2.5b in the September 2022 quarter, taking annual growth to 19%pa over the 12 months to September 2022. Building cost pressures remain a contributing factor in the growing value of consents, but even once adjusted for inflation, annual non-residential consents in September 2022 totalled more than $6b, the highest on record. Hospital and storage buildings were largely responsible for higher increasing consent values in the September quarter, with consents for these build types up 238% and 66% from June respectively.

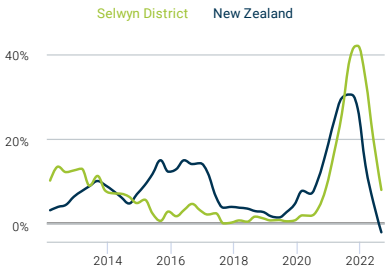
Infometrics
Downloaded: Fri Jan 27 2023

House values

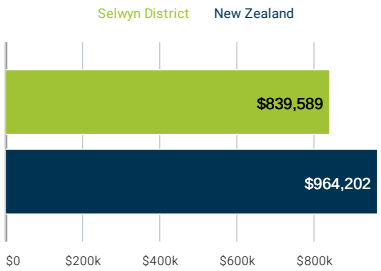
Annual change in house value
Annual % change in house value September 2021 - September 2022



House value growth
Annual % change



Average current house value
Average house value in September 2022 quarter



Highlights for Selwyn District

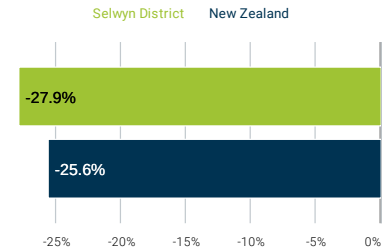
- The average current house value in Selwyn District was up 8% in September 2022, compared to a year earlier. Growth was higher than in New Zealand (-2.0%).
- The average current house value was $839,589 in Selwyn District in September 2022. This compares with $964,202 in New Zealand.

National overview

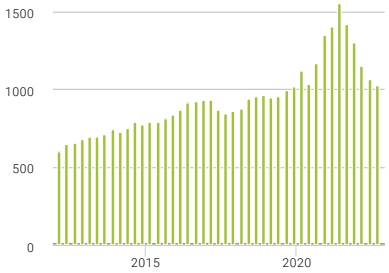
House values declined further in June, as property values fell for the third consecutive quarter. Annually, house values are now down 2.0%pa compared to a year earlier. Rising interest rates are curbing demand in the housing market. Interest rates continued to rise in September to rein in inflation, with one-year fixed mortgage rates increasing to 5.1%, reducing buyers' ability to pay high property prices. Demand for housing is also softening as a result of weak population growth, as New Zealand has been slow to re-open its borders and get visa processing capacity back up to speed.

House sales

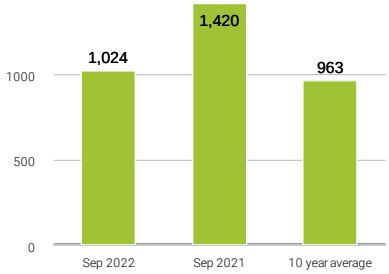
Annual change in house sales
Annual average % change September 2021 - September 2022



House sales
Annual number, Selwyn District



House sales
Annual number, Selwyn District



Highlights for Selwyn District

- House sales in Selwyn District decreased by 27.9% in the year to September 2022, compared to year earlier. This compares with a decrease of 25.6% in New Zealand.
- A total of 1,024 houses were sold in Selwyn District in the 12 months ended September 2022. This compares with the ten year average of 963.

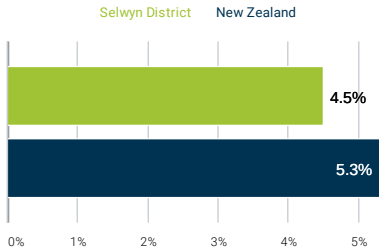
National overview

House sales fell nearly 22%pa in the September 2022 quarter, as housing activity slowed for the seventh consecutive quarter. House sales in the September 2022 quarter were 40% below the booming September 2020 quarter. Excluding the lockdown-affected June 2020, house sales in the September 2022 quarter were the lowest since March 2011. Despite house sales continuing to plummet at a national level, sales activity picked up in six of New Zealand's regions, the majority of which were located in the provincial North Island.

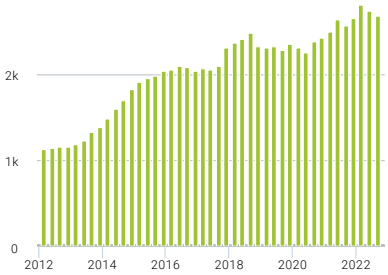
Infometrics
Downloaded: Fri Jan 27 2023

Car registrations

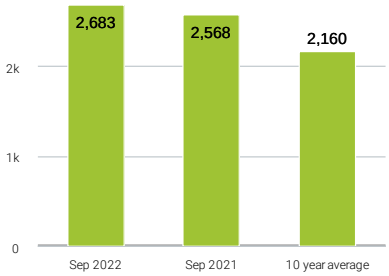
Car registrations
Annual average % change September 2021 - September 2022



Car registrations
Annual number, Selwyn District



Car registrations
Annual number, Selwyn District



Highlights for Selwyn District

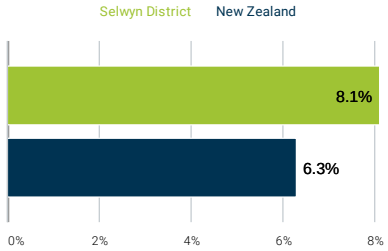
- The number of cars registered in Selwyn District increased by 4.5% in the year to September 2022, compared to a year earlier. Growth was lower than in New Zealand (5.3%).
- A total of 2,683 cars were registered in Selwyn District in the year to September 2022. This compares with the ten year annual average of 2,160.

National overview

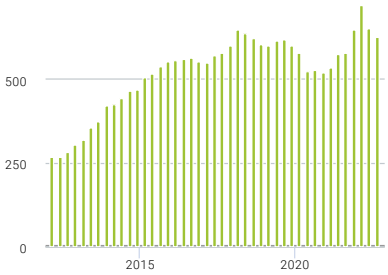
Car registrations remain slightly lower than a year earlier, with a 0.3%pa drop in the September 2022 quarter reducing annual growth to 5.3%pa over the 12 months to September 2022. Registrations of used cars rose 13% in September from the June quarter, following an extremely weak June quarter after the introduction of the Clean Car Discount. Some buyers brought purchasing decisions forward to March to avoid the feebate scheme, with current buyers unable to avoid the scheme now facing lower affordability for many vehicles as a result of the Clean Car Discount. Smaller engines are treated more favourably by the feebate scheme, which has boosted the popularity of small cars.

Commercial vehicle registrations

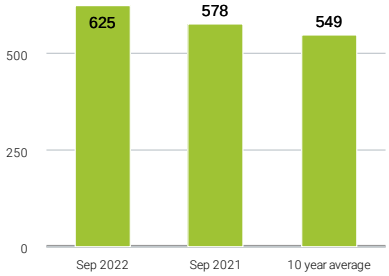
Commercial vehicle registrations
Annual average % change September 2021 - September 2022



Commercial vehicle registrations
Annual number, Selwyn District



Commercial vehicle registrations
Annual number, Selwyn District



Highlights for Selwyn District

- The number of commercial vehicles registered in Selwyn District increased by 8.1% in the year to September 2022, compared to a year earlier. Growth was higher than in New Zealand (6.3%).
- A total of 625 commercial vehicles were registered in Selwyn District in the year to September 2022. This is higher than the ten year annual average of 549.

National overview

Commercial vehicle registrations recovered substantially in the September 2022 quarter from the impact of the Clean Car Discount, with registrations just 4.8%pa below levels seen a year ago. However, quarterly registrations were the lowest for a September quarter since 2013. This continued softness reduced annual registrations growth to 6.3%pa. Light commercial registrations tend to be more responsive to current market conditions than heavier vehicles, which is reflected in the 87% increase in light commercial registrations between the June and September 2022 quarters, compared to the 12% increase in heavy registrations.

Infometrics
Downloaded: Fri Jan 27 2023

Technical notes

Building Consents

Building consents data is sourced from Statistics New Zealand. The number of residential consents issued for new dwellings is the measure for residential consents. For non-residential consents, the measure is the value of both new buildings and alterations.

Consumer Spending

The consumer spending data is sourced from Marketview. It measures total electronic card spending using spending through the Paymark network and adding to it an estimate of non-Paymark network spending using the pattern of BNZ card holder spending at non-Paymark retailers. For further breakdown of the data by storetype and other variables contact Marketview.

Employment (place of residence)

Employment data is based off a range of Stats NZ employment datasets, and represents the number of filled jobs, based on the area of residential address for the employee (rather than workplace address). This place of residence location means that the employment series reflects trends in employment of an area's residents, which may be different to trends in employment at businesses in an area, particularly when there are strong commuting flows. The most recent quarter is based off the average of Monthly Employment Indicator (MEI) filled jobs from Statistics New Zealand for the past three months, with previous quarters being backcasted using the percentage change in the quarterly Business Data Collection dataset published by Statistics New Zealand.

Gross Domestic Product

Gross Domestic Product is estimated by Infometrics. A top-down approach breaks national industrial production (sourced from production based GDP measures published by Statistics New Zealand) to TA level by applying TA shares to the national total. Each TA's share of industry output is based on labour market data from LEED. GDP growth in recent quarters is based on a model which uses the various partial economic indicators presented in this report as inputs. Estimates of GDP for these most recent quarters are provisional until Infometrics updates its annual GDP series in the Regional Economic Profile at the beginning of each year. Gross domestic product is measured in 2021 dollar terms.

Guest Nights

The number of guest nights is sourced from the Accommodation Data Programme, which is funded by the Ministry of Business, Innovation and Employment (MBIE) and managed by Fresh Info. A guest night is equivalent to one guest spending one night at an establishment. For example, a motel with 15 guests spending two nights would report that they had provided 30 guest nights

Health Enrolments

Health enrolments are sourced from the Ministry of Health. They record the number of people in each area who are enrolled with a Primary Health Organisation (PHO). Enrolment is voluntary, but most New Zealanders enrol at a general practice for health reasons and for the benefits of enrolment, such as cheaper doctors' visits and reduced costs of prescription medicines. Changes to how the Ministry of Health recorded this data led to Infometrics revising our approach to health enrolment figures for the March 2019 Quarterly Economic Monitor onwards. Our new approach completely revises our timeseries of health enrolments, so care should be taken when comparing the March 2019 report with previously downloaded reports.

Previously, the data provided was only for those people whose addresses are able to be accurately recorded by the Ministry of Health. We have now switched to breaking down TA-level health enrolments based on trends in stated health enrolments by area, to ensure that the total number of enrolees published in the Monitor align with the national-level figures published by the Ministry of Health. A new system for classifying and recording health enrolment addresses from March 2019 onwards by the Ministry means significantly higher numbers of unallocated enrolees, resulting in the need to review our model.

House Sales

The number of house sales is sourced from REINZ. The indicator measures the number of house sales at the point when the sale becomes unconditional. The unconditional date is the date when all the terms of an agreement have been satisfied and the sale and purchase can proceed to settlement.

House Values

House values (dollar value) are sourced from CoreLogic. The levels quoted in the report are average values for the quarter.

Jobseeker Support Recipients

In July 2013 the New Zealand's welfare system changed to better recognise and support people's work potential. As part of this the Jobseekers Support benefit was introduced. This benefit is for people who can usually look or prepare for work but also includes people who can only work part-time or can't work at the moment, for example, because they have a health condition, injury or disability.

Downloaded: Fri Jan 27 2023

Data presented for the September 2013 quarter onwards is provided by the Ministry of Social Development (MSD). Data prior to September 2013 are Infometrics estimates based on re-grouping pre-July 2013 benefit categories to be consistent with the post-July 2013 benefit categories. The pre-July 2013 benefit categories used to estimate the number of Jobseekers Support recipients are: Unemployment Benefit and Unemployment Benefit Hardship; Unemployment Benefit Training and Unemployment Benefit Hardship Training; Sickness Benefit and Sickness Benefit Hardship; Domestic Purposes Benefit - Sole Parent (if youngest child is 14 or over); Women Alone and Widow's Benefit (without children or with children 14 or over)

Tourism Expenditure

New Tourism Electronic Card Transactions (TECTs) are an interim replacement for the Monthly Regional Tourism Estimates (MRTEs). We have removed our previous timeseries of MRTEs and published the three annual snapshots provided in the TECTs. The TECTs reflect the expenditure for all electronic card transactions (ECTs) in New Zealand related to tourism. Marketview use a base of spending on the Paymark network (approximately 70 per cent of total ECT spend) to scale up to total ECT spend.

Traffic Flow

Traffic flow growth rates are calculated from the number of vehicles passing approximately 110 sites monitored by New Zealand Transport Agency. Each of the sites has been mapped to a territorial authority.

Unemployment Rate

Regional level unemployment rates are sourced from Statistics New Zealand's Household Labour Force Survey. Trends in the number of Jobseekers are used to break down regional unemployment rates to TA levels. The TA level unemployment rates are benchmarked on census following the release of each census. To reduce volatility the unemployment rate is presented as an average for the last four quarters.

Vehicle Sales

Car and commercial vehicle sales data are sourced from New Zealand Transport Authority. Sales are based on new registrations which include the first time registration of new vehicles and used vehicles imported from overseas.

Weekly Rents

Rents ($ per week) are sourced from monthly data provided by MBIE and averaged across each quarter or year using weighted geometric means. Rental data pertains to averages from data collected when bonds are lodged and does not control for specifications of the home (eg. size, number of bedrooms, age of home, etc).

Infometrics
Downloaded: Fri Jan 27 2023

REPORT

TO: Council

FOR: Council Meeting – 8 February 2023

FROM: Chief Executive

DATE: 20 January 2023

SUBJECT: **ROLE AND DELEGATIONS OF THE MALVERN COMMUNITY BOARD**

RECOMMENDATION

'That Council:

(a) receives the 'Role and Delegations of the Malvern Community Board' report; and

(b) adopts the document 'Roles and Delegations of the Malvern Community Board, as at 8 February 2023.'

1. PURPOSE

The purpose of this report is to allow Council to discuss and adopt the proposed level of delegation to the Malvern Community Board.

2. HISTORY/BACKGROUND

Statutorily, Council is required to determine by resolution those delegations that it is to assign to its Community Board.

These delegations have been kept at a high level as there are reasonable assumptions that – by its very nature – having been elected to represent its community, the Malvern Community Board members will, of their own volition, and at the request of the Chair, initiate dialogue with their communities and have input into legislative matters or responses to specific requests from Council as they are determined from time-to-time.

3. LEGISLATIVE PROVISIONS

Community boards are established under Section 49 of the Local Government Act 2002.

A community board is a separate legal entity to the Council. Section 51 of the Local Government Act 2002 states that a community board is:

(a) an unincorporated body

(b) not a local authority

(c) not a committee of the relevant territorial authority

4. ROLE OF THE COMMUNITY BOARD

The role of a community Board is specified in Section 52 of the Local Government Act 2002 as follows:

(a) to represent, and act as an advocate for, the interests of its community

(b) to consider and report on all matters referred to it by the territorial authority, or any matter of interest or concern to the community board

(c) to maintain an overview of services provided by the territorial authority within the community

(d) to prepare an annual submission to the territorial authority for expenditure within the community

(e) to communicate with community organisations and special interest groups within the community

(f) to undertake any other responsibilities that are delegated to it by the territorial authority

5. DELEGATIONS

Community boards exercise such powers as are delegated to them by the Council (Section 53 of the Local Government Act 2002):

(i) under Section 53(3) of the Local Government Act 2002, the following functions **cannot** be delegated to a community board:

- the power to acquire, hold or dispose of property
- the power to appoint, suspend or remove staff.

(ii) under Schedule 7, clause 32(1) of the Local Government Act 2002, the following functions **cannot** be delegated to a community board or any other body or person:

- the power to make a rate
- the power to make a bylaw
- the power to borrow money, or purchase or dispose of assets, other than in accordance with the Long Term Plan
- the power to adopt a Long Term Plan, Annual Plan or Annual Report

- the power to appoint a Chief Executive

- the power to adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the Long Term Council Community Plan or developed for the purpose of the Local Government Statement

- the power to adopt a remuneration and employment policy

In addition, the Council has not delegated to the Malvern Community Board, other than as a recommending body, any matter which has been considered to be of district-wide significance.

(iii) under Schedule 7, clause 32(3) a committee or other subordinate decision-making body, community board, or member or officer of the local authority may delegate any of its responsibilities, duties, or powers to a subcommittee or person, subject to any conditions, limitations, or prohibitions imposed by the local authority or by the committee or body or person that makes the original delegation.

(iv) where a community board is not empowered to act, the Board shall report to the council and make recommendations as required.

6. GENERAL COMMENT

The Malvern Community Board is acknowledged as providing an important link between the Council and the Malvern community.

The overarching principle, regarding delegations, is to invite the community board to have significant input into matters that influence and assist the Council decision-making process.

The delegations following, acknowledge the principle that the Council is the ultimate decision-making authority, and can at any stage, rescind any of the delegations made to the community board.

For the avoidance of doubt, in the event of any potential conflict between policy developed under delegated authority and District Council policy, the District Council policy shall prevail.

When developing delegations of matters to the community board, these delegations shall clearly refer to the role of the Board which will principally be:

(a) to advise the Council on the local implications of, policies, projects and plans which have impacts for the District and are referred to the board for comment

(b) to make recommendations on policy matters to Council

(c) to facilitate public meetings / discussions as part of consultation with the community within the board area

(d) to perform such other functions as the Council may delegate to the board.

Attached to this report is a document entitled *'Role and Delegations of the Malvern Community Board'.*

7. REVIEW OF ROLES AND DELEGATIONS

Once adopted, the *attached* document will be included in the Agenda of the Malvern Community Board for its meeting of 27 February 2023.



David Ward
CHIEF EXECUTIVE

ROLE AND DELEGATIONS
OF THE MALVERN COMMUNITY BOARD

Adopted by Council on 8 February 2023

1. LONG TERM PLAN AND ANNUAL PLAN

Every third year, the Council is required to prepare a Long Term Plan. In the intervening years, the Council is required to prepare an Annual Plan (budget).

These documents outline the works and services that are going to be undertaken during the period they cover, their cost, and the outcomes that are expected to be achieved.

The Malvern Community Board is **delegated** the responsibility to undertake the following for their ward:

1.1 to support the budgetary process by ensuring the management / advisory committees within the Malvern Community Board's area and provide input to Council's budget process.

1.2 to make recommendations on priorities for funding to Council for local projects and community issues

1.3 to make submissions on draft proposals to Council on programmes and projects in respect of the Long Term Plan and Annual Plan processes

1.4 to consult with the community on the draft Long Term Plan and Annual Plan, and provide recommendations to the Council that can be considered within the Long Term Plan and Annual Plan development and submission process.

2. ROADING

The Malvern Community Board is **delegated** the following responsibilities for roading matters within the Malvern Ward:

2.1 consultation on the installation of pedestrian crossings on roads

2.2 to assist in the management of policies regarding the temporary use and closure of roads, footpaths and Council-owned land for market days, street appeals, stalls and parades and specific events and functions where appropriate

2.3 to make recommendations on speed limits as part of the speed management process

2.4 consider and assist, road names within the Board's area.

2.5 consultation on the design and location of neighbourhood traffic improvements.

3. RESOURCE MANAGEMENT

Issues surrounding the Resource Management Act either create an impact, or have the potential to create an impact, or are perceived to create an impact on local communities. Input from the Malvern Community Board is important to ensure local issues are appropriately addressed.

The Malvern Community Board is **delegated** the following responsibility:

3.1 to make submissions to Council on matters pertaining to the District Plan specific to the Malvern Community Board's area of governance.

4. CIVIL DEFENCE

The Council has obligations under the Civil Defence Emergency Management Act 2002. These obligations include ensuring the community is adequately prepared to meet the challenges of events that will impact on the lives and property of the residents of Selwyn.

It is the responsibility of the Selwyn District Council Civil Defence officer to ensure that the Malvern Community Board members receive appropriate training in this area.

The Malvern Community Board is **delegated** the following role:

4.1 to assist the Civil Defence Controller during an emergency event to identify the community priorities for resources within its ward which the Controller can take into account when considering the priority of resource allocation across the District.

5. PROPERTY, PARKS AND RESERVES

The Malvern Community Board has a discretionary fund from which it can provide grants for local organisations to assist them in achieving their objectives.

The Malvern Community Board will provide advice to Council in relation to:

5.1 assisting with preparation, review, and change of management plans for reserves (s41 Reserves Act)

5.2 recommending to Council the approval of management plans for townships, halls and reserves

5.3 preparation, review and change of management plans for parks held under the Local Government Act 2002

5.4 having an overview of the temporary use of parks, reserves and Council-owned land for market days, street appeals, and stalls and specific events and functions and monitor their effects.

6. COMMUNITY AWARDS

The Malvern Community Board has a unique position in the community to identify or be advised of individuals who make significant contributions to their community.

Accordingly, the Malvern Community Board is **delegated** responsibility for the granting of community awards in its ward.

7. COMMUNITY DEVELOPMENT

The Council has obligations under the Local Government Act 2002 to promote the social wellbeing of communities for the present, and into the future.

Accordingly, the Malvern Community Board is **delegated** responsibility with regard to community development issues:

7.1 To advocate for the community on any issue

7.2 To make submissions to any organisation relating to matters of interest to the Malvern Community Board in respect of the Board's area.

8. SISTER CITY RELATIONSHIP

The Malvern Community Board initiated the Sister City relationship with Yubetsu-cho, Hokkaido, Japan.

The focus is primarily education-related with some interest and opportunities in agriculture. Biannually, groups of students, teachers and Council staff from Yubetsu visit Darfield High School. Darfield High School has an annual three month exchange with a student from Darfield and Yubetsu.

The Malvern Community Board will maintain responsibility for the Sister City relationship with Yubetsu. This includes the organization of events, meetings and other such activities involved in the relationship.

REPORT

TO: Chief Executive Officer

FOR: Council Meeting – 8 February 2023

FROM: Bonnie Denson – Senior Administrator District Licensing Committee
Malcolm Johnston – Chief Licensing Inspector
Susan Atherton – Regulatory Manager (Secretary of District Licensing Committee)

DATE: 23 January 2023

SUBJECT: **Joint District Licensing Committee and Chief Licensing Inspector Monthly Report for period 1 December 2022 to 31 December 2022**

RECOMMENDATION

'That the Council receives the report on the activities of the District Licensing Committee and the Chief Licensing Inspector for December 2022.'

1. PURPOSE

The purpose of the report is to inform the Council of activity in the Alcohol Licensing section.

2. SIGNIFICANCE ASSESSMENT/COMPLIANCE STATEMENT

As this report is for information only it is not considered to be significant in the context of Council's Significance Policy.

3. PROPOSAL

Licences issued in December 2022.

Special Licences for December 2022:

- SP220111 – Bacon Brothers Events Limited – Rolleston Community Centre
  On Site Licence: Wednesday 14 December 2022 from 12.00pm to 7.00pm.
- SP220112 – Southbridge Volunteer Fire Brigade – Killinchy Community Hall
  On Site Licence: Saturday 10 December 2022 from 2.00pm to 8.00pm.
- SP220110 – Lincoln Bowling Club – Lincoln Bowling Club
  On Site Licence: Saturday 17 December 2022 from 6.00pm to 12.00am (midnight).
- SP220109 – Lincoln Rotary Club – Lincoln Events Centre
  On Site Licence: Tuesday 13 December 2022 from 5.30pm to 8.00pm.
- SP220108 – Kennedys Free Style - Dunsandel Community Centre
  On Site Licence: Sunday 11 December 2022 from 2.00pm to 9.00pm.

New Managers Certificates for December 2022:

- R961916 – Hiu Kwan Yip – Hachi Hachi Rolleston.
- R961908 – Ashish Sapra – Lazeez Mediterranean Grill.
- R961904 – Gurinder Singh – Southbridge Hotel.
- R961910 – Graeme Brough – Countdown Rolleston.
- R961908 – Neil Reed – West Melton Tavern.
- R961917 – Isaac Williams – New World Lincoln.
- R961913 – Joseph Gradwell – West Melton Rugby Club.
- R961911 – Leigh-Anne Jamieson – Black Door Bar & Eatery.
- R961906 – Grace Burtenshaw – The Flaming Rabbit.

Renew Managers Certificates for December 2022:

- R961493 – Emily Breakwell – Lincoln New World.
- R961914 – Hayley Elmes – Countdown Rolleston.
- R961785 – Bradley Thomson – Liquorland Rolleston Drive.
- R961788 – Adam McBlain – Darfield Hotel.
- R961433 – Christopher Giddens – Memorys Café.
- R961250 – Bruce Searle – Southbridge Bowling Club.
- R961915 – Sandeep Maini – Liquorland Rolleston Drive.
- R960810 – Rowan Bunting – New World Lincoln.
- R961792 – Olivia Jennison – Countdown Rolleston.
- R961336 – Ramaninder Singh Grover – The Pedal Pusher.

New On Licence for December 2022:

- R910171 – TGH Prebbleton Limited
  The Good Home Prebbleton – Unit 11, 563 Springs Road, Prebbleton.
- R910172 – Randhawa Enterprises Limited
  Dalchini Taste of India – 88 High Street, Leeston.
- R910177 – Saket Food Limited
  Saket Indian Restaurant – Unit 14, 563 Springs Road, Prebbleton.

Renew On Licences for December 2022:

- R910066 – Halcyon New Zealand Company
  Otahuna Lodge – 224 Rhodes Road, Tai Tapu.

New Off Licence for December 2022:

- R920155 – JRAN Holdings Limited
  Liquorland Prebbleton – Unit 15, 563 Springs Road, Prebbleton.

Variation Off Licences for December 2022:

- R920087 – Akshan Enterprises Limited
  Super Liquor Lincoln – 5c Gerald Street, Lincoln.

Temporary Authority Off Licence for December 2022:

- R910125 – KL Hospitality Limited
  Black Door Bar & Eatery – 6 Robert Street, Lincoln.

Licences currently being processed in December 2022:
A total of **34** applications are currently being processed and awaiting issue, which can be broken down into the following categories:

On Licence: 6 New applications
- R910180 – Canterbury Hospo Limited (Drafters).
- R910181 – Tap and Go Limited (Grain & Grape Restaurant & Bar).
- R910182 – Ratana Limited (Ratana Restaurant & Pizzeria).
- R910183 – Thirsty Acres Limited (Thirsty Acres).
- R910184 – The Rajput Limited (Rossendale Weddings & Events).
- R910185 – Delish Thai Cuisine Limited (Delish Thai).

Off Licence: 3 New applications
- R920160 – Euphoric Explorations Limited (Tennyson Market).
- R920163 – Thirsty Acres Limited (Thirsty Acres).
- R920164 – The Ellesmere Victualler Limited (Freshchoice Leeston).

On Licence: 3 Renewal applications
- R910149 – Alpine 182 Degrees Limited (Springfield Hotel).
- R910156 – Pelemi Limited (The Store @ Tai Tapu).
- R910076 – Clearwater Investments Limited (Melton Estate).

Off Licence: 4 Renewal applications
- R920140 – Alpine 182 Degrees Limited (Springfield Hotel).
- R920129 – Natalie Paula Edwards (Cross Hares).
- R920083 – Lincoln Supermarket Limited (New World Lincoln).
- R920113 – Townill Limited (Thirsty Liquor Darfield).

Off Licence: 1 Variation applications
- R920020 – Prebbleton Hotel Limited (Henrys Prebbleton).

Managers Certificate: 7 New applications

Managers Certificate: 9 Renewal applications

Special Licence: 2 Applications

4. COMMENTS FROM THE DISTRICT LICENSING COMMITTEE

Waivers requested and approved in December:

- Rossendale Wines Limited – Rossendale Vineyard

Applicant was unaware of the non-working day period from 20 December to 15 January.

- Natalie Craig – Broadfield Community Centre

Change to venue due to construction delays.

.

5. INSPECTOR'S REPORT FOR DECEMBER 2022

December 2022 was a relatively quiet month for the alcohol licensing team. The Good Home in Prebbleton finally opened, and shortly after, in the same new retail development, the Prebbleton Liquorland also opened.

December 2023 primarily involved the Chief Licensing Inspector visiting licensed premises to get the pre-Christmas message through to the licensees regarding the importance of food and water, monitoring intoxication levels, as well as safe transport options home for patrons. Visits were made to Tai Tapu Hotel, West Melton Tavern, Darfield Hotel, Silver Dollar Restaurant, Rolly Inn, Prebbleton Tavern, Lincoln HQ, Liquorland Lincoln, Liquorland Prebbleton, Liquorland Rolleston, The Rock, Liquorland Tennyson, Lone Star, Joes Garage, Smoke Restaurant, Turkish Grill, Famous Grouse, Good Home Prebbleton, Super Liquor Lincoln, Springfield Hotel, Black Door Restaurant, and The Flaming Rabbit.

Bonnie Denson
SENIOR ADMINISTRATOR
DISTRICT LICENSING COMMITTEE

Malcolm Johnston
CHIEF LICENSING INSPECTOR

Susan Atherton
REGULATORY MANAGER (SECRETARY DISTRICT LICENSING COMMITTEE)

Endorsed For Agenda

Tim Harris
GROUP MANAGER DEVELOPMENT AND GROWTH



SDC Licences Report

Licences Aggregate Report for the period 2022-12-01 to 2022-12-31

Licence Type	# Issued	% in time*	Avg Days
Club Licence	0	%	
On Licence	4	100%	20
Off Licence	2	100%	20
Special Licence	5	100%	12
Manager's Certificate	20	100%	12

* = 'In time' is 15 days for Special licences and 20 days for other licences

REPORT

TO: Chief Executive Officer

FOR: Council Meeting – 8 February 2023

FROM: George Sariak, Strategy Planner

DATE: 27 January 2023

SUBJECT: **COUNCIL SUBMISSION ON THE NATURAL AND BUILT ENVIRONMENT BILL AND THE SPATIAL PLANNING BILL**

RECOMMENDATION

'That Council:

(a) Receives the report;

(b) Endorses the attached submission on the Natural and Built Environment Bill and the Spatial Planning Bill

(c) Delegates to the Strategy Planner – Strategy Team the authority to lodge the submission on behalf of Council'

1. PURPOSE

The purpose of this report is to seek approval of the attached (Attachment A) submission to be provided to the Environment Select Committee on the Natural and Built Environment (NBE) Bill and the Spatial Planning (SP) Bill.

2. SIGNIFICANCE ASSESSMENT/COMPLIANCE STATEMENT

The decisions and matters of this report are assessed to be of low significance, in accordance with the Council's Significance and Engagement Policy. The level of significance has been considered low as the report relates to a Council submission on national legislation undergoing the parliamentary process.

3. HISTORY/BACKGROUND

OVERVIEW AND SYSTEM LEVEL CHANGE

The Government intends to reform the resource management system by repealing the Resource Management Act 1991 (RMA) and enacting three new pieces of replacement legislation. Two of the three pieces of reform legislation, the Natural and Built Environment (NBE) Bill and the Spatial Planning (SP) Bill, were introduced to Parliament on the 15th November 2022.

These reforms represent the most significant change to the resource management system in the last three decades. The reforms will entail a move from an effects-based resource management system to an outcomes-based one. The intention is that the resource management system will more intentionally shape the future by embedding desired outcomes in decision making in addition to managing effects.

The fundamental ‘sustainable management’ purpose of the current resource management system is to be replaced with ‘te Oranga o te Taiao’, a te ao Māori concept that speaks to the health of the natural environment, the essential relationship between the health of the natural environment and its capacity to sustain life, and the interconnectedness of all parts of the environment. Throughout the NBE and SP Bills there is greater recognition of te ao Māori.

Under the RMA, the principles of Te Tiriti need to be ‘taken into account’, however under the NBE Bill, the principles of Te Tiriti must be ‘given effect to’. The change in language is intended to provide better recognition and implementation of the principles of Te Tiriti. An independent National Māori Entity will monitor Te Tiriti performance in the system. The system is purported to provide a more effective and strategic role for Māori including decision-making roles at the national and regional level.

The reforms will centralise and ‘front load’ the resource management system, meaning that decision-making is taken earlier on in the system rather than on a consent-by-consent basis. The new system design has spatial and strategic direction flowing down through the system. There is a hierarchy of instruments from national direction to regional spatial planning to regional regulatory planning (and then consenting). The hierarchy of instruments will be supported by strengthened and more directive national direction which will imbue spatial and regional regulatory plans with greater certainty for system users purportedly reducing the overall consent load.

The centralisation and regionalisation of the resource management system will substantially alter the role of local government. The reforms are set to create regional planning committees as a statutory body that will assume the role for plan making, decision making and plan monitoring in the new system with local authorities responsible for implementing and enforcing plans.

REFORM COMPONENTS

The NBE and SP Bills once enacted are intended to work in tandem as a single integrated system for planning and resource management.

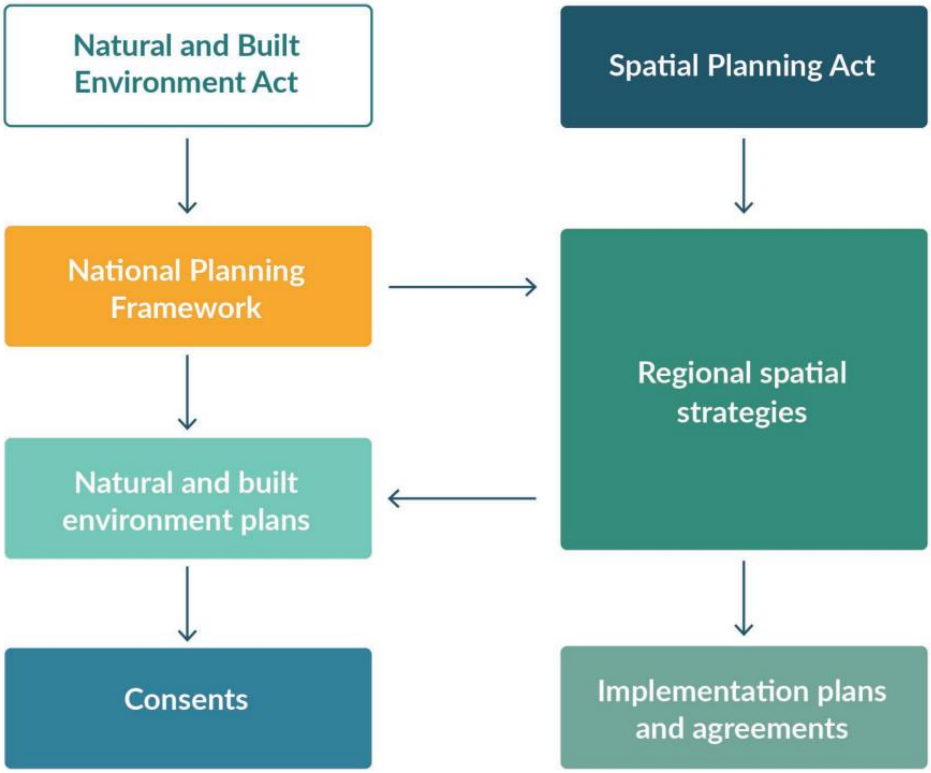
The NBE Bill will be the primary replacement for the RMA and will provide for land use and environmental regulation. It is a the core piece of legislation in the reform of the resource management system. It will focus on both natural and built environments with the intention of protecting and restoring the natural environment while also providing for growth and change.

The NBE Bill will introduce a new National Planning Framework (NPF), the equivalent of national direction under the RMA. The NPF is intended to provide consistent national policy, outcomes, limits and targets. In the current resource management system national direction is provided across twenty-three different national policy statements, national environmental standards, national planning standards and regulations. These documents will be consolidated into the NPF as a singular national direction instrument.

NBE plans will be developed for each region, replacing district and regional plans under the current system. Resource consents will continue to be the primary land use or resource allocation approval method. Regional councils and territorial authorities will continue to process and approve resource consent applications. Regional councils will retain responsibility for natural resource functions, and territorial authorities will retain their core land-use and subdivision responsibilities. Both regional councils and territorial

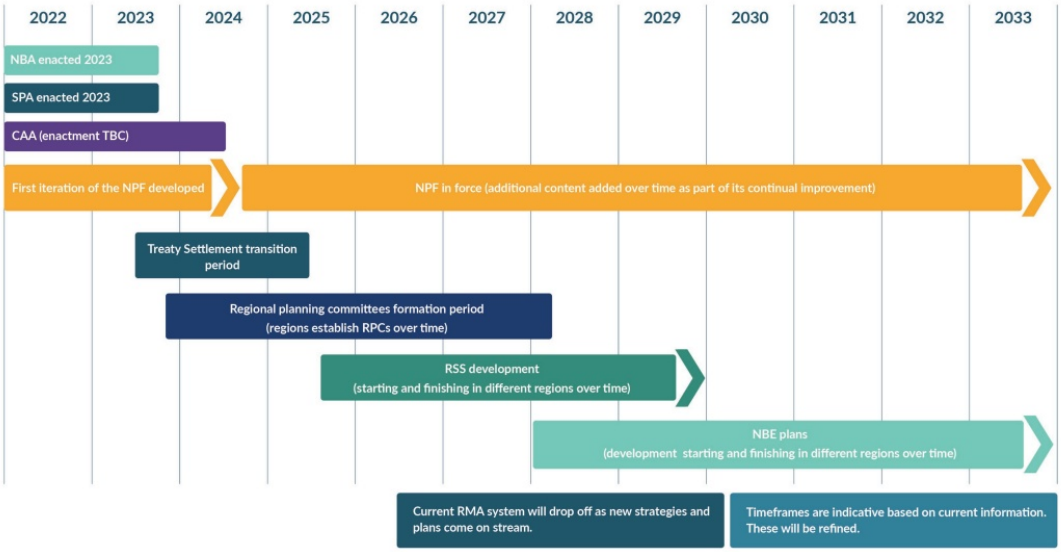
authorities will continue to undertake compliance monitoring and enforcement, including deciding when to take enforcement action.

The SP Bill will create a new function in the resource management system. It provides for mandatory spatial planning across all regions and requires central, regional and local governments and iwi/hapū and Māori to work together in the region. The SP Bill will introduce new requirements for a regional spatial strategy that would set out the long-term (30–100 years), high-level strategic direction for each region, focusing on the strategic issues and opportunities they face. The SP Bill is also intended to promote the integration of the statutory functions associated with the management of the natural and built environments across legislation. This includes the NBE Bill, the Local Government Act 2002 and the Land Transport Management Act 2003.



TRANSITION TIMETABLE

The new system will be rolled out over several years with regions moving into the new system in tranches. The overall transition timetable is anticipated to be 7-10 years. This 10-year period refers to the time from enactment of the NBE Bill and SP Bill until all regions have a ‘decisions version’ of an NBE plan in place. The first regions are anticipated to complete transition within approximately 7 years and the last by the end of year 10. The first tranche will consist of up to three ‘model regions’ which will develop the first set of RSS and NBE plans. This process will test the new system and come away with lessons and that can assist the other twelve regions. Many detailed commencement, savings and transitional provisions are not included in the Bills, and therefore there is some uncertainty surrounding the transition timetable.



SUBMISSION TIMEFRAME

The NBE and SP Bills had their first reading on the 22nd November 2022 before subsequently being referred to the Environment Committee for consideration. Submissions were initially being accepted up until the 30th January 2023, however, the Environment Committee announced on the 14th December 2022 an extension to the closing date for public submissions on the NBE and SP Bills to the 5th February 2023. The Environment Committee also announced that extensions up to 19th February 2023 would be considered on a case-by-case basis. Prior to the announcement, Council sent a letter on the 12th December 2022 to the Environment Committee requesting an extension. The Chairperson of Environment Committee confirmed the request for an extension by letter on the 19th December 2022. Council has until the 19th February 2023 to make a submission on the NBE Bill and SP Bill.

4. PROPOSAL

That Council receives and endorses the submission.

5. OPTIONS

Option 1 (recommended)	endorse the submission
Option 2	endorse the submission with amendments
Option 3	do not endorse the submission

Option 1 is recommended as resource management reform will have significant future implications on Council and the Selwyn District. Council has had previous involvement in submissions and engagement opportunities on the reform of the resource management system.

6. VIEWS OF THOSE AFFECTED / CONSULTATION

(a) Views of those affected and Consultation

Council's submission on the NBE and SP Bills does not have implications on affected parties or require a Council consultative process. The submission has been made in relation to a Central Government process and all those potentially or actually affected by the amendments are afforded an opportunity to make a submission.

(b) Māori and Treaty implications

The reform of the resource management system is guided by five objectives. One of these objectives is to 'give effect to the principles of Te Tiriti o Waitangi and provide greater recognition of te ao Māori, including mātauranga Māori'.

The Government has been working with several Māori entities on key policy elements of the reforms, including the Freshwater Iwi Leaders Group, Te Wai Māori (the Māori Freshwater Fisheries Trust) and Te Tai Kaha (comprised of New Zealand Māori Council, Kāhui Wai Māori/Ngā Kaiārahi o te Mana o te Wai Māori and the Federation of Māori Authorities). The Government is also working with post-settlement governance entities (PSGEs) on how their settlement arrangements will be carried over into the future system.

The reforms have the intent of providing a more effective role for Māori in resource management. This is to include decision-making roles at the national, regional and local levels with roles in governance, planning and strategy development.

Council's submission on the NBE Bill and SP Bill does not in and of itself have Māori and/or Treaty implications.

(c) Climate Change considerations

The reform of the resource management system is guided by five objectives. One of these objectives is to 'better prepare for adapting to climate change and risks from natural hazards, and better mitigate emissions contributing to climate change'.

Climate change mitigation and adaptation is included as one of the system outcomes. The introduction of environmental limits and targets through the reform further recognises the need to establish bottom-lines, address cumulative effects and set targets to drive ongoing environmental improvement. The NPF will provide content on specific greenhouse gas discharging activities, natural hazard risk reduction and climate change adaptation. The NPF will be required to not be inconsistent with an Emissions Reduction Plan or National Adaption Plan prepared under the Climate Change Response Act 2002. The NPF will be highly influential in directing plan-making and the content of plans in the reformed system.

The content of the submission addresses the interrelationship of climate change in the future resource management system. As this system may endure for thirty years or longer, as with the RMA, the significance of the reforms cannot be understated as the new system will directly influence the success of achieving emissions reduction targets and will guide impending adaptation responses. In making this submission in and of itself, there are no climate change implications.

7. FUNDING IMPLICATIONS

The costs of the reform of the resource management system are anticipated to fall heavily on local government. The Ministry for the Environment's supplementary analysis report (SAR), which considers the regulatory impacts of the SP and NBE Bills, estimates the upfront establishment cost of the reform will be $864 million over 10 years. Of this the upfront establishment cost of $864 million, $350 million will be incurred by local government (approximately 40.5% of the total upfront establishment cost). The on-going system process costs for local government are estimated to increase by $43 million (11%) per year when compared to the current system. The potential future funding implications of the reform of the resource management system forms part of the subject matter of Council's submission.

In making the submission, there are no funding implications beyond the time of Council staff already incurred in the preparation of the submission.



George Sariak
STRATEGY PLANNER

Endorsed For Agenda



Tim Harris
GROUP MANAGER DEVELOPMENT AND GROWTH

ATTACHMENT A

08 February 2023

Komiti Taiao | Environment Committee
Parliament Buildings
Wellington
6160
en@parliament.govt.nz

Selwyn District Council Submission on the Natural and Built Environment Bill and Spatial Planning Bill

---

Introduction

1. This is a submission on the Natural and Built Environment (NBE) Bill and Spatial Planning (SP) Bill made by Selwyn District Council (Council).
2. Council welcomes the opportunity to provide a submission on the NBE and SP Bills, recognising that the reform of the resource management (RM) system represents a once-in-a-generation opportunity.
3. Council endorses the submission made by the Canterbury Mayoral Forum (CMF) on the NBE and SP Bills and makes this submission to elaborate on certain matters of relevance and/or concern to the Selwyn District.
4. Council acknowledges the significant amount of work undertaken by the Ministry for the Environment (the Ministry) in developing the NBE and SP Bills. Council would like to thank the Ministry for the consultation opportunities and targeted engagement leading up to the introduction of the Bills into Parliament.
5. Council would like to thank the Environment Committee for granting an extension to the submission deadline on the Bills. The length, significance and complexity of the Bills must be afforded the appropriate consideration and care befitting of legislation of this importance.
6. Council considers that the submissions period, including the extension, has not afforded Council and others appropriate time and opportunity to consider the Bills fully and comprehensively. To that end, in making this submission, Council has been compelled to focus on high-level considerations rather than on the detail of the legislation.
7. The significance of the RM system reform cannot be understated, nor easily separated from the wider reform agenda of Central Government. Council continues to have concerns on the potential for misalignment between the three pieces of RM reform legislation with other major reforms, in particular Three Waters Reform and the Review into the Future for Local Government.
8. Council acknowledges that the current resource management system has not adequately protected the natural environment, provided the necessary outcomes for the built environment, or afforded proper recognition to the principles of Te Tiriti o Waitangi (Te Tiriti).
9. Council supports a more effective role for Māori, mandatory long-term coordinated spatial planning and the shift to an outcomes-focused system.

10. The more effective role for Māori in the RM system must be met with adequate support, funding and resourcing for Māori to effectively and meaningfully participate in the system at all levels, including as decision-makers. Central Government as Treaty partner, must support, fund and resource iwi/hapū to build their capacity and capability to meaningfully participate in the new system.

11. The proposed reforms represent the continued passing of unfunded mandates from Central Government to local government. It is clear that the establishment costs of the new RM system falls heavily on local government, estimated at $350 million over a ten-year period.[1] Furthermore, it is concerning that ongoing costs of the new RM system represents a net cost increase of $43 million per annum or 11% for local government.[2] Council is deeply concerned with the high level of uncertainty surrounding the estimates of the cost-benefit analysis and the potential for both gross underestimations of the costs and overestimations of the benefits.

12. Council is particularly concerned that the proposed reform of the RM system erodes democracy as it will entail local communities funding and resourcing plan-making processes where the decision-makers have no accountability back to communities.

13. Council supports the five reform objectives, but remains sceptical whether the future RM system, as proposed, will deliver on each of those objectives. Council considers that the reform of the RM system, as proposed, falls well short of delivering on objective five in particular, being to improve system efficiency and effectiveness and reduce complexity while retaining appropriate local democratic input.

14. Council contends that there are multiple examples of unnecessary complexity and inefficiency that must be addressed prior to enactment of both the NBE Bill and SP Bill. Council asks that the Environment Committee recommends suitable and reasonable amendments to the Bills to rectify this.

15. Council considers that any failures of the Resource Management Act 1991 (RMA) and the current RM system can be attributed to a lack of clarity on how the RMA should be applied, taking over two decades for the courts to settle this as well as insufficient provision of national direction. In repealing and replacing the RMA, Council does not consider that these two debilitating factors have been appropriately addressed in the reformed RM system.

16. Council considers that untested concepts, terms and language in the Bills in conjunction with insufficiently clear drafting will not avoid the pitfalls of the early years of the RMA. Council considers that the Bills will require the courts to settle on the interpretation and application of the new legislation requiring a new suite of caselaw. Council requests that the Environment Committee recommends suitable and reasonable amendments to improve overall clarity and avoid unnecessary litigation, particularly the non-purposeful introduction of new terms.

17. Given the importance of national direction in the current RM system, and the criticality of the National Planning Framework (NPF) in the proposed RM system for resolving conflicts between outcomes, Council considers that indicative drafting of key parts of the NPF should have accompanied the introduction of the NBE and SP Bills into Parliament.

[1] Ministry for the Environment (2022) Supplementary Analysis Report: The New Resource Management System.
[2] Ministry for the Environment (2022) Supplementary Analysis Report: The New Resource Management System.

18. With many uncertainties and unknowns on the Climate Adaptation Act (CAA) and the NPF, Council is unable to consider the future RM system in its entirety, which diminishes the efficacy of this and all other submissions on the NBE and SP Bills.

19. Council considers that the structure of the NBE Bill requires reorganisation to lend coherence to the Bill. There are various matters that should be afforded their own dedicated part, such as limits and targets. Other parts, such as Part 10 should be much earlier in the Bill to sufficiently inform the understanding of currently preceding parts (Parts 3-9).

Natural and Built Environment Bill Part 1

20. Council generally supports the intention to enable use and development and protection that will be beneficial for the environment, including meeting environmental limits and targets. Council is concerned however that the emphasis on management of adverse effects in clause 3(a)(iv) could limit the ability to avoid those effects where this would be the appropriate to meet the other purpose statements.

21. Council generally supports the transition from an effects-based RM system to an outcomes-focused RM system and the inclusion of outcomes alongside the management of adverse effects in the purpose of the NBE Bill.

22. Clause 3 enables 'development, use and protection of the environment' subject to meeting the stated subclauses. The purpose does not state that use, development, and protection is to be sustainable. Council considers that the purpose would be clearer in its intention to improve environmental management by 'enabling sustainable use, development and protection.'

23. Council supports the introduction of te Oranga o te Taiao but seeks amendment of the two-part structure of clause 3. Clause 3(b) 'recognises and upholds' te Oranga o te Taiao which could create tension with the other purposes in clause 3. Guidance is not provided as to how clause 3(a) and (b) will work together, and the use of 'uphold' in 3(b) is a term which will need to be tested. It would be clearer if the purpose were an integrated statement that used terms which have been tested and are established in their implementation to avoid confusion, variable interpretation and delay.

24. Council supports the stronger emphasis in clause 4 to give effect to the principles of Te Tiriti and seeks inclusion of these principles in the Act for clarity. Guidance on giving effect to the principles of Te Tiriti must be included in the NPF.

25. Clause 5 (System Outcomes) would be improved by stating what system this refers to. Council requests that the terminology surrounding outcomes (system, framework, plan and community outcomes) in the new RM system is consistent.

26. Council has significant reservations that there are conflicting outcomes which may create considerable delay, cost, confusion and unintended planning outcomes. Council seeks that direction is provided through a stated hierarchy (or other means) to clarify the implementation of the outcomes.

27. Council considers that the NBE Bill, when read as a whole, infers a semblance of a hierarchy between system outcomes between the natural and built environment due to mandatory limits and associated targets with biophysical aspects of the environment. The Explanatory Note of the NBE Bill states that 'there is no hierarchy among the outcomes, affording discretion for decision-makers in how they are pursued once limits and targets are met'. Council requests that

this distinction be acknowledged in the system outcomes of the NBE Bill through a stated hierarchy (or other means).

28. Council seeks that use of 'if degraded' in clause 5(a) be clarified to ensure that appropriate thresholds can be applied. If this relates to limits or targets that will be set out in the NPF, then this should be stated. Establishing the threshold for 'degraded' to enable determination of when restoration should be applied is an important consideration and confusion could result in variable outcomes, additional cost, delay or loss of opportunity for environmental improvement.

29. Council considers that clause 5(c) requires a definition to clarify what is intended by 'well-functioning urban and rural areas', and how, or the extent to which, it is anticipated that these areas will respond to the diverse and changing needs of people and communities. Council requests separate outcomes for rural and urban areas to avoid confusion and conflict with the direction of other system outcomes.

30. Council considers clause 5(c)(ii) is highly problematic. Firstly, promoting an 'ample supply of land' instead of 'sufficient development capacity' infers a presumption in favour of greenfield development. Council considers that sufficient development capacity is more appropriate terminology for this clause. Secondly, the intention associated with promoting an 'ample supply of land' clause 5(c)(ii) is overly narrow and incorrectly attributes supply side factors to rises in urban land prices where in reality market dynamics are much more complex.

31. Council identifies that the numbering in clause 5(c) needs correcting as there are three sub-clause (ii)'s. Council is concerned that that clause 5(c)(iv) (when renumbered correctly) is too broad and poorly drafted and would be improved greatly by separating out the key outcomes sought. This would avoid the courts needing to determine what a social, economic and cultural opportunity is in the context of an adaptable and resilient urban form, for example.

32. Clause 5(e) repeats the requirement to 'provide for' by also requiring 'and make provision for', which could be deleted as all the matters listed must be provided for.

33. The term 'conservation' in clause 5(g) requires definition. It is noted that 'conservation area' has the same definition as in the Conservation Act 1987, and if it is intended that 'conservation' and the related term 'preservation' are to also have the same meaning as in the Conservation Act, this should be stated. It is noted that conserving cultural heritage may prevent adaptive use and will not recognise actions required in relation to managed retreat such as relocation or recording of heritage resources.

34. Council supports enhanced public access, but where there is already good provision made for access, enhancement should not be required in clause 5(h).

35. Clause 5(i) should better reflect changes in infrastructure servicing requirements over time. Wording should be amended to ... 'the ongoing and timely provision of infrastructure services that are needed to support the well-being of people and communities.' As the nature of some infrastructure services changes, for example telecommunications, it may not be necessary that all services are ongoing.

36. Clause 6(1) and 6(3) principles are additional purposes for the Bill and matters to be considered rather than decision making principle and would be more usefully incorporated into Clauses 3,4 and 5.

37. Council is concerned that maintenance and enhancement of amenity values and good urban design have not been included in the outcomes sought. This is particularly important as the

direction of the NBE Bill and other recent legislative directions supports intensification of land use. The application of urban design principles, Crime Prevention Through Environmental Design (CPTED) and consideration of amenity values increases in importance with higher density development as the potential for adverse effects such as shading, loss of privacy, access to sunlight and outdoor areas etc, also increases. While recognising that character and amenity may change over time, amenity should not be depleted with intensification, but provided for in other ways, for example public open space where there is less private open space. Council requests that Part One of the Act promotes good urban design and maintaining amenity as a priority.

38. Council notes that a number of key definitions and terms, such as 'site' and 'building' are omitted from clause 7 of the NBE Bill. Council considers that certain definitions and terms may be provided in the NPF with the inclusion of content from the National Planning Standards. Council requests the Environment Committee evaluates the appropriateness of deferring key definitions and terms to the NPF as opposed to clause 7.

39. The definition of 'effect' in clause 7 includes any adverse effect, but a separate definition of 'adverse effect' simply states that this does not include a trivial effect. Elsewhere in the NBE Bill the term trivial adverse effect' is included which provides for a trivial effect that is in fact adverse. Council considers that the term is highly confusing and contradictory throughout the NBE Bill. Council seeks that the clause be amended to delete the definition of 'adverse effect' and if removal of insignificant adverse effects is required, the use of a term which has legal understanding, such as de minimis, should be included in the definition of 'effect'.

40. Council supports the inclusion of 'cultural landscapes' within the definition of 'cultural heritage' in clause 7as this strengthens the need to recognise and provide for these cultural resources.

41. The definition of 'operative' in clause 7 could be simplified as 'come into force' and 'has legal effect' mean the same thing. For simplicity, it would be preferred if the words 'has come into force' were deleted from part (a) of the definition of 'operative'.

42. The definition of 'urban form' relates to features within an 'urban area'. As the system outcomes refer to well-functioning urban (and rural) areas, and '...urban land prices...', defining 'urban' or 'urban area', and using that term consistently within the Bill is recommended to avoid confusion, delay, cost and unintended outcomes.

Existing Uses

43. Council supports the new requirement that existing uses comply with rules relating to the natural environment and risks from natural hazards, but is concerned that discontinuation after six months, rather than 12 months, may generate hardship in some cases where transition requires more flexibility, for example, continuing an activity after a period of injury and recovery. (Clauses 26 and 27).

Spatial Planning

44. Council would like to acknowledge the mahi of the Strategic Planning Reform Board on leading the development of the SP Bill. Council considers that spatial planning is critical to a future-focused, outcomes-based approach to planning.

45. As previously stated, Council supports the requirement for mandatory long-term, coordinated and integrated spatial planning. Council considers that mandatory spatial planning is one of the most transformative and progressive changes in the reform of the RM system.

46. Council recognises that without a consistent framework for spatial planning, spatial planning and spatial plans have been unable to realise their full potential.

47. Council has been involved in sub-regional spatial planning as a member of the Greater Christchurch Partnership since the development of the Urban Development Strategy in 2007. Later this year, engagement will begin on the Greater Christchurch Spatial Plan a joint spatial plan advanced by the Urban Growth Partnership between the Crown and the Greater Christchurch Partnership.

48. As a member of the Greater Christchurch Partnership, Council considers that sub-regional spatial planning must endure in the reformed RM system as a component of a Regional Spatial Strategy (RSS). Council considers that the mahi of the Greater Christchurch Partnership should be transferred to the reformed system.

49. Council supports clause 32 of Schedule 8 of the NBE Bill which provides for subcommittees and clause 31(2) and (3) of Schedule 8 of the NBE Bill which provides for a regional planning committee (RPC) to delegate functions, duties, and other powers to a subcommittee (or any other person).

50. Council considers that subcommittees are essential for supporting sub-regional spatial planning in the future system. Council considers that the role and functions of sub-committees should not be unduly limited by the NBE Bill.

51. Council requests that Subpart 3 of Part 2 of the SP Bill specifically provides for sub-regional issues, subcommittees and sub-regional spatial plans. This should closely mirror the provision made from cross-regional issues in clauses 42 and 43 of the SP Bill.

52. Council supports the intent of purpose of the SP Bill being assist in achieving the purpose of the NBE Bill and system outcomes set out in the NBE Bill. Council considers that the interrelationship between the purpose of the NBE Bill and SP Bill ensures that the future RM system operates as a single integrated system.

53. Council does not consider specific reference to 'recognising and upholding te Oranga o te Taiao' in the purpose of the SP Bill is wholly necessary given that the purpose of the SP Bill is to assist in achieving the purpose of the NBE Bill which encompasses 'recognising and upholding te Oranga o te Taiao'.

54. However, please refer to earlier submission points in relation to Council's concerns regarding the present drafting of the purpose of the NBE Bill.

55. Council supports the integrative role of the SP Bill in the future RM system and integration with the Land Transport Management Act 2003 (LTMA) and Local Government Act 2022 (LGA).

56. Council requests that clause 3(b) of the SP Bill on promoting integration encompasses the broader legislative framework of spatial planning. Council considers the Climate Change Response Act 2002 (CCRA), and Water Services Entities Act (2022) must be included in clause 3(b) and clause 4 of the SP Bill.

57. Council anticipates that once the CAA is enacted there will be sufficient and appropriate cross-referencing and integration between the three pieces of RM reform legislation and the NPF. Council considers that the CAA must be progressed so that it can inform the processes under the SP Bill.

58. Council considers that the use of the word 'promote' in the purpose of the SP Bill does not require integration and thus falls short of the potential of the SP Bill to enshrine the integration

of planning, environmental management, infrastructure provision, and funding and investment across different legislative frameworks.

59. Council supports the requirement to give effect to the principles of Te Tiriti and requests that Part 3 Subpart 3 of the NBE is amended to include a requirement for the NPF to provide mandatory direction on giving effect to the principles of Te Tiriti.

60. Council recognises the core function of the SP Bill being the requirement to prepare and implement an RSS. Council considers that the RSS will be a key instrument in the reformed RM system and agrees that an RSS should have strong legal weight in the system.

61. Council supports Clause 4(a) of the SP Bill that requires that an NBE plan under the NBE Bill must be consistent with the relevant RSS.

62. Council considers the corresponding clause in the NBE Bill, being both clauses 104 and 109, which appears to be a duplication, is necessary for ensuring NBE Plans can remain agile and responsive. Council considers that guidance on developing a significant change policy should be included in the first iteration of the NPF.

63. Overall, Council supports the scope of RSSs set out under clause 15 of the SP Bill. The inability to consider the NPF alongside the SP Bill has meant there is much uncertainty and ambiguity, including the appropriateness and directiveness of clauses 15(d) and (e).

64. Council supports the requirement set out in clause 15 of the SP Bill for an RSS to support a co-ordinated approach to infrastructure funding and investment by central government, local authorities, and other infrastructure providers.

65. Overall, Council supports the general contents of RSSs set out in clause 16, despite the uncertainty on the form of RSSs which will be prescribed by the NPF. Council considers that the strong visual mapping component of an RSS inferred by the SP Bill must be clarified in the NPF.

66. Council considers that the scenarios provided for in Schedule 4 must be included in clause 16 of the SP Bill due to the interrelationship of scenarios in the exploration and consideration of plausible, possible, probable and preferred change over the period covered by an RSS which ultimately informs the normative end state set out in the vision.

67. Council supports clause 16(c) which includes a limit on the matters strategic direction is to be provided for in an RSS. The limit, being the extent to which an RPC considers a matter provided for by clauses 17 and 18 is of strategic importance to the region, is wholly appropriate for ensuring RSSs are high-level strategic documents that do not overreach into regulatory NBE plans.

68. Council requests that 'harnessing', is included in clause 17(d)(e) to recognise the non-consumptive aspects of renewable energy generation.

69. Council considers that an 'urban centre of scale' is unclear in clause 17(c) and the meaning is not elucidated any further by clause 17(2). Council considers that there is ambiguity as to whether the term refers to a commercial centre, a settlement or part thereof. Furthermore, being 'of scale' infers a threshold, however the breadth of the term encompasses an area that services a region or a group of neighbourhoods.

70. Council considers that the word 'address' in clause 17(j)(i) is unclear and should be replaced with 'mitigate and adapt' to align with clause 17(j)(ii) as well as international best practice.

71. Council considers that clauses 555 to 567 of the NBE Bill that make special provision for protecting places of national importance must be included under the key matters for the contents of an RSS and listed under clause 17 of the SP Bill.

72. Council considers that the criteria for sufficient significance set out in clause 18 of the SP Bill is overly broad and will likely capture many matters, even with the regional strategic importance limit.

73. Council considers that the level of detail in RSSs set out by clause 19 will be highly variable. Council recognises the intent is for an RSS to give reasonable certainty while providing sufficient flexibility for implementation.

74. Council considers that site-specific direction or the identification of precise boundaries may sometimes be desirable, particularly to provide reasonable certainty on a particular matter, and should not be precluded.

75. Council considers that providing reasonable certainty as well as sufficient flexibility will be a delicate balance, and further guidance and direction both statutory (in the NPF) and non-statutory will be required to support the preparation of an RSS.

76. Council strongly supports the requirement for an RPC to consider the instruments set-out in clause 24. Under this clause, Council particularly welcomes the inclusion of statements of regional environmental outcomes (SREOs) and statements of community outcomes (SCOs).

77. Council considers that stronger language than 'have particular regard' should be provided for in relation to SREOs and SCOs. Council considers this may be achieved through a requirement for an RPC to 'give effect to' SREOs and SCOs, or for RSSs and NBE plans to 'not be inconsistent with' SREOs and SCOs.

78. Council understands that clause 29 provides for an RPC to incorporate certain aspects of a region's NBE Plan into an RSS. Clause 2 of Schedule 1 provides for an RPC to incorporate information from RMA planning documents into an RSS. Council considers that in the transition period, spatial plans and strategies prepared under the LGA and/or a future development strategy (FDS) prepared under the National Policy Statement for Urban Development (NPS-UD) 2020 must be available for RPCs to consider and incorporate into first generation RSSs.

79. Council supports the requirement for the process to develop an RSS as required by clause 30 to support quality decision-making, encourage participation and comply with Māori participation arrangements.

80. Council considers that Central Government should commit funding to engagement agreements provided for by the SP Bill. Central government should fund, resource and support Māori participation in the reformed RM system.

81. On balance, Council considers the process to develop an RSS is not overly flexible, and the core requirements, particularly Schedule 4 of the SP Bill affords sufficient direction and suitable requirements for the process.

82. Council supports the inclusion of scenarios in the preparation of a draft RSS and a draft evaluation report Clause 2 Schedule 4 of the SP Bill.

83. Council supports the requirement for an RPC at the request of an appointing body to provide the appointing body an opportunity to review a draft RSS prior to public notification. Council considers this is necessary given that the process must encourage participation, in particular of those who may be involved in implementing the RSS.

84. Council considers that the scope of the purpose of the review of a draft RSS by an appointing body is much too narrow to provide appointing bodies with meaningful input, especially given that the appointing body may have responsibilities as a delivery partner under the implementation plan.

85. Council requests that the purpose of the review of a draft RSS by an appointing body in Schedule 4 of the SP Bill be amended so that the scope of the review is broader.

86. Council supports the opportunity for an appointing body to make comments on a draft RSS as well as the requirement for the RPC to provide the reasons for amending or not amending the draft strategy. Council requests that Schedule 4 clause 3 of the SP Bill be amended so that the RPC must reach mutual agreement with the appointing body of an appropriate and workable time frame for the review.

87. Council considers that the opportunity for further comment on draft regional spatial strategy in certain cases is appropriate and therefore is supportive of Schedule 4 clause 5 of the SP Bill.

88. Council supports the nine-year review cycle for the RSS and the parameters set out in the SP Bill for out-of-cycle reviews where the amendments are minor and/or technical, directed by the NPF or there is a significant change.

89. In principle, Council supports the inclusion of priority actions in clause 16 of the SP Bill and corresponding requirements on priority actions in implementation plans and agreements.

90. Council is very concerned that RPCs will have considerable influence over council infrastructure through the setting of priority actions which compels a local authority to set out steps to implement a priority action in a long-term plan under the LGA.

91. Council supports the requirements in clause 53 of the SP Bill for an RPC to consult each person who is to have responsibility under the plan for delivering all or part of a priority action and to obtain agreement from each of those persons to having the responsibility assigned to them. This will be critical to ensuring that an RPC undertakes all endeavours to involve and co-design an RSS with appointing bodies.

92. Council supports the inclusion of optional implementation agreements as a mechanism to coordinate delivery partners in the development of more detailed project plans to deliver on priority actions in the RSS.

93. Council understands that certain Ministerial powers assist and intervene in the system and have been carried over into the SP Bill, some with amendments. Council is concerned that the Ministerial powers provided by clauses 58-63 of the SP Bill are a considerable overreach and will lead to political interference in the spatial planning component of the reformed RM system.

94. Council is deeply concerned with the potential implications of clause 62 of the SP Bill on the integrity on the spatial planning component of the reformed RM system. This is a new power proposed as part of RM reform and is not carried over from the RMA. Council considers that the powers afforded to the Minister under this clause are excessive and unbridled.

95. Clause 63 of the SP Bill empowers the Minister to make grants and loans to any person to assist in achieving the purpose of the SP Bill. Council considers that present drafting of clause 63(1) is insufficiently clear to preclude grants and loans for implementing priority actions and should be clarified.

96. Council requests that the Ministerial powers provided by clauses 58-63 of the SP Bill are amended in accordance with the submission made by the CMF.

The National Planning Framework

97. Council recognises that the NPF will be the cornerstone of the new RM system and is integral to influencing and directing the RM system at a national level.

98. Council supports the codification of the decision of Environmental Defence Society Inc v New Zealand King Salmon Company Ltd [2014] NZSC 38 on the hierarchy of RM system instruments.

99. Council understands that the NPF is the equivalent to national direction under the RMA, and that the NPF will carry through, into a single integrated framework, the existing national direction in National Policy Statements (NPSs), National Environmental Standards (NESs), the National Planning Standards and some section 360 regulations under the RMA.[3]

100. Council considers that a lack of national direction is greatly at fault for the RMA not being as efficient or as effective as it could and should have been, therefore, Council supports clause 32 of the NBE Bill which sets the mandatory requirement for there to be an NPF at all times.

101. Council recognises that there are potential efficiencies and synergies with national direction being consolidated into a singular cohesive instrument. To that end, Council supports the form of national direction in the reformed RM system as a single instrument.

102. Council considers that co-development of the first iteration of the NPF with RM system partners (local government and iwi, hapū and Māori) will be integral to the success and workability of the NPF and therefore the future RM system.

103. Council is concerned that the intention for the first iteration of the NPF to be rolled out in stages may result in an incomplete identification of potential conflicts between outcomes creating uncertainty for decision-makers and other system users.

104. Council accepts that RMA plans will not have to give effect to the NPF during the transition period. Council considers that although RMA national direction may be amended to align with the NPF during the transition period, the purpose and system outcomes of the NBE Bill that are provided for in the NPF should not inform processes under the RMA which has an entirely different purpose.

105. Council supports in part the purpose of the NPF set out in clause 33 of the NBE Bill to further the purpose of the Bill and provide direction on the integrated management of the environment in relation to matters of national significance and matters requiring national or sub-national consistency. Council considers that conflicts between outcomes would be more appropriately resolved within the legislation rather than in the NPF.

106. Council supports the requirement for the NPF to specify how the implementation and effectiveness of the NPF will be monitored as well as the requirement for a review of the NPF at least once every 9 years.

107. Council requests that Part 3 Subpart 3 of the NBE is amended to include a requirement for the NPF to provide mandatory direction on giving effect to the principles of Te Tiriti o Waitangi.

108. Council considers that the management of adverse effects through the application of the effects management framework should be applied more broadly than currently provided for in the NBE Bill. Council considers that the effects management framework should be applied as the general

[3] Ministry for the Environment (2022) Our Future Resource Management System: Overview – Te Pūnaha Whakahaere Rauemi o Anamata: Tirowhānui. Wellington: Ministry for the Environment. (pg.17).

approach to manage all adverse effects for multiple resources unless the NPF states otherwise and/or specifies a more or less stringent effects management approach.

109. Council requests that Part 3 Subpart 5 of the NBE Bill regarding the effects management framework be contained within Part 2 of the NBE Bill and cross-reference clause 14.

110. Council recognises that the current resource allocation system is not sustainable, efficient, or equitable, particularly when resources are scarce. Council supports the policy intent of reforming the current resource allocation and the introduction of novel allocation methods.

111. Council considers that the resource allocation principles set out in clause 36 of the NBE Bill which guide decision making on allocation methods must be defined and supported by guidance in the NPF.

112. Council supports in principle the intent behind providing three distinct processes to prepare or amend the NPF. Council considers the board of inquiry process will increase transparency in the development of national direction and is a welcome addition to the future RM system.

113. As with elsewhere in the NBE Bill, too much discretion is afforded to the Minister, in this case the streamlined process for amending the NPF (Schedule 6, Part 2). Council considers that although the evaluation report is an opportunity to demonstrate compliance with the criteria for utilising the streamlined process there must be a mechanism for the board of inquiry to challenge the Minister on their decision to use the streamlined process.

Environmental Limits and Targets

114. Council acknowledges that environmental limits and targets are a primary means for the new RM system to prevent further environmental degradation and drive environmental improvements.

115. Council is concerned with the role of the Minister in all matters relating to environmental limits and targets in the reformed RM system. Council strongly considers that in all matters related to environmental limits and targets there must be a significant degree of independence and expertise. The NBE Bill as presently drafted provides too many avenues for significant political interference and it is particularly concerning that this is proposed to extend to objective and evidence-based matters such as the setting of environmental limits.

116. Council supports the purpose of setting environmental limits contained within clause 37 of the NBE Bill to prevent the ecological integrity of the natural environment from degrading further relative to the current state, and to protect human health.

117. As environmental limits and targets are a crucial aspect of the purpose of the NBE Bill and the future RM system, Council considers that environmental limits and targets should form its own separate part of the Bill with cross-reference to Part 3 Subpart 2 of the Bill regarding application of environmental limits and targets in the NPF.

118. Council considers clause 40 of the NBE Bill is unclear as to whether the current state at commencement is applicable as the limit or whether a limit may be set as a minimum biophysical state of the natural environment or maximum amount of harm or stress occurring to the natural environment.

119. Council considers that clause 40 requires redrafting to focus on separating out considerations relevant to the ecological integrity of the natural environment and for protecting human health. If the policy intent is to prevent the ecological integrity of the natural environment degrading

from its current state and to enable limits related to protecting human health to be set below the current state, this should be explicitly clear in the legislation.

120. Council is concerned with the use of language surrounding environmental limits and targets, in particular how the current state is to be set as a 'limit' under clause 40 despite international consensus that an environmental limit represents a bottom-line, tipping point or minimum acceptable state of the environment.

121. Council considers that the exemptions regime set out in clauses 44 - 46 is further indication of how malleable limits will be in the future RM system which contradicts international best practice on biophysical limits.

122. Council is of the opinion that the true mechanism for setting a limit for degraded management units will occur under clause 50 with the requirement to set a minimum level target where there is unacceptable degradation.

123. Council requests that the NBE Bill is more explicit on the revision and updating of limits, particularly current state limits of an unacceptable level which should be updated with the true limit once the minimum level target is attained. This is particularly important given the different status of a limit and target as expressed by their consideration in determining activity categories in clause 154 of the NBE Bill. Council considers that the revision of limits must be included and clearly set out in Schedule 6 of the NBE Bill.

124. Council is concerned that clause 50 of the NBE Bill affords the Minister excessive discretion to not a set a minimum level target where an associated environmental limit is set at a level that represents unacceptable degradation. Council requests that clause 50(1) is drafted objectively and is amended as follows:

> *'The responsible Minister must set a minimum level target in the national planning framework if the ~~Minister is satisfied that the~~ associated environmental limit is set at a level that represents unacceptable degradation of the natural environment.'*

125. Overall, Council supports the introduction of targets to achieve progressive improvement over time, including mandatory, discretionary and minimum level targets. Council supports broadening the scope of targets to encompass the built environment.

Substance and Content of Natural and Built Environment Plans

126. Council understands that the NBE Bill, once enacted, will require each region to develop an NBE plan. Replacing over a hundred policy statements, regional and district plans with fifteen RSSs and NBE plans is no small feat.

127. Council recognises that one NBE plan per region may offer efficiency gains, greater certainty and overcome jurisdictional issues for certain resource management matters. Without the details of the NPF and the untested plan-making process, Council is doubtful whether NBE plans will prove to be more efficient. Furthermore, a reduction in the number of plans does not guarantee an improvement to the effectiveness of plans nor guarantee outcomes for the natural and built environments.

128. Council foresees that NBE plans will be enormous, complex and unwieldly documents presenting a barrier to engaging with and understanding the regional RM framework. Council remains unconvinced that one NBE plan will adequately provide for the integrated management of the varied natural and built environments of Selwyn and the wider Waitaha | Canterbury region.

129. Much of the content and form of NBE plans will be informed by the NPF, and as this content remains uncertain Council is unable to fully consider the workability of NBE plans in the reformed RM system.

130. Council supports clause 96 of the NBE Bill on the purpose of NBE plans and the hierarchy of instruments set out under clause 97, 104 and 109 of the NBE Bill.

131. Council requests that the duplication of clauses 104 and 109 of the NBE Bill is resolved by the Environment Committee.

132. Council requests that 'strategic content' which is required content of NBE plans as specified by clause 102 of the NBE Bill is given interpretation under clause 7 of the NBE Bill. Council considers that due to the limitations placed on changing and amending the 'strategic content' of an NBE plan there must be a clear definition to avoid unnecessary litigation.

133. In relation to clause 102(c) of the NBE Bill, Council is unsure how it is possible to 'achieve' an environmental limit. Council considers that it is possible to uphold, maintain, comply with, exceed and/or breach an environmental limit but not achieve one. To achieve an environmental limit, the limit would need to be expressed as a target. Council requests that the terminology pertaining to environmental limits and targets throughout the NBE Bill is given much reconsideration.

134. Council supports clause 105(d) of the NBE Bill, which carriers over emergency provisions from the RMA.

135. Council supports clause 105(e) of the NBE Bill, which will ensure that NBE plans are able to provide specific provisions that relate to 1 or more local authorities in the region.

136. Council is unclear on the status of a statement on te Oranga o te Taiao prepared under clause 106. Council requests that the response required of an RPC to a statement or statements on te Oranga o te Taiao be provided for in the NBE Bill.

137. Council is concerned at the broad nature of some of the matters that must be disregarded in preparing or changing an NBE plan under clause 108. Council considers that this clause, as presently drafted, will give rise to perverse outcomes.

138. Council is aware of the benefits of an adaptive management approach, especially when paired with the precautionary approach now codified under clause 6(2)(a). Council supports the inclusion of an adaptive management approach in NBE plans as provided for by clause 110 of the NBE Bill.

139. Council supports clause 111 of the NBE Bill which provides that every statutory acknowledgement that applies in a region must be attached to, and treated as part of, the NBE plan for that region.

140. Council requests that the form of NBE plans is provided for in the NPF to ensure consistency of the format and content of NBE plans. Clause 16(2) of the SP Bill states than an RSS must be in the form prescribed by the NPF and the regulations. A corresponding subclause should be provided in the NBE Bill for NBE plans under clause 81.

Statements of Community Outcomes and Statement of Regional Environmental Outcomes

141. Council is pleased that the Government has adopted the recommendations of the RM reform Local Government Steering Group on SCOs and SREOs.

142. Council considers centralisation and regionalisation of the proposed RM system will undoubtedly become detached for local communities and local voice without providing for a meaningful and influential bottom-up mechanism.

143. Without acknowledgement of the quality of the environment, principles of urban design and the role of placemaking in the RM system there is a great risk that the future system will operate at such a high-level and macro spatial scale that local considerations are entirely overlooked and completely undervalued.

144. Council considers that SCOs and SREOs have immense potential as the bottom-up mechanism in the future RM system. Council does not consider that this potential is fully realised by the present drafting of the NBE and SP Bills and that the status of SCOs and SREOs must be bolstered.

145. Council considers that despite the number of unfunded mandates presented by RM reform, there are potentially serious implications of not mandating the preparation SCOs and SREOs. Council considers that better resourced local authorities with a greater rating base will gain a relative advantage over smaller local authorities in a region in terms of inputting into RSSs and NBE Plans when opting to prepare SCOs and SREOs. Where local authorities chose to exercise discretion and not prepare SCOs and SREOs this will severely limit local voice and local input in RSSs and NBE Plans.

146. Council considers that the scope and purpose of SCOs as specified under clause 645(2) of the NBE Bill is much too narrow. Council does not consider that recording a summary of views is sufficient for this instrument and requests that clause 645(2) is amended. Council considers that the purpose of SCOs should be outcomes focused which reflects the move from an effects-based system to an outcomes-based one. Council considers the SCOs should expressly provide for both 'community outcomes' and 'place outcomes' which through the feedback loops provided in the legislation will influence 'plan outcomes' (clause 7 and 105).

147. Council considers that 'community outcomes' and 'place outcomes' should influence 'plan outcomes' from the bottom-up as 'framework outcomes' and 'system outcomes' inform plan outcomes from the top down.

148. Council considers that local authorities must be able to recommend policies, rules, and other methods for achieving 'community outcomes' and 'place outcomes'.

149. Council considers that a broader scope and purpose should be reflected in the name of the instrument which should be amended to a Local Place Plan. Council considers that SCOs reimagined as Local Place Plans would provide for community aspirations, set an overarching vision, outline issues, list natural and built environment priorities, enshrine local values, articulate local identity, guide monitoring and measuring of performance among other matters. Council considers that as opposed to a 'statement' which infers a solely written component, a 'plan' would be enabled to have a spatial and/or visual component.

150. Council recommends that Local Place Plans and the Planning (Scotland) Act 2019 serve as the model for the redesign and enhancement of SCOs. The experience of the local government sector should also be considered in respect of defining the role and content of SREOs and SCOs.

151. Council supports the stated purpose of SREOs to record a summary of the significant resource management issues of the region, or of a district, or local community within the region. Similarly,

to SCOs, Council considers that the purpose of SREOs could be expanded to provide for environmental outcomes in addition to significant resource management issues.

152. Council considers that embedding a focus on outcomes within SREOs and SCOs is in keeping with the wider RM system reform. To that end, Council considers that SREOs and SCOs should be able to recommend management units to an RPC for the purpose of limit and target setting. This should not negate other requirements of clause 55 of the NBE Bill but would ensure that the technical expertise and insight of local government, particularly as consent authorities and regulators informs the establishment of appropriate management units.

153. Council considers that stronger language than 'have particular regard' should be provided for in relation to SREOs and SCOs. Council requests that clauses 107(1)(a) and 107(1)(b) of the NBE Bill and clause 24(2)(b) of the SP Bill are amended with stronger language.

154. Council requests that the NBE and SP Bills are amended so that there is a requirement for RPCs to report on how they have sought to achieve the outcomes specified in SCOs and SREOs.

155. Council requests that the Environment Committee considers overarchingly whether there is sufficient local input and provision for bottom-up mechanisms in the future RM system.

Regional Planning Committees

156. Council understands that RPCs will represent the regionalisation of plan-making and decision-making in the reformed RM system and that this model is unlikely to be substantially altered through the Parliamentary process. Council is concerned that plan making by RCP's adds another layer of complexity into the planning framework and disassociates responsibility for plan making from plan administration and monitoring.

157. Council is concerned that there is potential for duplication, inefficiency and diverse outcomes by uncoupling planning functions from local authority functions such as consenting, monitoring and compliance, engineering and community development.

158. Council remains sceptical as to whether the independent RPC model is the most appropriate model for advancing the five objectives of RM reform and considers that the independent RPC model severely interferes with local democratic input and accountability in the RM system.

159. The Waitaha | Canterbury region has immense regional variation, from the mountains to the sea, with a range of diverse natural and built environments in between. Within the Selwyn District there is substantial variation in the elements and constituent parts of the natural and built environments. Council is concerned that the bespoke management requirements for diverse and varied areas of the Selwyn District will be overlooked in the regional model.

160. Council considers that the regionalisation of the RM system will have considerable impact on local democracy and community input at all levels of the RM system. There are many international examples where regional and strategic planning mandates have been repealed for being too top-down and too far removed from local communities' needs, values and aspirations.[4]

161. Council doubts the longevity of the RPC model, particularly as the Review into the Future of Local Government continues to progress out of step with RM reform. Council considers that the

[4] United Kingdom Department for Communities and Local Government. Localism Bill: abolition of the regional planning tier and introduction of the Duty to Cooperate: Impact assessment. January 2011. www.parliament.uk/globalassets/documents/impact-assessments/IA11-010AD.pdf

RPC model and quasi-regionalisation of the RM system will undoubtedly be revisited through the proposed model's shortcomings and new structures that may eventuate.

162. Acknowledging that a decision in-principle has been made on the RPC model, Council accepts that this model will be implemented and will therefore concentrate the remainder of submission points on RPCs to matters to be addressed or amended to improve the RPC model.

163. Council supports a singular RPC being responsible for both NBE Plan and RSS for a region due to the efficiency gains that this undoubtedly provides.

164. Clause 99 requires that the RPC must have regard to the extent to which it is appropriate for conflicts between system outcomes to be resolved by the plan or consents subject to the NPF. Council is concerned that this adds complexity and uncertainty to the role of the RPC and outcomes nationally, that would be better resolved by review of the system outcomes and removal of the inherent conflicts.

165. Council supports clause 100(4) of the NBE Bill, which provides RPCs with separate juridical status. Council considers that it is important that local authorities can make a submission and bring an appeal during the plan-making process.

166. Council supports Schedule 8 clauses 2(2) that each local authority in the region of the committee may appoint at least one member. Council considers it is advantageous that discretion is afforded for an appointed member to an RPC to be an elected or a non-elected member.

167. Council considers that it will be desirable for many local authorities to appoint elected members to an RPC in order to provide local democratic input and ensure stronger accountability back to communities. Council considers that there should be adequate training provided to RPC members and that this is initially funded by Central Government as part of the establishment cost of the reform.

168. Where elected members are appointed to an RPC, the role will undoubtedly present tension. The independence of an RPC, and the duty for RPC members to work collectively for the region will be jarring for elected members that represent the interests of their communities. It will be critical that non-statutory guidance and support is provided to assist elect members to navigate this new role.

169. Council requests that the NBE clarifies that RPC members that must work collectively and independently of the host local authority and other local authorities in its region, are still able to draw on their particular skills, expertise and knowledge including mātauranga Māori.

170. Council supports the inclusion of Māori representatives on the RPC and considers this elevates the strategic and decision-making role for Māori in the RM system. Significant funding from Central Government will be essential for supporting the more effective role for Māori in the RM system.

171. Council considers that the Crown must fulfil its Te Tiriti obligations in the reformed RM system by funding and resourcing Māori participation as well as the necessary capacity and capability building. This must include, but is not limited to, Māori participation in RPCs and secretariats.

172. Council supports Schedule 8 clauses 2 and 3 which provides flexibility on the membership and composition arrangements of an RPC. Council considers that given the significant variation between regions, this flexibility is necessary to ensure the RPC model can reflect the particular and unique circumstances and characteristics of each region.

173. Council does not support mandatory population proportional compositional arrangements for RPCs, however, Council supports Schedule 8 clause 3(2)(d) which states that population must be a key consideration in the composition of an RPC.

174. Although consideration of the purpose of local government (as set out in section 10 of the Local Government Act 2002) is provided for in the composition arrangement of an RPC, it is unclear to Council how the RPC model and the legislative architecture of the future RM system will be able to reconcile this inherent conflict. Council considers that the RPC model is far removed from enabling democratic local decision-making and action by, and on behalf of, communities.

175. Council considers that composition arrangements of an RPC will undoubtedly be influenced by Schedule 8 clause 23 on voting where consensus decision making is not achieved. Council considers that the NBE Bill should be amended so that there is recognition that composition arrangements have implications for voting.

176. Council considers that composition arrangements of an RPC will also be influenced by Schedule 8 clause 36 on the funding and resourcing of RPCs. Council considers that the NBE Bill should be amended so that there is recognition that funding arrangements should be agreed in conjunction with composition arrangements.

177. Council supports Schedule 8 clause 8 which specifies that the Local Government Commission will be the arbiter of composition issues when agreement is unable to be reached.

178. As with elsewhere in the NBE Bill, Council is deeply concerned with the broad powers for the Minister to intervene in the system. In particular, Council does not support Schedule 8 clause 27(5) whereby the Minister can dissolve an RPC and replace it with a commission. Council considers that the NBE Bill must provide contingency measures and dispute resolution mechanisms where an RPC is unable to effectively fulfil their or its responsibilities, however, Central Government involvement must be balanced and proportional.

179. Council strongly supports Schedule 8 Clause 32 in relation to subcommittees and the explicit provision for membership of a subcommittee to be sufficiently open. If the role of subcommittees is retained as solely advisory, no decision-making powers, then sufficient weight must be given to the advice and recommendations of a subcommittee.

Secretariat and Host Local Authority

180. Council considers that the secretariat and host local authority will be necessary to support each RPC to carry out its significant duties and functions in the reformed RM system.

181. Council requests that a definition for the secretariat is provided in Schedule 8 clause 1 of the NBE Bill. Schedule 8 Part 3 should be amended to specify the purpose of an RPC secretariat independent of clause 34 which outlines the responsibilities of the director of the secretariat.

182. Council supports Schedule 8, clause 35 that a host council is to be used to manage the finances of and provide human resources and administration support to the RPC and its secretariat. Furthermore, Council supports Schedule 8, clause 35(4) which provides a failsafe for the regional council to act as the host local authority where local authorities are unable to decide.

183. Council is concerned with the implications of Schedule 8 clause 33 on the reporting lines between an RPC, director of the secretariat, host local authority and secretariat in terms of employment law and accountability. Council requests that these complex arrangements between an RPC, director of the secretariat, host local authority and secretariat are examined by the Environment Committee further.

Funding Regional Planning Committees and the Secretariat

184. Council considers that current funding tools for local government are insufficient and RM system will exacerbate the systemic funding and financing issues facing local government.

185. Council is disappointed with the omission of a funding tool or mechanism for local authorities to fund RPCs. Council considers that the funding of RPCs through rates is inappropriate given the independence and lack of accountability of RPCs to local authorities.

186. Council does not accept that it is fiscally responsible to require a local authority to fund the RPC and the secretariat where the local authority is completely barred from agreeing to how this budget is to be spent. Councils have a responsibility to ratepayers to deliver value for money, and local government must be enabled to agree and co-develop the budget for the RPC and the secretariat.

187. Council is uncomfortable with Schedule 8 clause 37 which provides for funding disputes to be determined by an independent person, undermining the autonomy and responsibility of local government. Council understands intervention may be required to resolve funding disputes, however, Schedule 8 clause 37 must be amended to include or reference specified criteria so that there is transparency and consistency in decision-making.

Plan Making: Overview

188. Council is concerned that the role for local government in the plan making process is significantly reduced under all three processes proposed in the NBE Bill. Council considers that the plan making process set out in Schedule 7 is overly prescriptive and does not encourage the participation of the community.

189. Council is concerned that its involvement in the plan making process is largely the same as that of an average submitter, particularly in relation to a change being made using either the proportionate or urgent processes. Council requests that engagement by the RPC with local authorities be a requirement of any plan change process.

190. Council requests the Ministry to prepare guidance and prepare flow charts of the various processes for proposals, given the immense variability of requirements and timeframes throughout Schedule 7.

Plan Making: Part 1 Plan Development

191. Council considers that there is potential for confusion in the terminology used within Schedule 7 of the NBE Bill when referring to ‘proposed plan’, ‘plan’, ‘plan change’, ‘change’, ‘plan making’, ‘plan proposal’, ‘full plan’ and ‘proposal’. Clause 22 requires consultation during the preparation of a ‘plan’, but it is unclear whether it is intended that consultation under this clause is also required during the preparation of a ‘plan change’, using the standard process. Similarly, clause 31 outlines the process to be followed to notify a ‘proposed plan’ but does not make mention of a plan change.

192. It is suggested that as **proposal** is defined in clause 1 as meaning a ‘proposed plan’ or a ‘plan change’, this term should be incorporated throughout Schedule 7, Part 1 Subpart 2 to avoid confusion.

193. Council also notes that there are various references to the RPC throughout Schedule 7 – either as RPC, the planning committee or just committee. Council seeks that a single term is utilised consistently, or that it be clarified in an interpretation section that all refer to the same authority.

194. In a similar vein, clause 7 identifies a 'standard process' but clause 10 refers to a 'standard plan-making process'. Council requests that consistent language and terminology is provided throughout Schedule 7.

195. Council considers that, while multiple plan change requests may utilise the same process, it does not follow that these should then be processed and heard together, and to do so would be confusing for all parties involved, including the general public. Council is uncertain as to what impact this could have on appeal rights.

196. While Council supports the use of engagement agreements, it is unclear what happens if an engagement agreement is unable to be concluded within the required timeframe. Council would also welcome clarification of what is meant by the term 'conclude' in clause 10(3) and whether this is intended to imply that an engagement agreement does not continue after the notification of the major regional policy issues document, which would conflict with subsequent clauses.

197. Council questions how an RPC would not need to initiate an engagement agreement for its first plan if an existing agreement has been reached that applies to subsequent plan changes (clause 10(4)). This clause would also appear to conflict with clause 13, which states that an engagement agreement ends once the proposal is publicly notified. It is also unclear if these agreements are to be used in relation to independent plan change processes.

198. Council considers that the requirement to establish and maintain an engagement register is fraught with challenges that may undermine its purpose. While a database may not be difficult to set up, it is likely to incur costs to maintain and lose its accuracy over time. Clause 15 does not indicate how long an RPC is required to maintain the register for, or for what particular component of the plan making process. Council requests clarification if the engagement register is intended to only to be relevant to 'plan making' or is it to be maintained for any subsequent 'plan changes', noting that clauses 44 and 48 provides that the RPC must not give notice of an engagement register in relation to either a proportionate or urgent process. Council also considers that there is overlap in clause 15(3) with some of those parties required to be approached in relation to engagement agreements. Furthermore, Council questions the requirement to hold such a register when it is not obligated to consult persons identified in the register.

199. Clause 18 indicates that 'feedback' is to be sought in relation to the major regional policy issues document, however later clauses elevate this feedback to the status of an enduring submission. Council contends that there is a significant difference between feedback and a submission. Council considers that the use of two different terms in relation to what is essentially the same thing adds unnecessary confusion.

200. Council also questions the relevance and usefulness of enduring submissions in the plan making process when they are made in relation to different documents – namely a document identifying the major policy issues of the region and a proposal itself. Council envisages that the former document will have broader issue-focused content whereas the latter will likely be technical in nature. Council also seeks clarification on the life of an enduring submission, as it is unclear as to whether it is only relevant in relation to a 'proposed plan' or endures such that it is relevant to a 'plan change'.

201. In relation to clause 22(2)(b), Council considers that clarification of the term 'minor plan changes' is required and is unsure as to why this only applies in respect of the coastal marine area (CMA) and not for other seemingly 'minor plan changes'.

202. In relation to clause 23, Council does not understand how information obtained under other legislation is to be brought into the plan making process. Council seeks clarification as to whether the intent of this clause is to only to apply during the preparation process, or is it to be accorded a similar status as an enduring submission, thereby having to be treated as a primary submission in subsequent processes.

203. Council considers that logically, clause 24(1)(a) should refer to clause 25, rather than clause 24(2).

204. Council would appreciate clarification of the timeframe in which to prepare an evaluation report in relation to an independent plan change (clause 24(2) and (3)). Council considers that this should be provided for in Schedule 7 of the NBE Bill.

205. Council considers that an evaluation report should be required to link back to the major regional policy issues document, at least at the time that plans are being prepared for the first time or being fully reviewed. Such a link would close the loop between the identification of major regional policy issues and the policy outcomes to address these issues.

206. Council requests that the language in clause 28 be reviewed in terms of processes. Subclause (2) indicates that subclause (1) applies in respect of a 'proposed plan or change', while subclauses (3), (4) and (5) would appear to only apply to a 'proposed plan'.

207. Council requests clarification if clause 29 is to be invoked in relation to a plan change that uses the standard process. Council seeks clarification as to whether this clause also applies to independent plan changes. Council also notes that there is an inconsistency in who this report is to be submitted to, depending on the process used – the chief executive or the Ministry. Council would also seek clarification of what action the chief executive or Director General of Conservation may take in respect of the report. As currently worded, Council considers that this clause provides too much latitude for external parties to influence or disrupt what is likely to have been several years of work and significant investment and expense by this time.

208. Having regard to the overlapping timeframes in clauses 29 and 30, Council seeks clarification as to how the various parties are to be advised of any actions (clause 29(5)) or amendments (clause 30 (5)) and what processes are envisaged if the responses are conflicting.

209. Council seeks direction on the process to be followed should an RPC decide **not** to proceed with a proposal and questions whether this section should also apply to plan changes. It is noted that there is no timeframe in which to provide a copy of the proposal to various parties, such as in clause 44(8). Council deems it is more appropriate that clause 44(8) refer to clause 29, being the submission of a report on compliance with NPF.

210. Council requests that the phrasing in clause 31(4) be reviewed for duplication.

211. While Council understands that the provision of all evidence being provided at the time of a primary submission (clause 34(3(c)) offers some efficiencies in the various plan making processes, Council considers that this is unlikely to be achievable within the various timeframes for submissions. In this regard, Council considers that this provision does not support the inquisitorial based approach of the proposed regime. Similarly, Council considers that, given the window for secondary submissions, the same requirement (clause 36(2)(c)) is also contrary to the intent of the process. Council acknowledges that the depth and breadth of experts to provide evidence is shallow and securing this input is likely to be challenging if all submitters are seeking to engage these resources at the same time.

212. Having nearly finalised Selwyn's new District Plan and processed approximately 18 private plan changes, Council considers that summary of submissions, albeit time consuming, are incredibly useful in the subsequent plan making processes, post submissions. From the experience of Council staff, the summary of submissions has been useful tool in the preparation of evaluation reports and have assisted submitters in considering the submissions in terms of making a secondary (further) submission. In this respect, Council considers that the time periods set out in Clause 35 are such that it is unlikely that summaries will be prepared in the future. Council also notes that in terms of its full plan review, it received a flurry of submissions in the final days of the submission period, and it took almost a week to confirm all relevant details. As such, Council considers that a more reasonable period than 10 working days is required to call for secondary submissions. Council does not consider that the stipulation of such short timeframes in relation to notice of submissions benefits the process, but acknowledges that some local authorities have taken an extraordinate amount of time to make submissions available. Council would ask that a more reasonable balance is struck in this regard, particularly in relation to the standard process. Furthermore, having regard to Council's recent experiences, the inclusion of secondary submissions in its submissions database have proven invaluable to the subsequent preparation of evaluation reports.

213. Council wonders if there is confusion in clause 35 regarding the provision of secondary submissions. In subpart (1)(d) people have 10 working days to make a secondary submission, presumably to the RPC, but in subpart (3)(a) submitters have 20 working days to submit these submissions to the RPC. If they are to be made to the RCP under subpart (1)(d), what is the purpose of submitting them to the RPC under subpart (3)(a), particularly when subpart (4) requires the RPC to give notice of where secondary submissions can be inspected. Council also queries the inclusion of clause 36(3) for the same reasons, having regard to the previous requirements.

214. With regard to the power to strike out submissions, Council considers that clause 38, combined with clause 66, provides the RPC with powers to be both judge and jury in relation to this matter. While Council supports the ability of the RPC to consider the validity of a submission, it does not support the RPC holding both functions, particularly as there are no rights of appeal against a decision in this regard. Furthermore, while it is the choice of the RPC to strike out a submission, it is considered that the grounds to do so provided in clause 38 are much too broad, especially in relation to (b), (d) and (f).

215. Council also notes that a similar power is provided to the Independent Hearing Panel (IHP) (clause 117) but questions why, if the RPC has already made a determination on a submission on the same grounds, with the exception of clause 117(2)(f), before providing any information to the IHP, there is a need to provide these powers to the IHP. Council considers that rather than providing the power to the RPC, the ability to strike out a submission should rest solely with the IHP.

216. It does not appear that, under clause 39, there is any requirement of the RPC to provide the IHP or commissioners with a report evaluating the submissions and making recommendations in response (similar to the current RMA section 42A requirements). Council seeks clarification that this step in the current plan making process is not being carried through into the new regime. Furthermore, this clause does not indicate that the RPC is required to provide the IHP/commissioners with any material requested under clause 37, unless it is requested by the IHP or commissioners. If it is intended that the RPC provide an evaluation report to the IHP or

commissioners, Council considers that the timeframe provided in clause 39(2) is insufficient in relation to proposals that are utilising the standard process.

217. Council considers that clauses 40 and 43 contain a high degree of duplication and request that these be amended to either avoid duplication or be combined into one clause.

218. In respect of clause 42(1), Council seeks clarification as to whether it intended that a hard copy of a plan be provided in every library in its region and be provided to the parties identified in clause 42(2). Council considers that a digital transformation must accompany the reform of the RM system and the use of digital tools should elevate system performance and functionality as a whole. Council acknowledges that plan users are diverse, and this reflects the diversity of communities across the country. Council understands that the accessibility of planning instruments is highly important but considers that the ePlan format on an internet site is sufficient.

Plan Making: Part 2 Other Plan Change Processes

219. Council considers that clause 44(6) would be more appropriately located in clause 20, relating as it does to the period which an enduring submission is considered relevant. Council also seeks clarification on whether this clause, located as it is under the sub heading of *proportionate plan change processes*, is relevant to all plan change processes, or only to those following a proportional process. Council also queries if there is a need for clause 44(7), given that clause 20(1) provides for the same timeframe. It is noted that clause 44(7) includes a qualifier that the submitter must explain their interest in the matter whereas this is not a requirement in relation to clause 20.

220. Council queries if it was intended that clause 44(8) should refer to clause 29, in terms of the submission of a report to the Ministry for the Environment. Similarly, Council queries if clause 44(6) should refer to clause 31, in relation to giving of notice of a proportionate process, and if clause 46(2) should refer to clauses 45(1) and (2), rather than (1) and (4), as it currently does. As Council currently reads clause 46(2), it would appear that the two notification processes have been somewhat confused in this subpart.

221. Council considers that clauses 45 and 46 could be simplified to refer to the two processes of notification separately, rather than including elements of both within each section.

222. Council seeks clarification as to what is envisaged as ‘early engagement’ as expressed in clauses 44(5) and clause 48(5).

223. Council seeks clarification on the three yearly programme of work, mentioned in clause 47, in relation to clause 51. Clause 51 requires local authorities to provide a report to the RPC, but it is unclear where the requirement exists for the RPC to publish the resultant programme of work referred to in clause 52. It is noted that clause 54(3) requires the RPC to notify the results of its nine yearly review, but there is not a similar requirement for a three yearly review. This is particularly relevant in terms of an urgent process, where the RCP is not required to give notice that an urgent plan change has been included in the programme of work, but must change the programme to accommodate the urgent plan change. Having regard to resourcing requirements, the change to the programme of work may result in other plan changes being delayed, which could be upsetting to the community.

224. Council seeks clarification that clause 48(2)(a) should refer to clause 14.

225. Council considers that the holding of hearings is essential to the democratic process and is concerned that the RPC can elect not to hold a hearing in relation to the urgent process (clause 48(3)(c)). Council also considers that this conflicts with the powers of a commissioner to determine whether they wish to hold a hearing pursuant to clause 56(2)(a).

226. Council queries if either the three yearly report or the nine yearly review of plans is a plan change, assumed as clauses 51-54 sit under the heading Part 2 Other plan change processes. Council suggests that these provisions are more appropriately located within Schedule 7 Part 1, given that they are essential to the development of future plans.

227. Council does not support the limitation on commissioners not accepting late submissions as there may be justifiable reason for the lateness of a submission. Rather, Council considers it appropriate that this be one of the grounds why a submission may be struck out by the RPC, thereby providing the right of objection to the submitter.

228. Council considers that clause 57(1) appears to conflict with clause 56(2), in that clause 57 states that a commissioner must hold a hearing whereas clause 56(2) indicates that there is choice in this regard. Council request that the aforementioned clauses are reviewed for consistency.

229. Council considers that commissioners should be provided with the powers to request further information or commissioner reports, similar to the RPC under clause 37 or the powers provided to a commissioner under clause 56(2), when no hearing is held. Providing such a power to a commissioner is consistent with the inquisitorial nature of the proposed regime. Without such a power, it may restrict a commissioner's ability to make meaningful recommendations to the RPC. Extending this power to a commissioner may however, hinder their ability to provide a recommendation within 40 working days of the close of submissions, but Council consider that any effect of a delay would be outweighed by ensuring that a robust process was followed.

230. Council appreciates that the ability is provided to commissioners to make recommendation on matters out of scope and considers that this is a pragmatic solution to resolving issues with plan coherence that is missing from the resent regime.

231. Council notes that clause 60(c) refers to clause 44(9), which is missing from clause 44. Council requests clarification as to what clause 60(c) is supposed to cross reference.

232. Council suggests that clause 63 should refer to the plan, rather than proposed plan change, in terms of the document being amended in accordance with its decision notified under clause 62.

233. Council asks if there is any scope to extend the deadline in relation to the standard process, similar to that provided for in clause 65 in relation to the RPC making decisions based on the recommendation of a commissioner pursuant to clause 62.

234. Council seeks clarification if the same objection rights, provided under clause 66, are provided in relation to the plan making process, or only in respect of a plan change. Council also questions the value of right of objection to the recommendation of a commissioner when it is the decision of the RPC that is being referred to in clause 66(1)(a). As a decision has been made, Council questions the relevance of objecting to the commissioner's recommendation, particularly as the RPC is also the agency charged with considering the objection and making a decision on its merits.

235. Council notes the similarities of clause 66 with that of clause 123, but notes that clause 123 makes it clearer that a hearing is to be held on the objection. Council seeks that the drafting of clause 66 is improved in this regard.

Independent Plan Changes

236. Council questions why an independent plan change request must only provide a draft report to the chief executive indicating how the request will give effect to the NPF and comply with environmental limits. Should the request be accepted by the local authority, Council seeks clarification as to whether it would then fall to the RPC to prepare a final version of this report, pursuant to clause 29 and whether this will be a recoverable cost.

237. Council considers that the scope of clause 71 in relation to requesting further information is much too narrow and limits the ability of the local authority to request further information. The use of 'and' at the end of each subclause reads in such a way that in order for a local authority to request any further information the 'test' of each subclause from 71(1)(a) through to (f) must be met.

238. In terms of the recovery of costs, Council asks for clarification of the process should it consider it necessary to commission a report under clause 71 and the requestor disagrees with this.

239. Council seeks clarification and appropriateness of the reference to clause 31 within clause 72(1)(a) on accepting an independent plan change request as clause 31 refers to the notification of proposed plans by the RPC. Council also seeks clarification in relation to clause 72(1)(b) that the reference to Part 4 is correct or should this instead refer to Part 5.

240. Council notes that there is no clause 70(7)(b), as referred to in clause 72(2)(a), and therefore Council seeks clarification of the intended reference.

241. In respect of clause 72(2)(a)(i), Council questions the relevance of paying particular regard to the information received under clause 16(1), being the notification of the engagement register and major policy issues in relation to an independent plan change.

242. Council queries if the phrasing of clause 73(1)(a) is such that it would prevent an independent plan change from being accepted for a potential period of six to nine years. Council considers that further clarification of this clause would be beneficial to all parties.

243. Council questions the scope of the terms 'provisions' in terms of its ability to recommend alternative provisions to the RPC in respect of an independent plan change (clause 75). Council seeks clarification if this is limited to changes to the provisions within the plan (e.g. alternative wording to existing, or new, rules) or is the scope broader.

244. Clause 76(4) appears to be repeat of clause 76(1). Council requests that these be amended to either avoid duplication or be combined into one clause.

245. Council requests that the same cost recovery ability be given to local authorities as is given to the RPC in regard to providing assistance prior to a request being made (clause 77(2)). Council also notes that cost recovery abilities are provided to the RPC in terms of clause 71, which is the responsibility of the local authority once it has received a request, rather than the RPC. Council seeks confirmation that it is able to recover these costs and that clause 71(b)(ii) cannot be used by a requester to imply that these are not costs recoverable by a local authority. Council also seeks that it can recover costs associated with the preparation of evaluation reports (clause 24).

246. Council seeks clarification on how clause 77(4)(b) is to be applied, as it is conceivable that a requester could argue that the actions of the RPC are for the benefit of the community – in that they are scrutinizing the independent plan change request so as to ensure that the community is not impacted.

247. Council is also concerned that any action taken under clause 77(4)(c) could be perceived by the community as challenging the independence of the RPC.

General Hearings Panels

248. Council notes that, within this subpart, cross references to clauses appears to be incorrect. The reference in clause 84 to clause 88 is incorrect and should rather refer to clause 83, the reference in clause 83(1) should be to clause 79, not 80, and the reference in clause 89(1) should be to clause 79 and not clause 84.

249. Council notes that clauses 79 and 83 have a great deal of similarity, in terms of the various hearing processes that this subpart of Schedule 7 can be utilised by, yet there are inconsistencies between the clauses which leaves gaps in their application. As an example, clause 79(1)(d) enables a hearing to be held in relation to both the notice of, and the alteration to, a designation or heritage protection order, yet clause 83(1)(e) only refers to the notice, and is silent on alteration. Clause 79 also includes two matters ((f) and (g)) not included in clause 83, and clause 83 includes a new matter (f). Council also notes that clause 91 **reports to authority** also identified a similar list of matters, but again there are inconsistencies between this and the other two clauses. Council asks that all three clauses be reviewed to ensure that their responsibilities are consistent.

250. Council is unsure as to why clause 79(2) states that this subpart does not apply to a hearing of an IHP, it is necessary to include clause 80(3).

251. Council considers that the drafting in clause 87 is confusing. Subclauses (1) and (2) relate to briefs of evidence from the applicant, while (3) and (4) relate to briefs of evidence from submitters, but it is unclear if the intent of (5) is that, in relation to a proportionate or urgent process, no briefs of evidence are to be provided, or that no new evidence is to be provided.

252. Council considers that it is inconsistent to allow the various parties to call evidence in any other process, including a standard process (clause 111), but not for a proportionate or urgent process and asks that the rationale behind this exclusion be explained.

253. Clause 88(5) and (8)(a) appear to be an unnecessary duplication of requirements.

254. Council notes that clauses 38 and 89, in relation to the striking out of submissions have a great deal of similarity, yet there are inconsistencies between the clauses. Council seeks clarification of whether clause 38 only applies in respect of a standard process, and clause 89 in relation to all other processes. It is noted that a right of objection under clause 89 is to an IHP, which Council thought was only convened in respect of the standard process, not in relation to a resource consent hearing, as covered by this subpart.

255. Clauses 81 and 116 (hearing using remote access facilities), and 90 and 118 (protection of sensitive information), appear to be duplications of each other, albeit in relation to different matters/processes. Council asks that, for efficiencies, the drafters look at ways to reduce this duplication. Council notes that clause 118 requires that an order made in relation to the protection of sensitive information must be made available on an internet site, yet the same requirement does not exist under clause 90. Council considers that for equity, any order should be required to be made public. It is also noted that that no ability to appeal the declining of an order under clause 90, as in provided for in clause 118.

256. Council requests clarification as to what is meant by ‘class of hearing session’ in clause 90.

257. In the context of subpart 3, Council seeks clarification of what process would trigger the need for a hearing to be held in relation to a proposed provision of the NPF (clause 91(1)(a)).

258. Council is unsure as to whether the application of clause 92 is only to hearings held by the RPC, or it is intended that this clause apply to hearings held by other authorities, as expressed in clause 79(1). Furthermore, as clause 124 relates to UHP, Council queries the appropriateness of reference to clause 124 in (5).

Independent Hearings Panels

259. Council asks if, in clause 93(1)(c), the approval of the Minister relates to the appointment of specific people, or only to the approval of an expanded IHP, with the Chief Environment Court Judge appointing the members.

260. Clauses 93(1)(b) and (7) appear to be an unnecessary duplication and should be combined.

261. Council is unsure if it is the intention that once appointed to the regional pool of IHP candidates (clause 94) despite nominations being invited annually, a person will always be a member of the pool. Council requests clarification on what is the length of the 'term of office' period referred to in clause 100(1) and the connection between clauses 94 and 100(1).

262. Council requests clarification on what is meant by the phrase 'plan development stage' in clause 98(3).

263. Council seeks confirmation that the functions of an IHP also extend to a plan change following the standard process, and not only a proposed plan (clause 102(1)).

264. Council seeks clarification as to whether there is a requirement that the report prepared in clause 105(6) be distributed wider than just the attendees of a pre-hearing session meeting.

265. Council seeks confirmation that an IHP must also hold a hearing for a plan change following the standard process, and not only a proposed plan (clause 109(1)).

266. Council seeks clarification that the RPC has a choice to vary a proposed plan in accordance with a direction of the IHP (clause 121(1)) or if this is a mandatory requirement.

267. Council considers that the reference to clause 46 in clause 121(5) should instead refer to clause 124.

268. Council supports the ability of the IHP to make recommendations beyond the scope of submissions and considers that this is a pragmatic solution to resolving issues with plan coherence that is missing from the present regime.

269. Council is concerned that the forty working day timeframe for the RPC to make decisions is not sufficient, given all the steps involved in making decisions (clause 127). Within this timeframe, the RPC has to convene, to be able to make decisions, has to decide on an alternative solution if the recommendation of the IHP is rejected, prepare the public notice and the accompanying report on the recommendations of the IHP and update the plan to reflect the decisions of the RPC. While it is noted that there is the ability to request an extension (clause 131), Council considers that a more reasonable timeframe be established in the first instance.

270. Council considers that clause 130(1) and clause 127(5)(c) are a duplication of each other.

271. Council requests clarification on the difference between clauses 134(2) and (3) and questions whether clause 134(3)(a) should include the word not.

272. Clause 130(3) refers to the timeframe after which the requiring authority notifies the RPC whether it accepts or rejects their recommendations, giving the requiring authority 30 working days to respond to the RPC. It is considered that the timeframe in clause 134(5) refers to the same timeframe, or should the reference to RPC in this clause actually refer to the requiring authority?

273. Council seeks clarification that only a person who is **not** the owner or occupier of land can make an appeal to the High Court on a point of law in relation to a designation (clause 135(1)(a)). Council also notes that (3) should refer to Schedule 13 when referring to clauses 79 and 80 to 87, to avoid confusion with these clauses in Schedule 7.

274. Clause 136(3) limits the Environment Court to only considering the record of the IHP proceedings in an appeal under clause 79, yet this clause refers to the general hearing provisions pertaining to resource consents, notices of requirement for designations or heritage protection orders and plan changes or variations, one assumes under the proportionate and urgent processes, among other matters. In these matters, the IHP has no role which questions whether the reference to clause 79 in clause 136 correct.

275. Council seeks clarification that clause 136(7) should refer to clause 47, rather than clause 48. And that clause 137(5) should refer to clause 127 rather than clause 130.

276. Council requests clarification whether, the 'advice of the Minister' in clause 140 means the same as a 'recommendation of the Minister for the Environment' in clause 141. Council considers that the two clauses could be combined to reduce length of the proposed legislation.

Implementation of Plans

277. Council notes that the consenting process is similar to that under the RMA, with the addition of some amended categories of consent and additional processes for consideration of applications. Council doubts if the speed or cost of consenting will be reduced as a result of the changes and may increase as a result of the additional processes for certification.

278. Council is concerned that the division of rules between NBE plans and the NPF is likely to be more complex, and less user-friendly for plan users, which is contrary to the aims of the National Planning Standards.

279. Council supports the retention of the five types of resource consents in clause 152.

280. Council is concerned that the use of the terms 'permitted activities' and 'controlled activities' in clause 153 will result in confusion as these terms are used in the RMA with different meanings. Council seeks that 'permitted activities' continue to describe activities for which no approval is required, and that a different name be given to activities 'that may be subject to other requirements' (these could be 'controlled activities'). 'Controlled activities' as described in clause153(1)(2) are similar to restricted discretionary activities in the RMA, except that the term 'limited discretion' is used rather than 'restricted discretion'. Council seeks that either 'limited discretionary activity' or 'restricted discretionary activity' replaces the term 'controlled activity'.

281. Council is concerned that the prohibited activity criteria within clause 154(4)(b) uses the words 'not contributing to the relevant outcomes' which could include activities that neither contribute to nor detract from relevant outcomes to be classified as a prohibited activity. To avoid this, Council seeks clarification of what 'not contributing to' means when determining prohibited activities.

282. As previously submitted, clause 154(5) has similar requirements to discretionary and restricted discretionary activities under the RMA. Controlled activities under the RMA must be approved and are similar to permitted activities, that must meet stipulated requirements in clause 154(2)(c). Council requests that controlled activities be renamed restricted or limited discretionary activities.

283. Council is very concerned that the criteria in clauses 154(6) and 154(4) conflict, and it may be unclear whether an activity should be discretionary or prohibited because it can include activities that do not contribute to the relevant outcome, which is also one of the criteria for a prohibited activity. Council requests that this duplication is resolved in conjunction with other submission points for these categories of activity.

284. Council is concerned that the introduction of a new category of activity appears to be another form of consent approval presented as a permitted activity. The requirements for approval of a Permitted Activity Notice (PAN) and the meeting of various requirements including approvals and reports will require time and cost for applicants and councils alike, and there is little certainty prior to completion of the process that the proposal will be permitted as a result of an assessment. Council considers that this may give the appearance of simplifying, but in practice this is likely to be no different than if the activity were a controlled activity, and therefore request that the PAN process in clause 156 be removed and replaced as a controlled activity.

285. Furthermore, in relation to clause 156, Council is concerned that the time and cost of certification, compliance and monitoring of PANs could be significant, and a resource consent process may allow for more targeted conditions that better manage individual proposals.

286. Clauses 163 and 164 indicate that applicants do not need to consult, however the recovery of costs associated with iwi and hapū consultation and engagement is provided for, indicating that this is something anticipated by the NPF. Council supports consultation and engagement with iwi and hapū, but is concerned of the considerable time and resourcing that will be required to facilitate consultation requirements under the Bills.

287. Council requests that that clause 198(b) be amended to include the words 'whether or' before 'the proposed activity meets or contributes to...' to be consistent with other clauses and to ensure that the understanding also includes if the proposal does not meet or contribute to outcomes.

288. Council is concerned that clause 201 includes a requirement in (2)(a) that the decision maker weighs the positive and negative effects on that person (being considered as affected or from whom approval is required). It is unclear how the consenting authority would be in a position to assess the weight of any possible positive effects on that person versus negative effects on that person, as this could be quite subjective as to what any party may consider a positive effect. This is particularly the case where the positive and negative effects are very different in their nature. Council request that the assessment be constrained to adverse effects because if the positive effects outweigh negative effects, the person would be likely to give their approval.

289. Clause 201(2)(a) would be difficult to achieve without full knowledge of the relevant person's circumstances, understanding and information they may hold. Council is concerned that this will be challenging to administer and may lead to determinations that do not achieve the goal of receiving the best information in relation to the proposal.

290. In addition to the above, Council is very concerned that clause 201(2)(a) can be interpreted to mean that the assessment is of the overall positive effects of the proposal against the adverse

effects on the individual being considered. This assessment would be more appropriately undertaken as part of the overall assessment of the consent, rather than as part of identifying parties that may be affected by a proposal.

291. Council is concerned that the ability of persons who may be affected by a proposal to participate in the process may be removed or restricted as a result of the structure of clause 201 and seek to retain the ability of persons affected by proposals to participate in the planning process.

292. Council is unable to comment on the impact of clauses 203 and 204 as the content of the NPF is unknown.

293. Council is concerned that clause 205 (b) uses the words '...clear risks or impacts...'. It is likely that establishing the meaning of a 'clear risk' rather than simply a risk or significant risk, will take time and introduces unnecessary confusion. Council is also concerned that 'impacts' have been used rather than 'effects', which is a term that has clear meaning and is defined, whereas impacts is not defined. It is noted that 'impacts' is also used in other sections of the Bill, and Council requests that this should be either reworded as 'effects' or if a different meaning is intended, that this be defined within clause 7.

294. Council is concerned that the wording of clause 205(2)(c) includes as criteria for public notification, 'there are relevant concerns from the community'. Council requests that the wording be amended to 'there is significant community interest in the proposed activity'. This amendment would clarify that there does not need to be community representation prior to consideration of relevant interest or concern in a proposal.

295. Council requests that the wording of clauses 205(d) and 206(c) be amended to clarify the level of scale or significance that would warrant public notification, as the clause gives little guidance. For example, 'significant scale or effects'.

296. It appears that there will be little opportunity for discretionary activities to be processed without public notification, although it is noted that the contents of the NPF are as yet unknown. Council is concerned that this may result in some unnecessary notification of some applications.

297. Council requests that the relationship between clauses 203 and 205 be clarified, as clause 203 states that controlled activities must be processed without public notification, but clause 205 sets out circumstances where public notification must occur, with no exemption for clause 203. This is required to resolve the conflict between the requirements of these clauses.

298. The wording of clause 207 to 'prohibit' notification rather than 'must not notify' is confusing as it is unclear who the decision maker is prohibiting, other than itself. Council is concerned that this strong direction relies on the identification of affected persons and reiterates the submission points for clause 205.

299. Council is concerned that clause 215 removes the ability for submitters and applicants to participate in a hearing where the consent authority considers there is sufficient information and there are no criteria as to the circumstances for reaching this conclusion. If exercised, particularly without the agreement of the parties, this could lead to uncertainty in relation to public involvement and the ability for applications and submissions to be heard.

300. Council notes that in clause 223(c) regard must be had to 'whether, and the extent to which, the activity contributes to any relevant outcomes, limits, targets, and policies...'. Regard is not extended to instances where the activity detracts from achieving the outcomes. Council seeks that consistency references are made within the Bill to the expectations for consideration in

relation to meeting outcomes, and to include situations where the outcomes will not be met or will be negatively affected.

301. Council is very concerned at the broad nature of some matters that must be disregarded as they would be extremely difficult to give effect to and as they stand and are likely to give rise to perverse outcomes. Council seeks removal of clauses 223 (8)(e) or rewording to clearly identify the circumstances in which these considerations would be appropriate and inclusion of definitions of key terms within clause 7.

302. Council supports the ability to impose conditions in relation to adverse effects but questions the need for clause 231(a) as it appears these conditions could be imposed under clause 231(b) whether or not the applicant has agreed.

303. Council supports the ability to take environmental contributions subject to the conditions in clause 237 and limits in clause 239. Council requests that there is updated guidance for local authorities on the use of environmental contributions and development contributions as complementary funding tools.

304. Council generally supports the ability to use the adaptive management approach prescribed in clause 233 and the flexibility this provides to test and monitor proposals where there is a degree of uncertainty.

305. Council suggests that the acronyms are not used in the title of clauses or sections, for example, in clause 244 ADR (alternative dispute resolution) is used throughout the clause without explanation.

306. Council generally supports the provisions for the issuing of Certificates of Compliance (clause 294) and Certificates of Existing Use (clause 299), noting that the process is similar to other fast track forms of consenting.

307. Earlier submission points on PANs are reiterated in relation to clause 302. Council considers that this process would be more appropriately identified as a form of consent and not as a permitted activity, as it is not permitted, but requires what may be considerable expense and time to obtain various approvals and reports.

308. Council is concerned at the extensive abilities of the Minister to call in matters lodged with the local authority (clause 329) that would otherwise be considered by the local authority. Council seeks that the circumstances where clause 329(a) would apply be clearly described, and that a process for the local authority or RPC to participate in such a decision be included.

309. Council requests that clause 350(2) be strengthened from ‘suggested’ to ‘recommended’ to ensure that the appointment of the board of inquiry under clause 349 represents the local community.

310. Council is concerned at the wide and unfettered scope for Ministerial intervention ‘in a matter at any time’ under clause 365. The only specified consideration for the Minister is the extent to which the matter is or is part of a proposal of national significance. The clause does not state that in order to act, the matter must be of national significance, or contain any further guidance. Council requests that this clause be amended to clearly specify the criteria for acting, and that this be clearly limited to proposals of national importance, and that the local authority be consulted prior to any decision to act being made.

311. Council considers that clause 497 would be clearer if terms are stated in full as well as any acronyms – e.g., SPV.

312. Council supports recognition of protected Māori land as taonga tuku iho, but requests that the term be included in the interpretation to ensure consistent application.

313. Council requests that CIP should be replaced with the words 'primary and secondary construction and implementation plan' in the title of clause 504 to assist readers, and that clause 504 more adequately ensures that matters such as demolition, vegetation clearance, historic heritage and sites of cultural significance are included as considerations.

314. Council recognises the critical importance of protecting routes for future infrastructure including key transport corridors, however, wish to ensure that the effects of the use for which the route is protected are appropriately taken into account (Clause 507).

315. Council is concerned that the restriction of planning committee consideration in clause 507(6) to 'impact of the activity on landowners or occupiers within or adjacent to the boundaries of the designation' may not capture effects that could be significant upon those who may not be directly adjacent, for example narrowly separated from the activity, or where the effects are felt beyond adjacent sites. The requirement also does not acknowledge effects on other matters such as ecology or heritage. As previously submitted, Council request that the term 'impact' be replaced with 'effect' as this is defined and a term for which there is good understanding.

316. Council supports the strengthened consultation and involvement of iwi, hapū, or Māori within the designation process, but is concerned that consultation and involvement of other parties are more restrictive and consequently, adverse effects may not be sufficiently accounted for, for example, a hearing need not be held in some circumstances.

317. As mentioned in previous submission points, Council is deeply concerned at the broad nature of the matters to which the committee must not have regard in clause 512(1)(c). These matters seem to indicate a more specific intention, but as written would involve complicated and time-consuming assessment of applicability, subjective judgement and are likely to result in unintended outcomes. Council strongly requests the withdrawal of this section, or that it is re-drafted to be more specific about the outcome that is sought for designations.

Compliance Monitoring and Enforcement

318. Council considers that a robust and well-functioning compliance, monitoring and enforcement (CME) regime is fundamental to any regulatory system. Council considers the current RM system suffers from many deficiencies and that those settings have undermined and constrained the robustness and effectiveness of the CME regime.

319. Council supports a dedicated part in the NBE Bill for compliance and enforcement. It is imperative that the CME regime in the new RM system is efficient and effective to deliver on RM system outcomes.

320. Council supports the strengthening and broadening of the CME regime in the reformed RM system including increased deterrence, enhanced cost recovery and the new and enhanced suite of civil and intervention tools.

321. Council considers that a more equitable RM system must transfer the costs of CME activities and costs of non-compliance and remediation from the ratepayer to the resource user. Council supports the codification of the 'polluter pays' principle in the NBE Bill, however, Council considers that the principle should be applied more broadly in the new system than contaminated land.

322. Council considers that Central Government must provide support, funding, resourcing and guidance on the expanded CME obligations for local government and the use of new tools that are untested. The cost-benefit analysis of the new RM system contained with the Ministry's Supplementary Analysis Report (SAR) estimates that process costs to local government will increase by around $43 million per annum, with the increase in monitoring and enforcement activity by local authorities making a significant contribution of $18 million to that annual cost.[5]

323. Without commensurate funding and support the expanded CME obligations will represent another unfunded mandate from Central Government. As many of the enhanced cost recovery tools are untested, Council is concerned that the resourcing for regulators is predicated on the success and sufficiency of these tools of which there is no certainty.

324. Council considers that the NBE Bill has not advanced the institutional arrangements for CME and has resulted in the quasi-regionalisation of the RM system. Council is particularly concerned on the separation of plan-making from consenting and CME functions in terms of the implications on system efficiency and effectiveness.

325. Council supports local government retaining CME as opposed to creating CME regional hubs and/or amending institutional arrangements to regionalise CME functions. Council strongly values localism, local voice and democratic input which is eroded by the RPC model.

326. In the future, Council envisages institutional arrangements will need to be revisited and consider the broader regulatory responsibilities of local government and the findings of the review into the future of local government.

327. Council does not consider that an RPC should be afforded the status of an NBE regulator under clause 694 of the NBE Bill.

328. The regulatory responsibilities of local government are vast and Council requests that the NBE Bill achieves necessary alignment with other legislation whereby local government undertakes regulatory functions e.g., the Building Act (2004) and Council's role as a building consent authority.

329. Council supports the relevant clauses under Part 10 of the NBE Bill which provides for NBE regulators to retain discretion as to what CME tools to use and when, as with the current system.

330. Council considers that clause 649 of the NBE Bill that requires local authorities to publish a compliance and enforcement strategy will reduce future variation between councils in their CME functions as there will be greater consistency, certainty and transparency whilst providing for appropriate flexibility and discretion.

331. Council considers that the requirement for a compliance and enforcement strategy should not be overly prescriptive so that the strategy can coordinate local authorities' wider responsibilities as regulators.

332. Council considers deterrence is the primary enforcement objective in the RM system and is essential to achieving compliance which is a crucial aspect of a positive and proactive CME regime rather than reactive.

333. Under the current system, penalties and fines are inadequate to provide a credible deterrent against offending. Council broadly supports clause 765 of the NBE Bill increasing penalties for individuals and companies.

[5] Ministry for the Environment (2022) Supplementary Analysis Report: The New Resource Management System (pg.108).

334. Council is aware of how the maximum imprisonment term under the RMA and the ability for a defendant to elect a trial by jury to secure a more favourable outcome. Council supports the decrease in the maximum imprisonment term in the NBE Bill.

335. Council broadly supports broader aspects of increased deterrence in the future RM system, including:
    - clause 766 - prohibiting the use of insurance for fines, infringement fees and pecuniary penalties
    - clause 718 - monetary benefit orders
    - clause 731 - adverse publicity orders
    - clauses 732-750 - financial assurance orders

336. Council supports the enhancement of intervention tools contained within Part 11 of the NBE Bill.

337. Council supports clause 719 of the NBE Bill which introduces a new provision which enables regulators to apply for a resource consent to be revoked, or suspended, in response to severe non-compliance. Council considers the 'test' set under this clause is appropriately high given the implications of consent revocation.

338. Council supports extending the limitations period from 12 months under the RMA to 2 years in the NBE Bill.

339. Council supports clause 759 and the increase to the statute of limitations period.

340. Council supports clause 781 of the NBE Bill which corrects a critical error of the RMA in limiting the ability of councils to recover costs associated with permitted activity monitoring and investigations of non-compliance.

341. Council requests that the relationship of the two cost recovery regimes under clause 781 and clause 821 are set out in the NBE Bill to provide much needed clarity for RM system users.

342. Council considers that the NBE Bill corrects another critical error of the RMA in not treating the breach of a consent condition as an offence.

Monitoring and Oversight

343. Council considers that monitoring and oversight has suffered from a lack of resourcing and prioritisation in the current system, particularly with Central Government's insufficient stewardship of the RM system and the lack of accountability of Central Government to an independent body.

344. Council is of the opinion that a strong and robust evidence base informed by an effective outcomes-focused monitoring and reporting system will be critical to decision-making in the future RM system.

345. Council supports clause 836 of the NBE Bill and clause 67 of the SP Bill which specifies the requirement for Central Government to develop a system monitoring, reporting and evaluation framework on the operation and effectiveness of the RM system.

346. Furthermore, Council supports the reporting requirements on system performance specified by clause 837 of the NBE Bill and the independent review by the by the Parliamentary Commissioner for the Environment (PCE) under clause 837.

347. Council supports a more effective role for Māori in the RM system, including the role of Māori in monitoring. Council supports the establishment of the National Māori Entity for monitoring how the resource management system is giving effect to the principles of Te Tiriti.

348. Central Government must adequately fund the increased and more effective role for Māori in the RM system, including the National Māori Entity.

349. Council considers that the RPC must be included under the list of monitored entities under clause 662(4).

350. Alignment of timings of the state of the environment reports prepared under the Environmental Reporting Act (2015) as well as RM system performance and Te Tiriti performance in the RM system reports under the NBE Bill will provide an opportunity for coordinated and holistic policy responses.

351. Council supports the elevated status of mātauranga Māori and tikanga Māori in monitoring and reporting, including clause 783(5) that requires local authorities to provide opportunities for Māori involvement in state of the environment and plan effectiveness monitoring.

352. Council considers that an appropriate level of discretion must be afforded to local authorities undertaking their monitoring duties set out under clause 783. As currently drafted, clause 783(1)(g) of the NBE Bill has the potential to manifest as an overly cumbersome monitoring obligation which Councils are not sufficiently resourced to undertake. Council understands that the NPF, other regulations, an NBE plan and regional monitoring and reporting strategy will direct local authorities to monitor certain permitted activities. Council requests that clause 783(1)(g) of the NBE Bill is amended to include a suitable qualifier so that it is clear that local authorities can exercise discretion on the permitted activities to be monitored beyond what has been expressly directed.

Transition, System Implementation and Funding

353. The transition to and implementation of the new RM system will prove to be an arduous, costly and complex endeavour for all system partners. Council considers that Central Government as steward of the RM system has significant influence over the effectiveness and efficiency of the transition and must fulfil this core responsibility diligently.

354. There will be many critical success factors for the transition to and implementation of the new RM system. Council considers that Central Government must assume greater responsibility for funding and resourcing the transition than presently provided for.

355. One of the most critical success factors will be for Central Government to uphold the integrity, intent and effect of Tiriti settlements, Takutai Moana legislation commitments, existing joint management agreements and Mana Whakahono ā Rohe arrangements. Council understands that these processes are set out in Schedule 2 of the NBE Bill and must conclude before the RPC formation process begins.

356. Council considers for existing joint management agreements and Mana Whakahono ā Rohe arrangements that local authorities, which are the key partners for those arrangements, should be party to the discussions. Council considers that local authority participation is not sufficiently clear in Schedule 2 of the NBE Bill.

357. Council understands that the new RM system has an embedded hierarchy with spatial and strategic direction flowing down through the system and thus requires the sequential development of the NPF, then RSS and then NBA plans.

358. The NPF, as the higher-order document, will be highly influential on the quality of first-generation RSSs and NBE Plans. Council understands that under the NBE Bill under Schedule 1 clause 5, the Minister is required to notify a proposed NPF within six months of the day after royal assent.

Council considers that Schedule 6 clause 31 which provides for the development of the first iteration of the NPF to proceed without advice from a limits and targets review panel, input from the National Māori Entity or direction on development on Māori land is insufficient to guide the development of first-generation RSSs and NBE Plans.

359. Council supports a staged approach in the transition to and implementation of the new RM system. Council understands that the first regions are anticipated to complete transition within approximately seven years and the last by the end of year ten. Council considers that this staged approach is sensible and that the proposed model regions of the first tranche offer the opportunity to extract learnings and identify best practice to guide subsequent tranches.

360. There is much ambiguity surrounding this staged approach and associated tranches as it is not provided within the NBE Bill. Council understands that these tranches will be identified through secondary legislation.[6] Council considers that it is more appropriate to include the tranches in the NBE Bill under Schedule 1 once there is consultation with local government on the assignment of regions to each tranche.

361. There is further ambiguity in relation to criteria for identifying the model regions of the first tranche. For the model regions in particular, early signalling from Central Government will be critical for planning, funding and resourcing.

362. Council considers that the process and criteria for selecting and assigning regions to tranches much be transparent and co-developed with local government. Certain regions will be more prepared and able to begin the transition to the future RM system and this must be a factor that informs region selection.

363. Council considers that the NBE Bill lacks detail on the commencement, savings and transitional provisions needed to provide certainty for system partners and users operating under two systems. This is a particularly fallible omission from the NBE Bill and Council is disappointed that it has been unable to consider the practical aspects of the transition period that will have implications in the short-medium term.

364. Council strongly supports the intention to apply a digital transition to the RM system, and considers that this is needed to elevate the performance of the system. Council expects that early engagement will be underway with system partners as soon as is reasonably practicable.

365. Council considers that Central Government must revaluate its position on funding in the system and take a much greater role in supporting Māori participation at regional/local level. Furthermore, Central Government must support capacity and capability building as well as the behaviour change necessary for system partners to facilitate the successful transition and implementation of the new RM system.

366. Council is also concerned about equity in terms of funding the new RM system. The SAR records that there will be 'overall cost shifting from system users to central and local government'.[7] On a conservative estimate, costs to system users will fall 19% a year ($149m) or $10b over 30 years.[8] Council understands that a front-loaded RM system entails this cost transfer, however, the equity of this shift is questionable. Ultimately, the taxpayer and ratepayer will fund the new RM system, with the costs falling to ratepayers most heavily.[9] Council does

[6] Ministry for the Environment (2022) Supplementary Analysis Report: The New Resource Management System.
[7] Ministry for the Environment (2022) Supplementary Analysis Report: The New Resource Management System. (pg.7).
[8] Ministry for the Environment (2022) Supplementary Analysis Report: The New Resource Management System. (pg.106).
[9] Ministry for the Environment (2022) Supplementary Analysis Report: The New Resource Management System. (pg.109).

not accept that this is in accordance with the 'benefits principle' and considers that Central Government must consider an equitable way to distribute funding across taxpayers, ratepayers and individuals in the future RM system.

Thank you for the opportunity to provide this submission. For any clarification or discussion on points within this submission please contact Selwyn District Council's Strategy Planner – George Sariak (George.Sariak@selwyn.govt.nz) or Principal Resource Consent Advisor – Bev Bray (Bev.Bray@selwyn.govt.nz)

DRAFT

REPORT

TO: Chief Executive Officer

FOR: Council Meeting – 8 February 2023

FROM: Jocelyn Lewes, Policy Planner

DATE: 30 January 2023

SUBJECT: **PRIVATE PLAN CHANGES 81 and 82 – REZONING OF LAND IN ROLLESTON**

RECOMMENDATION

'That the Council:

a. *receives the report and recommendation of independent Commissioner Paul Thomas dated 27 January 2023 in regards to the private plan change requests from Rolleston Industrial Developments Limited (Plan Change 81) and Brookside Road Residential Limited (Plan Change 82) to rezone land in Rolleston;*
b. *adopts the recommendations of the Commissioner and, pursuant to Clause 29(4) of the First Schedule of the Resource Management Act 1991, declines Plan Change 81 and Plan Change 82 for the reasons given in the Commissioner's recommendation;*
c. *approves the public notification of Council's decision in accordance with Clause 11 of the First Schedule of the Resource Management Act 1991; and*
d. *delegates the Head of Strategy and Policy to take any steps necessary to give effect to recommendation (b) and (c) above.'*

1. PURPOSE

The purpose of this report is to present the Commissioner's recommendation (**Attachment 1**) on Private Plan Change 81 (PC81) and Private Plan Change 82 (PC82). It seeks that Council adopts the recommendation of the Commissioner as its decision on PC81 and PC82.

2. SIGNIFICANCE ASSESSMENT/COMPLIANCE STATEMENT

Council's Significance and Engagement Policy states that:

> *"even if a decision is clearly a significant one within the meaning of the Local Government Act 2002, where the procedures for decision-making are set out in other legislation, those procedures will be used instead of those contained in this … Policy. This … Policy will not be used in making decisions taken under the RMA … on … decisions required when following the procedures set out in Schedule 1 of the RMA …".*

Schedule 1 of the Resource Management Act 1991 sets out the procedures for the preparation, change and review of plans. In particular, Clause 29 sets out the procedures under this section when considering a plan change request by someone other than Council i.e. a private plan change request.

After considering the plan change request, pursuant to Clause 29(4) of Schedule 1, a local authority may decline, approve, or approve with modifications, the plan change and must give reasons for its decision.

In accordance with delegation RS-201, Council delegates to an external, accredited hearing commissioner the power to hear and consider submissions on the requested change and to recommend decisions to Council pursuant to Clause 29(4). However the final decision on the plan change request remains the responsibility of the Council.

3. HISTORY/BACKGROUND

PC81 is a private plan change initiated by Rolleston Industrial Development Limited in respect of an area of 28.4 hectares located on the northwest corner of the intersection of Dunns Crossing, Selwyn and Goulds Roads.

PC82 is a private plan change initiated by Brookside Road Residential Limited in respect of an area of 109.8 hectares located on the southwest corner of the intersection of Dunns Crossing and Brookside Roads, extending west to the intersection of Edwards Road.

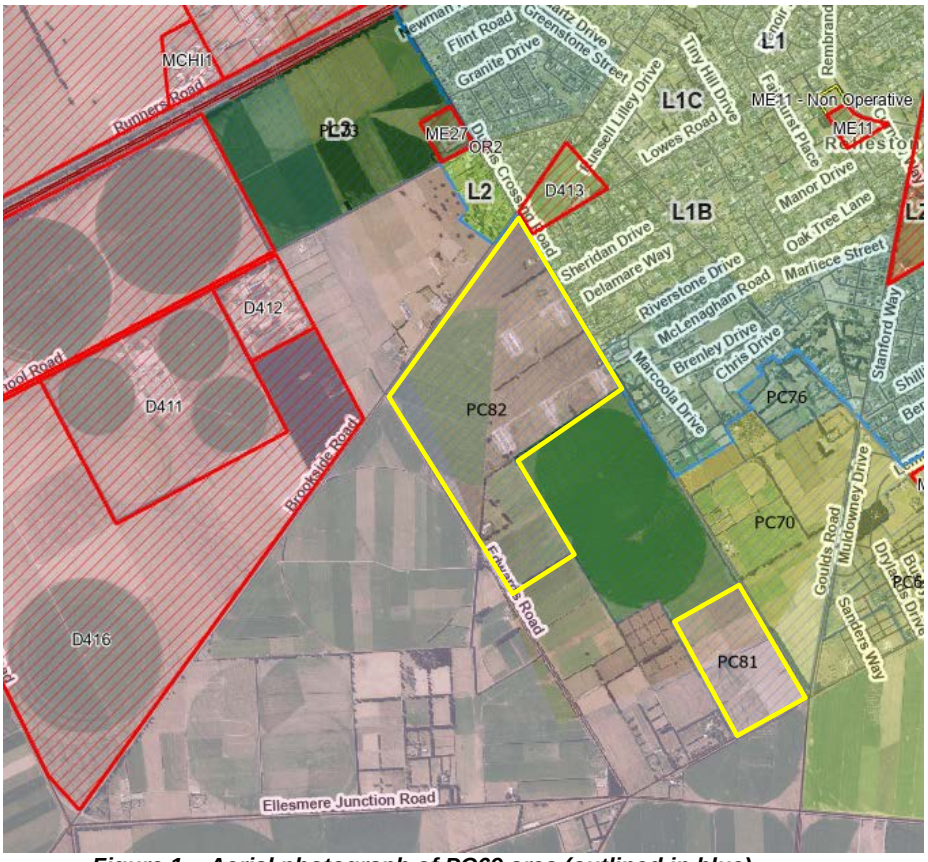


Figure 1 – Aerial photograph of PC69 area (outlined in blue)
(Source: Selwyn District Council Maps)

Both plan changes sought to rezone the land from Rural (Outer Plains) Zone to Living MD Zone, to facilitate residential development. The Living MD zone does not exist in the Operative District Plan; it has been developed by Council to give effect to the requirements of the requirements of the Resource Management (Enabling Housing Supply and other Matters) Amendment Act to comply with the Medium Density Residential Standards.

PC 82 also proposed two areas of Business 1 zone – one located at the intersection of Brookside Road and Dunns Crossing Road and the other more central to the plan change area.

The plan changes are located to the north and south of a component of PC73, which was declined by Council on 23 March 2022. This decision was appealed by the proponent on 29 April 2022.

The following table sets out the general timeline of the progress of the two plan changes through the statutory process:

Stage	PC81	PC82
Formally received by Council	19 October 2021	29 October 2021
Accepted by Council	23 March 2022	23 March 2022
Publicly notified	6 April 2022	6 April 2022

Due to commonalities with the plan change proponents and the land involved, a single hearing for the two plan changes was held over three days – 12 and 13 September and 5th December 2022.

Following notification. PC81 attracted nine submissions and PC82 attracted 17 submissions. There were no further submissions for either plan change.

4. PROPOSAL

An independent Planning Commissioner, Mr Paul Thomas, was appointed to consider all the relevant material in respect of the plan change and to make a recommendation to the Council on the plan changes and the submissions received.

This recommendation relates to whether the plan change should be approved, approved with modification (in accordance with the scope provided by the plan change) or declined. The final decision on whether this recommendation and, as a consequence the plan change, should be adopted is the responsibility of the Council.

For the reasons set out in his recommendation, as set out below, the Commissioner recommends that PC81 and PC82 be declined and that the matters raised in the submissions to the two plan changes be accepted, accepted in part, or rejected.

5. OPTIONS

As set out above, Council delegates to an external accredited hearing commissioner the function to recommend decisions to the Council under Clause 29(4) of the First Schedule of the Act, but Council retains the power and duty to make the decision.

It is considered that two options are available to Council:

i. Make a decision in accordance with Clause 29(4) of the First Schedule of the Act

In accordance with Clause 29(4) of the First Schedule of the Act, Council may decline, approve, or approve with modifications, the plan change.

a. Decline

Through the statutory processes set out in the Act, the Commissioner has concluded that the two Plan Changes should be declined.

In this regard, the Commissioner concluded that the plan changes would not assist the Council in achieving integrated management of the effects of use, development or protection of land and associated natural and physical resources of the district.

In terms of the provisions of the National Policy Statement on Urban Development (2020), the Commissioner concluded that the plan changes are not integrated with infrastructure planning and funding decisions and will not achieve a well-functioning urban environment. As such, these shortcomings are sufficient grounds not to consider the proposed development capacity, especially when this capacity cannot be achieved in the remaining limited life of the Operative District Plan. In this regard, the Commissioner indicated that he was satisfied that, through various processes, there is likely to be sufficient supply of residential land in Rolleston for the next 6-7 years and, while supply beyond that was less certain, he considered that it was not the responsibility of the Operative District Plan to enable capacity this far into the future as it has, at best legal function only for the next 12-18 months.

The Commissioner also considered that, in light of his conclusions on capacity, there was insufficient justification at this time to override the existing policy framework of the Canterbury Regional Policy Statement.

While the Commissioner has recommended that the plan changes be declined, in terms of effects on the environment and risk of reverse sensitivity on significant infrastructure, he did conclude that, were PC82 to be approved, it should be modified to provide a 1,000m building set back from the composting area of the Pines Resource Recovery Park and that land within this setback area should retain a rural zoning.

The Commissioner's overall conclusion can be found at paragraphs 247-256 of his recommendation.

b. Approve

It is considered that it would be inappropriate for the Council to approve the plan changes, as this would be contrary to the recommendation of the Commissioner who has determined, through the statutory processes, that the plan changes are inappropriate.

c. Approve with modification

It is considered that it would be inappropriate for the Council to amend the findings contained in the Commissioner's recommendation in the absence of hearing the submissions and considering the substantive material of each plan change.

d. Decline to make a decision

If the Council was not of a mind to accept the recommendation of the Commissioner, it could refer the plan changes back to the Commissioner with a direction that he reconsider his recommendation or appoint another commissioner to consider the plan change request from the beginning.

It is considered that there are issues with natural justice with both of the above options and, if the Council were to consider either option, it must be satisfied that there are sufficient grounds for doing so. In this regard, it is considered that the Commissioner thoroughly canvased the key issues raised in the submissions or required to be addressed in order to ensure that the Council's statutory functions and responsibilities are fulfilled.

It is also considered inappropriate to delay making a decision on the plan change while other processes, such as the spatial planning work being carried out at a regional level, which is still 9-12 months away from being finalised. This would likely result in legal challenge due the obligation on Council under Section 21 of the Act to avoid unreasonable delay, along with the requirement under Clause 10(4)(a) to give its decision no later than two years after notifying the plan change.

If the Council were not to accept the Commissioner's recommendation, this could expose the Council to legal challenge, such as a judicial review, the outcome of which could be damaging to Council in terms of its reputation, and may result in a loss of trust and confidence that future decisions would be rational and based on a fair process. Council would also likely face significant legal costs, defending any action that may arise from declining to make a decision.

Recommended Option:

It is recommended that Council accepts the Commissioner's recommendation and decline PC81 and PC82 for the reasons set out in the Commissioner's recommendation.

I note that, in accordance with the statutory process of the Act, a 30-day appeal period is provided to lodge an appeal, by any party to the plan change, against the decision to the Environment Court.

6. VIEWS OF THOSE AFFECTED / CONSULTATION

(a) Views of those affected and Consultation

These matters are addressed in the recommendation of the Commissioner, with the mandatory public notification, serving of the notice of the request on potentially affected parties and submissions processes required under the Act having provided appropriate opportunity for interested parties to participate in the private plan change process.

These process have also provided the wider public an opportunity to participate in the private plan change process.

(b) Māori and Treaty implications

No specific consultation was undertaken with local Rūnanga as part of the plan change processes. As part of PC81, a copy of feedback from Mahaanui Kurataiao Limited, who provide mana whenua environmental services that are endorsed by local Rūnanga, in relation to PC73, on the adjacent property to the north, was included with the request.

(c) Climate Change considerations

Climate change considerations were considered through the statutory processes, as required by section 7(i) of the Act and Policy 1 of the NPS-UD.

At paragraph 186, the Commissioner noted that Rolleston is rapidly reaching a stage where all supermarket and most retail needs will be able to be met locally and that the zoning of additional industrial land was being pursued. As such, he did not consider that the plan changes should be rejected on grounds of Policy 1(e) relating to GHG emissions.

7. FUNDING IMPLICATIONS

The funding implications are limited to any appeal proceedings. All costs incurred in notifying the decision are on-charged to the private plan change proponents.



Jocelyn Lewes
POLICY PLANNER

Endorsed For Agenda



Tim Harris
GROUP MANAGER DEVELOPMENT AND GROWTH

Attachment: Commissioner’s Recommendation Report [52 pages]

SELWYN DISTRICT COUNCIL

HEARING OF PROPOSED PLAN CHANGES 81 AND 82

ROLLESTON INDUSTRIAL DEVELOPMENTS LIMITED (PC 81)

AND

BROOKSIDE ROAD RESIDENTIAL LIMITED (PC 82)

Report and recommendations by Hearing Commissioner Paul Thomas

27 January 2023

TABLE OF CONTENTS

1.	**INTRODUCTION**		**4**
	1.1	Proceedings	4
	1.2	The Proposed Plan Changes	5
	1.3	Submissions	6
2.	**RELEVANT STATUTORY CONSIDERATIONS AND RELATED LEGAL ISSUES**		**7**
3.	**THE HEARING**		**10**
4.	**THE PLANNING CONTEXT**		**11**
5.	**THE SCOPE OF THE PRINCIPAL ISSUES**		**14**
6.	**HOUSING CAPACITY AND DEMAND**		**14**
7.	**INFRASTRUCTURE**		**18**
8.	**THE ODOUR ENVIRONMENT AND REVERSE SENSITIVITY**		**21**
9.	**URBAN FORM AND URBAN DESIGN**		**27**
10.	**OTHER MATTERS**		**34**
11.	**STAUTORY ASSESSMENT**		**35**
11.1	The Functions of Territorial Local Authorities		36
11.2	The National Policy Statement on Urban Development 2020		37
11.3	The Canterbury Regional Policy Statement		41
11.4	Section 32: Alternatives, Benefits and Costs		44
12.	**OVERALL CONCLUSION**		**47**
13.	**RECOMMENDATIONS**		**49**

ANNEXURES

1. **Plan Change 81: Recommendations on Submissions.**

2. **Plan Change 82: Recommendations on Submissions.**

1. INTRODUCTION

1.1 PROCEEDINGS

1 Pursuant to instructions from the Selwyn District (SDC) I was appointed as the sole Hearing Commissioner to hear and consider Proposed Plan Changes 81 and 82 (PC 81 and 82). As such I am required to recommend to the Council decisions on whether the proposed plan changes should be declined, approved or approved with modifications and consequent on that to recommend decisions on submissions to the Plan Changes.

2 The reason these two plan changes have been heard together is because the proponents now have common ownership and the land involved is in the same general location on the west side of Rolleston. There are, therefore, interrelationships between them and efficiencies in hearing submissions in a single combined hearing.

3 For that purpose, I conducted a hearing of the details of these Plan Changes and related submissions. Directions regarding the exchange of evidence and conduct of the hearing were issued to all parties on 14th July 2022. The hearing commenced at Te Ara Ātea on Monday 12th September 2022 and continued during Tuesday 13th September adjourning at 5.00 pm on that day.

4 For the record, prior to the hearing, I issued Minute 2 amending the deadline for filing submitter expert evidence because of a short delay in making the requestors evidence available.

5 At the hearing adjournment I indicated that I would issue a further minute addressing further information requested, a request for expert conferencing on urban design matters and any other matters to be addressed in reply. Minute 3 was issued on 20th September 2022.

6 The hearing, after some approved time extensions recorded in Minutes 4 and 5, resumed to address the matters set out in Minute 3 on 5th November 2022. On that day I also undertook an additional site visit to the Pines Resource Recovery Park and Pines Wastewater Treatment Plant.

7 A final reply was received in writing on 9th December. After reviewing that material, I formally closed the hearing on 12th December by way of Minute 6.

8 In preparing this report I have chosen not to specifically record all of the evidence received, nor do I record an analysis of all of the evidence. The report however does consider all the relevant evidence for each principal issue and any other areas where changes to the provisions have been proposed.

1.2 THE PROPOSED PLAN CHANGES

9 PC 81 essentially seeks to enable the coordinated residential development of an area of 28.4 hectares located on the northwest corner of the intersection of Dunns Crossing, Selwyn and Goulds Roads. The site is rectangular in shape, generally flat with shelter belts and pasture. There is a water race in the centre of the site which terminates in a soak pit near Selwyn Road.

10 The PC 82 site is larger at 109.8 hectares located on the southwest corner of the intersection of Dunns Crossing and Brookside Roads, extending west to the intersection of Edwards Road.

11 Both Plan Changes seek to rezone the land from Rural (Outer Plains) Zone to Living MD Zone. PC 82 also includes two areas of Business 1 zoning, one located at the intersection of Brookside Road and Dunns Crossing Road and the other more central to the development area.

12 The s42A report notes that the Living MD Zone is one that does not yet exist in the Operative District Plan. It has been developed by Council to give effect to the requirements of the Resource Management (Enabling Housing Supply and other Matters) Amendment Act. It is therefore an iteration of the existing Living Z zone amended to comply with the new Medium Density Residential Standards imposed by the RMA Amendment Act.

13 The Zone is proposed to provide for density of 400 m^2 lots with 3 residential units per site in accordance with the Medium Density Residential Standards.

14 Incorporating this zone into the Plan includes:

- a Living MD Zone Description,
- new objective B3.4.7,
- new policies B3.4.9A, B3.4.27A, B and C.
- new Objective B4.1.3
- New Policy B4.1.14

15 Other plan provision changes proposed are:

- Addition to Policy B4.3.77 setting out in text the important features of each Outline Development Plan (ODP).
- The Skellerup South Outline Development Plan
- Specific matters of discretion for subdivision in the Skellerup South Block relating to school provision, infrastructure and connectivity, boundary

treatments, and an Integrated Transport Assessment (ITA) where more than 350 residential units.

16 The provisions for PC 82, known as Brookside, similarly have a policy setting out the key design principles, amendment to permitted activity rule 4.9.39 to control land use within the odour constrained area identified on the ODP Plan, along with a partner non complying activity rule 4.9.58.

17 Also for PC 82:

- amendment to subdivision rule 12.1.3.50 requiring a consent notice on subdivision preventing dwelling occupation prior to three specified intersection or road upgrades
- no allotments within 1500 m of the Pines Wastewater Treatment Plan buildings prior to plant expansion authorisations or a specified date.
- Brookside matters of discretion similar to that for the Skellerup South Block with the ITA relating to 1320 residential units and management of the odour constrained area.

1.3 SUBMISSIONS

18 Both PC 81 and 82 were publicly notified on 6th April 2022 with submissions closing on 9th May 2022. Eight submissions were received on PC 81 and 16 on PC 82 with one late submission on each Plan Change. These were notified for further submissions on 8th June 2022. No further submissions were received.

19 The section 42A report was prepared by Ms Elizabeth (Liz) White, an independent planning consultant. She identified the key matters to be addressed arising from submissions and from assessing the Plan Change to include:

(a) Traffic Effects

(b) Servicing

(c) Effects on community facilities

(d) Soils

(e) Environmental quality

(f) Reverse sensitivity

(g) The form of urban growth

(h) Geotechnical and ecological considerations

(i) Other matters

2. RELEVANT STATUTORY CONSIDERATIONS AND RELATED LEGAL ISSUES

20 The relevant statutory consideration that I must consider in making my recommendations were considered in the section 42A report, the opening submission for the proponents and the submissions for Canterbury Regional Council / Christchurch City Council. In Greater Christchurch the statutory considerations have been extended by plans prepared under Canterbury Earthquake Recovery Act (CER Act), in this case principally being the Land Use Recovery Plan.

21 A summary of the matters required to be considered in *Long Bay – Okura Great Park Soc Inc v North Shore City Council (A078/08)* was updated in *Colonial Vineyard v Marlborough District Council (NZEnvC 55)* as follows:

22 ***A General Requirements***

1. *A district plan (change) should be designed to accord with, and assist the territorial authority to carry out its functions so as to achieve the purpose of the Act.*

2. *When preparing its district plan (change) the territorial authority must give effect to any national policy statement or New Zealand Coastal Policy Statement.*

3. *When preparing its district plan (change) the territorial authority shall:*

    a. *Have regard to any proposed regional policy statement;*

    b. *Give effect to any regional policy statement.*

4. *When preparing its district plan (change) the territorial authority must also:*

    a. *Have regard to any relevant management plans and strategies under other Acts, and to any relevant entry in the Historic Places Register and to various fisheries regulations, and to consistency with plans and proposed plans of adjacent territorial local authorities.*

    b. *Take into account any relevant planning document recognised by an iwi authority, and*

    c. *Not have regard to trade competition*

5. *A district plan (change) must state its objectives, policies and rules (if any) and may state other matters.*

B Objectives [the section 32 test for objectives].

6. *Each proposed objective in a District Plan (change) is to be evaluated by the*

extent to which it is the most appropriate way to achieve the purpose of the Act.

C Policies and methods (including rules) [the section 32 test for policies and rules]

7. The policies are to implement the objectives, and the rules (if any) are to implement the policies.

8. The provisions of the proposal are to be examined, and quantified if practicable, assessing their efficiency and effectiveness, against reasonably practicable options for achieving the objective taking into account:

a. The benefits and costs of the environmental, economic, social and cultural effects anticipated from the provisions, including economic growth and employment; and

b. The risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods.

D Rules

9. In making a rule the territorial authority must have regard to the actual or potential effect of activities on the environment.

23 Section 32AA also requires me to undertake further evaluation in the event that I recommend changes to the content of the Plan Changes.

24 Mr Rogers for the Council helpfully provided a background memorandum on the Private plan change process leading up to this hearing. In this regard it is important that I check that the process has met the requirements of the Act so there is no legal doubt about my jurisdiction to make a recommendation.

25 The memorandum focusses on Clause 26 of the First Schedule. Mr Rogers confirmed that Clause 26 is procedural and does not include a merits assessment of a plan change. Clause 26 essentially requires that having accepted a plan change as a private plan change under Clause 25, the local authority is then required to prepare the plan change in consultation with the person who made the request and notify the plan change within 4 months of deciding to accept the request. At para 19 Mr Rogers states:

26 19 *"Preparing the change for notification in consultation with the proponent who made the request for the change includes Council ensuring what is contained within the change and how the change impacts on the operative plan is accurate and suitable.*

20 Clause 26 by providing a 4 month timeframe acknowledges the consultation and the task can take some time because ensuring the plan change provisions fit with the operative plan change provisions (sic) can be time consuming.

21 Indeed, the plan change may have impact on many provisions spread through a range of chapters or sections of an operative plan. Council knows its operative plan and is responsible to (sic) administer it. So to have Council 'prepare the change' as explained above makes sense. As well Council has the role to ensure taking into account the plan change that the operative plan remains consistent." [1]

27 In answering the question did Council undertake a Clause 26 step? Mr Rogers at paras 33/34 relies on the requests for further information and incorporation of the MDRS into the plan change request. However, this occurred prior to the Clause 25 consideration of the requests. This, therefore, relates to Clauses 23 and 24 which gives the local authority power to require further information and to modify the request in response to that information with the agreement of the requestor.

28 While these are two separate procedural steps, it is arguable that the purposes overlap and that, in addition to determining a recommendation under Clause 25, this can reasonably extend to ensuring a plan change request is in a suitable form to proceed to notification depending on the Clause 25 decision.

29 Both Mr Rogers and Ms Appleyard consider that this is what occurred in this case and they both agree that the requirements of the Act have in this case been met. This was addressed in Ms Appleyard's closing Legal Submissions dated 5th December where she states at para 7.3 that *"prior to notification the Council engaged and consulted with the Applicant to ensure it had the appropriate information required for notification of the Plan Changes".*

30 I am satisfied that, in this case, the Council did turn its mind to fitting the plan change into the Operative Plan even if this was at the pre Clause 25 stage. However, that then begs the question whether it is actually lawful to notify a plan change request or should it be a proposed plan change prepared in accordance with a plan change request. Mr Rogers says at para 6 of the memorandum *"Clause 26, properly interpreted, relates to the preparation of the plan change for the purpose of notifying the plan change as distinct from preparing the plan change itself."*

31 The public notices for these plan changes however both refer expressly to notification of a private plan change request, as opposed to a plan change prepared following a plan change request.

32 This was discussed further with Mr Rogers when he appeared on 5th December and he confirmed that he was satisfied that the process adopted was in accordance with

[1] Para 19 Memorandum of Mr Rogers Adderley Head 17 August 2022.

the First Schedule requirements. Ms Appleyard agrees with that position.

33 While I have some concerns about the language used in the public notification, I am conscious that the process adopted for the recent plethora of private plan changes considered by the Council has been consistent with the approach in this case and has not previously been challenged. Mr Rogers noted that there is little in the way of case law that assists. This is surprising given these provisions have been in place for over 30 years. This hearing also comes at a time when the Natural and Built Environments Bill has just been released for public submissions and is expected to put in place a wholly different set of Plan making procedures.

34 Given this context, I accept the submissions of Mr Rogers and Ms Appleyard that the procedure adopted by the Council does not prevent me from making recommendation on the plan change requests.

3. THE HEARING

35 I do not intend to summarise all the evidence presented to the hearing in this recommendation report. Instead, I will analyse the evidence presented under each of the Principal Issues. The section below does, however, record the witnesses who appeared at the hearing. Expert evidence which had been made available to all parties in accordance with the hearing directions was taken as read. Witnesses presented a summary of the evidence and supplementary material at the hearing. In accordance with Minute 1 the Plan Change proponents being the Rolleston Industrial Developments Ltd and Brookside Road Residential Ltd appeared first, followed by submitters, and then the Council s42A report witnesses.

36 The full order of appearance was as follows:

For the proponent:

- Opening legal submissions from Ms Jo Appleyard
- Company evidence of Mr Tim Carter
- Evidence of Mr Gary Sellars on valuation.
- Evidence of Mr Chris Jones on the real estate market.
- Evidence of Mr Fraser Colegrave on economics
- Evidence of Mr Greg Akehurst on economics.
- Evidence of Mr Chris Blackmore on traffic modelling.
- Evidence of Mr Nick Fuller on transport.
- Evidence of Mr Mark Taylor on ecology.
- Evidence of Mr Donovan van Kekem on odour.

- Evidence of Mr John Iseli on odour
- Evidence of Mr David Compton Moen on urban design and landscape
- Evidence of Ms Nicole Lauenstein on Urban Design.
- Evidence of Mr Paul Farrelly on greenhouse gas emissions
- Evidence of Mr Tim McLeod on Infrastructure
- Evidence of Mr Victor Mthamo on water supply and versatile soils
- Evidence of Mr Jeremy Phillips on Planning.

37 Submitters Malcolm and Jan Douglas

38 For Canterbury Regional Council and Christchurch City Council.

- Legal submissions from Mr Mike Wakefield by Zoom
- Evidence of Mr Marcus Langman by Zoom.

39 For Selwyn District Council

- Evidence of Mr Matt Collins on traffic.
- Evidence of Mr Andrew Curtis on odour.
- Evidence of Mr Andrew Boyd on the Pines Resource Recovery Park.
- Evidence of Mr Hugh Nicholson on urban design
- Evidence of Mr Murray England on infrastructure.
- Evidence of Ms Liz White on Planning.

40 When the hearing reconvened on 5th December there were further appearances from a number of experts. In addition, Mr Ben Baird from Selwyn District Council appeared as did Councils legal adviser Mr Paul Rogers.

4. THE PLANNING CONTEXT

41 The planning context of this proposed plan change is somewhat complex and consequently I will outline some parts of the jigsaw in this section before addressing in more detail the issues that arise in the principal issues sections below.

42 Firstly, it is important to stress that this is a proposed change to the Operative Selwyn District Plan. This is being pursued at the same time that the review of the District Plan is progressing, in the form of the Proposed District Plan, through its

process of hearing submissions to the Proposed District Plan. The Proposed District Plan will replace the current Operative Plan at the conclusion of that process. If these Plan Changes are approved, they will, therefore, have a short lifespan unless carried through into the Proposed District Plan.

43 The sites are not proposed in the Proposed District Plan to be zoned residential. The proponents are, therefore, in parallel with this process, pursuing submissions to the same effect through the Proposed District Plan process. The hearings on the Proposed District Plan are now well advanced. However, there is now also need to hold hearings into submissions on Variation 1 to the Proposed District Plan before issuing decisions. The hearing of submissions seeking a change of zoning including the land areas associated with PC 81 and 82 is scheduled to be held in the week of 30th January 2023.

44 Those decisions will be made by the District Plan Review Hearing Panel quite independently from this hearing process. It is intended that all decisions on submissions are notified at the same time including Variation 1 which has a statutory deadline in August 2023.

45 There are currently a number of other private plan changes being pursued through similar processes at this time. The Resource Management Act (Enabling Housing Supply and Other Matters) Amendment Act (RMA-EHS) requires that those Plan Changes that had been publicly notified before the commencement date of the RMA-EHS be amended to incorporate the MDRS and notified at the same time as the IPI. Hence Variation 1 includes amended versions of PC 71, PC 75, PC 76, PC78 at Rolleston, PC 68 and PC 72 at Prebbleton and PC 69 at Lincoln.

46 Plan Changes 75, 76 and 78 are all approved plan changes that are now operative in the operative District Plan. Plan Change 71 was approved by Council but is subject to appeal, and Plan Change 73 was declined by Council and is subject to appeal by the proponent.

47 The Skellerup North Block part of Plan Change 73 is, as will be detailed later in this report, important to both Plan Change 81 and Plan Change 82 as it is located directly between these two areas and adjoins both. I was told that there had been Court directed mediation on the appeal but at the point of closing the hearing there was no resolution to the appeal.

48 As stated above, decisions on the Proposed District Plan including Variation 1 are expected to be notified in mid 2023. District Plans are required to be reviewed on a ten yearly basis, although in practice this is rarely achieved. In terms of the National Policy Statement on Urban Development this lines up with requirements to provide for short and medium term development capacity. Short term is defined as within

the next three years. In this context the life of the existing operative plan is at a minimum 6 months and at maximum 12 – 18 months.

49 The Regional Planning Context is also important. Mr Langman's evidence details the history of this context. The Canterbury Regional Policy Statement (CRPS) includes a Chapter on Recovery and Rebuilding of Greater Christchurch which was included in the CRPS through the Land Use Recovery Plan (LURP). Unlike most Regional Policy Statements, this included policies to give effect to a particular urban form identifying the location and extent of growth areas to support recovery. The growth areas are called Greenfield Priority Areas for Residential and Business. This drew on the previous Urban Development Strategy (UDS) prepared as far back as 2007. The growth areas are shown on Map A of the CRPS. Alongside this, is a policy framework that seeks to avoid urban development outside of the identified locations on Map A.

50 These growth areas are all now largely developed. Following the release of the National Policy Statement on Urban Development Capacity a review of the land use framework for Greater Christchurch was undertaken and a report published in July 2019 called *"Our Space 2018-2048 Greater Christchurch Settlement Pattern Update"*.

51 This recommended that additional greenfield growth land, called Future Development Areas (FDAs), be released in Rolleston, Rangiora and Kaiapoi to meet medium term needs. This then led to Change 1 to the CRPS which incorporated the necessary changes including identifying the FDAs on Map A. This plan change to the CRPS was processed through the Streamlined Planning Process and approved by the Minister for the Environment. Two FDAs were identified at Rolleston and Plan Changes or other consent mechanisms have been advanced for both of these areas.

52 During this period the National Policy Statement on Urban Development Capacity was replaced with the National Policy Statement on Urban Development 2020 (NPS UD). The provisions of the NPS UD are highly relevant to this matter and will be discussed in detail later. However, at this point it is important to reference Policy 8 which requires *"local authority decisions to be responsive to plan changes that would add significantly to development capacity and contribute to well functioning urban environment, even if the development capacity is:*

(a) Unanticipated by RMA planning documents; or

(b) Out of sequence with planned land release. "[2]

53 It is, at least in part, the existence of this policy that has triggered the multiple private plan changes in Selwyn District as it is seen as providing a pathway for

[2] Polic8 NPS UD 2020

proposals beyond that identified on the CRPS Map A. This pathway exists specifically for plan changes, arguably to a greater degree than through the process of the District Plan Review. However, in discussion at the hearing Ms Appleyard stated clearly that she did not consider that the CRPS was a bar to zoning additional land through the Proposed District Plan and the principal reasons why this matter was being pursued through a change to the Operative District Plan was one of "urgency" in terms of need for additional development capacity in Rolleston.

54 For completeness the other recent context change in terms of development capacity is the RMA-EHS referred to in para 44 above. This directs changes to District Plans of Tier 1 authorities including Selwyn to enable medium density residential development in existing residential zones. As stated above, this is being implemented through Variation 1 to the Proposed District Plan and those provisions have been mirrored in changes to the Operative District Plan specifically for Plan Changes 81 and 82. This has implications for housing supply which is considered later in this report.

55 In relation to the Proposed District Plan and Variation 1, Ms Appleyard, in her closing legal submissions, stated *"We emphasise that while those other processes are relevant to the wider context of these Plan Changes, they do not in any way impede the Commissioners' ability to decide whether these Plan Changes should be approved on their merits."*[3] I accept that is correct, but this must also sit alongside the limited remaining life of the current Operative District Plan.

5 THE SCOPE OF THE PRINCIPAL ISSUES

56 There are a range of Principal Issues extending from site specific development planning matters, reverse sensitivity and the content of the Outline Development Plans, through to the more strategic planning issues at a regional level. I have determined that, in this case, an appropriate approach for addressing the principal issues is to start with the demand and development capacity justification before addressing the development constraints, reverse sensitivity and urban design issues. I will then consider the wider Regional and National higher order documents before focussing on the section 32 evaluation requirements.

6. HOUSING CAPACITY AND DEMAND

57 Expert evidence on housing capacity and demand was given by Mr Sellers, Mr Jones and Mr Colegrave. Mr Sellars evidence is that the property market in Greater Christchurch has experienced a significant increase in demand between 2020 and 2022. However, the recent increases in interest rates have resulted in market

[3] Para 18 Closing Legal Submissions on behalf of the Applicants.

correction and a drop in market confidence. An average of 485 sales per annum for the period 2014 to 2018 then increased to 1191 sales in 2020. Residential section sale price has similarly reflected demand resulting in 100%-145% growth in 2020-2021.

58 In his assessment up until early 2022 the supply of vacant residential land had failed to keep pace with the level of demand with limited choice and uncompetitive market practices by vendors. However more recently conditions have changed which Mr Sellars described as *"marketability poor for all but titles lots."* [4] However, he considers this to be a temporary hiatus unless there is increased supply.

59 Mr Sellars analysis found a total of 9,279 titled lots in Rolleston. In terms of market supply, he provided an analysis which showed 695 developed vacant sections, 348 sections under development. He also identified 6,415 additional lots yet to be developed and associated with the recent private plan changes. This figure includes PC 73 which has been appealed and the current plan changes PC 81 and 82, clearly not yet approved. Finally, he found an additional potential supply of 2520 associated with yet to be zoned Future Urban Development land and zoned land in piecemeal ownership.

60 Mr Jones provided a real estate perspective of the recent market. He described demand in 2021 as the highest he has seen in his 21 years in real estate. His opinion is that the recent settling of the market in 2022 was a result of both *"a shift in the market"*[5], and also the availability of residential land which has recently been provided by re zonings in Selwyn. He does not see any risks of oversupply and sees these plans changes as an opportunity to get ahead of the market.

61 Mr Colegrave's evidence brings this together with estimates of future demand and provides an economic assessment of the plan changes. He reminds us that Selwyn is second only to Queenstown in its population growth rate, with 30 June 2021 population estimates being above the Statistics New Zealand high population projection.

62 As would be expected, this is reflected in the new dwelling consents which reached record highs in mid 2021 and this was maintained into 2022. In his opinion this represents enduring demand for living in Selwyn despite the recent downturn.

63 His evidence then considers the latest Housing and Business Development Capacity Assessment (HBA) for Greater Christchurch being 30 July 2021. This estimates demand in the whole of Selwyn to be 2,714 for the short term next 3 years and 8,451

[4] Para 11 Statement of Evidence of Gary Sellars.
[5] Para 10 Statement of Evidence of Chris Jones

for the medium term being Years 3 to 10. This equates to 905 per year for the first three years increasing to 1,220 per year for the medium term.

64 The HBA finds, as a result, that with the capacity provided by the Future Development Area (FDAs) there is a surplus supply of 1,864 in the first three years and 3,667 – 4,961 in the medium term. Mr Colegrave questioned the plan enabled status of the FDAs and also considers that the demand levels are *"very conservative"*[6]. He also challenges the yield assumptions and low profit margins.

65 His estimates of demand amount to 3,886 in the short term and 11,819 in the medium term showing a shortfall of 850 and 6,769 respectively.

66 Mr Colegrave then provided an economic assessment which shows material economic benefit from the boost in market supply, land market competition, support for local retail and service provision and one-off economic stimulus with only minor costs associated with foregone rural production.

67 Mr Akehurst also provided evidence on modelling matters and was previously responsible for the development of the Selwyn Capacity for Growth Model (SCGM). He comments on recent work by Mr Ben Baird that was not presented to me to consider. However, interestingly Mr Baird and Mr Akehurst agree that the key driver for recent growth is internal migration, with 70% of that coming from Christchurch City. So, unless this is generated by new household formation, this internal migration has been releasing additional housing availability within Christchurch City.

68 Mr Akehurst's evidence then traverses seven aspects of the model that, in his opinion, leads to overstating of capacity. This evidence was not available to the Council experts ahead of producing their section 42A evidence. Ms White does address capacity at paragraphs 181-184 of her evidence, but this does not get into any modelling detail, it simply notes that Council has not identified that the rezoning of this land is required to meet the minimum requirements of the NPS UD nor is it considered necessary in more localised assessment of growth capacity.

69 At the adjournment of the hearing on Tuesday 13th September I indicated that it was important for me to have a clearer picture of capacity actively being enabled in Rolleston and that is a matter of some complexity. Therefore, in Minute 3, I specifically requested that the Proponent and Selwyn District Council jointly prepare an agreed schedule and associated mapping of the recorded dwelling yield at all development locations in Rolleston broken down into stated categories.

70 This piece of work was able to achieve agreement between the corresponding experts in terms of the final total however there are differences within the

[6] Para 37 Statement of Evidence of Fraser Colegrave

categories arising from methodology differences. The categories were redefined to avoid double counting and are:

- Consented ODP Areas – 13 ODP areas plus Lowes Road
- Unconsented ODP Areas – 10 ODP areas plus Lowes Road.
- Outside ODP Areas
- Consented through other pathways – two HASHA consented and 2 COVID Fast Track Consents
- Operative Plan Changes – Plan Changes 75, 76 and 78.
- Approved Plan Changes – Plan Change 71 at appeal from third party.
- Variation 1 – 6 sites
- Urban Growth Overlay – balance of land in PDP Overlay

71 This totalled 6,629 by the Council and 6,554 by Mr Sellars with the difference being considered immaterial.

72 The parties were also asked to consider intensification potential through the Medium Density Residential Standards by identifying sites over 2000m^2. This identified 223 by Mr Sellars and 272 by the Council. It is agreed that many of these are not capable of further subdivision nor is there necessarily motivation to pursue intensification.

73 It was also noted that there are three areas at Rolleston that are sought to be rezoned for urban development by way of submission on Variation 1. This includes the area to the south of PC 73 and PC 81, which is also the subject of a submission to the Proposed District Plan.

74 The mapping information provided shows the location of each of the areas assessed for capacity. This confirms that all these areas are within the Rolleston Structure Plan area and collectively take up all the remaining unconstrained development land within the Structure Plan area. This area is also the same as the Projected Infrastructure Boundary which appears in the Regional Policy Statement.

75 I understand that each area assessed is in a different stage of implementation ranging from completed subdivision through to the Urban Growth Overlay which is yet to be confirmed through PDP hearings and will then require a private plan change before development can proceed. Having stated this, I did ask Mr Sellars whether any of the assessed capacity had any form of infrastructure constraint

affecting the timing or rate of development. He confirmed that none existed for these development areas.

76 Mr Sellars evidence in chief at para 17 states that there are 9,279 titled lots in Rolleston. A growth capacity of 6,554 – 6,629 represents a growth of Rolleston of 71%. At Mr Colegrave's estimate of demand including a buffer, this is sufficient for the short term of 3 years and more than half of the medium term period of 3 – 10 years. The assessment for the Council was undertaken by Mr Ben Baird. He did not provide any supplementary evidence but was available for questions. I asked him about his assessment of future demand and he gave me the clear impression that there was a lack of information on the drivers for the unprecedented recent very high growth rate and this leads to considerable uncertainty over future demand levels. The Council is considering commissioning surveys of recent arrivals to better understand this. The recent reduction in house prices, increases in construction cost and rising interest rates are also important factors when looking forward.

77 Given the above, I am satisfied that by means of various processes there is likely to be a strong short term and first half of the medium term supply of residential land in Rolleston being the next 6 – 7 years. Beyond that is less certain, but it is not the responsibility of the Operative District Plan, which is unlikely to have a legal function beyond the next 12-18 months, to enable capacity to meet demand beyond 7 years into the future.

7. INFRASTRUCTURE

78 There are two principal issues to consider that relate to infrastructure. They are transport infrastructure and water supply infrastructure. This was an area of considerable agreement between the experts for the proponent and the Council, being Mr Fuller and Mr Collins. Expert evidence was also tabled by Olivia Whyte for Waka Kotahi NZ Transport Agency.

79 A number of the upgrades are required for development of both PC 82 and PC 81. The consequence of this is that the proposed Outline Development Plans for each Plan Change have been amended to cover the issues of concern.

80 Both ODPs include a table setting out the nature of the upgrade required, the timing in relation to development and the anticipated funding mechanism. In both cases at the top of the list is the upgrade of the State Highway 1/ Dunns Crossing Road/ Walkers Road intersection. Ms Whyte confirmed that this is part of the New Zealand Upgrade Programme Canterbury Package which includes a number of improvements through Rolleston. These are shown on Figure 4 of Mr Fullers evidence. She also confirmed that funding has been allocated to the intersection and while the design has not been finalised it is likely to involve a roundabout. Her evidence, confirmed

by email during the hearing, was that the works will commence in 2024 and the intersection completed in 2026. There was some discussion between the parties on the construction timing with the outcome being that the agreed relationship with timing of development in both Plan Change locations is that the intersection works shall be commenced prior to any construction activities commencing in the Plan Change areas.

81 Most of the other upgrades are required to be completed prior to issue of a section 224 certificate and where not provided as part of the project they will need to be separately advanced by way of a Development Agreement to meet the requirements of the ODP.

82 For PC 81 (Skellerup South) the required upgrades are

- Dunns Crossing Road/ Burnham School Road Traffic Signals – Development Agreement
- Realignment of Goulds Road to intersect with Dunns Crossing Road approximately 150 m north west of Selwyn Road. Selwyn Road/Goulds Road/Dunns Crossing Road to become a roundabout – Development Agreement
- Road frontage upgrades as shown on the ODP - Developer
- Dunns Crossing Road / Lowes Road Roundabout - Developer or Development Agreement

83 For PC 82 (Brookside) the required upgrades are

- Dunns Crossing Road/ Burnham School Road Traffic Signals – Development Agreement
- Realignment of Brookside Road at Dunns Crossing Road and gateway threshold on Brookside Road – Developer
- Realignment of Goulds Road to intersect with Dunns Crossing Road approximately 150 m north west of Selwyn Road. Selwyn Road/Goulds Road/Dunns Crossing Road to become a roundabout – Development Agreement
- Dunns Crossing Road Frontage and Edwards Road frontage as shown on ODP – Developer
- Dunns Crossing Road / Lowes Road Roundabout - Developer or Development Agreement
- Edwards Road upgrade between Brookside Road and Selwyn Road with gateway threshold on Edwards Road – Developer
- Edwards Road / Ellesmere Junction Road intersection upgrade – Developer

84 While some of the wording of the tables could be improved, I am generally satisfied that the proposed framework will ensure that these upgrades are in place when required and collectively will involve a considerable programme of works. In this regard, I note that the upgrades were also proposed to be included as a performance standard on subdivision. However, the planning experts finally came to the position that this requirement should remain in the ODP and not in the performance standard to avoid duplication. The exception appears to be commencement of the upgrade of the SH1/ Dunns Crossing Road / Walkers Road intersection which is retained as a standard for both Plan Change areas. I understand that this approach is consistent with the final form of PC 69 and I agree it is appropriate. The existing rules require adherence to the ODP and there is clearly the ability to set resource consent conditions to give effect to these requirements.

85 The ODPs also include a dwelling yield threshold for further assessment of traffic effects through an Integrated Transport Assessment. For PC 81 this is set at 350 households and for PC 82, 1,320 households. I consider this a prudent measure which has been agreed by the proponent and Council and ensures that, at that point, traffic arrangements can be reviewed and implemented either through further consent conditions, Development Agreements or Council funding.

86 These works can largely be designed and constructed in parallel with the design consenting and construction of the first stages of each Plan Change area. However, this will create some infrastructure lag in terms of timing of delivery to market. While the proponent has not set out a planned timetable for staging and delivery of each area, the evidence presented all talks in terms of meeting medium term demand. This is, therefore, in the 3 to 10 year bracket and sits well beyond the reasonably expected life of the Operative District Plan.

87 In terms of three waters the principal issue relates to water supply. Mr Murray England provided evidence for the Council on these aspects. His evidence is that Council has a programme in place for additional groundwater bores which are consented and will provide capacity for growth. However, to date planning has been based on servicing the area within the Rolleston Structure Plan development area. Additional consented water supply capacity with associated UV treatment will be required for the Plan Change areas.

88 Mr Mthamo, for the proponent, proposed that some of the existing Council capacity be made available to these areas and that additional bores overtime replace that capacity as required. While Mr Mthamo did not see the need for additional rules relating to this, the final versions of the provisions include a performance standard for both areas requiring an available potable water supply at the time of subdivision.

This is also referred to in the ODPs which also include reference to a requirement to transfer existing irrigation water take and use consents to the Council.

89 I am satisfied that this is not a significant constraint to development of either area and that appropriate provisions are in place to ensure water supply is available for development. However, it will be a factor in the timing of development.

8. THE ODOUR ENVIRONMENT AND REVERSE SENSITIVITY

90 The issues associated with odour and reverse sensitivity occupied a considerable part of the hearing and were a material consideration in the recommendation to decline PC 73 by Commissioner Caldwell in March 2022.

91 The issues are confined to Plan Change 82 which has the Pines Wastewater Treatment Plant (PWTP) and Pines Resource Recovery Park (PRRP) located to the north west. The issues relate to the risk of odour effects on the future residential environment that PC 82 will enable and the risk of reverse sensitivity effects on the operation of those facilities.

92 The expert evidence in this area was for the proponent by Mr van Kekem and peer review by Mr Iseli. Mr Bender provided an assessment for the Council for the s42A report. However, Mr Bender was not available for the hearing and was replaced by Mr Curtis, who peer reviewed the s42A report both being from Pattle Dellamore Partners Ltd. In relation to the PRRP, Mr Boyd, the Solid Waste Manager and Mr England, the Asset Manager Water Services, for SDC also gave evidence.

93 First, I should record that one other existing odour source, being the Tegal Poultry Sheds on Dunns Crossing Road, is located within the PC 82 area and will be decommissioned prior to development. I agree that this can be considered as a positive odour effect in terms of risk of odour effects to existing residential land on the eastern side of Dunns Crossing Road.

94 Mr England's evidence outlined the Councils plans for the PWTP. The plant currently services a catchment population of 42,000 – 45,000, but is designed to be progressively upgraded to accommodate 60,000 person equivalents. In addition, work is underway to further expand the treatment capacity in the longer term to 120,000. The plant currently services a number of other centres in Selwyn including Lincoln, Prebbleton, West Melton and Springston. Recently Darfield, Kirwee and NZDF Burnham have connected and in 2024 Leeston, Southbridge and Doyleston will connect. The plant itself occupies a relatively small area but a large area surrounding the plant is used for disposal of treated wastewater through centre pivot irrigation. This currently involves some 238 ha which is planned to increase to 302 ha. The

plant is currently a fully aerobic system, however, the future expansion may involve primary treatment and anaerobic digestion.

95 In terms of separation distance, the closest part of PC 82 area is 1000m from the PWTP and 500 m from the application of biosolids and treated wastewater to land. All the odour experts agree that this is sufficient separation distance for the odour generating activities from a well-designed and well run WWTP.

96 However, Mr England remains concerned about "unforeseen events" that might create odour events such as plant failure and extreme climatic conditions. I consider that plant management should consider all possible scenarios and plan appropriately reducing the odour effect to the rarest of events. Having said that, I am conscious that Christchurch City experienced, in November 2021, a major fire at the Bromley Wastewater Treatment Plant which caused enduring odour effects on nearby communities.

97 Reverse sensitivity is a separate but related consequence of any odour effects on new residential activities. The meaning of reverse sensitivity was addressed in the proponents opening and closing submissions. In the opening submissions direct reference is made to the PC 73 decision and the weight given to reverse sensitivity risk. The same rules are proposed to address this in PC 82 as were proposed in PC 73. That is a performance standard that no residential allotments may be created within 1500 m of the PWTP buildings as depicted by the line on the ODP prior to the certification by the Council's Asset Manager that the resource management approvals to enable the PWTP to provide treatment capacity for 120,000 person equivalents have been obtained, or 31 December 2026, whichever is the sooner, unless a no complaints covenant is registered against the title in relation to the PWTP and PRRP.

98 Clearly, a permanent no complaints covenant on a title is a longer term and more enduring mechanism compared with the alternative maximum 3 year restriction on development. However, unless carried forward into the Proposed District Plan by way of successful submission the effectiveness of these mechanisms is in doubt. The proposal for a no complaints covenant is, in my assessment, something of a double-edged sword. In one respect, it gives the operators of the PWTP the confidence that "unforeseen events" cannot lead to complaint; on the other hand, the fact that it is considered necessary, does question the overall suitability of this part of the PC 82 area for urban development.

99 I agree with the proponent's legal position that a no complaints covenant does not excuse the operator from compliance with the resource consent conditions for discharge to air.

100 The discussion above overlaps materially with the other potential odour source which the subject of considerable evidence and that is the Pines Resource Recovery Park (PRRP). This is also an expanding facility that provides for receipt of recycling materials including green waste. It also receives domestic refuse which is then compacted into containers and transported by truck to the Kate Valley Landfill.

101 Other waste streams such as hazardous waste and food waste are also received. The green waste is processed through a large shredder and is then mixed with food waste on a concrete pad. The compost material is then located into windrows about 2m high and 20 m long located to the southern or rear part of the site. Each windrow is turned approximately every 3 - 7 days with the more mature compost located to the east.

102 Mr Boyd's evidence was that this facility was strategically located alongside the PWTP because future growth of the township is planned to the south and not the west. The only potential odour generating activity is the composting windrows when they are most active. Being an open-air composting methodology, it is generally considered by all experts to have a higher risk of odour plumes compared with closed in facilities. The key circumstances when what are termed 'upset conditions' may occur is in very wet weather combined with poor windrow drainage. Under these conditions the lower part of a windrow can become anaerobic and cause odour. This can be remedied by turning the windrows which will emit odour. However, Mr Boyd's evidence is that consent conditions limiting the turning of windrows in certain wind conditions limits turning time to 51% of the time between 7 am and 4 pm.

103 Mr Boyd told the hearing that the Council expansion of the centre called the "Reconnect Project" will include provision of a reuse shop, salvage yard, micro enterprise/maker space units, education centre, garden hub, multipurpose waste hub, landscape supplies yard and high temperature pyrolysis plant for processing waste materials into oil and gas for reuse.

104 The site operates under a designation and discharge to air consent which provides for an increase in organic material to be composted to 53,000 tonnes per year. This is limited to green waste, commercial food waste and kerbside organics. The consent term extends to December 2044. Mr van Kekem's evidence tells us that the maximum quantity was based on assessment of the maximum production that could be practically achieved on the defined site.

105 Council plans to trial caddies for individual households to divert organic material from the general waste. This will increase the food content in the compost which Mr Boyd considers increases the potential for odour.

106 Ms Appleyard's opening submissions note that Condition 15 of the current consent is the, somewhat standard, condition that the discharge shall not cause odour or particulate matter which is offensive or objectionable beyond the boundary of the property on which the consent is exercised.

107 Given this, the principal issue is what should be the appropriate setback of the proposed residential zone to ensure that there are not adverse odour effects for those living near by and also that any effects do not result in reverse sensitivity political pressure on the composting operation.

108 Clearly, the composting operation has a legal responsibility to manage its activities in compliance with its consent conditions. The MFE best practice tests for offensive and objectionable odour apply the FIDOL methodology being frequency, intensity, duration, offensiveness character and location. The FIDOL threshold is different for a rural environment to a residential environment. However, in neither case, does it mean no odour at all is permitted.

109 The principal issue is that, given some odour is permitted, the increase in residential population within the vicinity will likely increase the number of people who may consider that levels of odour that comply with the consent conditions are still an unacceptable adverse effect and pursue complaints on that basis. There is also a proportional increase in the small minority who may be motivated to pursue a vexatious form of complaint, even if there is no evidence of odour effects.

110 Mr van Kekem provided the principal evidence for the applicant on odour. His site specific assessment is that a separation distance from the composting activities of 600 m is appropriate. Given this, he considers that the key matter to be considered is if odour is observable beyond 600 m, would it be considered as offensive in this more sensitive residential zoning. There is general agreement amongst all the expert witnesses that under normal operating conditions offensive or objectionable odour will not occur beyond 600 m. However, should that occur, it would be a clear breach of the consent conditions. The setback determination is, therefore, more about odours that do not reach the offensive or objectionable level but are still observable. In this regard, Mr van Kekem notes that on his site visit he was not able to observe odour more than 50 m downwind of the active composting operations.

111 A setback of 600 m from the active composting area has very little impact on the PC 82 area as the closest point is 585m from the active compost area.

112 The differences of opinion in the evidence largely focus on the risk associated with complying low level composting odours and the risk of "upset conditions" of offensive odour in the PC 82 area. Mr van Kekem considers that "upset conditions" requires a windrow to turn anaerobic and then be turned with the wind blowing

towards PC 82. He considers this to be *"very low to non existent"*[7] and, therefore, will not result in any consequential reverse sensitivity effects. He also considers that the low risk feedstock consented and the avoidance of the need for leachate collection and treatment further reduce the risk.

113 Mr van Kekem also undertook a Community Odour Survey in which he interviewed nine residents of seven nearby dwellings which produced a mix of responses. Only two did not smell any odours but only one considered the odour offensive. A review of comparable composting operations also found that odour *"is generally contained within 400 m of the source"*[8]. Mr van Kekem and other experts also undertook an Odour Scout Survey between 22nd and 25th August 2022. It was accepted that this was a limited dataset but showed a maximum odour plume of 350 m downwind and a width of not more than 150 m wide.

114 Mr Iseli reviewed Mr van Kekem's work and agrees with his conclusions that adverse odour effects are unlikely to occur beyond 600 m from the active windrows and that "upset conditions" are not likely to occur given the Odour Discharge Management Plan (ODMP) in place and the conditions of consent.

115 Mr Curtis's evidence for the Council adopted the s42A report by Mr Bender that he peer reviewed. He notes that the proposed 600 m separation distance is significantly less than is recommended by a number of international authorities for a composting facility of the size and type at the PRRP. In his opinion the 600 m setback is *"insufficient to avoid the potential for reverse sensitivity effects on the PRRP."*[9] Also that any setback should be determined from the composting area as a whole including the compost maturation and processing area.

116 The essence of Mr Curtis's opinion is that, despite compliance with the offensive and objectionable condition at the boundary, occasional low intensity odours will occur and, in his terms, *"will not be tolerated"* by the residential communities affected. He recommends that a setback of 1,000 m is applied. I understand these odours are called "chronic" effects.

117 Mr van Kekem responded to this issue in his Supplementary evidence. He does not consider there will be chronic effects in PC 82 and that observable odour will *"occur infrequently and for short durations"*[10].

118 An important factor looking forward on this issue is the 5 fold growth in compost processing that the site can accommodate. I am not aware that the discharge to air

[7] Para 187 Statement of Evidence of Donovan Van Kekem
[8] Para 139 Statement of Evidence of Donovan Van Kekem
[9] Para 5.4 Statement of Evidence of Andrew Curtis
[10] Para 32 Supplementary Statement of Evidence of Donovan Van Kekem

consent specifically allocates space to active composting and maturation areas. It is, therefore, quite conceivable that the use of the area between active composting and maturation will change over time compared with the current operation. For that reason, it is important that any setback assumes a worst case scenario in terms of active composting and should, therefore, be from the nearest point of the specified composting area. This was further addressed in the supplementary evidence of Mr van Kekem and drew a distinction between the maturation area and the property boundary being a difference of 10 – 30 m and currently planted in pine shelterbelt. I reiterate my comment above that in my assessment unless active composting is not authorised in the maturation area then the setback boundary should be taken from the nearest point of the maturation areas.

119 The future growth is also important to the risk associated with low intensity odours and possible "upset conditions". Mr van Kekem does not consider that the increase in throughput will change the potential for odour because the intensity of odour from the activity will not change. Mr Curtis, in contrast, considers the increased throughput is likely to increase the duration and frequency of the low level odours.

120 Mr Curtis also notes that, as the percentage of food waste in the compost increases, the frequency of turning will also increase and consequently the need to turn in westerly conditions increases. These are detailed operational management matters that are the subject of the ODMP and associated monitoring and reporting. The ODMP will be adjusted over time to manage the risk of upset conditions but, assuming that a condition of offensive and objectionable limits continue to apply, I agree with Mr Curtis that there will likely be an increased level of low intensity odours that a proportion of residents may find unacceptable.

121 The other societal trend that Mr Curtis points to, looking forward, is communities becoming less tolerant to changes in the amenity of the local area over time.

122 It is proposed that the no complaints covenant proposed for within 1500 m of the PWTP also apply to the PRRP. My discussion on this earlier is equally relevant to the PRRP. This is a further area where there is a difference between Mr van Kekem and Mr Curtis. In short, I consider that such tools can be applied to new development where there are no other options for growth that meets the requirements of a well-functioning urban environment. I use this term in a slight wider sense than that defined in the NPS UD in the sense that a well-functioning urban environment is arguably not being achieved if tools such as no complaints covenants are necessary to be applied.

123 The evidence also discusses alternative composting technologies which could reduce odour risk such as forced aeration. Similarly, given the very large area of land owned

by the Council and used for land based disposal of treated wastewater, there are options to relocate the active composting part of the process to a location where odour risks and consequences will be mitigated.

124 Ultimately these are matters for the long-term strategic planning of the area that go beyond the timeframe of the Operative District Plan. Furthermore, given that context and the realistic timeframe associated with development of PC 82 it is appropriate that the Operative District Plan take a conservative approach to uncertainty and risk and allow the Proposed District Plan process to look more widely as the growth options on the west side of Rolleston and the odour risks in that context.

125 Consequently, I find that from an odour effects perspective in this process the wider 1,000m setback should be adopted if PC 82 is to be applied to the Operative District Plan.

126 In reaching this finding I am also mindful of the existing Operative District Plan policy referred to in Mr Phillips' Supplementary Evidence referenced B3.4.39 which is *"avoid rezoning land for new residential development adjoining or near to existing activities which are likely to be incompatible with residential activities, unless any potential 'reverse sensitivity' effects will be avoided, remedied or mitigated*.

127 This infers a precautionary approach to reverse sensitivity risks which I have taken account of in this finding.

9. URBAN FORM AND URBAN DESIGN

128 PC 81 and PC82 both sit outside of the Rolleston Structure Plan area. As previously stated, the PC 73 Skellerup Block connects PC 81 and 82, while the PC 73 Holmes Block is located to the north adjacent to State Highway 1. All these areas sit outside the Structure Plan Area and, as advised by Ms Appleyard, all are subject to submissions to the Proposed District Plan seeking to enable their development. In addition, Hill Street Ltd is a submitter in support and filed legal submissions. Their interest is in land adjoining and south of PC 73 and west of PC 81 which is also the subject of a submission to the PDP.

129 The upcoming Proposed District Plan hearings therefore have the opportunity to consider the strategic merits of medium to long term growth on the west side of Rolleston in a way that is not open to me. I do have the opportunity to consider both PC 81 and 82 together as this is a combined hearing. However, PC 73 was declined and is subject to appeal. While there has been mediation at the close of this hearing there was no resolution of the appeal. I must, therefore, regard the PC

73 Skellerup Block as it is currently zoned in the Operative District Plan being Living 3.

130 Mr Compton-Moen gave evidence on the growth of Rolleston since 2012 when it had a population of 9,555 to the 2017 Census total of 17,500. Initially triggered by demand after the Canterbury earthquakes as discussed in Section 6 residential growth has continued to grow at an increasing rate until early 2022.

131 Mr Compton-Moen correctly points to existing growth restrictions associated with the Christchurch Airport noise contours in the east and the Gammack Estate to the south. These are constraints in the short to medium term but less certain in the longer term. As assessed by Mr Sellars and the Council, land within the Structure Plan area that was intended to provide for growth to the 2041-2075 period is now actively being developed. He considers that urban development *"should and will inevitably grow to the west, south west and south east of Rolleston"* and in this context he argues that PC 81 and 82 are natural in sequence extensions of the urban area.

132 The Outline Development Plans for each area show:

- the indicative road network with connections to Dunns Crossing Road and links to adjacent areas,
- reserve locations,
- business zones for neighbourhood centres,
- boundary treatment,
- intersection upgrades,
- road frontage upgrade and
- pedestrian crossings.

133 This includes connections to the Living 3 zone between the two areas and in the event that PC 73 is approved. This is based around a primary north south road running through PC 82. In addition, east west connections align with the east west road proposed on the eastern side of Dunns Crossing Road, and open green spaces are planned for a 500 m walkable catchment.

134 Mr Compton-Moen says the ODP structures are consistent with densities of 12 households per hectare and greater, recognising that the Medium Density Residential Standards do form part of the Plan Changes. Where the ODP has a rural edge lower density has been considered but not incorporated into the ODP. In my

assessment, this illustrates the shortcoming of the piecemeal nature of Private Plan Change requests as opposed to the development of an ODP for a wider strategic growth area.

135 Urban development will clearly change the landscape character of the locality but there are no natural landscape features of note.

136 Urban design evidence for the proponent was also provided by Ms Lauenstein. She notes that small adjustments have been made to the ODPs in response to submissions and the Council evidence. These, in her assessment, improve the distribution of commercial centres and greenspaces with minor adjustments to the road layout.

137 Ms Lauenstein expresses the opinion that advising on urban design requires *"strategic oversight"*[11] and *"should be seen as part of a cohesive, connected and compact strategy for urban growth west of Dunns Road Crossing"*. Therein lies one of the key issues in that I am legally constrained to the current status of the adjacent land in this wider location. Ms Lauenstein states in her evidence that *"without a doubt, the approval of PC81, PC82, PC73 (and ideally the residential rezoning of the rural L2 pocket) represents the best urban outcome for the West of Dunns Crossing Road."* [12]

138 I agree that a strategic approach to any future urban development of this location is important to achieving the best outcomes, and that should include the Hill Street Ltd land to the south. However, that is not legally possible though this Recommendation Report. It is, however, possible through the hearing process on the Proposed District Plan if it is pursued through a thorough strategic assessment of growth options west, south west and south east of Rolleston and under what circumstances constraints to other locations might be eased.

139 In this regard, it is important at this point to recognise that the National Policy Statement on Highly Productive Land came into legal effect in September 2022. It requires careful strategic assessment of options if urban growth of Class 1, 2 or 3 land is being considered. In this case PC 81 and 82 are not located on Class 1, 2 or 3 soils but this is a constraint on potential growth options to the east and south.

140 Mr Nicholson provided urban design evidence for the Council. His opinion is that PC 81 and 82 do not provide strategic or comprehensive responses to urban growth in Rolleston. Mr Nicholson does not support the proponent's experts position that growth to the west is inevitable. He considers that there are options for urban growth that include intensification and growth to the south and southeast and that a

[11] Para 20 Statement of Evidence of Nicole Lauenstein
[12] Para 20 Statement of Evidence of Nicole Lauenstein

more comprehensive and strategic approach would allow growth options to be assessed. This position is also supported by Ms White.

141 The issue here is that a piece meal, first come first served, approach is largely inherent in the nature of Private Plan Change requests unless they fit within an established broader strategic framework, or indeed seek to set that framework. Neither are the case for PC 81 and 82.

142 It is this piecemeal nature that is Mr Nicholson's fundamental concern. In essence it is his opinion that both PC 81 and PC 82 are poorly connected with Rolleston and do not provide compact urban form in that they are "urban peninsulas" surrounded by rural or rural lifestyle land. To a large degree, he agrees with Ms Lauenstein that there is better urban form and connectivity if PC 73 had been approved. However, PC 73 is subject to a quite separate process.

143 Mr Nicholson also notes that there remains some doubt over the detailed planning of the land on the eastern side of Dunns Crossing Road from the PC 81 site, known as PC 70. The status of this land is detailed in the evidence of Mr Phillips and I understand has now been referred to an expert panel to consider. Also, on the basis of Mr Phillips evidence, I understand this will include a commercial centre which will have good accessibility to PC 81 and PC 82.

144 Mr Nicholson recommended some changes to road structure and pedestrian cycling facilities which have been addressed by Ms Lauenstein. He also supports a precautionary approach to the odour setback issue from an urban design perspective.

145 With this issue in mind, I requested in Minute No 3 that there be expert conferencing on the ODP changes that would be recommended in the event of adoption of a 1,000m set back from the boundary of the PRRP.

146 A Joint Witness Statement and Supplementary evidence from Mr Compton-Moen was presented to the reconvened hearing on 5th December. The revised ODP identified the area of PC 82 within the 1,000m set back which is calculated to be 34 hectares. The ODP repositions the main north south and east west road so that they skirt the edge of the setback with two indicative future access points into that area.

147 The JWS states that the experts agree that the revised ODP is an acceptable and functional alternative to the original ODP. Mr Nicholson maintains his position on the need for PC 73 to be approved to achieve an acceptable outcome. Ms Lauenstein and Mr Compton-Moen agree that the revised ODP would function better if PC 73 was approved but believe it would still function with the existing Living 3 zone.

148 The other key issue arising from the possible set back is whether the existing Rural Zoning should be retained for that area, or a residential zoning with rules preventing the erection of dwellings.

149 Both the urban design and odour experts agree that if there is to be a setback the land uses should be limited to those that avoid attracting people for extended periods of time and avoid attracting significant numbers of people. Mr Curtis supported forestry, low intensity recreation such as bike tracks, dog park, golf course and horse riding, and rural land uses. He did not support the area being used for cemetery which was suggested in the Urban Design JWS.

150 I note that these uses do not include sports fields which can potentially involve large number of people and in answer to a question Mr Nicholson said he would not recommend the area to the Council for this use. On the face of it the size of the area at 34 hectares looks appropriate for a golf course, but I note that while this activity does not involve large numbers it does involve considerable lengths of time.

151 The JWS also records that both Ms Lauenstein and Mr Compton-Moen supported residential zoning of the buffer as they considered that it would likely allow public access, provide for better standards of roading and associated infrastructure, and avoid leaving a pocket of rural land with potential for reverse sensitivity effects.

152 This was also addressed in the supplementary evidence of Mr Compton-Moen where he also considered that future proofing the area for residential development would be appropriate in the event that, in the future, the PRRP was to be relocated or adopt improved composting methods. What Mr Compton-Moen is implying is something of a deferred residential zoning in the hope that in the future the setback will not be required.

153 This may be the case but in the context of the Operative District Plan, which has a very limited remaining legal life, it is not a matter that I should give particular weight to.

154 In relation to reverse sensitivity from rural activities, further evidence was presented by Mr Mthamo as a Memorandum attachment to the Supplementary evidence of Mr Phillips. He records that the 34.1 hectare area is all LUC Class 4 with consequent low productivity potential. He questions whether irrigation of the land would be justified despite, I understand from other witnesses, that there are valid water take consents in place.

155 Mr Mthamo considers that the block of land is not cohesive and stands alone and there is no opportunity to amalgamate with other land. However, the area has rural land on the other side of both Brookside Road and Edwards Road and farming land

on two sides of a rural road is not an uncommon practice. He also has concerns about reverse sensitivity from rural activities involving noise, spray drift, and odour, and that a buffer would be necessary. This appears wholly inconsistent with his position on the most likely farming of this land with more intense activities not being viable. Further, as Ms White pointed out, the internal boundary has road proposed along nearly all of the interface which is usual practice for a rural urban edge.

156 Mr Mthamo recommends that the land is zoned urban or open space / recreation. This is to enable activities that are in his assessment more compatible with the residential zoning and enable activities such as parks, reserve, sports facilities, golf course, water supply bores and bike racetrack. However, there is no wider assessed need for these activities and indeed the odour evidence is that sports facilities would be inappropriate.

157 Mr Nicholson and Ms White consider that decision on the zoning of the setback area should reflect the anticipated land uses and that, given residential activities would not be enabled, a residential zoning is not appropriate, and that a rural zoning would facilitate most of the appropriate land uses.

158 Mr Phillips in his supplementary evidence notes that in his opinion a rural zoning would preclude the potential for the area to be used for any of the suggested suitable non rural activities. This is because the definition of urban activities in the Canterbury Regional Policy Statement includes sports fields and recreation activities that service the urban population but require a rural location. However, sports fields are not considered appropriate in the setback area and lower density recreational activities are in my assessment more compatible with a rural zoning.

159 Mr Phillips and Ms White undertook conferencing to examine what the plan provisions implications are if I was to recommend that the buffer area be zoned Living MD. They agreed that this would require:

- the identification on the ODP of this area as Odour Constrained Area (OCA). This is a term already used in the Operative Plan.
- Amendment to the ODP narrative identifying what activities are anticipated or not anticipated in the OCA.
- An additional rule identifying low intensity recreational activities as permitted activities within the OCA.
- Inclusion of a definition of low intensity recreation activities and rural activities

160 The JWS helpfully includes tracked changes to the provisions to give effect to the above changes.

161 Mr Phillips also addresses this aspect of PC 82 in terms of s32AA considerations. He considers that the residential zoning provides a greater range of benefits in terms of flexibility and opportunity compared with a rural zone which he considers to be less enabling and responsive.

162 However, the aim of the setback is not to be enabling and flexible. It is to ensure there is a plan framework that avoids the establishment of activities that are likely to be affected by low intensity odour emissions as the scale of composting operations grows over time. The Plan framework that this matter is dealing with is the Operative District Plan. The Hearings Panel for the Proposed District Plan will have the opportunity to consider whether the different framework of the PDP requires a different approach given the longer term horizon of that Plan. The Operative Plan has a much shorter horizon and, given the agreed supply of residential land over the short and medium term, the Operative Plan does not require urgent action to increase immediate supply.

163 I explore the section 32 evaluation requirements in more detail in a later section. However, an important element of section 32 is assessment of the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions. The different opinions from the odour experts on the effect of low level chronic odour from the composting plant as it grows remains in my assessment an uncertainty that supports not acting to change plan provisions in this set back area. I also fundamentally agree with Mr Nicholson and Ms White that rural activities are the most appropriate activities in this buffer and that to apply anything other than a Rural zone would be misleading users of the Plan. I remain unconvinced of the urban design benefits of a Residential Zoning with an Odour Constrained Area. Further, the existing Rural (Outer Plains) zoning which involves a subdivision minimum lot size of 20 hectares does not enable rural subdivision within the 31 hectare setback area.

164 I should note also that I asked witnesses about the potential for a low density Living 3 zone for the setback area that limited new dwellings to the outer perimeter. This was not generally seen as a preferred alternative. I agree with Mr Compton-Moen that it is conceivable that at some point in the future the composting operation will be relocated or significantly upgraded. In the event that occurs, a change to whatever Plan is in effect can be pursued to provide for residential development of the buffer area. That is not a matter that sits within the legal life of the Operative Plan.

165 Consequently, if I was to recommend that PC 82 be approved it would be with the 1,000m odour setback, amended ODP as agreed by the urban design experts, and with the existing Rural (Outer Plains) zoning retained for that land.

10. OTHER MATTERS

166 A range of other issues were raised in submissions ranging from strategic growth concerns through to impact on outlooks of individual properties. Malcolm and Jan Douglas who live on Edwards Road spoke to their submission which covered concerns regarding road network improvements, pressure on water supply, pressure on community facilities, road dust, and conflict with the PWTP. A number of these matters have already been addressed but others will be picked up in this section.

167 In terms of community facilities, three submitters in total raised concerns about pressure on schools including the Ministry of Education. This resulted in some engagement by the proponent with the Ministry and a consequent proposed amendment to the provisions to insert an additional assessment matter into both Plan Changes as well as reference to the provision of new education facilities if required in the text of each ODP. A letter from Sarah Hodgson of the Ministry was received and confirms that it is satisfied if those changes are adopted.

168 Mr Phillips evidence also pointed to the range of business zones and neighbourhood centres, including nearby within PC 70 and within the two Plan Change areas.

169 A number of submission points relate to environmental quality. This includes visual amenity, construction effects, noise and light pollution, property values and crime.

170 Ms White in her s42A planning evidence notes that the required incorporation of the MDRS is a factor in potential future character and density. I agree with Ms White that urban growth onto rural land will inevitably change the experience of that area for some people. As Mr Nicholson states these matters need to be balanced against the effects of increased housing supply and choice. However, these submission points do also relate to the bigger picture issue of trade off to achieve development in the right part of Rolleston at the right time. I have previously concluded that these Plan Change areas provide medium term supply at best given the infrastructure requirements and nature of the development process. Hence it is legitimate for submitters to be asking the question is this the right process and the right Plan to be making this strategic growth decision.

171 A noise related issue is raised in the submission from the New Zealand Defence Force which is concerned about noise related reverse sensitivity effects on the operation of Burnham Military Camp and particularly the Aylesbury Range and training areas. A letter detailing these concerns was submitted from Rebecca Davies.

This seeks that no complaints covenants in relation to NZDF noise be applied to dwellings in PC 82. The Aylesbury Range is nearly 4 kilometres from the nearest part of PC 82. While no expert noise evidence was presented, Ms White considers that this area is sufficiently distant from PC 82 and separated by a State Highway and Railway such that reverse sensitivity effects are unlikely to arise. I do not consider this matter to weigh materially on my recommendation. However, it does add further weight to the importance of comprehensive strategic assessment of growth options at Rolleston given the NZDF Camp is regionally significant infrastructure.

172 Mr Phillips notes that environmental quality matters have arisen in other recent plan changes seeking greenfield residential zoning, and he points to the NPS UD Policy 6 that acknowledges that planned urban built form may involve significant changes including changes to amenity values.

173 Ms White also addresses submissions referring to the loss of high quality soils and potential contamination of the soils. Mr Mthamo gave evidence on soils and has confirmed that there are no versatile soils in the pan change areas. Ms White considers that further investigation of contamination in both areas from "Persistent Bulk Use and Storage" is likely to be required. However, I agree with Ms White that this is not a fatal flaw for the Plan Changes.

174 The Plan Change requests also includes a Geotechnical Assessment and peer review of that Assessment. This has concluded that for the PC 81 area there is minimal liquefaction hazard and the site is equivalent to TC 1. Similarly, assessment of the PC 82 land does not raise any issues. There were no submissions relating to geotechnical matters.

175 Finally, the PC 81 and PC 82 requests include an ecological assessment. For PC 81 it considers the water race, soak hole and two ponds on the site. Ms White reports that this assessment was reviewed by Dr Greg Burrell of Instream Consulting. He considers that further assessment of the status of the two pond areas is warranted and that the ODP text should be amended to require this. Mr Phillips has amended the ODP in line with this recommendation.

176 He made similar comments in relation to the water race in the PC 82 area which has some potential to be naturalised and integrated into the residential development. This ODP has similarly been updated in line with this.

11. STATUTORY ASSESSMENT

177 I set out the relevant statutory consideration in Section 2. I have also referred at various points above to the function of the Operative District Plan in relation to this recommendation. I received extensive evidence on the statutory analysis and

related legal issues. In particular, I draw below on the legal submissions of the proponent and Canterbury Regional Council / Christchurch City Council (CRC/CCC), and the planning evidence of Mr Phillips, Ms White and Mr Langman.

11.1 THE FUNCTIONS OF TERRITORIAL AUTHORITIES

178 The first requirement of a district plan change is that it should be designed to accord with, and assist, the territorial authority to carry out its functions so as to achieve the purpose of the Act. Ms White in her planning s42A evidence draws attention to the first two limbs of s31. The first is that the Plan achieve integrated management of the effects of use, development or protection of land and associated natural and physical resources of the district.

179 The Act does not tell us what level of integrated management is to be achieved. This is a relative matter and should have regard to the circumstances. In this context we have four different areas of land that are the subject of private plan changes to the Operative District Plan. I consider that the ODPs for PC 81 and 82 have had particular regard to integration with the land between, with clearly a better level of integration if PC 73 is approved compared to the current Living 3 zone.

180 I also consider that the revisions for the exclusion of the buffer area are appropriate.

181 Ms White also draws attention to Councils functions under s31(1)(aa) which is to ensure that there is sufficient development capacity in respect of housing and business land to meet the expected demands of the District. This clearly overlaps with the NPS UD responsibilities. Ms White's evidence is that the plan changes are not necessary to provide sufficient development capacity which is contrary to the evidence of the proponent's experts. However, this position was reinforced when response to Minute 3 was compiled showing a short to medium term supply of 6,500 dwellings. This is then further reinforced when the legal life of the Operative District Plan is considered. Given the supply of housing there is clearly an opportunity through the Proposed District Plan to consider a more integrated and staged form of development.

182 I recall early in the hearing asking Ms Appleyard why the proponent was pursuing this matter through the Operative Plan and not just the Proposed District Plan. The response was *"this is a developer in a hurry"*. I appreciate that the proponent might feel that a change to the Operative Plan might provide some certainty for investment going forward. However, not only are there infrastructure requirements to be met for these Plan Change areas but I also agree with Mr England that development within the Structure Plan area should be largely completed before additional development is authorised in terms of new strategic greenfield growth.

183 This is also largely the position taken by Mr Wakefield and Mr Langman for CRC/CCC.

184 I, therefore, find that approval of the Plan Changes to the Operative District Plan will not assist the Council in achieving integrated management of the effects of use, development or protection of land and associated natural and physical resources of the district. A process enabling a more comprehensive assessment of the wider block against other options through the Proposed District Plan hearings and emerging Spatial Plan will be capable of addressing these shortcomings.

11.2 THE NATIONAL POLICY STATEMENT ON URBAN DEVELOPMENT 2020

185 There are a number of aspects of the NPS UD to consider. In terms of Policy 1 Ms White's evidence considers that the Plan Change residential development will not achieve a well functioning urban environment because of a shortage of local employment opportunities with consequent commuting distances meaning that active transport opportunities are not practical. Mr Nicholson also has concerns about accessibility and public transport.

186 Ms White considers that, as a consequence, the Plan Changes may not support reductions in greenhouse emissions. Mr Paul Farrelly gave evidence for the proponent on greenhouse gas emissions and considers that the working from home trend will continue to reduce travel commuting frequency to Christchurch as will the take up of EVs. He concludes that the Plan Changes support a reduction in GHG emissions relative to other greenfield development opportunities. However, his evidence does not evaluate any other development options against PC 81 and 82. Notwithstanding this, I do accept that Rolleston is rapidly reaching a stage where all supermarket and most retail needs will be able to be met locally. There is also additional zoning of industrial land being pursued. I, therefore, do not consider that the Plan Changes should be rejected on grounds of Policy 1(e) relating to GHG emissions.

187 Objective 6 requires that local authority decisions relating to urban development that affect urban environments are:

(a) Integrated with infrastructure planning and funding decisions

(b) Strategic over the medium term and long term.

(c) Responsive, particularly in relation to proposals that would supply significant development capacity.[13]

188 I am satisfied that the infrastructure planning and funding for transport related matters have been addressed. However, this is largely by way of Development

[13] Objective 6; NPS UD 2020

Agreements that will bring forward funding that would otherwise have been through the Long Term Plan. In addition, further funding of water supply capacity will also be required. As indicated earlier, I do not consider that PC 81 and 82 are strategic because they don't fit within an established or proposed overall strategy for medium and long term housing capacity.

189 It is also of note that the requirement to be responsive applies to all decisions on urban environments and not just in relation to plan changes referred to in Policy 8. Responsiveness in this sense does not, in my assessment, imply any presumption in favour of supply of development capacity but does mean that proposals should be seriously considered and that integration with infrastructure and medium to long term strategy are part of that responsiveness consideration.

190 In terms of existing strategy, the currently leading document is "Our Space". This supports growth at Rolleston, Rangiora and Kaiapoi. This includes two Future Development Areas at Rolleston that are within the Structure Plan area. The recent rate of growth at Rolleston means these are being advanced and now form part of the short and medium capacity supply.

191 The NPS UD specifically requires all Tier 1 and 2 local authorities to prepare a Future Development Strategy every 6 years timed to inform the next Long Term Plan. Ms White's evidence advises that this will be in the form of a Greater Christchurch Spatial Plan (GCSP) which will then inform a review of the Regional Policy Statement. Both Ms Appleyard and Mr Phillips have presented that as some future process with great uncertainty over timing and consequent delay. However, Mr Langman reported that a draft GCSP was expected to be released for public consultation in February 2023 with a final document by mid 2023. I regard that as reasonably imminent.

192 I also note that while CRC has a role in this Spatial Plan it is being developed by the Greater Christchurch Partnership which includes Selwyn District Council. The Council will, therefore, be able to inform the Proposed District Plan Hearings Panel of detailed progress as part of their upcoming zone change hearings.

193 Objective 6 of the NPS UD links, in part, to Policy 8 which requires local authority decisions affecting urban environments to be responsive to plan changes that would add significantly to development capacity and contribute to well functioning urban environments, even if the capacity is:

(a) Unanticipated by RMA planning documents; or

(b) Out of sequence with planned land release[14]

194 The nature of Plan Change Requests are that they are generally unanticipated and at least out of sequence otherwise they likely would not be necessary. What this signals is that Plan Change request that meet the other criteria should not be declined on that basis.

195 Clause 3.8(3) requires the regional council to include criteria in its Regional Policy Statement for determining what plan changes will be treated as adding significantly to development capacity. This has yet to occur.

196 Ms White's s42A report at para 178 records that PC 81 is expected to enable 350 additional dwellings representing 4.5% of the existing Rolleston housing stock and PC 82 as sought would enable 1320 dwellings being 24% of the Rolleston housing stock.

197 With reference to the economic assessments, Ms White considers both plan changes to provide significant development capacity albeit that PC 82 is more significant. Ms Appleyard, in the opening legal submissions, agrees with this in terms of scale but notes the MFE guidelines refer to additional criteria being the significance of scale and location, the extent to which development provides for identified demand, timing of development, and viable options for the funding and financing of required infrastructure.

198 I agree with Ms Appleyard that this specific matter relates to significant development capacity and not sufficient development capacity. Mr Langman at para 83 of his evidence agrees that in terms of quantum PC 82 will deliver yield that could be considered significant but does not consider the same can be said for PC 81.

199 Mr Langman considers that the context of the large number of private plan changes before Selwyn District Council is important to this assessment. He totals this at 11,561 residential lots if all are approved. However, different plan change requests are in different positions in terms of both the Operative Plan and the Proposed Plan either by way of submission or inclusion in Variation 1. I consider that the analysis provided in Response to Minute 3 provides a more helpful numerical context of a Rolleston dwelling supply of 6,500 lots. PC 81 represents an increase of 5.3% of this supply and PC 82 represents an increase of 20%.

200 In terms of part I, I am satisfied that the scale of PC 82 in the context of planning for Rolleston would supply significant development capacity. The scale of PC 81 is considerably more marginal. However, in both cases, the development capacity will not be available in the short or early medium term.

[14] Policy 8: NPS UD 2020

201 In regard to the MFE guidelines referred to above, I am cautious about relying on guidance of this nature. For example, the location is significant in that it seeks to authorise a new strategic direction for greenfield urban growth at Rolleston, the timing of development is assessed to medium to long term, and there is infrastructure required which is largely addressed in the ODP. Perhaps in terms of significance the more important criteria is 'can this capacity be delivered in the time frame of the remaining life of the Operative District Plan?', the answer to that in my assessment is clearly No.

202 Even if this aspect is disregarded, Policy 8 requires this recommendation to be responsive. I agree with Mr Langman that this requires careful consideration of the proposal, but I do not consider this extends to SDC seeking a change to the Regional Policy Statement. Being responsive means not being unduly dismissive, including dismissing the proposals solely on the grounds that they do not give effect to the Regional Policy Statement. All the statutory requirements need to be given careful consideration. To that extent I agree with Mr Wakefield that it should not be interpreted as providing *"innate flexibility for urban development".*

203 In giving that due careful consideration Clause 3.8 of the NPS UD then requires that consideration to give "particular regard to the development capacity" if that capacity:

(a) Would contribute to a well functioning urban environment; and

(b) Is well connected along transport corridors; and

(c) Meets the criteria set under sub clause(3)[15]

204 "Particular regard" in this context generally means giving more weight to the benefits of that development capacity if it meets all the stated criteria. The earlier finding of this report is that without full integration with residential zoning of the PC 73 land there is a risk of not achieving a well functioning urban environment and that modification to achieve a conservative set back from the Pines Resource Recovery Park is justified.

205 In terms of being well connected along transport corridors I am satisfied that the ODP and associated requirements for transport improvements including connection to State Highway mean that this element is achieved.

206 Part (c) cannot be applied.

207 The failure of part (a) is sufficient grounds not to give particular regard to this development capacity. However, irrespective of this, it is very difficult to give

[15] Clause 3.8 NPS UD 2020

weight to the development capacity provided by the plan changes, when that development capacity cannot practicably be realised in the remaining limited life of the Operative Plan.

11.3 THE CANTERBURY REGIONAL POLICY STATEMENT

208 The relevant provisions of the Canterbury Regional Policy Statement (CRPS) are well traversed in the evidence of Mr Langman and relate largely to Chapters 5 and 6. Chapter 6 is titled Recovery and Rebuilding of Christchurch. This was added to the CRPS through the Minister of Earthquake Recovery's powers under the Land Use Recovery Plan. It had the Greater Christchurch Urban Development Strategy informing it and put in place a regional partnership approach to a directive recovery strategy in relation to greenfield residential and business land.

209 In that it specified certain land areas rather than broad locations for growth, it very much determined what needed to then be put into effect through District Plan provisions. The circumstances of earthquake recovery were of course highly unusual but, as stated earlier in the report, it clearly adopted a more directive and site specific approach than has been seen in other Regional Policy Statements.

210 Rebuilding and development of the greenfield areas proceeded at pace and Change 1 was then necessary to allocate additional greenfield land. This did not include a review of the policy regime but did allocate two new Future Development Areas to Rolleston. These are included in the development capacity assessed in response to Minute 3.

211 The directive approach is put in place through the following objectives and policies:

- Objective 6.2.1(3) which seeks to avoid urban development outside of existing urban areas or greenfield priority areas for development unless expressly provided for in the CRPS.
- Objective 6.2.2 which seeks an urban form that achieves consolidation and intensification of urban areas, and avoids unplanned expansion of urban areas.
- Policy 6.3.1(4) which is to ensure new urban activities only occur within existing expressly urban areas or identified greenfield priority areas shown on Map A, unless they are otherwise expressly provided for.

212 Mr Langman explains that these policies are deliberately strict to provide certainty and targeting of investment into identified areas and to achieve a balance with intensification.

213 In addition, Objective 6.2.2 sets targets for intensification as a proportion of overall growth being 45% between 2016 and 2021 and 55% between 2022 and 2028.

214 Mr Langman considers that any unplanned increase in greenfield land will make these targets for intensification harder to achieve. Countering that of course are the compulsory Medium Density Residential Standards which have been put in place in Selwyn but are being resisted in Christchurch.

215 The expert evidence in this regard is that there is no direct substitution between the largely single dwelling family home market that dominates Rolleston with the medium density / apartment inner city market.

216 Change 1 to the RPS has been previously referred to. This implements the actions from Our Space which includes adding to Map A Future Development Areas in Rolleston, Rangiora and Kaiapoi. Change 1 was made operative in July 2021. Mr Langman considers that Change 1 ensures that there is provision for the development of land within existing urban areas, greenfield priority areas and FDAs at a rate and in locations that meet anticipated demand and enables the efficient provisions and use of network infrastructure.

217 Mr Langman's position is that the additional supply associated with PC 81 and 82 is not in accordance with current strategic planning and is not required in the short or medium term. Further, the current work on the Greater Christchurch Spatial Plan will enable new growth options such as west of Dunns Crossing Road to be tested in a strategic sense against other options and strategies as part of that process. As stated above a draft of the Spatial Plan is imminent.

218 In terms of the key issue of reconciling the NPS UD responsive framework with the directive approach of the CRPS, Mr Langman considers that the key matter is that Policy 8 provides a pathway for responsive decision making but does not direct any substantive outcome. However, the nature of the CRPS policies and the case law on the term "avoid" effectively leaves no discretion and therefore is a form of roadblock on the Policy 8 pathway.

219 Appendix 1 to the opening legal submissions addresses this matter in some depth. These submissions argue that the responsive framework was intended to target and counter the "avoid" policy in the CRPS. The submissions argue that, because of this, it is necessary to soften the interpretation of 'avoid' in the CRPS by adding the necessary qualification of the higher order document of *"except if otherwise provided for in the NPS-UD, avoid…."*.[16]

[16] Para 24 Appendix 1 to the Opening Legal Submissions on behalf of the Applicant.

220 The responsive framework of the NPS UD is an important component of that higher order document and I agree that the CRPS must be interpreted in a way that leaves that pathway to be tested in accordance with the requirements of the NPS UD. This would, in effect, be until such time as the CRPS is amended to bring the policies in line with the NPS UD.

221 However, in this case I have found that for various reasons PC 81 and PC 82 do not meet the requirements of the responsive framework. Hence the required qualification of being provided for in the NPS UD is not triggered and consequently I find that the Plan Changes do not justify the overriding of the existing policy framework of the CRPS.

222 Finally, on this aspect I note at para 30.5 of Appendix 1 to the opening legal submissions it is submitted that *"nowhere in the NPS UD does it require that responsive planning be undertaken "in a manner that complements existing strategic planning".*[17] Indeed, the submission is that the NPS UD is trying to do the opposite. In considering this point I have looked again at Objective 6 of the NPS UD which requires that urban development decisions are responsive but also that they are strategic over the medium and long term. This is important because PC 81 and 82 would, if approved, effectively determine the next strategic move in terms of greenfield growth but without offering up a full strategic evaluation of options, and indeed, something of a partial approach to the planning framework for a new growth area west of Dunns Crossing Road.

223 As previously noted, these matters will be able to be more comprehensively evaluated through the upcoming Proposed District Plan hearings.

224 Ms White in the s42A planning evidence also considers that Objectives 5.2.1 and 6.2.1 are particularly relevant. They require the integration of strategic infrastructure and services with land use development and development that does not affect existing and future planned strategic infrastructure. As Ms White notes this is relevant to the future expansion of the PWTP and PRRP. This supports a cautious approach to the odour set back and activities within the odour setback which I found to be appropriate earlier in this report.

225 Ms White also notes that to meet the policy requirements it is important to be satisfied that the provisions of water infrastructure to the Plan Change areas will not undermine the coordination and integration of infrastructure for other planned development. Mr England has confirmed that additional groundwater resource will

[17] Para 30.5 Appendix 1 to the Opening Legal Submissions on behalf of the Applicant.

be required to avoid affecting other planned developments. Again, this is a matter of timing that goes well beyond the life of the Operative Plan.

226 In terms of other relevant Plans, Ms White considers that neither the Canterbury Land and Water Plan (LWRP) and Canterbury Air Regional Plan (CARP) raise any material issues at this stage of the process. Similarly, she has reviewed the PC 81 assessment of the Mahaanui Iwi Management Plan and agrees with that assessment and its application also to PC 82. I did not receive any evidence or submissions challenging these aspects.

227 The Rolleston Structure Plan is also a strategy of relevance. Ms White considers that the Plan Change sites, being outside the Structure Plan area, simply reflects the alignment of growth and the Structure Plan to date. She considers that Policy 8 ensures this is not a bar to approval of the plan changes on their merits. I accept this, but also note that, given all the unconstrained land in the Structure Plan area is developed or actively at some stage of development, PC 81 and 82 and for that matter PC 73 raise the clear question 'where to next?'. The proponent's experts say it is really the only option and is inevitable, the Council experts say there are options and they haven't been tested. The issue is whether private plan changes to the Operative Plan are the appropriate means of addressing this strategic decision or, given the existing development capacity, whether it is better addressed through the submissions to the Proposed District Plan in conjunction with the emerging Greater Christchurch Spatial Plan. I consider this further below in the context of Section 32.

11.4 SECTION 32: ALTERNATIVES, BENEFITS AND COSTS

228 Section 32(1)(a) requires an evaluation report to examine the extent to the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of the Act.

229 The s32 evaluation for PC 81 as reported at Para 210 of Ms White's evidence states that the objective of the proposal is to *"provide for an extension of the adjoining existing urban residential area of Rolleston in a manner that adds significantly to development capacity and provides for increased competition and choice in residential land markets".*[18]

230 To address whether this is the most appropriate way to achieve the purpose of the Act the alternatives need to be evaluated as well as whether the components of the objective of the proposal as set out above are the most appropriate way to achieve the purpose of the Act.

[18] Para 210 Section 42A Report by Liz White.

231 This includes:

(a) Is the additional residential area needed to achieve the purpose of the Act at this time?

(b) Is it the best location for expansion?

(c) What are the other options?

(d) What are the infrastructure and other implications of the other options?

(e) Will the proposal actually add significantly to development capacity?

(f) Will it provide for competition and choice?

232 The objective of the Plan Change 82 proposal is stated to be *" to change the zoning of the application site in the Operative District Plan from Rural Outer Plains Zone to Living MD and Business 1 Zones in a controlled and managed way through an Outline Development Plan and by adopting as far as possible planning zones and subdivision, activity and development standards of the operative plan."*[19]

233 This objective refers more to the method of change rather than the outcome. But irrespective of this similar questions of testing the appropriateness of the proposal in the context of Part II of the Act are relevant.

234 The Minute 3 response has greatly assisted with a clearer understanding of the development capacity at Rolleston which at 6,600 is very significant. I have earlier found that, in scale terms, PC 81 does not add significantly to development capacity but PC 82 does. Although this is reduced if the odour set back is 1,000m.

235 Given the extent of agreed housing supply over the short and medium term and the fact that both PC 81 and PC 82 have infrastructure and process time lags, I do not expect either of them to make a material impact on competition and choice.

236 Mr Phillips in his supplementary evidence reminded me that the plan change requests assessed four options being:

- Do nothing,
- rezone as proposed,
- apply for resource consents for development under the current zoning,
- apply for multiple plan changes in other locations around Rolleston to achieve equivalent development.

[19] Para 211 Section 42A Report by Liz White.

237 Only the last of those options considers the merits of the Plan Change locations with other locations and might inform the evaluation of whether the development of the PC 81 and 82 areas are the most appropriate way to achieve the purpose of the Act. However, looking back at the original s32 evaluation Table 6, which considers Option 4, it is superficial and not helpful to this matter.

238 In response to some of my questioning, Mr Phillips in his Supplementary Evidence sought to provide evaluation of a further option being to *"await the spatial planning process and comprehensive rezoning"*. I consider this further below, but note this focusses more on process than outcome, and still fails to satisfy the question of whether the objectives of the two proposals are the most appropriate way to achieve the purpose of the Act.

239 Ms White seeks to assist by turning her mind to this in terms of the two Plan Change areas but not alternative locations. She does not consider there are any matters of national importance that are relevant. However, she considers that there are section 7 matters that relate to the risk of reverse sensitivity and need for additional water supplies. She also considers that the NPS UD and CRPS are relevant to this assessment which have been considered in detail above.

240 Ms White also has concerns about fit with existing District Plan objectives and policies largely around connectivity, integration and reverse sensitivity.

241 The second part of Section 32(1) refers expressly to the provisions in the proposal. It is this evaluation that is required to consider other practicable options for achieving the objectives and assessing the efficiency and effectiveness of the provisions in achieving the objectives. The provisions of course include the change of zoning, the ODP and changes/additions to rules and performance standards.

242 I am generally satisfied that the provisions have been worked through and refinements made such that if a proper evaluation of provisions was undertaken the costs and benefits and efficiency and effectiveness of the provisions as finally proposed at the end of the hearing with the removal of the buffer area from the plan change would stand scrutiny.

243 As stated above, Mr Phillips has sought to address my concerns about the important strategic decision built into PC 81 and 82 by evaluating an alternative process as sought by Mr Langman i.e. awaiting spatial planning process and comprehensive rezoning.

244 Most of his identified disadvantages relate to the cost of the process and the delay compared to this private plan change process. However, we have established early on that PC 81 and 82 can at best deliver medium term supply, and the assessed

supply in Rolleston means the additional supply is not likely to be required until the latter part of the medium term. A change to the Operative District Plan, on its own, is clearly not sufficient to achieve the objectives of the Plan Changes. Decisions on submissions in favour of changing the zoning are also required in the Proposed District Plan Hearings. This recommendation report does not in any way bind the findings of the Proposed District Plan Hearings.

245 Mr Phillips accepts that a PDP / Spatial Planning process will enable community participation and comprehensive planning *"where there is no preferable alternative, or urgency to act.*" The evidence from Minute 3 is that the urgency to act is not as urgent as the witnesses first have suggested. Further I consider that a piecemeal approach to planning the most significant new growth area for Rolleston since the 1990s is neither efficient not effective. Particularly, when the Operative District Plan has such a limited remaining legal life.

246 Section 32(2)(c) requires consideration of the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions. I have previously raised this in relation to the odour setback issue. The wider issue is that, while this location is on the evidence a good candidate for long term greenfield growth if pursued in a comprehensive and integrated way, there are other potential locations which have not been tested. The relative merits of those areas have only been given scant comment and the risk of acting is, therefore, clearly that this infers at least a commitment to a strategic area of growth which may not be the best strategic option. Conversely, I do not consider there are material risks of not acting given this matter will come before the Proposed District Plan Hearings in the near future.

12. OVERALL CONCLUSION

247 In section 2 of this report I identified the statutory considerations that I need to consider. The hearing process and associated conferencing has assisted in the evaluation of the two Plan Change proposals. In particular, it has assisted with achieving some clarity on the Rolleston short and medium term new dwelling lot supply and has addressed the consequences of imposing a larger 1,000m dwelling setback from the active composing area. The plan provisions have also evolved though the work of the planners to address the issues that have arisen.

248 In terms of effects on the environment and risk of reverse sensitivity on significant infrastructure I have found that, were PC 82 to be approved, it should be modified to provide a 1,000 m building set back from the composting area of the PRRP. I am satisfied that this would not prevent an appropriate form of design and I am satisfied

with the amended ODP that accommodates this setback. I have also found that the setback area should be zoned Rural (Outer Plains) and not Living MD.

249 In terms of infrastructure, I am satisfied that the required transport infrastructure is capable of being delivered by various means and these requirements have been incorporated into the ODP text. Additional groundwater supply and treatment is also required and not currently planned by the Council which would likely affect the timing of subdivision and development of both Plan Change areas.

250 The ODPs provide a generally appropriate development structure with neighbourhood centres, reserves and connectivity to adjoining potential development areas. However, a better functioning urban environment would be created through integration of the PC 73 area being zoned Living MD. Further improvements would likely be achieved if the whole of the block to Edwards Road was planned comprehensively, and specific staging put in place.

251 In terms of the statutory assessment of the Plan Changes, I find that approval of the Plan Changes would not assist the Council in achieving integrated management of the effects of use, development or protection of land and associated natural and physical resources of the district. A process enabling a more comprehensive assessment of the wider location against other options through the Proposed District Plan hearings and emerging Spatial Plan may reach a different conclusion.

252 I find that the Plan Changes do not meet the requirements of Objective 6 of the NPS UD as they do not form part of a wider growth and development capacity strategy. In terms of Policy 8, I find that PC 82 would achieve significant development capacity in terms of scale, however this is not expected to be achieved in the life of the Operative District Plan. The best that might be expected is the consenting of a first stage of development. However, it is the implementation of the consent that creates the capacity. I also find that the Plan Changes do not meet all the requirements of Clause 3.8.

253 I find that the Plan Changes do not give effect to the Canterbury Regional Policy Statement in its current form. The CRPS however is not a complete block to a positive recommendation and must be interpreted, in the interim, in a way that leaves the Policy 8 pathway to be tested. Having undertaken this assessment I find that the Plan Changes do not justify the overriding of the existing policy framework of the CRPS.

254 In terms of s32, I have found that the assessments do not satisfy me that the objectives of either proposal are the most appropriate way to achieve the purpose of the Act.

255 However, I am generally satisfied that the proposed plan provisions have been worked through and refinements made such that if an evaluation of provisions was undertaken the costs and benefits and efficiency and effectiveness of the provisions as finally proposed at the end of the hearing with the removal of the buffer area from the plan change would stand scrutiny against other provisions options.

256 I consider that PDP / Spatial Planning process is capable of providing a process whereby these shortcomings can be addressed. The proponent's view on the urgency to act now is not born out in the evidence and does not justify a deficient process through the Operative District Plan. A piecemeal approach to planning the most significant new growth area for Rolleston since the 1990s is neither efficient not effective, despite the evidence showing that this location is a strong candidate.

13. RECOMMENDATIONS

257 For the reasons above I recommend to the Selwyn District Council that:

1. **Pursuant to Clause 10 of Schedule 1 of the Resource Management Act 1991 the Council declines Plan Change 81 to the Selwyn District Plan.**

2. **Pursuant to Clause 10 of Schedule 1 of the Resource Management Act 1991 the Council declines Plan Change 82 to the Selwyn District Plan.**

3. **That for the reasons set out in the body of my Recommendation Report, and summarised in Annexures 1 and 2, the Council either accept, accept in part or reject the submissions identified in Annexures 1 and 2.**



Paul Thomas

Hearing Commissioner

27 January 2023

ANNEXURES

1. **Plan Change 81: Recommendations on Submissions.**

2. **Plan Change 82: Recommendations on Submissions.**

ANNEXURE 1

Plan Change 81: Recommendations on Submissions.

ANNEXURE 2

Plan Change 82: Recommendations on Submissions.

REPORT

TO: Chief Executive Officer

FOR: Council Meeting – 8 February 2023

FROM: Policy Planner, Rachael Carruthers

DATE: 23 January 2023

SUBJECT: **PLAN CHANGE 77 WEST MELTON (PC200077) – DECISION ON HOW TO CONSIDER THE PRIVATE PLAN CHANGE REQUEST RECEIVED FROM MARAMA TE WAI LIMITED**

RECOMMENDATION

'That in respect to Plan Change 77 to the Operative Selwyn District Plan lodged by Marama Te Wai Limited, Council resolves to accept the request for notification pursuant to Clause 25(2)(b) of the Resource Management Act 1991.'

1. PURPOSE

This report assesses Marama Te Wai Limited (the proponent's) request (PC77) to change the Operative Selwyn District Plan against the relevant Resource Management Act 1991 (RMA) provisions. This assessment has been provided to assist Council to make a decision on how to process the request. This is a mandatory decision that must occur within 30 working days of receiving the request and any subsequent additional information necessary to enable a reasonable understanding of what is being proposed.

This process is separate from the consideration of the Proposed District Plan, which is currently at the stage of hearing submissions.

2. SIGNIFICANCE ASSESSMENT/COMPLIANCE STATEMENT

This report does not trigger the Council's Significance Policy. This is a procedural requirement of the RMA.

3. HISTORY/BACKGROUND

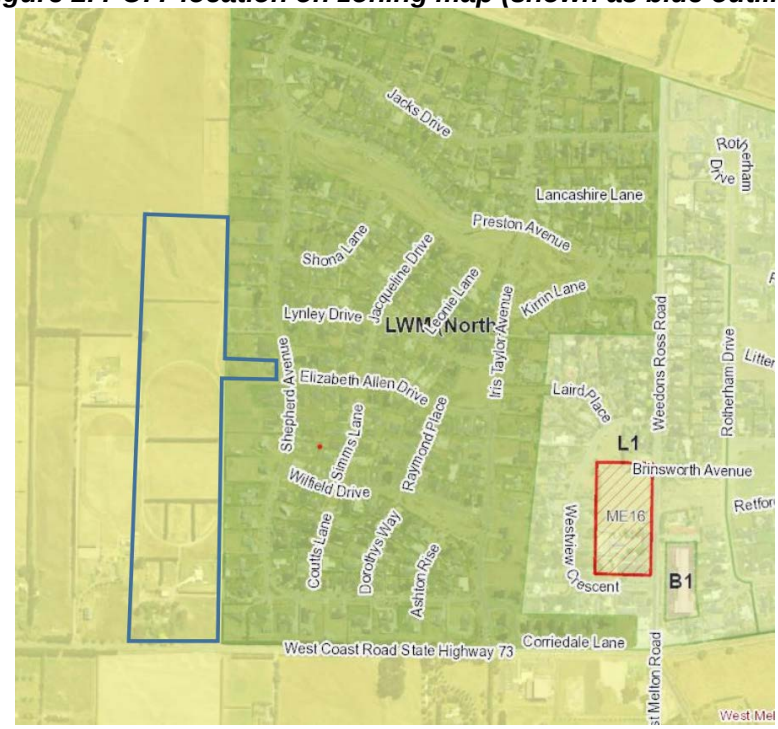
PC77 was formally received by Council on 17 December 2020. A Request for Further Information ('RFI') was made by the Council on 27 April 2021, a partial response was received on 28 October 2021. Some matters raised in the RFI were not addressed so the request was not yet deemed complete. On 16 June 2022 the request was amended by Marama Te Wai. Since that time the request has been reviewed to determine if matters that were raised in the RFI were addressed through this revised request and peer reviews undertaken of the revised information.

The 12.5ha site is located to the west of the existing Living West Melton (North) zoned residential area (in the Preston Downs subdivision). To the north and west is Rural (Inner Plains) zoned land which is primarily used for grazing and other agricultural activities and to the south the site adjoins West Coast Road (State Highway 73). In addition to housing, West Melton includes small shopping area and school which are approximately 800m-1.2km from the site accessible by using routes through Preston Downs. Additional public facilities in West Melton include a community hall, sports grounds, churches and a pre-school. Land on the south-eastern side of West Coast Road is zoned Living West Melton (South), this land forms the Wilfield residential subdivision and land to the west of the Preston Downs subdivision, in the Gainsborough subdivision is zoned Living 1B zone.

Figure 1. PC77 location (shown as yellow outline)



Figure 2. PC77 location on zoning map (shown as blue outline)



The entire site has a Rural (Inner Plains) Zoning in the Operative District Plan. The Plan Change request seeks for the site to be rezoned to the Living Z zone (Comprehensive Development) with a Retirement Village/Medium Density Housing Overlay and for a new Outline Development Plan and Narrative including Landscape Strategy to be included as Appendix E52 to the Operative Selwyn District Plan.

The request seeks that allotments are developed with site sizes having a minimum area of 150m^2 ranging up to around 500m^2 and a larger lot containing the existing dwelling and garden area. The higher density housing (around 150m^2-300m^2) is to be restricted to the middle portion of the ODP area away from the existing boundaries with rural land or existing residential development. The projected overall yield is 218 homes, plus caretaker's residence and clubhouse facilities.

Key roading and pedestrian/cycle connections are shown, there is one road connection into the plan change site from Elizabeth Drive within Preston Downs and a primary road connection is identified to extend north to south within the plan change site. Key pedestrian and cycle routes are also shown in the same/similar location and a possible future vehicle connection is shown to the west. There will be no vehicle connections to SH73 or to Halkett Road.

A landscape buffer is identified on the ODP for land adjacent to SH73. At the other plan change site boundaries, landscape edge treatments have been identified on the ODP to provide a buffer to the rural environment or to provide visual screening between existing and proposed residential areas. Two utility reserves are identified on the ODP as well as a Neighbourhood Park/Retirement Village Hub located centrally within the site, these are to serve as public/village meeting places.

In terms of stormwater servicing, this is proposed to be provided for within the plan change site. The site has been split into two catchments (the northern catchment and the southern catchment). A stormwater management area has been designed for each catchment and within each of these areas is to be a first flush/infiltration basin to capture and remove total suspended solids in the runoff, a detention basin to provide water quantity attenuation in large rainfall events greater than the first flush event and a large rapid soakage chamber under the detention basin to discharge stormwater to ground and provide additional storage within the chamber.

Water supply is required from an additional water source and treatment plant. The possible scenarios for supplying future demand have been identified as being a connection to the Edendale scheme – the scheme has had the bulk pipeline installed but connection work and reticulation upgrades are yet to be completed, an upgrade of the Wilfield bore which has been completed and transfer of water allocation to SDC from a consented bore(s). Council has indicated they would use this allocation to supplement existing well extractions or provide a new bore to service the Site. In addition, there are two lateral/local water races within the Site. Approval to close these water races was given by the Council in February 2022 but it is identified that there is still potential that these features be incorporated into the development as part of the landscape and ecological treatment.

Four servicing options have been identified with respect to wastewater servicing. All options require a new pressure main along the West Coast Road to connect to the existing pressure main at the West Melton Road/West Coast Road intersection.

The site is not currently identified within the CRPS as a priority greenfield area or Future Development Area. The site also sits outside of the existing West Melton township boundary, and by extension, outside of the infrastructure boundary of the township (as shown red in Figure 2 below). As such there is a tension with the higher order direction regarding a change in zoning to Living Z with a retirement overlay.

Figure 3. PC77 location relative to Projected Infrastructure Boundary (Site Shown as a purple diamond)



CRPS			
Key Activity Centre		**Projected Infrastructure Boundary**	
Christchurch Central City	★	Projected Infrastructure Boundary	□
Other Key Activity Centres	☆	**Existing Urban Area**	
Greater Christchurch Area		Existing Urban Area	
Area Covered by Land Use Recovery Plan	⬚	Area outside Greater Christchurch	
Future Development Areas		**Airport Noise Contour 50dBa**	
Greenfield Priority Areas		50dba Airport Noise Contour	
Greenfield Priority Areas - Business			
Greenfield Priority Areas - Residential			

The National Policy Statement on Urban Development (NPS-UD) does however provide a policy framework (Policy 8 in particular) that obliges Councils to be 'responsive' to considering proposed developments that would both provide 'significant capacity' and contribute to 'well-functioning urban environments', even where such development is unanticipated by RMA planning documents or out-of-sequence with planned land release. The NPS-UD therefore provides a pathway for the plan change to be accepted for notification and further processing even if that development sits uneasily against the existing CRPS direction. It is on the basis of the direction of the NPS-UD that the proponent has applied for the rezoning. The direction of the NPS-UD is discussed further below in Section 5.

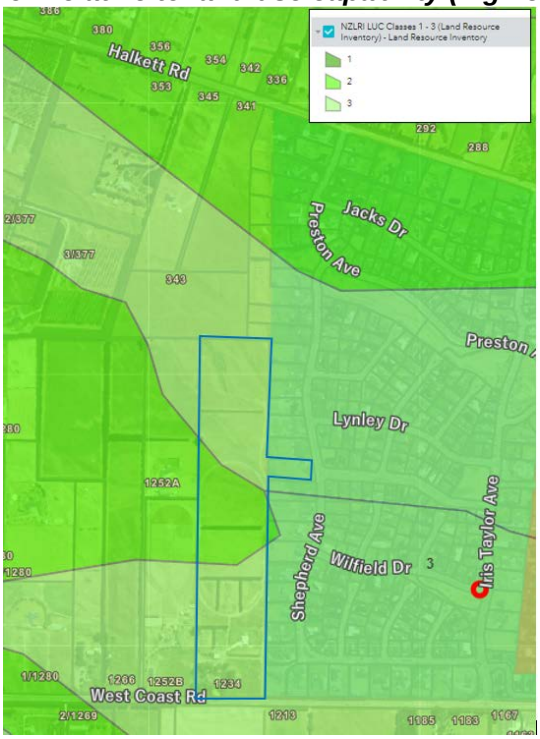
The Resource Management (Enabling Housing Supply and Other Matters) Amendment Act has as its purpose a requirement to enable additional housing supply by way of introducing mandatory medium density residential standards (MDRS) for certain relevant residential zones within tier 1 Local Authorities of which Selwyn District Council is one. Council has considered whether West Melton is to be considered as an area where the MDRS is to apply and has resolved (in February 2022) that West Melton is not to be included within the scope of this Act. Therefore, the private plan change does not need to be amended to align with the MDRS.

The Plan Change site is also located on highly productive land as identified under the Land Use Capability system (LUC 2 and 3 as set out in Canterbury Maps). Development of the site is therefore subject to consideration of the National Policy Statement for Highly Productive Land 2022 (NPS-HPL). Urban rezoning of highly productive land may only be allowed if a set of criteria is met being:

1. the urban rezoning is required to provide sufficient development capacity to meet demand for housing or business land to give effect to the National Policy Statement on Urban Development 2020; and
2. there are no other reasonably practicable and feasible options for providing at least sufficient development capacity within the same locality and market while achieving a well-functioning urban environment; and
3. the environmental, social, cultural and economic benefits of rezoning outweigh the long-term environmental, social, cultural and economic costs associated with the loss of highly productive land for land-based primary production, taking into account both tangible and intangible values.

As discussed further below, consideration of the NPS-HPL and NPS-UD is appropriately done through a publicly notified process.

Figure 4. PC77 location relative to land use capability (high class soils LUC 1-3)



PC77 seeks to largely adopt the provisions in the Operative District Plan. The proposed amendments are therefore limited to changes to the planning maps to show the new zoning, the inclusion of the proposed ODP and several consequential amendments to the subdivision rules to provide links to the ODP and the density outcomes sought.

The plan change request is supported by technical reports (updated through the RFI process) that address geotechnical and natural hazard matters, soil contamination, urban design and landscape outcomes, transport and an infrastructure report.

Access to the full request has been forwarded to Councillors and made available to members of the public on Council's website at Selwyn District Council - Private plan change request 77: rezone approx. 50 hectares in West Melton

4. PROPOSAL

Any person may request a change to a District Plan and Council must consider that request. Under Clause 25 of the First Schedule to the RMA, Council must either reject, accept, or adopt the request, or alternatively process it as a resource consent. An assessment of each of these options is considered in the following section of this report.

5. OPTIONS

Option 1: Reject the request

Under Clause 25(4), the grounds for rejecting PC77 are:

a. That the request is frivolous or vexatious;
b. The substance of the request has been considered by the Council or the Environment Court in the last two years;
c. The request does not accord with sound resource management practice;
d. The request would make the District Plan inconsistent with Part 5 of the RMA;
e. The District Plan has been operative for less than two years.

In terms of (a), the request is not considered to be frivolous or vexatious. The need for additional land for housing, and consideration of the appropriate locations for such is neither a frivolous or vexatious issue. The request includes a suite of technical reports addressing the matters typically relevant to rezoning requests and as such the request cannot be said to be frivolous. Matter (a) is not therefore considered to be grounds for rejecting the plan change.

In terms of matters (b) and (e), the substance of the request has not been considered by the Council or the Environment Court in the last two years and the District Plan was made fully operative in May 2016, meaning that it has been operative for more than two years.

In addition to these two matters, specific to the Greater Christchurch area, section 18 of the Greater Christchurch Regeneration Act 2016 (the GCRA) also provides that a Council may reject the request in whole or in part on the ground that, within the last two years, the substance of the request or part of the request has been considered and given effect to, or rejected, under the Canterbury Earthquake Recovery Act 2011.

Urban growth matters have not been considered within the last two years under the CERA.

In terms of matters (c) and (d), such a determination involves a merits-based assessment of the plan change. A detailed assessment of the plan change merit will be undertaken following consideration of any matters raised by submissions. For a determination regarding notification, the plan change broadly aligns with sound resource management practice insofar as the specific merit of a given zone is a matter to be considered in detail through a publicly notified process, with the change sought assessed against s32 of the RMA.

In terms of (c), it is noted that the timing of this request becoming ready for consideration becomes fraught for the proponent. If the Council chooses to accept or adopt the request, then publication deadlines mean that notification of the request would occur in late February, with submissions closing in late March. At the very earliest, further submissions would be called for in early April and close in late April. Again at the very earliest, it would take a month for Council staff to consider and report on the request and the submissions. This report is required to be published at least three weeks before a hearing, which means that the earliest that a hearing could be held on PC77 would be late June. In that instance, it is unrealistic to expect a recommendation from the Commissioner before late July, with a date in September or later more likely.

Hearings on the Proposed District Plan relating to rezoning requests for West Melton are set down to occur in late February, with recommendations from the Hearings Panel expected either before or at a similar time to any recommendation on PC77 to the Operative District Plan. It is therefore possible that the final decision on PC77 will be made after the Operative District Plan ceases to have any legal effect.

The proponent has been made aware of these challenges, and has advised that they wish to proceed at this time.

There is a very high legal threshold to be met for a decision to be made to reject a plan change on the basis that it does not accord with sound resource management practice. As noted above, the request is supported by a substantial body of documentation and analysis that, in the view of the proponent, concludes that the request does accord with sound resource management practice. It is appropriate therefore that the substantive nature of this material be tested through the appropriate process. Matter (c) is not therefore considered to be grounds for rejecting this plan change.

Council's roles and responsibilities in terms of resource management outcomes and the hierarchy of national policy statements, standards and plans are set out in Part 5 RMA. Section 75(3)(c) requires the district plan to give effect to any national and regional policy statement. On initial assessment, PC77 would sit uneasily against the CRPS direction that new urban development should only be located in identified greenfield priority areas shown in Map A of Chapter 6 of the CRPS (which this site is not).

Generally, a change that would not give effect to the CRPS would be considered to result in the District Plan being inconsistent with council's functions under Part 5 RMA. However, with the introduction of the NPS-UD, this consideration is not so straightforward. As noted above, Policy 8 of the NPS-UD requires Council to be responsive to requests that would add significantly to development capacity and would

contribute to a ‘well-functioning urban environment, even where such requests are unanticipated or out-of-sequence with CRPS directions. Council accepted Commissioner Caldwells’ recommendation regarding PC67 on 9 February 2022 which found that in that instance the plan change met the relevant statutory tests and that in the context of West Melton a development providing some 130 dwellings met the test of delivering ‘significant capacity’.

The NPS-UD directs that the CRPS include criteria for determining what plan changes will be considered as adding significantly to development capacity. The CRPS does not yet contain such criteria. These criteria are being developed by Greater Christchurch Partnership local authorities, but it is only at very early stages. In the absence of this criteria, plan change proponents can apply to have plan changes accepted even where they potentially do not give effect to Chapter 6 of the CRPS. The proponent considers that the plan change request would add significantly to development capacity for West Melton township and has provided an analysis of such with the request.

While not specific to this plan change request, the Council has received legal advice on the conflict between the NPS-UD, the existing CRPS and the provisions for rejection of a plan change request under Clause 25(4). The advice outlined that Council need not reject a plan change under Clause 25 simply because the site of the plan change is outside of the ‘greenfield’ development areas identified on Map A of the CRPS. The NPS-UD therefore provides a pathway by which the plan change can be considered, in a manner that does not result in the District Plan being inconsistent with Part 5 RMA.

Consideration of the NPS-HPL is also tied into consideration of the NPS-UD as set out above. This is appropriately done through a publicly notified process.

Overall, it is not considered that the plan change should be rejected under any of the matters set out in Clause 25(4).

Option 2: Adopt the Plan Change request

Under Clause 25(2)(a), Council may adopt the request, in whole or in part, as its own. Adopting the request means that the Council effectively takes over the plan change request so that it becomes a council-initiated plan change rather than a private plan change. Adopting PC77 would imply that Council generally supports the request.

Council should only consider adoption if the change has a strategic benefit, a substantial community benefit, a cost element which might require negotiations to occur between the council and the proponent, or involves a complex issue or a number of landowners that would benefit from Council coordinating the plan change process.

The plan change is geographically contained and does not present any significant strategic matters that would necessitate Council taking over the plan change at this point in the process. The merit of the plan change is a matter that is best considered at the substantive hearing stage, with the potential that other matters may be raised by other interested parties through the submission process.

Adopting the request would result in Council having to fund the remainder of the process, thereby relinquishing the ability to recover costs from the plan change proponent.

It is not recommended that the Council adopt the request for the above reasons.

Option 3: Accept the Plan Change request (recommended option)

Accepting PC77, under Clause 25(2)(b), would enable the request to be publicly notified and for the request to be subject to the substantive assessment and public participatory processes provided under the RMA. This, in turn, would provide Council with a more informed understanding of the community's view on this specific request. Accepting the plan change would mean that the costs associated with the continued processing of the request would be the responsibility of the proponent and no direct costs would be incurred by the Council or rate payers, although the preparation of any Council submission (if appropriate) could not be on-charged. Council retains the right to lodge submissions or further submissions to ensure there is sufficient scope to support amendments that may address any concerns with the potential plan change.

Whilst the request can be considered to provide significantly to development capacity, the NPS-UD direction does not mean that every development providing capacity is appropriate. A plan change proponent must also demonstrate that the plan change would meet the other relevant NPS-UD tests, along with those of the NPS-HPL for rezoning highly productive land. Any plan change still needs to be considered on its merits overall. This includes that PC77 must still meet RMA section 32 and Part 2 tests and be subject to a substantive assessment of these through the Schedule 1 process.

It is considered that the merits of the plan change request overall are best tested through the submission and hearing process. Accepting the plan change request is the recommended option under the current set of circumstances.

Option 4: Convert to a Resource Consent Application

The final option open to the Council is to process PC77 as a resource consent.

The request seeks to rezone rural land for residential purposes, add an ODP in the Plan and amend the living zone rules. These are matters best addressed through a comprehensive plan change process rather than reliance on resource consent applications which may not provide the outcomes anticipated by the District Plan. A resource consent would be assessed against the policy outcomes sought for the Rural (Inner Plains) Zone, whereas a plan change enables a more fundamental consideration of whether rural or urban outcomes are most appropriate for this particular block of land.

Processing the request as a resource consent is not therefore considered appropriate.

Recommended Option

The consideration of the request at this stage is limited to a coarse scale assessment of the contents of the plan change to ensure that firstly, the content and implications of the request can be generally understood; and secondly that the request is not in direct conflict with other planning processes and statutory instruments.

The RMA affords the opportunity for the plan change proponent to request changes to the District Plan and prescribes the timeframes that Council must adhere to in processing the request. The recommended option to accept PC77 for notification will enable the request to be publicly notified, submissions and further submissions

received and for the substantive merits of the request to be considered at a public hearing.

Accepting the request for notification does not signal that Council supports the request. Council staff will still need to consider the request and any submissions, and make a recommendation that the request be supported, amended or opposed at a subsequent hearing. The benefit in accepting the request is that public input can be received to inform the overall assessment of the merits of the request.

Option 3, to accept PC77 for further consideration is therefore recommended.

6. VIEWS OF THOSE AFFECTED / CONSULTATION

(a) Views of those affected

If the recommendation to accept the request for continued processing is adopted, then the contents of PC77 will be subject to the statutory consultative provisions of the RMA where the opportunity for public involvement is mandatory. Council will be required to publicly notify PC77 and serve notice on all directly affected parties and organisations, who then have the opportunity to participate in the ongoing process.

(b) Consultation

The proponent held preliminary meetings with Council staff to inform the preparation of the plan change prior to lodgement. As addressed above, following lodgement the request has been peer reviewed by the relevant internal Council staff, as well as external peer reviewers as appropriate, to consider the adequacy of information provided. As a result of this initial review, additional information has been included in the request documentation, and some changes have been made to reflect the matters raised in the RFI. As outlined above, the recommendation to accept PC77 will advance the request to the point where members of the public and interested parties can participate in the process through submissions, further submissions and the hearing.

(c) Māori implications

The proponent has included a Mana Whenua Statement prepared by Mahaanui Kurataiao Ltd on behalf of Te Ngāi Tūāhuriri Rūnanga who hold manawhenua over the project's location as it is within their takiwā. The statement sets out five recommendations. These recommendations relate to following an Accidental Discovery Protocol during earthworks, implementation of a landscaping plan consisting of appropriate indigenous vegetation, incorporation of best practice onsite stormwater management controls, appropriate remediation of contaminated sites and planting of locally sourced indigenous vegetation. The statement sets out the Mahaanui Kurataiao and its staff are available to discuss their report or further assist in direct engagement with the rūnanga and it is also noted that it is standard Council practice to directly serve notice to Mahaanui Kurataiao Limited when plan change requests are publicly notified, to ensure that mana whenua are provided with a formal opportunity to make submissions and provide feedback.

(d) Climate Change considerations

The request includes an assessment of the resilience of the request to the effects of climate change and notes that the primary manner in which this can be achieved within new urban development is through encouraging reduced greenhouse gas emissions and that the plan change achieves this through its proximity and connection to existing urban facilities and services (shops, community and recreational facilities etc.) including public transport and active transport modes (e.g. walking and cycling). The adequacy of this assessment will be tested through the submission and hearings processes.

7. FUNDING IMPLICATIONS

The plan change proponent is responsible for the costs associated with processing a private plan change request, with Council costs being fully recoverable. Council would be responsible for the cost of defending its decision should it be appealed to the Environment Court.

The provision of network infrastructure and associated funding is addressed through the Council's Development Contributions Policy prepared under the Local Government Act. Local infrastructure located within the plan change area is provided by the developer as part of the subdivision consent process. Feedback from a peer review of the plan change is that in terms of water supply, additional capacity within the network to fully service the plan change is not currently available and that upgrades will be required to accommodate additional growth and this would require hydraulic modelling (network capacity) and associated infrastructure upgrades via the LTP process. In terms of wastewater, the peer review considers that there are viable means to treat and dispose of wastewater and that the servicing options proposed in the plan change should be reassessed at the time of subdivision and engineering approval (should the request be notified and subsequently approved). Stormwater treatment is proposed to be provided for within the development site.

8. INPUT FROM OTHER DEPARTMENTS

The contents of the request, including relevant technical reports, were circulated independent consultants for their peer review and comment. These peer reviews have been circulated to the proponent.



Rachael Carruthers
STRATEGY AND POLICY PLANNER

Endorsed For Agenda



Tim Harris
GROUP MANAGER DEVELOPMENT AND GROWTH

REPORT

TO: Chief Executive Officer

FOR: Council meeting – 8 February 2023

FROM: Rachael Carruthers – Policy Planner

DATE: 23 January 2023

SUBJECT: **NEW DESIGNATION FOR EDUCATIONAL PURPOSES – ROLLESTON SECONDARY SCHOOL (D220002)**

RECOMMENDATION

'That:

1. *pursuant to s171(2) of the Resource Management Act 1991, the Council recommends to the Minister of Education that the Notice of Requirement (D220002) for an educational facility on Lot 1000 DP 557037, Rolleston be confirmed as set out in Commissioner's recommendation D220002.*
2. *Council delegates to either the Head of Strategy and Policy or Team Leader Policy to undertake all necessary actions to give effect to the decision of the Minister of Education in relation to recommendation 1 above.'*

1. PURPOSE

Selwyn District Council as territorial authority has received from the Minister of Education (the Minister) as requiring authority a Notice of Requirement (NOR) under s181(1) RMA to establish educational facilities in Rolleston to cater for secondary school students from Year 9 to 13, primary school students from Year 0 to 8, along with an early childhood education centre (ECE), and a specialist Hangarau teaching hub / space.

The school would be incorporated into the Selwyn District Plan as ME31 Rolleston Secondary School and, at the time that decisions are released on the Proposed District Plan, in the Proposed District Plan as MEDU-31 Rolleston Secondary School.

The NOR is attached as **Appendix 1** to this report.

The recommendation of Independent Commissioner Matt Bonis is attached as **Appendix 2** to this report.

2. SIGNIFICANCE ASSESSMENT/COMPLIANCE STATEMENT

Council is not the decision-maker in this process. Rather, having considered the recommendation of the Independent Commissioner, Council's role is to make a recommendation to the Minister about what their decision should be.

On this basis the matter is considered to be of ***low*** significance.

3. HISTORY/BACKGROUND

The Ministry have long recognised the rate of growth occurring in Selwyn (and in particular Rolleston), and have responded with several new educational facilities established across the District since 2010. Of note, Rolleston College opened in 2017 with an initial capacity of 1,100 students, with master planned growth capacity for 1,800 students. The current student roll (as of the July 2021 roll return) is in the order of 1,270 students, with this roll expected to continue to increase rapidly over the coming years, with the master planned capacity of Rolleston College expected to be fully utilised around 2026-28.

Based on the network analysis undertaken by the Ministry, and the extent of approved, zoned and proposed residential developments in and around Rolleston, the Ministry identified that acquiring a new site for secondary school provision was the best option for meeting the medium to long term needs of the Rolleston locality, and the requirements of the Education and Training Act 2020. A site within the 'West Village' development was identified as the most optimal location for a new secondary school, with this site the subject of the present NOR.

4. PROPOSAL

In order to provide for existing and projected roll growth in Rolleston, the Minister proposes to establish educational facilities at the site shown outlined red in Figure 1 below, providing:

- A secondary school, catering for Year 9 to Year 13 inclusive, with an initial build roll of 1,200 students, with a potential future expansion roll of 2,500 students;
- A full primary school, catering for Year 0 to Year 8 inclusive, with an initial roll of 300 students;
- An early childhood centre, for approximately 50 students; and
- A Hangarau specialist teaching space / facility (technology facility provided in accordance with tikanga practices).

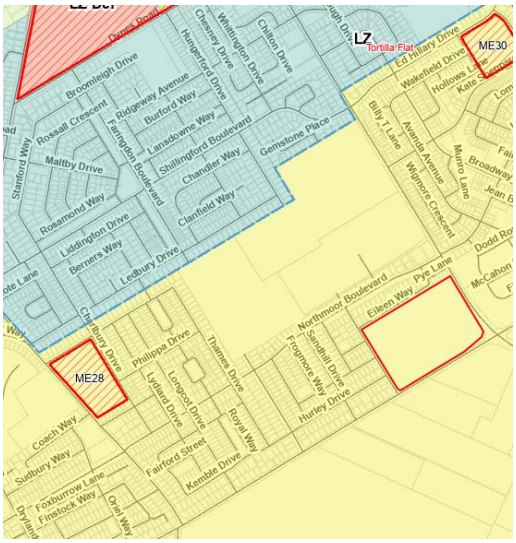


Figure 1: Location of proposed Rolleston Secondary School

The relevant statutory tests are set out and applied in the Commissioner's recommendation at **Appendix 2**. In summary:

- The adverse effects on the environment of the designation beyond the application site would be less than minor (s171(1)(a) RMA)
- The Crown has recently purchased the site and therefore has an interest in the land sufficient to establish the proposed development. It is considered that as the Requiring Authority is the owner of the application site, and the adverse effects on the proposal have been assessed as being minor, so there is no requirement to consider alternative sites under s171(1)(b) RMA. Nevertheless, consideration of alternatives has been provided in Section 7 of the NOR, and that alternative sites were evaluated by the Ministry as part of the their site investigation and evaluation exercise.
- The designation is reasonably necessary for achieving the objectives of the Minister (s171(1)(c) RMA)
- The proposal is consistent with the relevant objectives and policies of the Selwyn District Plan and the Proposed District Plan, and there are no other relevant matters (s171(1)(d) RMA)

Depending on the final design of the site, works to upgrade the Eileen Way and/or Selwyn Road frontages will be required at Ministry expense, with details to be confirmed once the details of site design have been confirmed.

5. OPTIONS

1. That Council recommends that the Minister confirm the NOR, as set out in the Commissioner's recommendation. This is the recommended option.

2. That Council recommends that the Minister withdraw the NOR.

In this instance, the effects beyond the site are considered to be less than minor, and so it would be inappropriate for Council to recommend to the Minister that the NOR be withdrawn.

6. VIEWS OF THOSE AFFECTED / CONSULTATION

A decision regarding notification pursuant to sections 169, 149ZCB(1)-(4), 149ZCC(1)-(4), 149ZCE and 149ZCF RMA has been undertaken separately. In summary, it was determined that the NOR should be processed on a non-notified basis.

(a) Views of those affected

The only party that was considered adversely affected by the proposal is Hughes Developments Ltd. They have provided their written approval to the proposal.

(b) Consultation

Because the only party considered affected has provided their written approval, there is no scope under the Act for Council to undertake any consultation in relation to this proposal.

(c) Māori implications

There is no scope under the Act for Council to consider implications for Māori in relation to this proposal.

(d) Climate Change considerations

By its location, central to a developing neighbourhood and within an area identified for urban development by various strategic planning documents, the proposal would result in lower transport-related vehicle emissions than merely enlarging existing education facilities.

7. FUNDING IMPLICATIONS

The cost of staff time associated with the alteration of a designation is charged to the requiring authority on a time and cost basis. There are no other funding implications.



Rachael Carruthers
POLICY PLANNER

Endorsed For Agenda



Tim Harris
GROUP MANAGER DEVELOPMENT AND GROWTH

APPENDIX 1 NOTICE OF REQUIREMENT

TOWNPLANNING GROUP

Minister of Education: Notice of Requirement

Rolleston Secondary School

Section 168 Notice of Requirement for Designation: Educational Purposes – Secondary School, Primary School, Early Childhood and Specialist Hub

700 Selwyn Road, West Village, Faringdon, Rolleston

3 June 2022

www.townplanning.co.nz

Document prepared by:

Town Planning Group (NZ) Limited

Phone: 0800 22 44 70

Email: office@townplanning.co.nz

Web: www.townplanning.co.nz

Offices in Tāhuna, Wānaka, Ōtautahi & Tāmaki Makaurau

Contents

1 Overview 6
2 Introduction 8
2.1 Introduction 8
2.2 Background and context 9
2.3 Structure of report 9
3 Site and surrounds 11
3.1 Site details 11
3.2 Surrounding environment 16
4 Notice of requirement 19
4.1 The Minister's objectives 19
4.2 Nature of proposed designation and conditions 20
4.3 Future school development and design 24
5 Statutory assessment 28
5.1 Introduction 28
5.2 Resource Management Act 1991 28
5.2.1 Part 2, RMA 28
5.2.2 Section 171 – Recommendation by the Territorial Authority 30
5.3 National Policy Statement on Urban Development 2020 30
5.4 National Policy Statement for Freshwater Management 2020 31
5.5 Canterbury Regional Policy Statement 32
5.6 Selwyn District Plan 35
5.6.1 Operative District Plan 35
5.6.2 Proposed District Plan 39
5.7 Summary 40
6 Assessment of environmental effects 42
6.1 Introduction 42
6.2 Receiving environment 42
6.3 Visual amenity, design, and character effects 43
6.4 Transportation effects 46
6.5 Infrastructure effects 49
6.6 Noise effects 49
6.7 Earthworks and geotechnical effects 50
6.8 Soil contamination effects 50
6.9 Cultural effects 51
6.10 Positive effects 51
6.11 Conclusion 52
7 Assessment of alternatives 53
7.1 Alternatives 53

8 Reasonable necessity of the designation 55
8.1 Reasonable necessity 55
9 Relevant other matters 56
9.1 Rolleston Structure Plan 56
9.2 Mahaanui Iwi Management Plan (MIMP) 57
9.3 Approved resource consents 58
9.4 Private Plan Change requests 59
9.5 Additional consents required 59
10 Consultation and notification 61
10.1 Consultation and engagement 61
10.2 Notification 62
10.2.1 Public notification 62
10.2.2 Limited notification 63
10.2.3 Non-notification 65
11 Conclusion 66

Supporting information

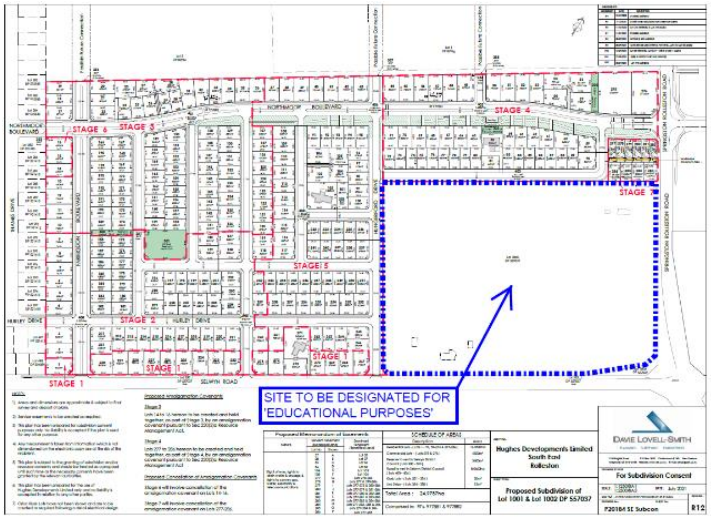
[A] Designation Plan
[B] Record of Title
[C] Contamination and Geotechnical Memorandum
[D] FTCA West Village Decision RC215539 and RC 215540
[E] Infrastructure Memorandum
[F] Integrated Transport Assessment
[G] Written Approvals

Figures

Figure 1 Site Location (Approved Subdivision Plan RC215539 / RC215540) 6
Figure 2 Location plan – site outlined in yellow 11
Figure 3 Site aerial – site outlined in yellow (Canterbury Maps) 12
Figure 4 West Village approved subdivision plan (RC215539) 13
Figure 5 Site Photo – view from Selwyn Road, facing east 14
Figure 6 Site Photo – view from Selwyn Road, facing west 14
Figure 7 Site Photo – view from Selwyn Road / Hungerford Road location, facing east 14
Figure 8 Site Photo – view across site from Selwyn Road, facing north east 15
Figure 9 Site Photo – view across site from Springston Rolleston Road, facing south 15
Figure 10 Site photo – view from Spingston Rolleston Road, facing north 15
Figure 11 Private plan change requests in Rolleston – site outlined in yellow (Council GIS) 16

Figure 12 Site aerial – site outlined in yellow (Hughes Developments Limited) 17
Figure 13 Surrounding environment – site outlined in yellow (Canterbury Maps) 18
Figure 14 St Margaret's College, Christchurch (Source: Southbase) 25
Figure 15 Wigram Primary School, Christchurch (Source: Southbase) 26
Figure 16 Three Parks Primary School, Wanaka (Source: Southbase) 26
Figure 17 Knights Stream Primary School, Christchurch (Source: Southbase) 26
Figure 18 Ararira Springs Primary School, Lincoln (Source: Southbase) 27
Figure 19 Rolleston College, Rolleston (Source: ASC Architects) 27
Figure 20 Haeata Community Campus, Christchurch (Source: ASC Architects) 27
Figure 21 Map A Canterbury Regional Policy Statement 32
Figure 22 Operative Selwyn District Plan – Zone Map (Council GIS) 35
Figure 23 Proposed Selwyn District Plan – Zone Map (Council GIS) 39
Figure 24 Aerial of site and surrounds – site outlined in yellow 43
Figure 25 West Village landscape concept plan (FTCA decision) 45
Figure 26 West Village road layout / formation 47
Figure 27 Rolleston Structure Plan 56

1 Overview

Requiring authority:	Minister of Education.
Territorial authority:	Selwyn District Council.
Nature of notice:	Designation for 'Educational Purposes'.
Objective:	To enable the establishment of educational facilities that principally cater for secondary school students from Year 9 to Year 13, along with a primary school, early childhood education centre and specialist Hangarau teaching hub / space. These facilities are required to meet the future educational needs of students in a high growth area, and are considered necessary to achieve the key objective of the Minister, which is to provide state schooling and education facilities in a manner that meets the purpose of the Education and Training Act 2020.
Site address:	700 Selwyn Road, West Village, Faringdon, Rolleston.  **Figure 1** Site Location (Approved Subdivision Plan RC215539 / RC215540) As identified by **Figure 1**, the site forms part of the recently consented Faringdon 'West Village' development, and is located at the north-western corner of Selwyn Road and Springston Rolleston Road.
Legal description:	Lot 1000 DP 557037 as contained in Record of Title 977880.
Ownership status:	Her Majesty the Queen (i.e. the Crown).
Site area:	10.18ha.

Relevant legislation:	Notice of requirement for a designation under section 168 of the Resource Management Act 1991.
District Plan zoning:	Operative Selwyn District Plan: Rural Inner Plains Proposed Selwyn District Plan: General Rural It is noted that the site was the subject of Private Plan Change 64[1] to the Operative Selwyn District Plan (which proposed a Living Z zoning across the site), however this was subsequently withdrawn 5 November 2021 following the decision[2] of the Expert Consenting Panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020 to approve the Faringdon South East (West Village) and South West (West Wood) developments.
Additional consents:	No other consents are identified as required or necessary as part of this notice of requirement at this point in time.

[1] https://www.selwyn.govt.nz/property-And-building/planning/strategies-and-plans/selwyn-district-plan/district-plan-updates/operative-plan-changes/plan-change-64,-rezone-land-from-rural-inner-plains-to-living-z,-faringdon
[2] https://www.epa.govt.nz/fast-track-consenting/referred-projects/faringdon/the-decision/

2 Introduction

2.1 Introduction

This report supports the Notice of Requirement ('**NOR**') from the Minister of Education ('**Minister**') to designate an approximately 10.18ha site located at 700 Selwyn Road, West Village, Faringdon, Rolleston for '*Educational Purposes*'. This NOR and associated report has been prepared in accordance with Section 168 of the Resource Management Act 1991 ('**RMA**'), and the format prescribed in Form 18 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003.

By way of summary, the designation will principally enable the establishment of a new secondary school catering for school age children from Year 9 to Year 13. The new secondary school will have an initial build roll of 1,200 students and a master planned roll of 2,200 students, with a potential future expansion roll of 2,500 students. In addition, the designation will enable and provide flexibility to accommodate a potential primary school campus having a roll of 300 students, an early childhood education centre ('**ECE**') for up to 50 students, and a Hangarau specialist teaching space / facility (technology facility provided in accord with tikanga practices). The new educational facilities are required to meet the population and student growth projections in Rolleston, with the network analysis undertaken by the Ministry of Education – Te Tāhuhu o te Mātauranga ('**Ministry**') identifying a need for the secondary school to be open between 2026-28.

The site to be designated is located within the Faringdon 'West Village' development, at the north-western corner of Selwyn Road and Springston Rolleston Road, as identified in the Designation Plan enclosed as **Attachment [A]**. The approximate 10.18ha site is bound by multiple road frontages, two of which are presently under construction as part of the West Village development. The West Village development is located in south Rolleston, and forms an extension of the larger Faringdon development which presently includes over 2,000 homes, a retail, office and food complex, several parks and reserves, a primary school (Lemonwood Grove School – Te Uru Tarata), along with multiple ECE's. The site is well located with respect to key transport corridors and the growth that is occurring in south Rolleston, and the associated student catchment.

This report outlines and assesses the proposed designation against the relevant provisions of Section 171 of the RMA, including an assessment of environmental effects and the relevant statutory planning documents, along with the consideration of alternatives sites, the Minister's objectives, and an outline of the consultation undertaken. The overall conclusions are that the site is eminently suitable for the establishment of the anticipated range of new educational facilities, any adverse effects can be appropriately avoided, remedied, or mitigated, and designating the site for educational purposes is consistent with the relevant statutory planning documents.

2.2 Background and context

The Selwyn District has been one of the fastest growing regions in New Zealand over the last decade, with Selwyn's population grown from 46,700 in 2013 to 65,600 in 2019 (a growth rate of 6%, compared to the 2% national average)[3].

The Ministry have long recognised the rate of growth occurring in Selwyn (and in particular Rolleston), and have responded with several new educational facilities established across the District since 2010[4]. Of note, Rolleston College opened in 2017 with an initial capacity of 1,100 students, with master planned growth capacity for 1,800 students. The current student roll (as of the July 2021 roll return[5]) is in the order of 1,270 students, with this roll expected to continue to increase rapidly over the coming years, with the master planned capacity of Rolleston College expected to be fully utilised around 2026-28.

Based on the network analysis undertaken by the Ministry, and the extent of approved, zoned and proposed residential developments in and around Rolleston, the Ministry identified that acquiring a new site for secondary school provision was the best option for meeting the medium to long term needs of the Rolleston locality, and the requirements of the Education and Training Act 2020. Following a comprehensive site identification and evaluation exercise undertaken in 2020, a site within the 'West Village' development was identified as the most optimal location for a new secondary school, with this site the subject of the present NOR.

2.3 Structure of report

This report is structured as follows:

- Section 3 describes the site and surrounding environment.
- Section 4 details the NOR, including the Minister's objectives for requiring the designation, and the nature of the designation.
- Section 5 identifies the statutory planning instruments that are applicable to the consideration of this NOR and provides an assessment of the proposal against the relevant documents.
- Section 6 comprises an assessment of effects on the environment, covering a broad spectrum of actual or potential effects associated with the NOR.
- Section 7, 8 and 9 identifies an assessment of alternatives, the reasonable necessity of the designation, and commentary on any other relevant matters for consideration in accord with the requirements of section 171 of the RMA.
- Section 10 describes the consultation undertaken and considers the notification provisions of section 169 of the RMA.

[3] Selwyn District Council, Selwyn District Growth and Demand Report, March 2021.
[4] https://assets.education.govt.nz/public/Documents/School/Network-of-Schools/RollestonCatchmentPlan.pdf
[5] https://www.educationcounts.govt.nz/find-school/school/profile?school=654&district=62&region=13

- Section 11 provides an ultimate conclusion in relation to the NOR.

A number of attachments are provided in support of the NOR, with these providing a comprehensive appraisal of the actual and potential environmental effects of the designation and future school development.

3 Site and surrounds

3.1 Site details

The site is identified as 700 Selwyn Road, on the north-western corner of Selwyn Road and Springston Rolleston Road, approximately 3km south of central Rolleston. The site forms a large balance lot of the wider Faringdon West Village development (refer **Figure 2**) which is presently under construction.

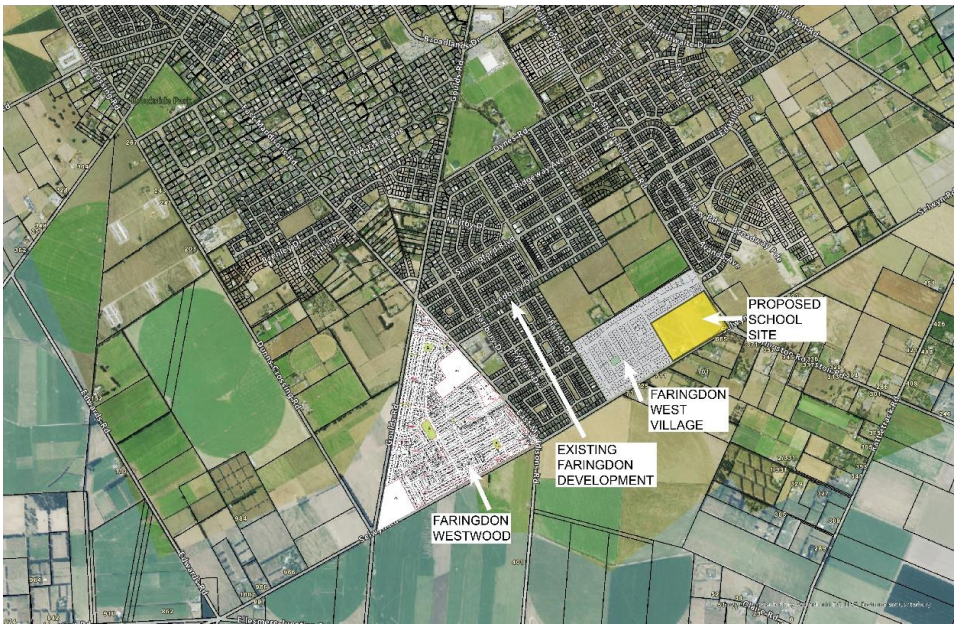


Figure 2 Location plan – site outlined in yellow

The site is legally identified as Lot 1000 DP 557037 as contained in Record of Title 977880 (refer **Attachment [B]**), under the ownership of Her Majesty the Queen. For completeness, it is noted that the Compensation Certificate under s19 of the Public Works Act is registered on the Record of Title, with this simply confirming the purchase of the site from Hughes Developments Limited ('**the developer**'), the developer behind Faringdon and West Village.

The site is rectangular in shape, generally flat and has an area of approximately 10.18ha. The site will encompass an entire block of the West Village development, and following completion of the development, will front onto four roads; Selwyn Road, Springston Rolleston Road, and the recently completed Hungerford Drive and Eileen Way.

As identified in **Figure 3**, the site is clear of any built form or structures, with the previous structures and shelterbelt planting removed as part of the land development works occurring as part of the West Village development.

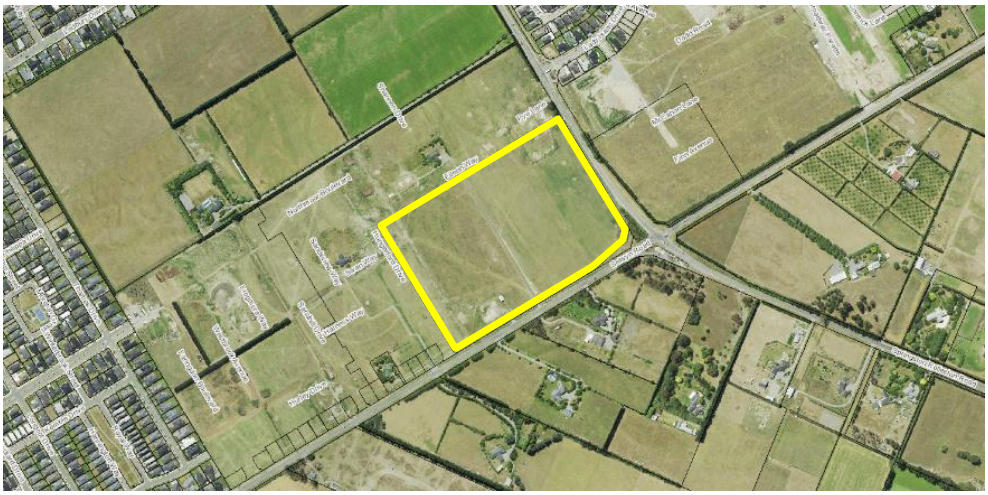


Figure 3 Site aerial – site outlined in yellow (Canterbury Maps)

There are no protected trees or any items of heritage or cultural significance across the site, and the site is not identified as being subject to inundation or affected by any natural hazards as identified in the Operative Selwyn District Plan ('**SDP**'). There are no surface water bodies on or near the site, with the exception of a water race that runs along Springston Rolleston Road.

A preliminary assessment of contamination and geotechnical considerations for the site has been undertaken by Tonkin & Taylor ('**T&T**'), with this enclosed as **Attachment [C]**.

As identified, the site forms part of the wider West Village development, which was approved by an Expert Consenting Panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020 ('**FTCA**'). The relevant subdivision and land use consents granted are identified as RC215539 and RC215540 (refer **Attachment [D]**). Whilst forming part of the wider West Village development, the subject site was created by way of earlier subdivision (refer FTCA approved subdivision plan in **Figure 4**), and was therefore subsequently excluded from the application to the Expert Consenting Panel. For the avoidance of doubt, the approved plans and associated consent conditions are relevant to the site, particularly in relation to the roading and infrastructure arrangements which will serve the site and future school development on the same.

With respect to infrastructure services, as part of the purchase of the site the developer is required to provide the site with access to all appropriate infrastructure services, including fibre, electricity, potable water supply, fire fighting water supply and wastewater. T&T have subsequently undertaken a preliminary infrastructure assessment, with this enclosed as **Attachment [E]**.

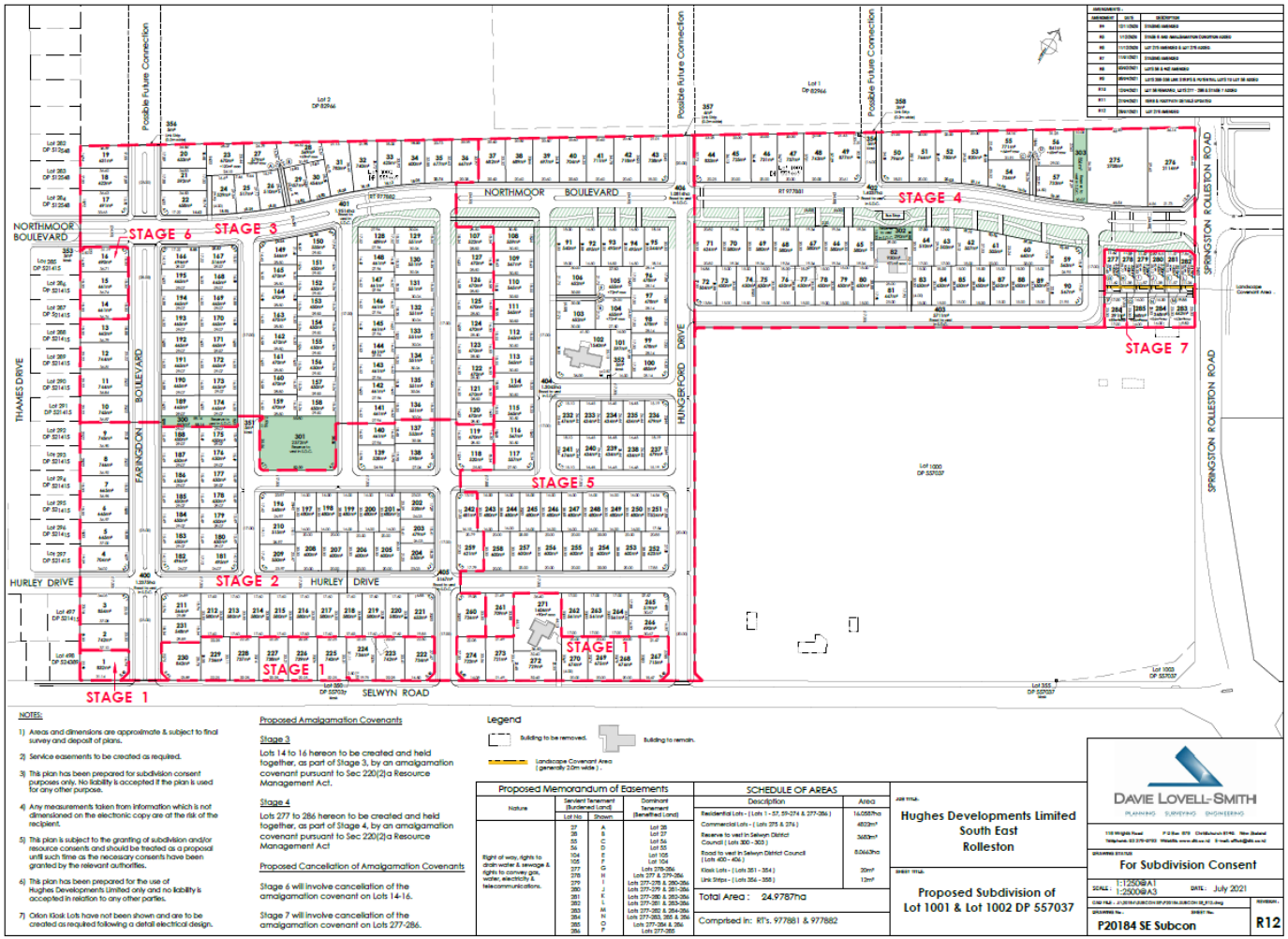


Figure 4 West Village approved subdivision plan (RC215539)

A series of photos of the site and immediate surrounds (dated November 2021) are detailed in **Figures 5-10** below.



Figure 5 Site Photo – view from Selwyn Road, facing east



Figure 6 Site Photo – view from Selwyn Road, facing west



Figure 7 Site Photo – view from Selwyn Road / Hungerford Road location, facing east



Figure 8 Site Photo – view across site from Selwyn Road, facing north east



Figure 9 Site Photo – view across site from Springston Rolleston Road, facing south



Figure 10 Site photo – view from Spingston Rolleston Road, facing north

3.2 Surrounding environment

The site is located in south Rolleston, which over the last few years has experienced significant urban growth from the ongoing expansion of Faringdon to the west of Springston Rolleston Road, and the Acland Park development to the east of Springston Rolleston Road. This urban growth has primarily advanced through a range of central government directives and actions, including the Housing Accords and Special Housing Areas Act 2013, and more recently the FTCA. This strong growth is expected to continue into the future, as evidenced by the number of Private Plan Change Requests lodged with Selwyn District Council ('**Council**') since 2019/20 (refer **Figure 11**).



Figure 11 Private plan change requests in Rolleston – site outlined in yellow (Council GIS)

The site is located at the intersection of Springston Rolleston Road (an Arterial Road under the ODP) and Selwyn Road (a Local Road under the District Plan, and a Secondary Collector Road under the Waka Kotahi ONRC). Springston Rolleston Road forms a key part of the roading network, connecting Rolleston to Lincoln. Both roads presently have a speed limit of 60km/hr adjacent to the site, and 100km/hr beyond the urban environment of Rolleston.

The site is located within the West Village development, which will upon completion comprise 290 residential allotments, a neighbourhood centre and associated infrastructure and amenities, including reserves. The West Village development is an extension to the existing and large-scale Faringdon residential development to the west. The site will have frontage to Hungerford Drive to the west and Eileen Way to the north, with a small residential boundary in the north-eastern corner of the site, with

construction well underway across the development, as identified in **Figure 12** (site identified in yellow outline).



Figure 12 Site aerial – site outlined in yellow (Hughes Developments Limited)

To the east of the site is the Acland Park development, which will upon completion provide in the order of 1,000 residential allotments, with a new primary school 'Te Rōhutu Whio' recently established within Stage 7 in the northern portion of the development.

To the immediate north of the West Village development is a small number of rural blocks of land, all of which are identified as part of a 'Future Development Area' under the 'Our Space 2018-2048: Greater Christchurch Settlement Pattern Update' document and the Canterbury Regional Policy Statement. Further to the north is the established residential environment of The Borough Faringdon, Faringdon Courts, and other smaller residential developments, along with Foster Park Recreation Ground, the Selwyn Aquatic Centre, and Rolleston College.

To the south of the site on the opposite side of Selwyn Road are a number of rural residential allotments, and larger rural blocks primarily associated with Gammack Estate.

In summary, and as illustrated by **Figure 13**, the site (identified in yellow outline) is located at the southern boundary of the Rolleston urban environment, with residential development to the west, north and east, and rural land to the south, consistent with the expectations of the urban limit and infrastructure boundaries of the Canterbury Regional Policy Statement. In this regard, it is considered the site is well located with respect to key transport corridors, and a growing student catchment associated with the urban development occurring in south Rolleston.



Figure 13 Surrounding environment – site outlined in yellow (Canterbury Maps)

4 Notice of requirement

4.1 The Minister's objectives

The Education and Training Act 2020 sets out in broad terms the Minister's role, obligations, and responsibilities in providing for the education needs of all New Zealanders, with the purpose of the Act as follows:

> *4. Purpose of Act*
>
> *The purpose of this Act is to establish and regulate an education system that—*
>
> *(a) provides New Zealanders and those studying in New Zealand with the skills, knowledge, and capabilities that they need to fully participate in the labour market, society, and their communities; and*
>
> *(b) supports their health, safety, and well-being; and*
>
> *(c) assures the quality of the education provided and the institutions and educators that provide and support it; and*
>
> *(d) honours Te Tiriti o Waitangi and supports Māori-Crown relationships.*

This Act is administered by the Minister's agents, i.e. the Ministry of Education.

The Minister is a requiring authority pursuant to Section 166 of the RMA. As a requiring authority the Minister can designate land for the establishment and ongoing operation of critical social infrastructure or public works such as schools, for which the Minister is financially responsible.

The public works that are the subject of this NOR are educational facilities, with these required in order to meet the future educational needs of students in a high growth area. In this regard, the establishment of a secondary school catering for students from Year 9 to Year 13, along with a range of other educational facilities (i.e. primary school, ECE and specialist Hangarau teaching hub), are considered reasonably necessary in achieving the objective of the Minster, which is to provide state schooling and education facilities in a manner that meets the purpose of the Education and Training Act 2020.

As provided for under the RMA, and in accord with the national strategy of the Ministry, a designation is considered the most appropriate mechanism to provide for the establishment and on-going operation of the educational facilities in this location. The Minister requires ongoing certainty that the site can be developed and used for this purpose. A designation provides the necessary long-term certainty and flexibility for operation of educational facilities on the site, and accords with the Ministry's expectations for the efficient management of the education property portfolio across New Zealand. Further, a designation serves to clearly identify to the general public the proposed use of the site for educational purposes.

4.2 Nature of proposed designation and conditions

Pursuant to Section 168 of the RMA, the Minister, as a requiring authority, gives notice of his requirement to designate the site, for '*Educational Purposes*' so as to:

- meet both present and potential future changing educational needs of the community; and
- allow for the evolution of specific educational practice over time, including changes in the facilities provided and their focus.

As outlined below, the designation will include the standard Ministry definition of 'Educational Purposes', which consists of a broad range of activities, including the provision of education for any school age students, community education, the provision of academic, sporting, social and cultural education, and ancillary activities including administrative services and housing for staff. This approach recognises that the extent and manner of operation of educational and extracurricular activities at the site will be determined by a combination of Ministry policy, direction from the school board, and the school faculty. This description of the educational activities provided for on the site is general and broadly cast for that reason, with this approach consistently used over the last several years by the Minister in order to provide clarity and consistency across the country for 'Educational Purposes' designations. Furthermore, it is noted that the definition is consistent with that proposed by the Ministry and notified by Council through the rollover of designations within the Proposed Selwyn District Plan ('**PDP**').

Notwithstanding the broad purpose of the designation, based on the Ministry's network analysis, the development of the site will be principally for a new secondary school (Year 9 to Year 13 inclusive) with an initial commencement roll of 1,200 students, a master planned roll of 2,200 students, and a potential future expansion roll of 2,500 students. As the actual future roll cannot be predicted with complete certainty, no roll maximum is suggested. However, these roll figures are considered to be a reasonable basis on which to assess the effects of establishing a secondary school in this location, and is supported by the network analysis undertaken by the Ministry.

In addition to the secondary school, the designation is intended to also cater for the following other educational facilities across the site, all of which are provided for by the 'Educational Purposes' definition as outlined within this NOR:

- A primary school campus (expected to be a satellite aligned with Te Uru Tarata – Lemonwood Grove School), having a roll of 300 students.
- An early childhood education centre ('**ECE**') for up to 50 students.
- A Hangarau specialist teaching space / facility (technology facility provided in accord with tikanga practices).

In drafting the NOR, particular regard has been given to the proposed approach to educational designations within the PDP, which features an 'introductory' designation table and the use of a specific identifier in terms of the school 'facility' provided for by the designation purpose, followed by a definition of the 'educational purpose'. The

same approach has been advanced for simplicity and clarity[6], with the range of educational components intended for the site included as secondary notations within the 'purpose' contained in the introductory table.

Further, to the above, in order to assist in providing parameters around the scope of the designation and to mitigate the effects of any future school development and construction on the site, the Minister proposes a number of designation conditions. These proposed conditions, and the proposed introductory table, are outlined as follows:

MEDU-XXX **ROLLESTON SECONDARY SCHOOL**	
Designation unique identifier	MEDU-XXX
Designation purpose	Educational purposes – Secondary School, Primary School, Early Childhood, and Specialist Hubs
Site identifier	Lot 1000 DP 557037 as contained in Record of Title 977880
Lapse date	XXX [10 years from date of designation]
Designation hierarchy under section 177 of the Resource Management Act	Primary
Conditions	Yes
Additional information	"Educational purposes" in the designated purpose means to: a. Enable the use of the facilities on the site by and for the educational benefit of any preschool and school age students (i.e., years 0 to 13) regardless of whether they are enrolled at the institutions located on the site. b. Enable the provision of supervised care and study opportunities for students outside school hours in school facilities. c. Enable the provision of community education (e.g., night classes for adults) outside school hours in school facilities. d. Include but not be limited to the provision of academic, sporting, social, and cultural education including through: i. Formal and informal recreational, sporting, and outdoor activities and competitions whether carried out during or outside school hours; ii. Formal and informal cultural activities and competitions whether carried out during or outside school hours; and

[6] We note the Ministry have lodged a submission on the PDP seeking a change to the designation chapter which would see the 'educational purpose' definition relocated from the 'additional information' field for each designation, and placed as an 'explanatory note' at the start of the designation chapter (similar to the approach of the Auckland Unitary Plan).

	iii. The provision of specialist hubs and units (including language immersion units and teen parenting units) for children with particular educational requirements or special needs. e. Enable the use of facilities for purposes associated with the education of students including school assemblies, functions, fairs, and other gatherings whether carried out during or outside school hours. f. Enable the provision of associated administrative services; car-parking and vehicle manoeuvring; and health, social services, and medical services (including dental clinics and sick bays). g. Enable housing on-site for staff members whose responsibilities require them to live on-site (e.g., school caretakers) and their families. The Notice of Requirement documentation associated with this designation is held in Selwyn District Council file DXXX.
MEDU-XX Conditions	
#	**Condition**
Building Controls	
1	**Recession Plane** Any new building or building extension (excluding goal posts or similar structures) shall not protrude through a 45 degree recession plane angle measured from any internal boundary with adjoining land (zoned or designated for residential purposes), with the starting point for the recession plane to be 4m above ground level.
2	**Site Coverage** Buildings on the site shall not exceed a total site coverage of 45%.
3	**Road Setback** Any building shall be setback a minimum of 3m from any road boundary.
4	**Outline Plan** Any outline plan of works to be undertaken on the site that relates to increased student capacity of more than 100 students shall be accompanied by: a. an urban design statement from a suitably qualified urban designer and/or architect demonstrating how the layout and design of the education facility will promote a positive relationship to the adjoining street network and neighbourhood, in terms of: i. pedestrian connectivity and desire lines; ii. building location and arrangement; and iii. location and design of perimeter fencing. b. A landscape concept plan, which includes the following: i. framework tree planting (species, grades and locations), and the location and planting (planting plans) for any garden areas. If hedges are proposed, the species and layout must complement and be well integrated with the landscape works (existing and proposed) for the surrounding streetscapes, but not to the detriment of student safety or sight lines; ii. the identification of outdoor space, including all outdoor play areas (both hard surfaces and grassed areas); iii. vehicle access and parking areas including cycle parks; iv. entrances for cyclists and pedestrians; and

<table>
<tr><td></td><td>v. the location, style and height of fencing on exterior boundaries of the school which face roads or other public spaces.
c. A construction management plan which shall include but not be limited to the details of dust suppression methods and hours of operation.</td></tr>
<tr><td colspan="2">Transport</td></tr>
<tr><td>5</td><td>Transport Management Plan
Prior to the lodgement of the first outline plan for the secondary school, the Requiring Authority will, in consultation with the Asset Manager Transportation for Selwyn District Council or its successors, resource, develop and action a Transport Management Plan, which:
a. sets the initial goals of the school with respect to sustainable travel modes and the mitigating real and potential adverse traffic effects;
b. ensures sufficient access and off street car parking, including for drop off and pick up, and bus parking, is provided;
c. facilitates the integration of the school with the surrounding transport network (including pedestrian and cycling access to the site);
d. provides an assessment, if no school travel plan has been provided, as to how a school travel plan would be developed.
The Transport Management Plan shall be reviewed by the Council's Asset Manager Transportation at the time of submitting any and each outline plan relating to increased student capacity of more than 100 students since the Transport Management Plan was last reviewed, and shall be maintained and regularly updated while the school is operating under this designation.</td></tr>
<tr><td>6</td><td>On-site carparking
On-site car parking spaces shall be provided in accordance with the Transport Management Plan prepared under Condition 5 above. On-site car parking spaces may be provided on a staged basis in line with the Transport Management Plan prepared under Condition 5 above.</td></tr>
<tr><td>7</td><td>School Travel Plan
Within six (6) months of the opening of the secondary school, the Requiring Authority shall, either directly or through the School Board of Trustees, develop a School Travel Plan which provides specifically for measures to reduce vehicle dependence, including walking school buses, carpooling, the encouragement of the use of public transport, the use of remote pick up/drop off locations if appropriate, and the encouragement of walking and cycling.
This Plan shall be developed in consultation with Selwyn District Council and shall be reviewed at the time of submitting any and each subsequent outline plan of Works relating to increased student capacity of more than 100 students since the School Travel Plan was last reviewed.</td></tr>
<tr><td colspan="2">Noise</td></tr>
<tr><td>8</td><td>Noise (operational)
The operation of the facilities shall comply with the following noise limits at the boundary of any site zoned primarily for a residential purpose, or in the case of a rural zone, at a notional point 20m from the façade of any residential unit, or the site boundary, whichever is closest to the residential unit:
<table>
<tr><th>Day / Time</th><th>Noise Level (Leq) dBA</th></tr>
<tr><td>Mon – Sun, 7.00am – 10.00pm (0700 -2200)</td><td>55dB L_{Aeq}</td></tr>
<tr><td>Mon – Sun, 10.00pm –7.00am (2200 -0700)</td><td>45 dB L_{Aeq}</td></tr>
</table>
These noise levels shall not apply to noise from standard school outdoor recreational activities or early childhood education centre activities occurring between 0800 and 1800 hours Monday to Saturday.</td></tr>
</table>

	Noise levels shall be measured and assessed in accordance with NZS 6801: 2008 "Measurement of Environmental Sound" and NZS 6802:2008 "Environmental Noise".
9	**Construction noise** Noise from construction shall not exceed the limits recommended in, and shall be measured in accordance with, New Zealand Standard NZS 6803:1999 "Acoustics – Construction Noise".
10	**Outline Plan exemptions** An outline plan of works shall not be required for: a. Any internal building works other than those that result in a net increase in the number of classrooms or classroom equivalents; b. General building maintenance and repair including but not limited to re-painting, recladding and re-roofing; c. Installing, modifying and removing playground furniture and sports structures (e.g. goal posts), and shade canopies; d. Amending any internal pedestrian circulation routes/pathways; e. Installing, maintaining or repairing any in ground infrastructure services such as stormwater, sewerage and water lines and connections, including any ancillary earthworks; f. Provision of landscaping and gardens, provided that it does not conflict with any designation condition or alter landscaping required as mitigation as part of an outline plan for other works; g. General site maintenance and repair work, or boundary fencing otherwise permitted by the Selwyn District Plan; or h. Installing, modifying or removing minor ancillary buildings and structures (e.g. garden / storage sheds, temporary construction buildings / offices).
11	**Designation lapse period** The designation shall lapse on the expiry of 10 years from the date on which it is included in the District Plan if it has not been given effect to before the end of that period.

It is noted that the above conditions are broadly similar to other recently designated school sites throughout New Zealand, and more specifically, other recent school designations within Rolleston (e.g, the Acland Park designation ME30, and the Rolleston College designation ME26 under the ODP). Further, the conditions have had particular regard to the recent decision and consent conditions relating to the West Village development[7], which broadly outline the controls influencing the nature and character of the receiving environment.

By way of summary, the conditions aim to be non-prescriptive and allow flexibility to address matters of detail that will be most appropriately considered under a section 176A Outline Plan of Works ('**OPW**'), and broadly reflect the approach undertaken with recent designations in Selwyn (including the use of a 'Transport Management Plan'). The conditions also serve to provide appropriate and consistent parameters to mitigate the effects of any future school development on the site.

4.3 Future school development and design

In terms of future school development, the present NOR is for the designation of the site for educational purposes only. The site layout and design (such as the location of

[7] https://www.epa.govt.nz/fast-track-consenting/referred-projects/faringdon/the-decision/

buildings, sport fields and associated access and parking) will not be confirmed until the designation is established, and master planning has taken place. This detailed information will be submitted with an OPW under section 176A of the RMA.

At the present time, it is intended that the secondary school facilitated by the NOR will be established as a 'second campus' of Rolleston College, as opposed to a 'new school'. In this instance, the existing Board of Trustees ('**BOT**') and management team of Rolleston College will be tasked with developing a single vision and identify for the new school, and working with the Ministry to implement their vision for delivering education by translating that into how learning spaces are designed at the school. This project brief, developed between the Ministry and the BOT, is provided to the designers to guide the development of the school property master plan, detailed design and future property improvements. The master planning of a school is undertaken in accord with the Ministry's '*Designing Schools in New Zealand Requirements and Guidelines*[8], with this involving a multidisciplinary planning process, and independent review and testing by a Design Review Panel. Once a masterplan is developed and endorsed by the BOT, the requiring authority will be in a position to submit an OPW detailing the proposed building design and location within the designated education site.

By way of illustration, the recent concept designs for new schools built throughout the country have a varied built form and aesthetic suitable to their settings (refer **Figures 14-20**), with this reflecting the design methodology of the Ministry for new school development.



Figure 14 St Margaret's College, Christchurch (Source: Southbase)

[8] https://www.education.govt.nz/school/property-and-transport/projects-and-design/design/design-standards/education-infrastructure-design-guidance-documents/



Figure 15 Wigram Primary School, Christchurch (Source: Southbase)



Figure 16 Three Parks Primary School, Wanaka (Source: Southbase)



Figure 17 Knights Stream Primary School, Christchurch (Source: Southbase)



Figure 18 Ararira Springs Primary School, Lincoln (Source: Southbase)



Figure 19 Rolleston College, Rolleston (Source: ASC Architects)



Figure 20 Haeata Community Campus, Christchurch (Source: ASC Architects)

5 Statutory assessment

5.1 Introduction

Section 171(1)(a) of the RMA identifies:

> *(1) When considering a requirement and any submissions received, a territorial authority must, subject to Part 2, consider the effects on the environment of allowing the requirement, having particular regard to—*
>
> *(a) any relevant provisions of—*
>
> *(i) a national policy statement:*
>
> *(ii) a New Zealand coastal policy statement:*
>
> *(iii) a regional policy statement or proposed regional policy statement:*
>
> *(iv) a plan or proposed plan; and*

In this instance, the relevant statutory planning instruments are considered to be as follows:

- The Resource Management Act 1991.
- National Policy Statement for Urban Development 2020.
- National Policy Statement for Freshwater Management 2020.
- Canterbury Regional Policy Statement.
- Selwyn District Plan (Operative and Proposed).

The above documents are identified and assessed as follows.

5.2 Resource Management Act 1991

In broad terms, the RMA provides for the use and development of New Zealand's natural and physical resources through:

- Part 2, which establishes the purpose and principles applying to the use, development and protection of natural and physical resources, such as those associated with resource consents and designations;
- Section 171, which prescribes matters to be taken into account in confirming designations.

The above sections of the RMA are identified and assessed as follows.

5.2.1 Part 2, RMA

Part 2 defines the purpose of the RMA, which is to promote the sustainable management of natural and physical resources. The sustainable management definition is in two parts, the first of which may be regarded as an enabling provision

for resources to be used in a way that enables people and communities to provide for their economic, social and cultural well-being and for their health and safety.

Provision of educational facilities, such as those facilitated by the NOR, is strongly consistent with this part of the definition. Education is an essential community service, with educational facilities vital in enabling people to provide for their economic, social and cultural well-being, and for their health and safety. In this regard, the NOR will facilitate land to be used for education purposes, and assist the Minister in meeting the educational needs of the growing community. Subsequently, this NOR will enable the Minister to achieve the purpose of the Education and Training Act 2020.

The second part of the RMA's definition of sustainable management contains three limbs related to the values of resources and management of effects on the environment. These will also be fully implemented by the NOR. Specifically:

a) Schools provide essential educational functions for present and future generations. In this regard, designation of the site for educational purposes will help sustain the potential of the natural and physical resources represented by the site and the future education facilities to meet the reasonably foreseeable needs of future generations;

b) The proposal will not have any adverse effect on the life supporting capacity of air, water, soil, and ecosystems, with the site to be provided with connections to all relevant infrastructure services; and

c) As detailed within **SECTION 6** of this report, any adverse effects of the education activities provided for by the designation will be avoided, remedied or mitigated to the extent that such effects will be less than minor.

Section 6 of the RMA sets out those matters of national importance which persons exercising powers and functions under the RMA need to recognise and provide for. Of relevance in this instance is the following:

6(e) – The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:

The consultation and engagement with Ngai Tahu and Te Taumutu Rūnanga undertaken as part of the earlier site identification and evaluation exercise, and the more recent dialogue with respect to the NOR has not identified any particular concerns with the NOR, or the site. However, it is noted that ongoing engagement will occur to ensure appropriate cultural inputs and values are reflected in detailed design and project construction. Notwithstanding this, it is understood the site itself is not identified in the District Plan or by mana whenua as one possessing specific cultural or historic heritage values or features.

Section 7 of the RMA sets out those 'other matters' which persons exercising powers and functions under the Act need to have particular regard to. Of most relevance in this instance are:

7(b) – The efficient use and development of natural and physical resources.

7(c) – The maintenance and enhancement of amenity values.

7(f) – Maintenance and enhancement of the quality of the environment.

By its location, central to a developing neighbourhood and within an area identified for urban development by various strategic planning documents, it will maximise access to, and contribute to the efficient use and development of the land resource. Physically, the school will be developed to the usual high standard required by the Ministry and will contribute towards high amenity values and the quality of the environment.

Section 8 of the RMA states that persons exercising powers and functions under the Act need to take into account the principles of the Treaty of Waitangi. It is noted that the purpose of the Education and Training Act 2020 also reinforces the need to honour the Treaty of Waitangi. In this regard, the principles of the Treaty of Waitangi have been taken into account, noting that the site is within a developing urban environment, there are no known sites of cultural significance specific to the site, and ongoing engagement with mana whenua will take place as part of master planning and built development on the site.

Overall, the proposed designation of the site for educational purposes is strongly consistent with and gives effect to the purpose and principles of the RMA.

5.2.2 Section 171 – Recommendation by the Territorial Authority

Under section 171(2) of the RMA, the territorial authority may recommend to the requiring authority one of the following:

- confirm the requirement.
- modify the requirement.
- impose conditions.
- withdraw the requirement.

This recommendation is based on matters the territorial authority is required to have particular regard to when considering a notice of requirement as set out in section 171(1) of the RMA. These matters are assessed at length within this report, with the following outlining an assessment against the relevant statutory planning documents, demonstrating the NOR is entirely consistent with the relevant planning documents.

5.3 National Policy Statement on Urban Development 2020

The National Policy Statement on Urban Development 2020 (NPS-UD) came into force 20 August 2020, and aims to ensure that New Zealand's towns and cities are well-functioning urban environments that meet the changing needs of diverse communities. In particular, the NPS-UD directs local authorities to enable at least sufficient development capacity to meet the expected demand for housing and business over the short, medium and long term, and ensure that planning is responsive to changes in demand.

Christchurch is a 'Tier 1 urban environment[9] under the NPS-UD. These environments are generally subject to more directive NPS-UD policies, including the requirement to be 'responsive' to urban growth pressures, and achieve 'housing bottom lines' by clearly stating the amount of development capacity that is sufficient to meet expected housing demand, and appropriate competitiveness margin in the region.

While on face value the NPS-UD may seem to be of limited relevance to the NOR, the growing population of Rolleston and wider Selwyn, coupled with Council's requirement to provide sufficient housing and business capacity is considered to result in a corresponding need to establish new educational facilities to meet the educational needs of growing communities. In this regard, the NOR is considered to be aligned with the NPS-UD, with the following objectives considered to be of most relevance to the NOR:

> *Objective 1: New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.*
>
> *Objective 4: New Zealand's urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities, and future generations.*
>
> *Objective 6: Local authority decisions on urban development that affect urban environments are:*
>
> *(a) integrated with infrastructure planning and funding decisions; and*
> *(b) strategic over the medium term and long term; and*
> *(c) responsive, particularly in relation to proposals that would supply significant development capacity.*

In broad terms, the proposed designation will provide a critical piece of infrastructure for education purposes in Rolleston, with the NOR necessary to meet the diverse and changing educational needs of the community. In this regard, the NOR is considered to contribute to a well-functioning urban environment through the provision of additional land for education purposes, and in a manner that enables people to provide for their social, economic and cultural well-being.

5.4 National Policy Statement for Freshwater Management 2020

The National Policy Statement for Freshwater Management 2020 (NPS-FM) came into force 3 September 2020 and sets out an objective and associated supporting policies for freshwater management under the RMA.

With respect to the NPS-FM, the site is centrally located within an urban residential development well setback from waterbodies, with all appropriate infrastructure established to the same. Furthermore, the surrounding area is presently undergoing significant bulk earthworks and infrastructure development in accord with approved resource consents and engineering approvals from Council. The scope of the present NOR is to solely set aside the site for educational purposes, as opposed to advancing a particular school development and associated construction works. To this end, the

[9] The 'Tier 1 urban environment' of Christchurch includes the following 'Tier 1 local authorities: Canterbury Regional Council, Christchurch City Council, Selwyn District Council, and Waimakariri District Council.

NPS-FM is not considered to be of particular relevance to the NOR, however to the extent that it is relevant, the NOR supports the outcomes sought by the NPS-FM.

5.5 Canterbury Regional Policy Statement

The Canterbury Regional Policy Statement ('CRPS') was made operative 15 January 2013, with Change 1 to Chapter 6 (Recovery and Rebuilding of Greater Christchurch) of the CRPS approved 28 July 2021. This recent change to the CRPS reflected the outcomes identified by Our Space 2018-2048: Greater Christchurch Settlement Pattern Update, including the introduction of a number of 'Future Development Areas' around south Rolleston (refer **Figure 21**), with these encompassing the site the subject of this NOR. Further, the site is located within the 'Projected Infrastructure Boundary'.

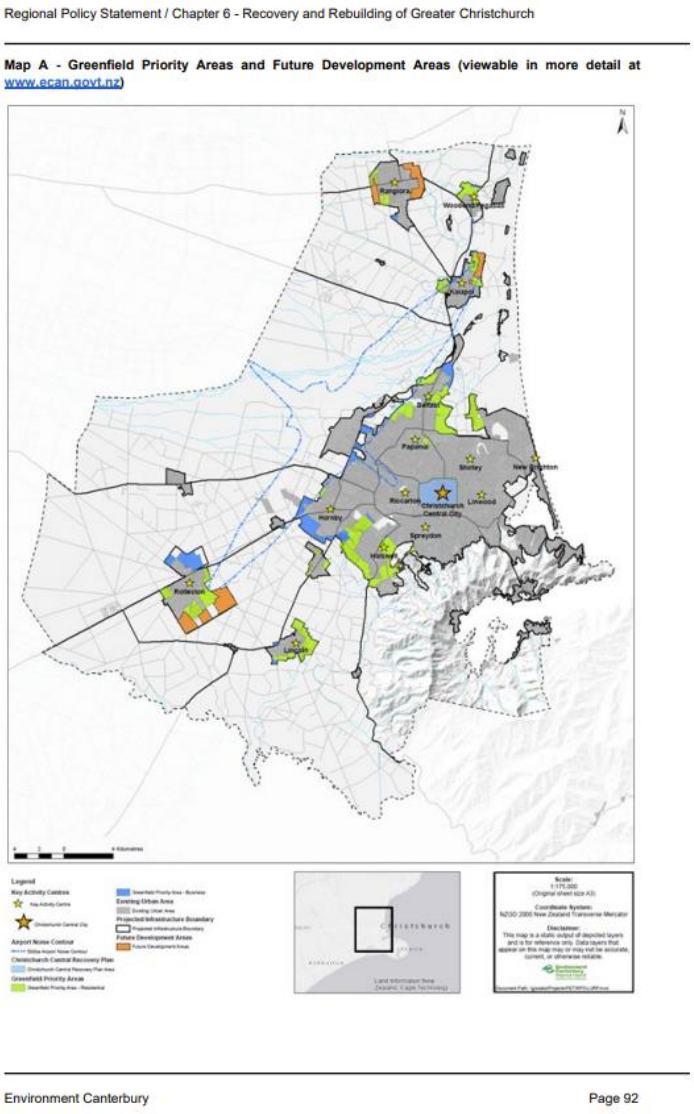


Figure 21 Map A Canterbury Regional Policy Statement

The CRPS primarily addresses issues of regional significance, providing an overview of the resource management issues in the Canterbury region, and the ways in which integrated management of the region's natural and physical resources will be achieved.

In this instance, the NOR relates to the use of land in the immediate vicinity of approved and developing residential land for educational purposes. Further, the site is not subject to any identified natural hazard, outstanding natural landscape or feature, waterbody or ecological item of significance, and no specific items of cultural or heritage significance are located across the site. Consequently, many issues covered by the CRPS are not considered to be of particular relevance to the NOR, however the following objective and policies from Chapter 6 (Recovery and Rebuilding of Greater Christchurch) are identified and assessed as relevant:

Objective 6.2.1 Recovery Framework

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;*
4. *protects outstanding natural features and landscapes including those within the Port Hills from inappropriate subdivision, use and development;*
5. *protects and enhances indigenous biodiversity and public space;*
6. *maintains or improves the quantity and quality of water in groundwater aquifers and surface waterbodies, and quality of ambient air;*
7. *maintains the character and amenity of rural areas and settlements;*
8. *protects people from unacceptable risk from natural hazards and the effects of sea-level rise;*
9. *integrates strategic and other infrastructure and services with land use development;*
10. *achieves development that does not adversely affect the efficient operation, use, development, appropriate upgrade, and future planning of strategic infrastructure and freight hubs;*
11. *optimises use of existing infrastructure; and*
12. *provides for development opportunities on Māori Reserves in Greater Christchurch.*

Policy 6.3.1: Development within the Greater Christchurch area:

In relation to recovery and rebuilding for Greater Christchurch:

1. *give effect to the urban form identified in Map A, which identifies the location and extent of urban development that will support recovery, rebuilding and planning for future growth and infrastructure delivery;*
2. *give effect to the urban form identified in Map A (page 6-27) by identifying the location and extent of the indicated Key Activity Centres;*
3. *enable development of existing urban areas and greenfield priority areas, including intensification in appropriate locations, where it supports the recovery of Greater Christchurch;*
4. *ensure new urban activities only occur within existing urban areas or identified greenfield priority areas as shown on Map A, unless they are otherwise expressly provided for in the CRPS;*
5. *provide for educational facilities in rural areas in limited circumstances where no other practicable options exist within an urban area;*
6. *provide for commercial film or video production activities in appropriate commercial, industrial and rural zones within the Christchurch District;*
7. *provide for a metropolitan recreation facility at 466-482 Yaldhurst Road; and*

8. *avoid development that adversely affects the function and viability of, or public investment in, the Central City and Key Activity Centres*

The site is located within a residential development that has recently been authorised via resource consents granted by an Expert Consenting Panel under the FTCA. In this regard, the site does not give rise to any concerns in relation to outstanding natural features or landscapes, indigenous biodiversity, waterbodies, air quality, rural character and amenity, natural hazards, or strategic infrastructure. Further, the site is able to be efficiently serviced as part of the West Village residential development. Whilst not located within an existing urban area or greenfield priority area identified by the CRPS, the NOR responds to the urban growth occurring in the locality, and is considered to support the recovery, rebuilding and planning of future growth and infrastructure delivery in Greater Christchurch. To this end, the NOR is considered to be consistent with the outcomes sought by Objective 6.2.1 and Policy 6.3.1 of the CRPS.

Policy 6.3.12: Future Development Areas

Enable urban development in the Future Development Areas identified on Map A, in the following circumstances:

1. *It is demonstrated, through monitoring of housing and business development capacity and sufficiency carried out collaboratively by the Greater Christchurch Partnership or relevant local authorities, that there is a need to provide further feasible development capacity through the zoning of additional land in a district plan to address a shortfall in the sufficiency of feasible residential development capacity to meet the medium term targets set out in Table 6.1, Objective 6.2.1a; and*
2. *The development would promote the efficient use of urban land and support the pattern of settlement and principles for future urban growth set out in Objectives 6.2.1 and 6.2.2 and related policies including by:*
   a. *Providing opportunities for higher density living environments, including appropriate mixed use development, and housing choices that meet the needs of people and communities for a range of dwelling types; and*
   b. *Enabling the efficient provision and use of network infrastructure; and*
3. *The timing and sequencing of development is appropriately aligned with the provision and protection of infrastructure, in accordance with Objective 6.2.4 and Policies 6.3.4 and 6.3.5; and*
4. *The development would occur in accordance with an outline development plan and the requirements of Policy 6.3.3; and*
5. *The circumstances set out in Policy 6.3.11(5) are met; and*
6. *The effects of natural hazards are avoided or appropriately mitigated in accordance with the objectives and policies set out in Chapter 11.:*

As identified in **Figure 21**, the site is within a Future Development Area as identified in Map A of the CRPS, with the NOR responding to the urban growth occurring within Rolleston. As mentioned above, the development of the site has been authorised by way of resource consents granted under the FTCA, with the decisions appropriately considering and responding to the matters identified in Policy 6.3.12. Further, land development and infrastructure works are presently occurring across the site and vicinity, ensuring land use and infrastructure are appropriately aligned.

Overall, given the location of the site within an approved residential development, the ability of the same to be efficiently serviced, and lack of any particular significant features or hazards across the site, the NOR is considered to be entirely consistent with the CRPS.

5.6 Selwyn District Plan

Council commenced a review of their Operative Selwyn District Plan ('**ODP**') in 2015, and following consultation and a range of supporting evaluations, notified the Proposed Selwyn District Plan ('**PDP**') 5 October 2020. The submission (including further submission) period on the PDP ran from December 2020 to June 2021, with hearings commencing August 2021. The hearings are expected to continue throughout 2022.

It is noted that Council is presently preparing a variation to the PDP to give effect to the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021. The scope of this variation will include the introduction of a new Medium Density Residential Zone, and incorporate a number of the private plan change requests currently being processed by Council. The variation will be notified in August 2022. As a consequence, the PDP is unlikely to become operative until 2024. To this end, at present, both the ODP and PDP fall for consideration, with these documents identified and assessed as follows.

5.6.1 Operative District Plan

The ODP was made predominately operative in 2008, however did not become fully operative until 3 May 2016. The ODP is the principal document in terms of land use planning within the Selwyn District, and is comprised of two volumes: Rural and Township.

The site is located within the Rural Inner Plains Zone of the ODP, as identified in **Figure 22** below.



Figure 22 Operative Selwyn District Plan – Zone Map (Council GIS)

Whilst the site and surrounds are zoned Rural Inner Plains under the ODP, the nature of the immediate receiving environment (e.g. Acland Park and West Village) is characterised by residential development, authorised by way of resource consents granted under the FTCA and Special Housing Area legislation. These resource

consents prescribe development to occur generally in accord with the Living Z Zone framework of the ODP. To this end, the relevant objectives and policies of both the Rural and Townships Volumes of the ODP are considered relevant, and are identified and assessed as follows.

(a) Rural Volume, ODP

The relevant objectives and policies within the Rural Volume of the ODP are considered to be those focused around community facilities and the quality of the environment, outlined as follows.

> ***Objective B2.3.1***
> *Efficient use and maintenance of community facilities is encouraged.*
> ***Policy B2.3.3***
> *Encourage new community facilities to:*
> *(a) Be located in or adjoining townships; and*
> *(b) Be designed and sited for easy access and personal safety of patrons.*

The NOR will facilitate the use of the site for a critical community facility that supports the educational needs of the growing Rolleston community. In this regard, the purpose of the designation and associated conditions seek to ensure the efficient use of the site for educational purposes, with the site located within a residential development that is easily accessible to the wider community.

> ***Objective B3.4.1***
> *The district's rural area is a pleasant place to live and work in.*
> ***Objective B3.4.2***
> *A variety of activities are provided for in the rural area, while maintaining rural character and avoiding reverse sensitivity effects.*
> ***Policy B3.4.1***
> *Recognise the Rural zone as an area where a variety of activities occur and maintain environmental standards that allows for primary production and other business activities to operate.*
> ***Policy B3.4.3***
> *Avoid, remedy or mitigate significant adverse effects of activities on the amenity values of the rural area.*

The above objectives and policies need to be considered in light of the location of the site within an approved urban residential development, despite the site having a rural zoning. In this regard, it is considered that the ODP recognises and provides for schools to be located in both rural and urban environments. The location of the site and the conditions proposed ensure that future development on the site will enable a pleasant environment and maintain the character of the receiving environment.

The proposed conditions provide appropriate parameters for future development on the site, with the future OPW identifying how the school design will integrate with the surrounding environment and minimise potential environmental impacts. The assessments completed to date in support of the NOR demonstrate that appropriate mitigation measures are provided, such that there are no significant adverse effects on the amenity values of the receiving environment.

(b) Townships Volume, ODP

As outlined, the approved resource consents for the West Village development prescribe development to occur in accord with the Living Z Zone framework of the ODP. In this regard, the approved West Village development provides the site with road boundaries along all frontages, with a small internal boundary located in the north-eastern corner of the site (adjacent to a comprehensive residential development area comprising four allotments). With this context in mind, the most relevant objectives and policies within the Townships Volume of the ODP are considered to be those focused around community facilities and the quality of the environment, outlined as follows.

> ***Objective B2.3.1***
> *Residents have access to adequate community facilities.*
> ***Objective B2.3.2***
> *Community facilities do not adversely affect residential amenity values or other parts of the environment.*
>
> ***Policy B2.3.1***
> *Encourage co-ordination between the provision of community facilities and new residential and business development.*
> ***Policy B2.3.2***
> *Encourage community facilities to be located in areas where they are easily accessible to residents, including in Living zones, provided any adverse effects on the environment can be avoided, remedied or mitigated.*

The location of the site within an approved residential development, and in a location experiencing significant urban growth will ensure that residents have access to community facilities. Furthermore, the location of the site within the West Village development was determined at an early stage of the development. The site is afforded with multiple road frontages, a high degree of accessibility, and the ability to mitigate any adverse effects associated with future development on the site. To this end, the NOR is considered to be aligned with these objectives and policies, with the development of the site undertaken in a coordinated manner within the West Village development.

> ***Objective B3.4.1***
> *The District's townships are pleasant places to live and work in.*
> ***Objective B3.4.2***
> *A variety of activities are provided for in townships, while maintaining the character and amenity values of each zone.*
> ***Objective B3.4.5***
> *Urban growth within and adjoining townships will provide a high level of connectivity both within the development and with adjoining land areas (where these have been or are likely to be developed for urban activities or public reserves) and will provide suitable access to a variety of forms of transport.*
>
> ***Policy B3.4.2***
> *To provide for any activity to locate in a zone provided it has effects which are compatible with the character, quality of the environment and amenity values of that zone.*
> ***Policy B3.4.3***
> *To provide Living zones which:*
> - *are pleasant places to live in and provide for the health and safety of people and their communities;*
> - *are less busy and more spacious than residential areas in metropolitan centres;*
> - *have safe and easy access for residents to associated services and facilities;*
> - *…*
>
> ***Policy B3.4.18***

Ensure non-residential activities in Living zones generate vehicle and pedestrian movements on a scale compatible with the quality of the environment in Living zones and the local receiving environment

The above objectives and policies are broadly comparable to those within the Rural Volume of the ODP, seeking to ensure a pleasant township environment, provide for a range of activities, and maintain the character and amenity expectations for the living environment. In this regard, the site is located within an approved residential development, and is a direct response to the urban growth occurring in south Rolleston.

The multiple road frontages afforded to the site provide a high degree of connectivity to the site for a range of transport modes, along with opportunities to manage vehicle and pedestrian movements. Thus, being compatible with the quality of the residential environment in which the site is located. In this regard, the Integrated Transport Assessment ('**ITA**') enclosed as **Attachment [F]** identifies that the transport movements associated with future school development are able to be safely and efficiently accommodated by the transport network, with further assessment able to be undertaken as part of the future OPW when specific school design parameters are determined.

The site location is highly accessible to residents, and the nature of the conditions proposed will ensure that any future development on the site will maintain the character and amenity of the surrounding residential environment.

Policy B3.4.25
In all zones in townships, ensure buildings:
– Do not shade adjoining properties; and
– Maintain a predominantly low rise skyline.
Policy B3.4.26
Ensure buildings are setback an appropriate distance from road boundaries to maintain privacy and outlook for residents and to maintain the character of the area in which they are located.
Policy B3.4.27
Ensure buildings and structures in Living zones which are used for non-residential activities, are of a size and bulk and in a setting compatible with the quality of the environment and amenity values of a residential area.

The site benefits from road frontage for almost the entirety of the site, except for the north-eastern corner where there is a direct residential interface. The conditions proposed as part of the NOR serve to maintain the existing recession plane control relevant to that residential interface, ensuring appropriate protection in terms of amenity, privacy, shading and dominance. The multiple road frontages afforded to the site provide separation from other residential properties, assisting in mitigating any potential adverse effects from future building development on the site. Further, the proposed site coverage limit across the site will ensure a large proportion of the site is maintained in open space, with future development on the site anticipated to be entirely compatible with the quality of the environment, and the amenity values of the surrounding residential environment.

It is noted that the future OPW will identify further how the school design will integrate with the surrounding environment and minimise the potential environmental impact, particularly in terms of bulk and location, transport management and appropriate

access locations. However, it is considered that the proposed NOR provides an appropriate outcome having regard to the relevant objectives and policies of the ODP.

5.6.2 Proposed District Plan

As identified in **SECTION 5.6**, the PDP was publicly notified from December 2020 to June 2021, with hearings currently underway. To this end, the weight to be afforded to the relevant PDP provisions is considered to be limited at this point in time. The notified provisions are subject to change through the hearing of submissions.

The PDP had advanced an 'activities-based plan', and is contained in one volume, unlike the ODP. The zoning framework has been rationalised as part of the PDP, with the site zoned 'General Rural' (refer **Figure 23**), which broadly seeks to support primary production and other compatible activities. It is noted that the PDP has not proactively advanced any significant areas of 'new' residential zoning, notwithstanding the nature of approved residential development occurring in the vicinity of the site.



Figure 23 Proposed Selwyn District Plan – Zone Map (Council GIS)

In general terms, it is considered that the nature of the PDP zoning across the site (and surrounds) does not appropriately or reasonably reflect the approved land use, or the character and amenity of development that has been established. To this end, and noting the weight to be afforded to the PDP at this point in time, a broad assessment of the PDP has been undertaken, focused on specific Strategic Direction objectives, and some broader objectives relating to the rural and residential environment. These matters are identified and assessed as follows.

SD-DI-O1
Selwyn is an attractive and pleasant place to live, work, and visit, where development:
1. *takes into account the character of individual communities;*
2. *is well-connected, safe, accessible, and resilient; and*
3. *enhances environmental, economic, cultural and social outcomes for the benefit of the entire District.*

SD-UFD-O1
Urban growth is located only in or around 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.

As identified above, the NOR is in direct response to the urban growth occurring in Rolleston and the wider Selwyn District, responding to the education needs of the community. The site is located within the infrastructure boundaries of the CRPS, maintaining a compact and sustainable urban form. The location of the site within a residential environment and a highly accessible location will ensure the future school development is well-connected, safe, accessible and resilient. Thus, the NOR is considered to align with the above Strategic Objectives, and will enhance the environmental, economic, cultural and social outcomes for the entire District.

GRUZ-01
Subdivision, use, and development in rural areas that:

1. *supports, maintains, or enhances the function and form, character, and amenity value of rural areas;*
2. *prioritises primary production, over other activities to recognise its importance to the economy and wellbeing of the district;*
3. *allows primary production to operate without being compromised by reverse sensitivity; and*
4. *retains a contrast in character to urban areas.*

Objective GRUZ-01 reflects the broad aims for the rural area, and seeks to prioritise primary production activities and ensure that development supports, maintains or enhances the function, form, character and amenity value of rural areas. As identified above, the site location is within an establishing residential environment, despite the rural zoning of the site and surrounds under the PDP. Notwithstanding this, it is considered that the site and NOR will retain a clear contrast between the rural and urban environments, with Selwyn Road providing a delineation between the rural zoning to the south and the residential urban area to the north. It is considered that the NOR will facilitate a critical piece of social infrastructure that supports the economy and wellbeing of the district, and will appropriately maintain the function, form, character and amenity values of the rural environment, as far as it is relevant given the nature of the receiving environment.

RESZ-O7
Residents have access to a range of community, recreation, education, health, and corrections activities and facilities that support, maintain, and enhance the surrounding residential amenity.

Objective RESZ-07 recognises the importance of residents having access to educational facilities, and seeks that these facilities support, maintain and enhance the surrounding residential amenity. In this regard, the NOR will serve the needs of the Rolleston community, with the site location and conditions proposed ensuring that future school development is able to maintain an appropriate level of residential amenity.

5.7 Summary

The NOR is considered to be consistent with the overriding themes of the relevant provisions of the NPS-UD, CRPS, ODP and PDP. In this regard, the establishment of

educational facilities in this location is considered to contribute positively to the receiving environment and the overall development of Rolleston and the wider Selwyn District. The location of the site within an establishing residential development will support the efficient use and development of resources and the transport network, with any adverse effects of the school development able to be appropriately controlled through designation conditions such that they are less than minor.

Overall, the NOR is necessary to accommodate and respond to the ongoing urban growth pressures in Rolleston, and will support the achievement of a consolidated, well designed, and sustainable community.

6 Assessment of environmental effects

6.1 Introduction

Section 171(1) states that when considering a requirement and any submissions received, a territorial authority must, subject to Part 2, consider the effects on the environment of allowing the requirement. The provisions of the Fourth Schedule and section 171 of the RMA have been used as a guide for this assessment of effects on the environment ('**AEE**').

The following assessments are included with this report in support of the NOR:

- Integrated Transport Assessment (Abley);
- Contamination and Geotechnical Memorandum (Tonkin & Taylor);
- Infrastructure Memorandum (Tonkin & Taylor).

In addition to the above, it is considered that the comprehensive range of technical assessments submitted in support of the West Village application under the FTCA[10] also remain broadly relevant in terms of the NOR, and demonstrate the suitability of the site to accommodate urban and educational development.

By way of context, it is noted that the NOR is solely to designate the site for educational purposes, with the site layout and design of the school yet to be determined. To this end, this AEE has been undertaken in the absence of a specific design, and on the basis of the broad parameters for future school development on the site. The future school design outline will be developed in accord with the Ministry's specific and comprehensive guidelines in place to manage school design and development[11]. This will be provided to Council as part of a future OPW.

6.2 Receiving environment

A particular consideration in respect of the NOR is the state of the receiving environment. This comprises of the existing and developing urban and diverse residential communities of Acland Park and West Village, notwithstanding their rural zoning under both the ODP and PDP. In this regard, the boundary of Selwyn Road operates as a clear demarcation between the urban environment of Rolleston, and the broader rural environment to the south (refer **Figure 24**), an outcome consistent with the CRPS and the Rolleston Structure Plan. This context is considered important when contemplating the scale of potential effects reasonably anticipated to occur within the receiving environment.

[10] https://www.epa.govt.nz/fast-track-consenting/referred-projects/faringdon/the-application/
[11] https://www.education.govt.nz/school/property-and-transport/projects-and-design/design/design-standards/education-infrastructure-design-guidance-documents/#requirements-and-guidelines

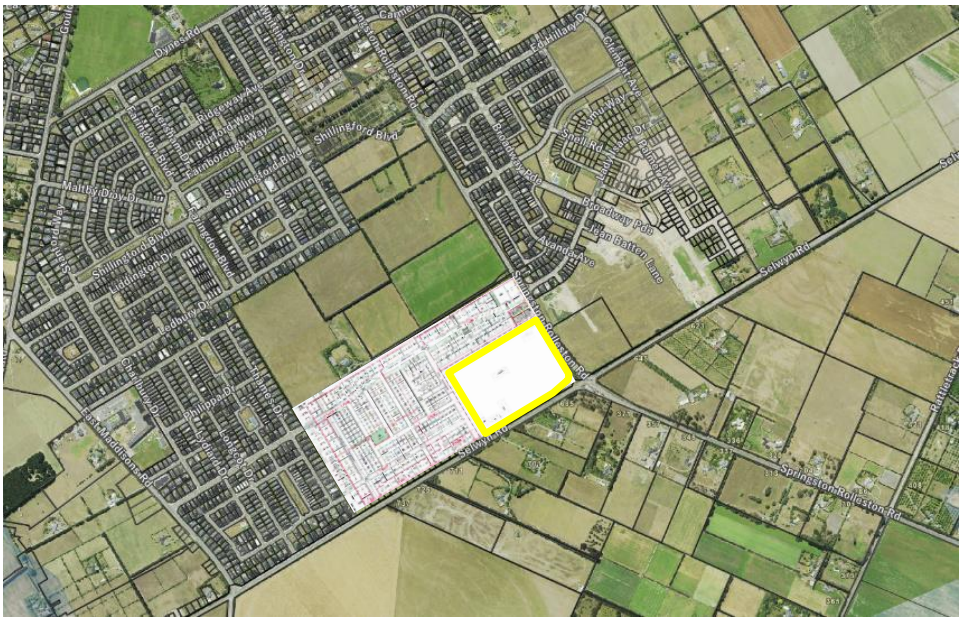


Figure 24 Aerial of site and surrounds – site outlined in yellow

In detail, the site is a balance lot of the recently approved West Village development area, a master planned residential development. Upon completion, the West Village development area will comprise of approximately 290 residential allotments, a neighbourhood centre and associated infrastructure and amenities, including reserves. The development has been designed to integrate with the existing Faringdon development to the west and north, and the Acland Park development to the east, with key integrated road linkages providing a high degree of connectivity. The site itself is bound by multiple road frontages: Selwyn Road and Springston Rolleston Road to the south and east respectively, with new roads under construction to the west (Hungerford Drive, 20m legal width) and north (Eileen Way, 17m legal width). The site has a small residential boundary interface in the north-eastern corner of the site, with this comprising of four comprehensive medium development allotments having areas of 368m^2 to 462m^2, located within Stage 7 of the West Village development.

Overall, it is considered the nature and character of the receiving environment is predominately that of an urban residential environment, with the site forming an integral part of the wider West Village development. Whilst the land to the south is rural and rural residential in nature, Selwyn Road provides a clear demarcation between the urban environs of Rolleston and the rural environment to the south.

6.3 Visual amenity, design, and character effects

The site and immediate locality has and is undergoing significant landscape change in recent times from an open pasture environment to an urban/residential environment. This change is reflected and provided for in the resource consents granted under the FTCA, which broadly prescribe urban development to occur in accord with the Living Z

Zone framework of the ODP. Whilst educational activities are not expressly provided for across the site by the FTCA decision, they are a typical feature of urban development, with their presence intrinsically tied with areas of high population density, responding to the needs of the community in which they serve. They are seen as a focal point for the community fostering interaction, community learning and enabling community events, and are therefore considered to be a reasonable and appropriate outcome in the context of a new and high-quality residential environment, an outcome supported by the ODP[12].

As identified in **SECTION 2.1**, the designation will principally enable the establishment of a new secondary school, along with provision to accommodate a potential primary school, ECE, and Hangarau specialist teaching space / facility. Whilst there are no confirmed development plans for the site, consistent with recent new school developments in Rolleston, the future development will be reflective of surrounding built form and complementary to the wider landscape and visual character. In this regard, the built form is able to be dispersed across the site with large open spaces serving to create a feeling of 'openness', diminishing the impression of built form. This outcome is reflected by a designation condition whilst prescribes a maximum site coverage of 45%, ensuring an appropriate balance of built form and open space is maintained across the site.

The site area at over 10ha provides a range of opportunities to efficiently locate new building development in areas which serve to avoid or mitigate any actual or potential adverse effects. Further, the multiple road frontages afforded to the site provide additional separation from directly adjoining sensitive receivers, with the exception of four comprehensive medium density development allotments located in the north-eastern corner of the site. With respect to these allotments, no internal boundary setback is considered necessary, however a recession plane condition has been advanced as part of the designation, with this replicating the same control as that provided for by the FTCA decision for a comprehensive medium density development allotment. To this end, these properties will remain with appropriate access to sunlight, privacy and amenity.

Whilst no height limit is proposed as part of the NOR (consistent with the approach for Rolleston College), this is considered appropriate noting the location of the site, large site area, and almost complete separation from immediate residential neighbours. Further, the lack of height limit affords an opportunity to establish a school gymnasium facility which generally has a higher roof profile, feature buildings, or multi storey educational buildings that would assist in maximising the area for open space and playing fields. To this end, and noting a future assessment requirement as part of an OPW, any adverse effects associated with potential building bulk and scale across the site are appropriate given the context of the site and thus, are considered to be less than minor.

[12] Policy B2.3.1 of the ODP seeks to encourage co-ordination between the provision of community facilities and new residential and business development.

With respect to street scene outcomes, the site is afforded with multiple road boundaries, all of which will feature landscaping outcomes and pedestrian pathways, as identified in **Figure 25**. In this context, the NOR has advanced a 3m minimum road boundary building setback. This is considered to be sufficient to protect street scene amenity outcomes, whilst ensuring the efficient use of the site for educational purposes.

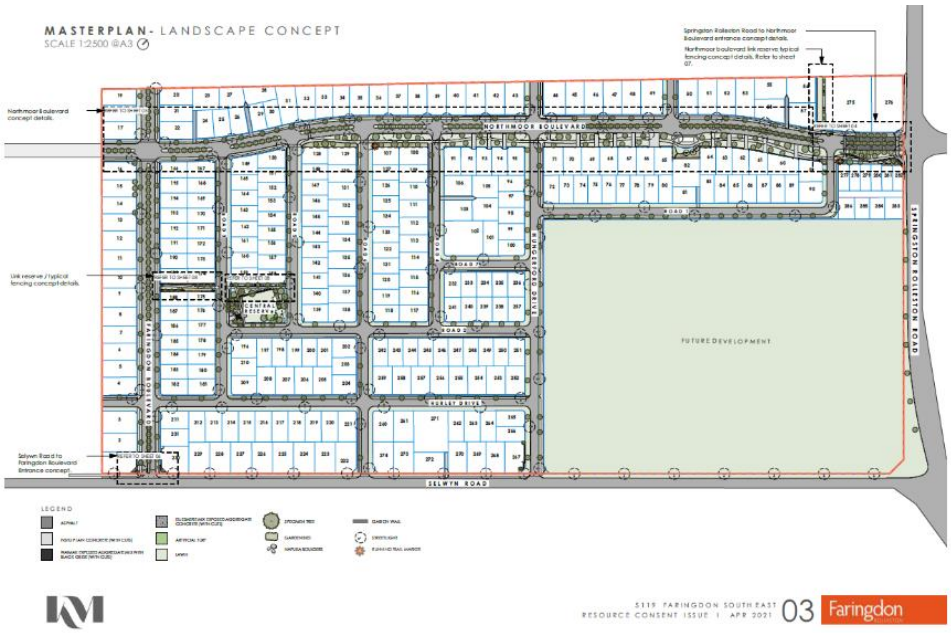


Figure 25 West Village landscape concept plan (FTCA decision)

In general terms, urban design outcomes can only be considered broadly at the NOR stage. The future OPW will include a concept of development that is aesthetically appropriate to the site and it surrounds, consistent with providing a functional school. The “seven C’s” (context, character, choice, connections, creativity, custodianship and collaboration) are an important means by which to achieve high quality in terms of urban design at the time of construction. In this regard, and as noted in **SECTION 4.3**, the Ministry have a rigorous design process that must be followed, involving an independent design panel which review and advise on school design and development, ensuring appropriate urban design (and Crime Prevention through Environmental Design) measures are undertaken. Further to this, a condition has been advanced requiring the submission of an urban design statement with the future OPW, providing certainty that future development will have regard to appropriate urban design (and landscape) outcomes.

It is acknowledged that increased traffic and activity associated with an educational facility at the site may have some effect on the character and amenity of surrounding residential sites and the wider area, however, the level of increased activity will be largely limited to around school hours, between 0800 and 1600 Monday – Friday. Further, the multiple road frontages afford separation from immediate sensitive receivers, as well as providing numerous opportunities to manage access, parking and

drop off activity at the site. To this end, and having regard to the transport relating conditions advanced within the NOR, any adverse effects on the surrounding residential environment from the increased traffic and activity at the site are expected to be less than minor.

The NOR prescribes a range of conditions to provide parameters for future school development on the site, with these informed by the outcomes of the FTCA decision, along with other school designations in Rolleston. In this regard, the character and amenity effects that may occur from future educational development at the site are considered to be entirely compatible with the nature, character and amenity of the receiving environment. Overall, the actual and potential adverse effects of future educational facilities at the site can be appropriately managed at the OPW stage and via the designation conditions advanced, and there are no landscape and visual amenity grounds that would render the site unsuitable to be designated for educational purposes.

6.4 Transportation effects

The transportation effects of the NOR have been comprehensively assessed within the ITA undertaken by Abley, with this enclosed as **Attachment [F]**. The ITA has considered the existing and planned transport network, the strategic transport context, and the predicted travel demands associated with the NOR, and subsequently undertaken an assessment of transport effects, supported by modelling, to determine the impact of traffic movements on the local and wider transport network.

Given the nature of the NOR, and the emerging development and transport network occurring within the locality, the ITA has been undertaken on a 'high level' basis, albeit with appropriate consideration of the committed road network and predicted traffic data. Further, the analysis has been undertaken on the anticipated maximum roll capacity as identified by the Ministry network analysis, including the potential 'future growth' roll scenario associated with the secondary school. As such, the ITA is considered to provide a robust and comprehensive assessment of the actual and potential transportation effects associated with the NOR.

Overall, based on the analysis undertaken, the ITA concludes that the proposal can be supported from a traffic and transportation perspective, with the key details and conclusions identified as follows.

The site encompasses an entire block of the West Village development (refer **Figure 26**), with road frontage along all four boundaries, two of which are existing. In this regard, Springston Rolleston Road to the east is an arterial road, with Selwyn Road to the south identified as a local / secondary collector road, both of which have speed limits of 60km/hr. Whilst the frontage of both roads presents as a standard 'rural road' formation, it is anticipated that a more urban form outcome will be established as part of the West Village development, with pedestrian pathways and street lighting provided. The adjacent new roads of Hungerford Drive and Eileen Way are presently under

construction, and will comprise carriageway widths of 9.2m and 8.0m respectively, with both encompassing 2.5m shared paths directly adjacent to the school site.

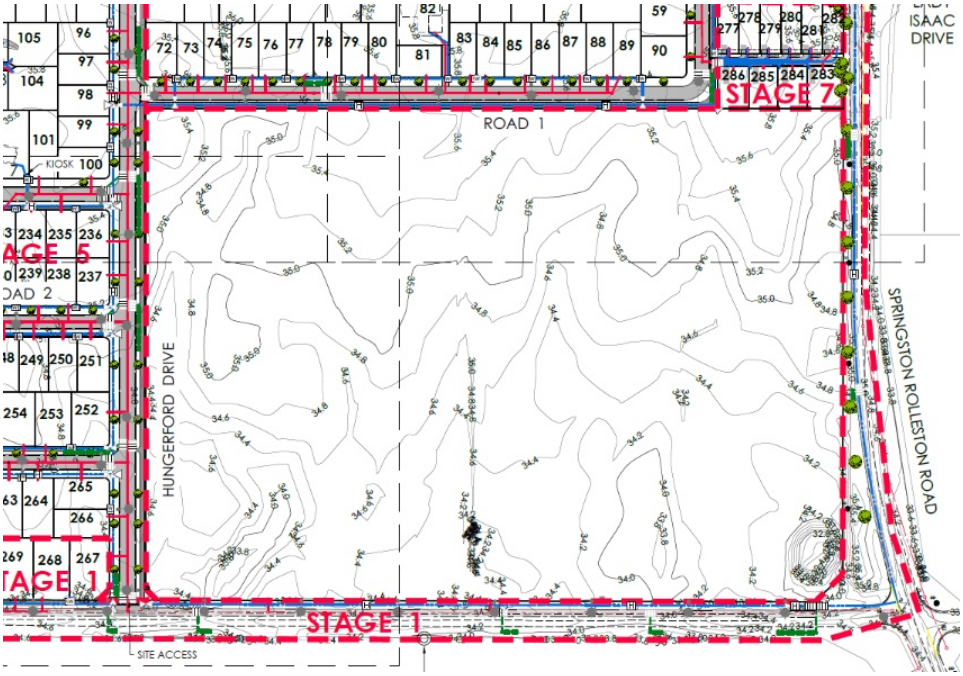


Figure 26 West Village road layout / formation

The provision of multiple road frontages to the site affords flexibility and opportunities for multiple access points, separation of parking and drop off areas, and separation of pedestrian and vehicle access points. In addition, the provision of shared paths on both boundaries provides safe and suitable access to the school for non-vehicle modes of transport (i.e. pedestrian, cyclists and scooters etc). Whilst there are no fixed locations for future access or crossing points to the surrounding road network, the site is large enough that it can provide appropriate access and car parking, including the provision of pick-up and drop-off zones, with the ITA prescribing a range of recommendations for the Ministry to consider as part of future design.

With respect to the key intersections in the vicinity, the ITA identifies that an upgrade will take place to the Springston Rolleston Road and Selwyn Road intersection, with a roundabout requirement identified as part of the FTCA decision for West Village. This roundabout is expected to be constructed before 2028. Similarly, we understand that Council are giving consideration to a future roundabout control at the Northmoor Boulevard, Springston Rolleston Road and Lady Isaac Drive. However, this will remain as a priority four way cross roads intersection for the immediate future.

With regards to trip generation, the ITA has involved Paramics transport modelling, with this used to assess the impact of traffic on the local and wider transport network. It is noted that Abley have identified that the local road links have sufficient capacity, with the network assessment subsequently focused on intersection performance. The

modelling assumptions are conservative, utilising the 'future growth' roll scenario of 2,500 students for the secondary school development. The conclusions from the modelling are that there are minimal effects on the network, with both the Springston Rolleston / Selwyn Road intersection and Springston Rolleston Road / Northmoor Boulevard intersection having acceptable levels of service ('LOS') A and B. The Selwyn Road / Hungerford Drive intersection operates with good performance of LOS B and LOS C (for right turn movements).

In recognition of the emerging development and transport network occurring within the locality, the ITA recommends a further ITA be undertaken as part of a future OPW. This will be informed by master planning and design responses to the site and include detail about (but not limited to) the car and cycle car parking, access arrangements and pedestrian/cycle crossings. Notwithstanding this, the ITA identifies that the location, shape of the land parcel, and the anticipated scale of the educational facilities is such that suitable access arrangements and car parking can be provided.

It is noted that the requirements of s176A of the RMA[13] will ensure appropriate consideration of specific access, circulation, and parking matters as part of a future OPW, with appropriate transport expertise providing inputs into master planning, including the preparation of an ITA as part of the OPW. Further to this, it is noted that a designation condition has been advanced requiring the preparation and submission of a 'Transport Management Plan' that will identify the goals for sustainable travel modes. The 'Transport Management plan' will also detail the proposed access and parking arrangements, and the integration with the surrounding transport network. This plan is required to be prepared in consultation with Council, as part of any OPW that increases the roll capacity by more than 100 students.

In addition to the above, a designation condition is proposed requiring the development of a School Travel Plan within six months of the opening of the school. These travel plans are commonly used as an education tool, with the same able to be managed and implemented by the school as a means of enhancing travel mode change for students and teachers, and ensuring safe transport measures and routes are adopted.

Overall, it is considered that the traffic generated by the school can be accommodated on the adjacent roading network without capacity or efficiency issues arising, and the site area and multiple road frontages afford numerus opportunities to ensure safe and efficient access, drop off and parking facilities. To this end, any actual or potential adverse traffic effects are able to be appropriately addressed as part of a future OPW, and the proposed designation is supported by from a traffic and transportation perspective. Thus, any adverse traffic effects are considered to be less than minor

[13] In particular, s176A(3)(d) and (f) requires an Outline Plan to show 'the vehicular access circulation and the provision for parking' and 'any other matters to avoid, remedy or mitigate any adverse effects on the environment', with these considered sufficient to address any detailed transportation queries or concerns associated with future school development on the site.

6.5 Infrastructure effects

Given the developing nature of the site and surrounding land within West Village, the establishment of all required services including wastewater, drinking water, fire fighting water supply, fibre, power and telecommunications, are all presently under construction, or have recently been established. In this regard, the services will be established in accord with the relevant requirements of the FTCA resource consents for the West Village development, and relevant engineering approvals granted by Council. In any event, T&T have undertaken an assessment (**Attachment [E]**) in relation to the infrastructure provision afforded to the site, with this involving a detailed review of the approved engineering plans, and discussions with the developer's engineer. The overall conclusion from T&T is that the site is suitable for a school development from an infrastructure perspective.

Notwithstanding the above, it is noted that the provision of infrastructure services by the developer is a requirement of the sale and purchase agreement, such that certainty can be had as to the extent of services that will be afforded to the site. To this end, it is considered that the infrastructure to be afforded to the site will be sufficient to appropriately accommodate the demands associated with future educational development.

6.6 Noise effects

Schools are an accepted part of urban environments, and their noise effects are well known to the Ministry and the community. In this regard, the primary noise generating activities – outdoor education, outdoor play times and vehicle-based drop-off and pick-up – are at defined and reasonable hours of the day, with noise generation in evenings, night-time, and weekends typically very low and infrequent.

The Ministry has over the last five years sought to achieve a consistent approach to noise management within educational environments, with this approach recognised in the Auckland Unitary Plan which has adopted a set of '*standard conditions for all education designations*' across the Auckland region. The proposed noise condition advanced as part of this NOR is consistent with the standard approach of the Ministry, and that adopted for a number of recent educational designations in Selwyn. This condition prescribes specific day-time and night-time noise limits, along with a specific exemption from the noise levels for standard school outdoor recreation activities. In addition, the designation condition defines the appropriate New Zealand Standards for the measurement and assessment of noise, and the limits for construction noise activities. This approach is considered an appropriate and reasonable response to the management of noise from educational sites.

It is noted that only those activities captured by the 'educational purpose' of the designation would be afforded with the benefit of the proposed noise condition, with development on the site controlled by the Minister as the requiring authority. In this regard, the Ministry owns one of the largest property portfolios in New Zealand, with a series of specific and comprehensive requirements and guidelines in place to manage

school design and development. The acoustic performance of educational buildings is given particular regard as part of the design review process[14], including the requirement to consider and implement measures to address exterior noise and interior noise elements. To this end, it is considered the Ministry is well placed to ensure appropriate management of noise from the school site, with further information able to be provided in relation to this as part of the OPW process.

Overall, given the surrounding road boundaries and associated setback from residential neighbours along almost all boundaries, the known and reasonable nature of the noise and the noise limits proposed, any actual or potential adverse noise effects are considered to be less than minor.

6.7 Earthworks and geotechnical effects

T&T have undertaken a preliminary geotechnical investigation of the site (refer **Attachment [C]**), broadly based around a detailed review of the prior geotechnical investigations and assessments undertaken as part of the West Village development, along with consideration of available data from the New Zealand Geotechnical Database.

The geotechnical investigations identify the site as underlain by topsoil and organic silt between 0.1m-1.0m with gravel deposits beneath, with the site meeting the MBIE Technical Category 1 criteria. To this end, land damage from liquefaction is likely to be 'none to minor', with ground conditions relatively favourable for suitably designed shallow foundations (for one to two storey structures).

The site is relatively flat, and given the ground conditions, earthwork requirements are expected to be relatively minor. It is noted that earthworks establishing the surrounding road network are presently underway, with these works undertaken by the developer. The earthworks associated with the site will principally be required to create building platforms for school facilities, level playing fields, playgrounds, and other hard surfaces. The extent of these works will be further determined as part of detailed design, with appropriate and standard erosion and sediment control procedures able to be adopted as part of construction works on the site.

Based on the information reviewed by T&T, there are no geotechnical issues that would make the site unsuitable for development as a school. The earthworks and geotechnical effects of the proposed school are considered to be less than minor.

6.8 Soil contamination effects

T&T have undertaken a preliminary soil contamination assessment of the site (refer **Attachment [C])**. This assessment has involved a review of the numerous investigations undertaken across the site and surrounds, along with additional and

[14] Ministry of Education, Designing Quality Learning Spaces -Acoustics, Version 2, September 2016

specific investigations undertaken by T&T in late 2021. The key details and conclusions identified are outlined as follows.

Historically the site has been used for broad-scale agricultural (mainly pasture) activity, with the prior site investigations identifying some areas of potential contamination associated with the former residences on the site, and a small area of burnt waste near a former haybarn. These areas were subsequently removed, or remediated, and appropriately validated by the developer. The recent soil sampling undertaken by T&T involved a number of test pits across the site, with the analytical testing confirming that all detected concentrations complied with residential land use criteria. As such, T&T conclude that the site does not meet the definition of 'contaminated land' under the Land and Water Regional Plan, and the National Environment Standards for Assessing and Managing Contaminants in Soil to Protect Human Health ('NES-CS') will not apply. To this end, there are no ground contamination issues that would make the site unsuitable for future educational development.

6.9 Cultural effects

The District Plan and the New Zealand Archaeological Association's Site Recording Scheme does not identify any archaeological sites or other items of historic heritage or cultural value across the site. Further, the Mahaanui Iwi Management Plan, and the outcomes of initial consultation with Ngai Tahu and Te Taumutu Rūnanga, did not identify any silent file sites or culturally significant sites in the vicinity of the site. The construction of future educational facilities on the site is therefore not expected to result in the destruction or other compromising of any such features. Although the site is not identified as being of cultural significance, the Ministry will adopt a standard Accidental Discovery Protocol to govern the site development works.

For completeness, it is noted that in 2015 the Ministry commissioned a 'Cultural Narrative' Report, with this prepared on behalf of Te Taumutu Rūnanga. The purpose of this report was to provide insight into the cultural history of the wider Rolleston environs, and ensure appropriate cultural values were incorporated into the design (both physical and non-physical) of existing and new educational institutions. This Cultural Narrative Report will inform the master planning and design exercise to be undertaken by the Ministry, ensuring appropriate cultural values are embedded into the future school development on the site.

6.10 Positive effects

The establishment of a school on the site will give rise to a range of notable positive effects on the community. Not only will the school facilities meet the demands of a growing residential community, but it will also enhance the well-being of its members and provide an important social, cultural and educational base within the community. The strategic location of the site is such that it will be easily accessible by a range of transport modes, both within Faringdon and the wider Rolleston area. Overall, the positive effects of the NOR are expected to be significant.

6.11 Conclusion

The site has been selected for educational purposes following a rigorous assessment of community needs and site analysis. The site is considered to be well located in terms of the future community and student catchment within south Rolleston, and one which offers considerable capacity in terms of size and shape to accommodate the proposed range of educational facilities. It will allow considerable options in terms of site layout, thereby facilitating high standards in terms of design and landscaping.

Further to the above, based on the ITA, the existing and proposed transport network is considered able to cope well with increasing traffic and school-related demands, such as walking, cycling and set down areas in the neighbourhood. Further, the multiple road frontages afford numerous opportunities to establish safe and efficient access, parking and pick-up and drop-off facilities. The site is not one on which protected or other special features exist, and is one in which noise, glare and other effects which may result from any specific school activity can be easily site-contained.

Overall, for the reasons outlined above and within the supporting assessments, any adverse effects of designating the site for educational purposes are considered to be **less than minor**.

7 Assessment of alternatives

7.1 Alternatives

Section 171(1)(b) of the RMA requires that when considering a NOR, Council must consider the effects on the environment of allowing the requirement, having particular regard to whether adequate consideration has been given to alternative sites, routes, or methods of undertaking the work if:

- The requiring authority does not have an interest in the land sufficient for undertaking the work, or
- If it is likely that the work will have a significant adverse effect on the environment.

In this instance, the Minister has an interest in the land sufficient to establish the secondary school, as the Crown has recently purchased the site from Hughes Development Limited. In addition, as detailed in **SECTION 6**, the NOR has been assessed as not giving rise to any significant adverse effects on the environment. For these reasons, section 171(1)(b) does not apply, and Council is not required to have regard to whether adequate consideration has been given to alternative sites, routes or methods of undertaking the work.

Notwithstanding this, it is noted that a number of alternative sites were considered as part of the Ministry site investigation and evaluation exercise, along with a number of alternative methods to accommodating the demand for schooling in this high growth area. In this regard, we note:

- the site has been identified as the most optimal school location based on the Ministry's detailed analysis and evaluation, which included consideration of a number of potential school site locations.
- the existing Rolleston College is located approximately 2km north of the site, with a rapidly increasing roll. The Ministry growth projections have identified that the master planned roll capacity of Rolleston College will be reached around 2026-28. The establishment of an additional secondary school in a location where significant urban development is occurring is therefore considered to be the most optimal response in meeting the educational needs of the Rolleston community.
- the use of designation as a tool for providing for the proposed educational facilities is the mechanism used widely by the Minister as part of a national strategy for establishing, maintaining, and operating school sites, and is provided for by Part 8 of the RMA, and recognised by the Education and Training Act 2020. In this regard, the designation provides certainty for future development of the site for education purposes and provides a long term commitment to the site and community.

To this end, the site and NOR are considered to be most optimal response in terms of meeting the Minister's objectives in this high growth environment and is an appropriate response having regard to the alternatives available.

8 Reasonable necessity of the designation

8.1 Reasonable necessity

Section 171(1)(c) of the RMA requires that when considering a NOR, Council must have particular regard to whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought.

The Selwyn District has been one of the fastest growing regions in New Zealand over the last decade, with Selwyn's population increasing from 46,700 in 2013 to 65,600 in 2019 (a growth rate of 6%, compared to the 2% national average)[15]. This growth has been focused on Rolleston, as the key hub of the District, and is expected to continue into the future. In particular, the network analysis undertaken by the Ministry has identified the primary school roll trends continue to exceed projected growth, indicating demand for secondary school provision will continue.

At present, a single secondary school (Rolleston College) serves the Rolleston township and rural surrounds. The college opened in 2017, with a current student roll (as of the July 2021 roll return) in the order of 1,270 students. The Stage 2 expansion of Rolleston College is underway, which will see the expansion of the school to its master planned capacity of 1,800 students, with a number of temporary teaching spaces provided on site. However, given the site area of approximately 6.71ha, and the rapid rate of urban growth and development occurring in Rolleston, the existing secondary school is unable to cater for all projected student growth in Rolleston.

In response to this growth, the Ministry embarked on a comprehensive site identification and evaluation exercise throughout 2018-20, with the site the subject of the present NOR identified as the most optimal in terms of meeting the medium and long term education needs of the growing Rolleston community. The site area and location is easily accessible by a wide student catchment, and provides scope to accommodate a range of educational facilities. To this end, the work and designation are considered to be reasonably necessary to achieve the following objectives:

- to provide state schooling and education facilities for a high growth area in a manner that meets the purpose of the Education and Training Act 2020.
- to provide certainty and flexibility in terms of the efficient establishment and management of education facilities on the site.

Accordingly, the Minister has advanced the NOR in accord with section 168 of the RMA, with the designation for educational purposes considered to be reasonably necessary for achieving the objectives of the Minister.

[15] Selwyn District Council, Selwyn District Growth and Demand Report, March 2021.

9 Relevant other matters

Under section 171(1)(d) the Council must have particular regard to any other matter it considers reasonably necessary in order to make a recommendation on the NOR. With regards to this requirement, it is considered the following 'other' matters are relevant to consideration of the NOR.

9.1 Rolleston Structure Plan

The Rolleston Structure Plan ('**Structure Plan**') was adopted by Council in 2009, as illustrated in **Figure 27** below.

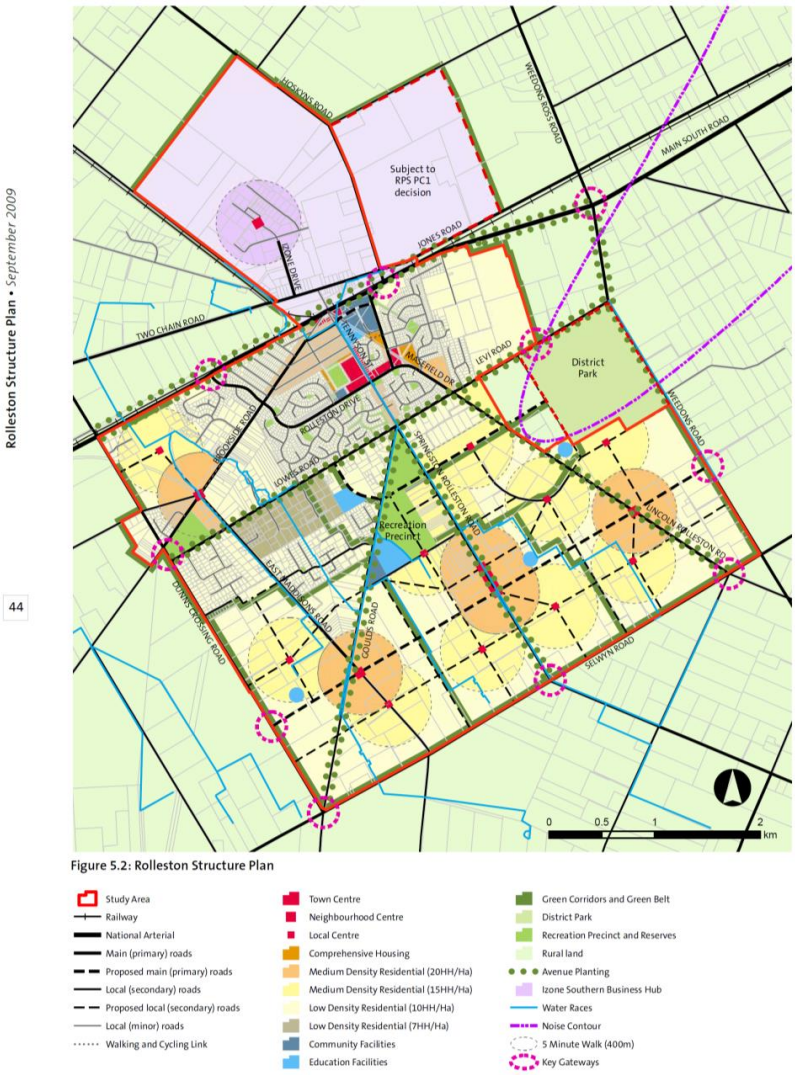


Figure 5.2: Rolleston Structure Plan

Figure 27 Rolleston Structure Plan

The Structure Plan was developed as a framework for transforming Rolleston from its semi-rural environment into an urbanized community, guiding future development by defining land use patterns and the location, timing, and provision of infrastructure. The Structure Plan is not however a statutory document, and changes to District Plan are generally required to implement the outcomes of the Structure Plan. Notwithstanding this, and as identified in **SECTION 9.3**, a number of residential developments have been approved, generally in accord with the framework set by the Structure Plan.

The urban limit and infrastructure boundaries identified in the Structure Plan are principally given effect to by the CRPS, and fall along Dunns Crossing Road in the west, Weedons Road on the east and Selwyn Road to the south. To this end, the site is located within the urban limit boundaries of Rolleston. The Structure Plan identifies the site as falling within an area of low and medium density residential area, with the Springston Rolleston Road and Selwyn Road intersection identified as a 'Key Gateway'. The approved West Village development, and the other approved and established developments in the locality all respond appropriately to the key roading links identified by the Structure Plan. Whilst the site is not identified as a location for a future 'Education Facility' by the Structure Plan, the NOR and site location is broadly aligned with the outcomes of the Structure Plan in this location.

9.2 Mahaanui Iwi Management Plan (MIMP)

The Mahaanui Iwi Management Plan ('**MIMP**') is a planning document recognised by an iwi authority and is lodged with Council. The MIMP includes content that relates to the district's resource management issues. To this end, the MIMP is considered to be a relevant other issue that falls for consideration as part of the NOR.

The MIMP was published in 2013, and sets out Ngāi Tahu's objectives, issues and policies for natural resource and environmental management within the area bounded by the Hurunui River in the north and the Ashburton River in the south. The MIMP outlines a number of objectives and policies relating to broad issues, as well as identifying specific provisions relevant to distinct catchments or geographic areas. It is noted that the MIMP does not identify any specific cultural matters associated with the site, however the following provisions are considered relevant:

> ***P4.1*** *To work with local authorities to ensure a consistent approach to the identification and consideration of Ngāi Tahu interests in subdivision and development activities, including:*
> *(a) Encouraging developers to engage with Papatipu Rūnanga in the early stages of development planning to identify potential cultural issues; including the preparation of Cultural Impact Assessment reports;*
> *(c) Requiring that resource consent applications assess actual and potential effects on tāngata whenua values and associations;*
> *(d) Ensuring that effects on tāngata whenua values are avoided, remedied or mitigated using culturally appropriate methods;*
> *(e) Ensuring that subdivision consents are applied for and evaluated alongside associated land use and discharge consents; and*
> *(f) Requiring that 'add ons' to existing subdivisions are assessed against the policies in this section.*

P4.2 *To support the use of the following methods to facilitate engagement with Papatipu Rūnanga where a subdivision, land use or development activity may have actual or potential adverse effects on cultural values and interests:*
(a) Site visit and consultative hui;
(b) Cultural Impact Assessment (CIA) reports; and
(c) Tāngata Whenua Advisory Groups.

CL7.1 *To encourage the use and representation of Māori culture (e.g. tikanga, kawa, markers, symbols, names, design) in public open space and the built environment, including but not limited to:*
(a) Pouwhenua and wāharoa; and
(b) Naming of features, roads, reserves, or buildings

The consultation and engagement with Ngāi Tahu and Te Taumutu Rūnanga, has not identified any particulars concerns with the NOR, or the site. Whilst the feedback at present was that both iwi groups have insufficient capacity to engage further with the Ministry at this time, engagement will be ongoing as the development continues to progress. In this regard, the master planning and future design outcomes at the site will have appropriate regard to the Cultural Narrative Report and MIMP, supported by further engagement with iwi. To this end, it is considered the NOR provides an appropriate response with respect to cultural engagement and the MIMP.

9.3 Approved resource consents

Despite the rural zoning of the site and immediate surrounds under the ODP and PDP, urban development has and continues to occur, with this proceeding in accord with approved resource consents under the Housing Accords and Special Housing Areas Act 2013 and the FTCA. By way of brief summary, we note the following:

The Acland Park development to the east of the site was approved in 2016 as a Special Housing Area. The original approved resource consents are identified as RC165454, RC165455, RC165508 and RC165508A, however it is noted that a number of variations have been lodged since that time. The Acland Park development is well progressed, with a small number of future stages remaining in the southern portion of the site.

The West Village development in which the site is located was approved in 2021 by way of resource consents granted under the FTCA, with the relevant resource consent references identified as RC215539 and RC215549. The resource consents approved the development comprising approximately 290 residential units, a neighbourhood centre (located at the intersection of Springston Rolleston Road and Northmoor Boulevard), along with associated infrastructure, amenities and reserves. In addition, it is noted that resource consents were granted under the FTCA for the Faringdon West Wood development[16] (located to the west of the existing Faringdon development). This comprises of approximately 680 residential units, a neighbourhood centre, along with associated infrastructure, amenities and reserves.

[16] RC215485 and RC215338

In both instances, the approved resource consents broadly prescribe a Living Z Zone framework to guide future development, albeit by way of resource consent conditions. The ODP identifies the Living Z Zone as providing for a range of site sizes and living options, including lower density stand-alone housing to medium density housing typologies[17].

In broad terms, the site location is within an urban growth area for which development is occurring, despite the rural zoning under the ODP and PDP. This context is considered a critical matter for consideration, with the NOR considered to be entirely consistent and aligned with the creation of a quality residential environment, as facilitated by the approved resource consents.

9.4 Private Plan Change requests

Whilst Council have progressed the PDP, since November 2020, a large number of private plan change requests to the ODP have been lodged, with these seeking to re-zone vast areas of land in Rolleston as illustrated in **Figure 11**.

Whilst only a small number of decisions have been issued in relation to the private plan change requests at this point in time, if approved, they would see over 6,000 additional dwellings provided for in Rolleston. In addition to this, recent network analysis undertaken by the Ministry has identified the potential for an additional 2,950 dwellings yet to be developed from zoned land within the urban limits, and a further 2,400 dwellings from land within the urban limits that is not yet zoned. To this end, if all this development capacity is taken up, there is the potential for an additional 11,070 dwellings in Rolleston. The NOR is a direct response to the zoned and potential urban growth pressure in Rolleston, and facilitates the development of educational facilities across the site to meet the educational needs of existing and future residents of Rolleston.

9.5 Additional consents required

Any potential regional resource consents for stormwater management, earthworks, discharges, or construction works cannot be determined until detailed design has been undertaken. Notwithstanding this, it is noted that bulk earthworks are progressing by the developer in accord with approved resource consents, and that all infrastructure services and roading frontage will be afforded to the site. To this end, at this point in time it is expected that no resource consents will be required from the Regional Council. If it is determined as part of detailed design that resource consent is required, this will be applied for as necessary in the future once the site is designated, and the design for any particular facility or works is completed to a sufficient level of detail for resource consents to be sought.

In general, it is expected that no land use consents will be required from the Council associated with, and following the designation of the site, noting section 176(1)(a) of

[17] Table A4.5, ODP

the RMA identifies that section 9(3) of the RMA does not apply to works under the designation. However, national environment standards will remain of relevance. In this regard, the ground contamination assessment of T&T identified that based on the investigations and soil sampling undertaken, the site is not identified as ‘contaminated land’, and the NES-CS is not considered applicable. To this end, it is expected that no resource consent will be required under the NES-CS.



10 Consultation and notification

10.1 Consultation and engagement

Section 36A of the RMA prescribes no duty to consult with any person in relation to the NOR. Nevertheless, the Ministry has undertaken extensive consultation and engagement in relation to the NOR with a range of key stakeholders, including:

- Selwyn District Council
- Hughes Development Limited
- Long Vision Property Development Limited / Avanda Group
- Ngai Tahu and Te Taumutu Rūnanga

With regards to the consultation undertaken, the following is noted.

The prospect of a new school in the south Rolleston area is considered to be an expected outcome for the community and its residents, and Council, given the extent of residential development and growth occurring and anticipated in the locality.

The Ministry has consulted with Council since 2020 as part of the earlier site identification and evaluation exercise to obtain feedback on a number of potential site outcomes, and more recently in relation to the present NOR. In this regard, a formal NOR pre-application meeting was held with Council 2 December 2021 with broad discussions regarding the identified site, the relevant consents for the West Village development, the PDP, the Minister's designation for 'educational purposes', along with supporting information requirements and process.

The site is located within an emerging residential development, with the Ministry closely liaising with the Hughes Development Limited as the developer of West Village. This consultation has involved discussions as to acquisition, servicing arrangements, construction timeframes, sales, and other specific matters of detail. These discussions will remain ongoing as the development progresses and infrastructure services are established to the site. In addition to this, the Ministry have consulted with the developer of Acland Park, located to the east of the site on the opposite side of Springston Rolleston Road. In response to these discussions, the Ministry have received letters of approval and support for the NOR from both Hughes Development and Long Vision Property Development Limited and Avanda Group, with these enclosed as **Attachment [G]**.

The Ministry has engaged with Ngai Tahu and Te Taumutu Rūnanga since early 2020, with this first engagement focused around the initial site identification and evaluation process. The feedback at the time was general support for a new school development, however a preference for the school to not be located near Rolleston College to ensure accessibility to whānau from the wider area. Since then and following site acquisition, the Ministry has sought further engagement with Ngai Tahu and Te Taumutu Rūnanga,

however at this point, these iwi groups do not have sufficient capacity and resource to engage with the Ministry as part of the NOR.

Notwithstanding the above, the Ministry will continue to engage with iwi, with a view to ensuring appropriate cultural inputs and values are incorporated into the master planning and design phase of the project, with guidance sought from the Cultural Narrative Report commissioned by the Ministry on behalf of Te Taumutu Rūnanga.

10.2 Notification

Under section 169(1) of the RMA, Council must, within 10 working days of receiving the NOR, decide whether to notify the NOR. The notification assessment requirements are set out in subsection (1A) and sections 149ZCB (1) to (4), 149ZCC(1) to (4), 149ZCE, and 149ZCF. These apply with all necessary modifications as if-

(a) a reference to an application or notice were a reference to the NOR; and

(b) a reference to an applicant were a reference to the requiring authority; and

(c) a reference to the Minister or the EPA were a reference to the territorial authority; and

(d) a reference to an activity were a reference to the designation.

The overall conclusions from the assessment undertaken are that:

- Any actual or potential adverse effects of future educational development on the site are considered to be less than minor.
- There are no adversely affected persons.
- Having had particular regard to the relevant provisions of Part 2 of the RMA, the NPS-UD, NPS-FM, the CRPS and the ODP and PDP, the NOR accords with these documents.

The relevant notification requirements are identified and assessed below.

10.2.1 Public notification

Pursuant to section 149ZCB(1) Council has discretion on whether to publicly notify an application. However, an application must be publicly notified if:

- The activity will have, or is likely to have, adverse effects on the environment that are more than minor, subject to the particular stipulations within Section 149ZCE (Section 149ZCB(2)(a)); or
- The applicant requests public notification of the application (Section 149ZCB(2)(b)); or
- A rule or national environmental standard requires public notification (Section 149ZCB(2)(c)); or
- Further information has been requested, but the applicant does not provide the information before the deadline concerned or refuses to provide the information (Section 149ZCD).

Council also has discretion to publicly notify an application if it decides there are special circumstances in relation to the application (Section 149ZCB(4)).

The assessment undertaken in **SECTION 6** demonstrates that the activity will result in less than minor effects on the environment, and therefore there are considered to be no effects-based reasons for the NOR to be publicly notified. In particular, we note the following:

- The NOR is well located within the West Village development, which is currently being developed for urban expansion. The need for a school in this location is a direct response to the high levels of urban growth in the Rolleston locality, and will meet the needs of the surrounding community.
- With the exception of a small length of internal boundary in the north eastern corner of the site, the site is afforded with road frontage along all site boundaries, providing separation and a buffer from adjacent residential properties.
- Schools are community facilities which are an integral and expected component of residential communities, it is considered entirely appropriate for educational facilities to be established in this location.
- The surrounding road network can safely and efficiently accommodate the traffic generation associated with future educational development across the site.
- The size of the site and multiple road frontages are such that there are numerous options for site layout, such as building location, vehicle and pedestrian access areas and parking areas.
- The site can be suitably serviced with infrastructure to be provided to the boundaries by the developer.

Further to the above, public notification is not requested by the Minister, notification is not required by a rule in a Plan or a NES, and any potential further information requests will be responded to in a timely manner. No special circumstances exist that would warrant notification, and as the effects will be less than minor, Section 149ZCE does not apply.

The assessment provided in support of the NOR is considered comprehensive, and more than sufficient for Council to consider the NOR without public notification.

10.2.2 Limited notification

Section 149ZCC identifies that if the application is not publicly notified, Council must decide if there are any affected persons or any affected protected customary rights groups and serve notice on those persons.

Section 149ZCF of the RMA empowers Council to determine who is “affected” by an application. A person must be considered “affected” if the effects of the activity on that person are minor or more than minor (but not less than minor), with Council able to disregard an adverse effect of an activity on a person if a rule permits an activity with

that effect (Section 149ZCF(2)(a)). In addition, Council must decide a person is not an affected person if they have provided approval for the application by way of written notice (Section 149ZCF(3)(a)).

For the reasons outlined in **SECTION 6**, no persons are adversely affected by the NOR. In this regard the following comments are made:

- The Site is owned by the Crown and is strategically located within the southern area of Rolleston. The Ministry carefully considered the most optimal location of the site, and the nature of the surrounding road network and infrastructure provision. Any adverse effects of the NOR in this location are therefore considered to be appropriately avoided and mitigated such that they are less than minor.
- The written approval of Hughes Development Limited, as the developer of West Village and Long Vision Property Development Limited / Avanda Group as the developer of Acland Park to the east, has been obtained and is enclosed as **Attachment [G]**.
- The site is well located with respect to the focus of urban growth occurring in Rolleston, and therefore will be readily accessible to the community and associated student catchment.
- The multiple road frontages afforded to the site provide separation and a buffer from the bulk of residential allotments in the vicinity, with appropriate protection afforded to the internal residential boundary in the north eastern corner of the site by the retention of the existing recession plane control as per the West Village resource consents.
- The presence of the school within the Faringdon West Village development has been well advertised, with the location and presence of the school advised to all purchasers within the West Village development (by way of a specific clause within the sale and purchase agreements), as outlined in the letter of support from Hughes Developments Limited (**Attachment [G]**).
- The designation conditions advanced will serve to provide for future educational development in a manner than will maintain the character and amenity of the surrounding residential environment.
- There are no affected protected customary rights groups or affected customary marine title groups in the vicinity of the site, with Ngai Tahu and Te Taumutu Rūnanga providing broad support for the NOR as mana whenua entities in the locality.
- Any potential adverse effects of the school's construction and presence are short-term and less than minor.

Based on the assessment contained above and within **SECTION 6**, it is considered there are no potentially affected parties to the NOR.

10.2.3 Non-notification

A comprehensive assessment of actual and potential adverse effects on the environment has been carried out in this report and accompanying assessments. All potential adverse effects on the environment will be less than minor. Accordingly, the Minister requests Council consider the NOR on a non-notified basis because:

- As per the AEE, any actual or potential adverse effects on the environment are less than minor.
- There are no special circumstances that warrant notification.
- There are no affected persons, affected protected customary groups or customary marine title groups, with Hughes Development Limited and Long Vision Property Development Limited / Avanda Group providing their support to the NOR.
- There are no rules or national environmental standards that require notification.

Notwithstanding this, the Ministry looks forward to working with Council in order to clarify any matters raised in this assessment in an expedient manner.

11 Conclusion

The purpose of this NOR is to include a new designation in the District Plan to enable the future development and subsequent use of education facilities on the site. This will be required in the near future to respond to both current demand and future growth projections in Rolleston.

In accord with the relevant provisions under sections 168 and 171 of the RMA, the actual and potential environmental effects and the proposed mitigation measures have been assessed, the designation has been considered against the provisions of the relevant policy documents and plans, and the alternatives, the Minister's objectives and consultation undertaken, are all outlined.

It is considered the proposed NOR is consistent with the relevant provisions of the NPS, CRPS, and ODP and PDP. In this regard, the establishment of educational facilities in this location are considered to contribute positively to the receiving environment and the overall development of south Rolleston. The location of the site within an establishing residential area will support the efficient use and development of resources and the transport network, with any adverse effects of future education development able to be appropriately controlled through designation conditions such that they are less than minor. The school is a direct response to the ongoing urban growth pressures in Rolleston, and will support the achievement of a consolidated, well designed, and sustainable community, whilst maintaining the character and amenity of the receiving environment.

Overall, the site is considered eminently suitable for educational facilities as effects can be avoided, remedied, or mitigated and are less than minor. Furthermore, the development is consistent with the relevant planning documents.

TOWNPLANNING GROUP

Supporting Information:

[A] Designation Plan

[B] Record of Title

[C] Contamination and Geotechnical Memorandum

[D] FTCA West Village Decision RC215539 and RC215540

[E] Infrastructure Memorandum

[F] Integrated Transport Assessment

[G] Written Approvals

APPENDIX 2 RECOMMENDATION OF INDEPENDENT COMMISSIONER

Section 171 Resource Management Act 1991

Report pursuant to s. 42A of the Resource Management Act 1991 recommending whether or not a notice of requirement should be:

- Confirmed, modified, have conditions imposed, or be withdrawn.

Author: Jane Anderson

Position: Consultant Planner

Resource Consent Number: D220002

REQUIRING AUTHORITY:	Minister of Education
PROPOSAL:	To designate the site for educational purposes – secondary school, primary school, early childhood and specialist hub
LOCATION:	700 Selwyn Road, Rolleston
LEGAL DESCRIPTION:	Lot 1000 DP 557037 contained in Record of Title 977880

Introduction

1. The Minister of Education (the Minister) has given notice of a requirement for a new designation to establish educational facilities to cater for secondary school students from Year 9 to 13, primary school students from Year 0 to 8, along with an early childhood education centre (ECE), and a specialist Hangarau teaching hub / space.
2. The proposed designation sought is for 'educational purposes', as set out in **Appendix 1**.
3. The notice provides a detailed description of the proposal, as set out below:
    - A secondary school, catering for Year 9 to Year 13 inclusive, with an initial build roll of 1,200 students, with a potential future expansion roll of 2,500 students;
    - A full primary school, catering for Year 0 to Year 8 inclusive, with an initial roll of 300 students;
    - An early childhood centre, for approximately 50 students; and
    - A Hangarau specialist teaching space / facility (technology facility provided in accordance with tikanga practices).
4. A number of conditions are proposed to provide parameters around the scope of the designation, and to mitigate the effects of any school development on the site. These cover the purpose of the designation, the maximum coverage of buildings on the site, noise from the operation of the facilities, the requirement to develop a school travel plan within 6 months of the opening of the school and exemption from the provision of an outline plan of works for a variety of minor works. These are attached in **Appendix 1**.

5. Further information has been provided in response to requests for further information as the "RFI Response" dated 12 September 2022 and the "Peer Review Response" dated 12 December 2022. These documents are attached as **Appendix 2.**
6. The Minister has advised that a separate outline plan would be lodged at a later date for the proposed works on site.

Description of the Existing Environment

7. The application site is a 10.18 hectare site located within the wider 'Faringdon West Village' Development. The site is owned by the Crown.
8. The site is fully described in section 3 of the application. I adopt the applicant's description, and note the following key points:
    - The application site is located in the south-eastern corner of the "Faringdon West Village" that is currently under construction.
    - The site is zoned Rural (Inner Plains) under the Operative District Plan and General Rural under the Proposed District Plan.
    - The site is located directly adjacent to the wider West Village development which was approved by an Expert Consenting Panel under the COVID-19 Recovery (Fast-track) Consenting Act 2020 (FTCA) under resource consents RC2165539 and RC215540. However, the subject site was subdivided from the wider West Village land and is not subject to the consent conditions.
    - The site is currently vacant and does not contain any significant vegetation.
    - The site will encompass an entire block and will have road frontages on all four boundaries, being Selwyn Road, Springston Rolleston Road and the recently completed Hungerford Drive and Eileen Way. The exception being 12 adjoining properties on Pye Lane.
    - As part of the purchase of the site, the developer is required to provide the site with accesses to all appropriate services, including fibre, electricity, water supply, fire-fighting water supply and waste water.
    - Land immediately adjacent to the site on the western and northern boundaries are currently being developed for residential activities in accordance with the FTCA consents. Acland Park is located to the east of the site, on the adjacent side of Springston Rolleston Road, and is also currently being developed for residential activities in accordance with the HASHA Resource Consents.
    - Land to the south of the site is currently zoned Rural (Inner Plains). The closest residential unit within the Rural zone is approximately 75m from the site.
9. An aerial photo of the site is shown in **Figure 1** below.

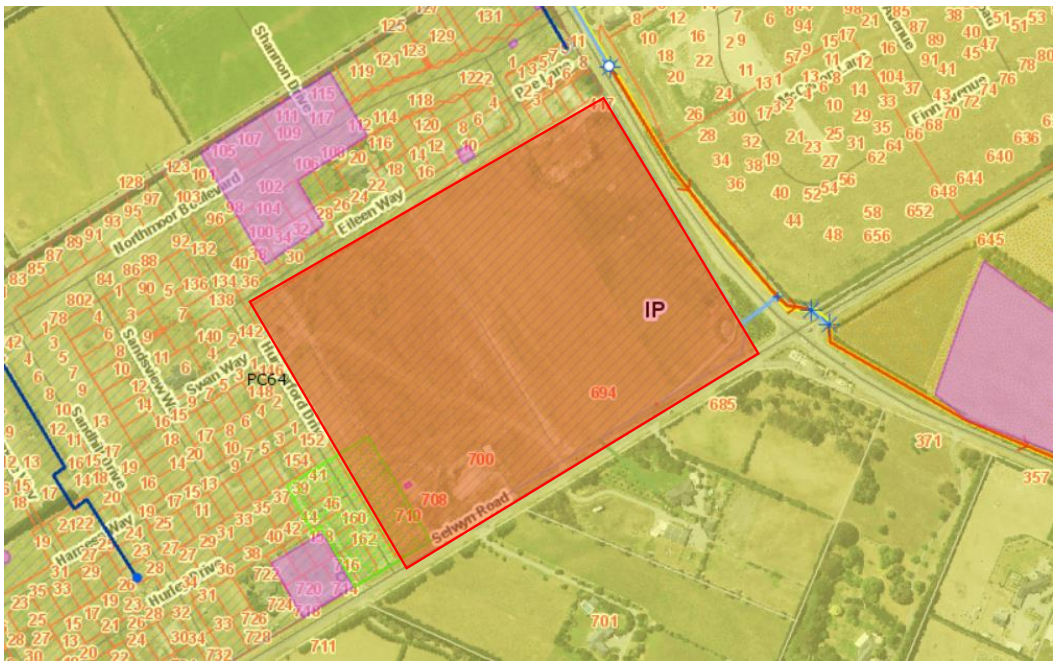


Figure 1 – Approximate location of site (red square) and surrounding area. Aerial photo – Selwyn District Council

Notification

10. A decision regarding notification pursuant to sections 169, 149ZCB(1)-(4), 149ZCC(1)-(4), 149ZCE and 149ZCF has been undertaken separately. It determined that the NOR be processed on a non-notified basis.

Matters to be Considered

11. Section 171 of the Resource Management Act 1991 sets out the matters which Selwyn District Council must have regard to in considering the effects on the environment of allowing a notice of requirement. In this case the relevant matters are:

- a regional policy statement or proposed regional policy statement (s. 171(1)(a)(iii));
- a plan or proposed plan (s. 171(1)(a)(iv));
- whether adequate consideration has been given to alternative sites, routes, or methods of undertaking the work if either the requiring authority does not have an interest in the land sufficient for undertaking the work; or it is likely that the work will have a significant adverse effect on the environment (s. 171(1)(b));
- whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought (s. 171(1)(c));
- any other matter the territorial authority considers reasonably necessary in order to make a decision on the requirement (s. 171(1)(d)); and
- any positive effects on the environment to offset or compensate for any adverse effects that may result from the activity enabled by the designation (s. 171(1B)).

12. All matters listed in s. 171 (1) are subject to Part 2 of the Act, which contains its purposes and principles.

Assessment of Environmental Effects – Alteration to Designation

13. The actual and potential adverse effects of the proposal relate to visual, character and amenity, noise and transport effects.

14. The actual and potential adverse effects of the proposal relate to residential coherence, character and amenity, visual, noise, and traffic movements.

Permitted baseline

15. The site is zoned Rural Inner Plains. Within the Rural Inner Plains zone, residential activities are permitted where the residential density is one residential dwelling per 4 hectares subject to meeting the built form requirements. The Rural Inner Plains provisions provide, as a permitted baseline, for a building to cover a maximum of 5% of the net site area, to a maximum height of 8m for a dwelling or 12m for any other building and be sited a minimum of 5m from property boundaries, and a minimum of 10m from road boundaries.

16. The zone also permits non-residential and non-rural activities where no more than two staff are employed on site, where the gross floor area of any building does not exceed 300m^2 and the vehicle movements do not exceed 20 per day on a local road, which forms a relevant permitted baseline against which to assess the proposed activity. The rule framework also specifically provides for activities associated with tertiary education providers and Crown Research Institutes.

17. Noise limits in the Rural Inner Plains shall not exceed 55dB$_{L10}$ between the hours of 7:30am – 8pm, and 40dB$_{L10}$ between 8pm – 7:30am at any Living Zone boundary, and 60dB$_{L10}$ between the hours of 7:30am – 8pm, and 45dB$_{L10}$ between 8pm – 7:30am at the notional boundary of any dwelling, hospital or classroom.

18. Given the complexity of the rural zoning as applied to this site, the identified permitted baseline provides little guidance. Further, the surrounding residential environment has been developed in accordance with resource consents and therefore a comparison of the proposed development with a residential zoning is of little assistance in terms of determining comparable adverse effects on the environment in considering section 171(1) of the Act.

Context and Zoning

19. The subject site is located within the Rural Inner Plains zone under the Operative District Plan. As has been noted, the immediately adjacent land to the north, east and west of the site have been developed in accordance with resource consents providing for residential scale developments (RC216539 and RC215540). However, the subject site was subdivided from the land subject to these resource consents and remains zoned rural in both the Operative and Proposed District Plans.

20. Given the residential context of the application site, it is considered more appropriate to assess the amenity and coherence of the NoR against the receiving environment rather than the rural zoning.

Residential coherence

21. Non-residential activities establishing within residential areas have the potential to result in adverse effects on residential coherence, character and amenity. Adverse effects on residential coherence occurs when residential activities are displaced by non-residential developments, resulting in a loss of community from the area. Alternatively, when the character and integrity of an area zoned for residential development and character is encroached by an activity(ies) which are inherently not residential this can alter and reduce the residential integrity and character of that area, and / or result in isolated residential occupation surrounded by non-residential activities. Effects on character and amenity occur as a result of development that is of a scale and character that is not compatible with a residential environment and that detracts from the pleasantness or attractiveness of a place, or substantially encroaches into a residential environment displacing residential development.

22. The application site is located within a developing residential area. It is anticipated that the once developed the character of the immediately adjacent environment will reflect that of recent greenfield residential development within the Rolleston township, that being, single storey detached residential units. On the southern side of the road, the area remains rural-residential in character.

23. Although schools and ECE are not residential activities, they are an integral and expected component of residential communities. It is considered typical and appropriate that a school be established within residential areas. It is noted that both Acland Park Primary School (ME 30) and Lemonwood Grove School (ME28) are similarly located in the Rural Inner Plains zone and surrounded by residential developments established through HASHA consents.

24. I consider that establishing educational activities in this location will not result in any loss of residential coherence from the surrounding area. The application site is currently vacant, so the development of these activities on the site will not displace any existing residential activity. Further, the surrounding residential environment will remain dominated by residential activity and will continue to maintain a coherent residential character. Further it is noted that, with the exception of the limited number of Pye Lane properties, the site is demarcated by road boundaries, providing a clear boundary to adjoining residential development and preventing further displacement of residential activities as the school will be contained within the defined urban block.

Character and amenity

Visual Character and Amenity

25. At this time, the Ministry has only taken the approach of signalling its intent to establish a school on the site. Specific details of the proposal will be considered at the Outline Plan stage, in accordance with section 176A of the RMA. However, proposed conditions put forward as part of the designation would seek to increase site coverage and maximum height of buildings beyond that provided for as a permitted baseline under the applicable Rural zoning as associated with the site.

26. As has been discussed, while the site was omitted from the area subject to the resource consents granted under FTCA, the surrounding environment is currently being developed in accordance with the Living Z provisions of the Operative Selwyn District Plan. The Rural Inner Plains zone provides for a maximum site coverage of 5%, while the FTCA resource consents / Living Z zone on the surrounding sites provides for a maximum building coverage of 45% as associated with both building bulk and scale. Commensurately, applying this extent of site coverage to the proposed Designated site would equates to 45,000m^2 of building footprint. While the NoR does not include any height limits, the proposed conditions include a recession plane restriction and an Urban Design process. Proposed condition 2 seeks to replicate the site coverage provisions provided for in the surrounding residential environment. Proposed condition 3 seeks to provide a minimum setback of 3m from any road boundary.

27. Proposed condition 4 provides for an urban design statements and landscape concept plan as part of the Outline Plan process. The Urban Design Statement will demonstrate "*how the layout and design of the education facility will promote a positive relationship to the adjoining street network and neighbourhood*". A Master Plan and subsequent landscape concept plan will provide details of framework tree planting, the identification of open space, location of vehicle access and parking, and boundary management.

28. As there is no indicative development plan for the site, it is difficult to comprehensively pre-empt and assess the potential visual effects of any built form. However, as noted the Outline Plan process provides an opportunity for the Council to determine the impact of any subsequent school development on the site and the request changes for design, layout and configuration in order to maintain an appropriate level of amenity that remains compatible with the surrounding urban context.

29. Given the likely scale of the proposed educational development, the visual effects from the built form have the potential to be minor, particularly when consideration is given to the existing environment. Although there will be substantial proportions of open space associated with the school (playing fields, courtyards etc) from some locations the view may be dominated by buildings to a greater degree than anticipated by the resource consents granted under the FTCA in the surrounding residential environment, or by the underlying Rural Inner Plains zone.

30. Another key change in visual character and amenity will be from the increase in activity on and around the site. However, based on the 45% maximum site coverage, the provision of sports fields and open spaces typical of school developments, and in conjunction with the buffering effect of the road network that demarcates the site form the surrounding residential development, I consider that the scale of the site will enable the dispersal of the built form across the site, serving to create a feeling of openness and spaciousness, and reducing the potential dominance of the built form.

31. The site demarcated by, and has road frontages to Hungerford Drive to the west, Eileen Way to the north, Springston Rolleston Road to the east and Selwyn Road to the south. Given the location of these roads, and the proposed 3m road boundary setback and recession plane requirements, it is considered that the additional distance to these sensitive receivers will reduce any potential visual dominance of the development. That is, there will be no residential dwelling immediately adjacent to any buildings able to be established under the proposed designation, except for four properties with frontage to Pye Lane as discussed further below. On balance, and in consideration of the future assessments required through the Outline Plan process, it is considered that any adverse effects on adjacent residential sites will be less than minor.

32. Four residential properties immediately adjoin the subject site in the north-eastern edge of the site, with frontage to Pye Lane. No internal boundary setbacks within the Notice of Requirement have been proposed along that interface, however, as the applicant notes in page, a recession plane condition has been proposed to ensure that these properties have *"appropriate access to sunlight, privacy and amenity"* (page 44 of the Assessment of Environmental Effects). These properties are currently owned by Hughes Development who have provided their written approval for the proposed development [Attachment G to the application] and therefore any potential adverse effects on these properties have been disregarded.

33. The proposal has been reviewed by Ms Gabi Wolfer, Urban Designer, Selwyn District Council. Ms Wolfer notes the condition that requires an Urban Design assessment at the Outline Plan stage will provide certainty that future development will have regard to appropriate urban design outcomes.

Transport Amenity

34. Traffic amenity effects results from the number, scale, type and location of vehicle movements and parking demand generated by an activity that may commensurately result in noise, glare, vibration, safety and access issues, and visual intrusion of vehicles at various times of the night and day, and during weekends.

35. It is acknowledged that the proposed development will result in additional traffic and activities associated with an educational facility. The majority of these activities will be largely limited to approximate school hours (0800 – 1600 hours, Monday to Friday). The transportation model suggests 710 vehicles entering the site and 558 existing the site (at full role) during the morning peak hour.

36. The level of traffic and associated adverse traffic amenity effects associated with general school activities, including use of fields, classes and activities is different in the level of intensity and scale of activity compared to what may reasonably be expected to occur under the provisions of the underlying rural zoning, and the existing built environment. However, it is noted that activities related to educational facilities are anticipated within both rural and residential environments.

37. As is discussed in further detail below, the applicant proposes a condition to the designation to manage the potential adverse effects associated with traffic amenity, including requiring that an Integrated Transport Assessment (ITA) is provided at the point when the Outline Plan of Works is available, and that a Transport Management Plan is provided that *"ensures sufficient access and off street parking, including for drop off and pick up, and bus parking, is provided"*

38. It is considered that the proposed mitigation measures will ensure that any adverse effects on the surrounding residential environment from the increased traffic and activity at the site will be no more than minor.

39. It is acknowledged that the immediate locality is undergoing a significant landscape change, as it evolves from open pasture to an urban residential environment. Educational facilities are a typical feature of urban development, with their presence intrinsically tied with residential areas, as a response to the needs of the community in which they are located.

Conclusion – Effects on character and amenity

40. It is considered that the potential adverse effects on character and amenity will be minor for those properties located directly adjacent to the subject site on Pye Lane, however written approvals have been provided and therefore these adverse effects have been disregarded. It is considered that adverse effects on the surrounding residential environment will be less than minor.

41. On balance, it is considered that, subject to the designation conditions proposed, that any adverse effects associated with character and amenity associated with the future educational facilities and activities at the site can be appropriately managed at the Outline Plan stage.

Traffic

42. An Integrated Traffic Assessment (ITA) has been prepared by Abley Limited and is included in the application. This report concludes that the proposal can be supported from a traffic and transportation perspective. The ITA assessed current and future transportation patterns and determined that current traffic flows are likely to increase significantly in the future.

43. The ITA has been peer reviewed by Andy Carr of Carriageway Consulting (attached as **Appendix 3**), and the key matters identified by Mr Carr are summarised below.

Parking and Servicing

44. Insufficient on-site parking for developments can lead to adverse traffic safety and efficiency effects. In response to requests for further information regarding parking, Abley sets out that 80 to 313 spaces could be required for the development but highlights that parking could occur on adjacent roads. Mr Carr provides further analysis of this, clarifying that the mean value of 196 spaces would require an aggregate length of 1.2km of kerbside parking, of which the ability of the existing road network to accommodate this demand is "*very constrained*".

45. As has been noted above, the applicant proposes a condition to the designation to manage the potential adverse effects of parking through a Traffic Management Plan under which the school is required to operate and is required to be updated when the school capacity increases by more than 100 students.

46. Mr Carr notes his concern around the general definition of "sufficient" in that "*a sufficiency from the perspective of the Ministry may not be the same as a sufficient to address capacity or safety issues that are arising.*" To that end Mr Carr recommends the following amendment to the proposed condition:

> *"(b) ensures sufficient access and off street parking, including for dop off and pick up, and bus parking, is provided* ***such that on-street student and staff parking does not give rise to adverse road safety or efficiency effects****"*

47. The Minister has accepted the proposed amendment to the condition by way of email on 22 December 2022.

48. Mr Carr concludes that subject to conditions, the school facilitated by the Notice of Requirement can be accommodated on the transportation networks without adverse effects arising, and that further ITAs should be provided when the Outline Plan of Works is available.

49. I accept Mr Carr's assessment, and consider that subject to the proposed conditions to the designation, that the adverse traffic safety and efficiency effects associated with parking and servicing will be less than minor.

Traffic Generation

50. Acknowledging that the school will not open with a full role, Abley have provided revised modelling of the Springston Rolleston Road / Selwyn Road intersection that indicate that the priority intersection will have low queues and delays during the morning peak hour. Both Abley and Mr Carr note that traffic congestion in the evening peak is more significant than morning peak hour and therefore that pressure to convert the priority intersection to a roundabout is more likely to arise from its performance during the evening peak hour, largely due to other developments in the surrounding environment. In consideration of other

intersection, Mr Carr considers that any congestion will be of short duration and no indicative of any underlying lack of capacity in the roading network.

51. Mr Carr concludes that for the purposes of the designation, there can be reliance on the roundabout being in place before the full school roll is achieved to manage any future adverse traffic effects associated with congestion. This would appropriately accommodate and manage any future adverse traffic effects associated with congestion at this intersection.

52. As the design and layout of the proposed school is yet to be determined, I consider that a combination of conditions and the outline plan process will provide an opportunity for Council to influence the design of the site to consider how this will be addressed in more detail, to ensure that any adverse effects of traffic movements in the immediate area can be appropriately avoided and mitigated. Accordingly, and considering the Notice of Requirement against the analysis provided by both Mr Carr and Abley's as to the ability to the network to accommodate transport generated by the designation, I consider that Transport effects are less than minor.

Noise

53. It is acknowledged that schools and ECEs are an accepted and integral part of urban environments. Noise from these educational facilities is generated from students and traffic, and while the predominant peak times are during the arrival and departure of students and staff, noise is also generated throughout the day when students are moving between classes, and playing outside during break times. The degree and extent of impacts on more sensitive adjoining activities will largely be dependent on the location and orientation of buildings and playing fields, the location and layout of parking and student drop off / pick up facilities, and the nature of activities including those that may be undertaken outside of normal school hours, when adjoining residents are more likely to be requiring compatible levels of ambient noise.

54. The designation proposes noise limits as follows:

"The operation of the facilities shall comply with the following noise limits at the boundary of any site zoned primarily for a residential purpose, on in the case of a rural zone, at a notional point 20m from the façade of any residential unit, or site boundary, whichever is closest to the residential unit:

- *Monday – Sunday (0700 to 2200 hours) 55dB L_{Aeq}*
- *Monday – Sunday (2200 to 0700 hours) 45dB L_{Aeq} and 75dB L_{AFmax}*

These noise levels shall not apply to noise from standard outdoor recreational activities or early childhood education centre activities occurring between 0800 and 1800 hours Monday to Saturday.

Noise shall be measures and assessed in accordance with NZS 6801:2008 "Measurement of Environmental Sound" and NZS6802:2008 "Environmental Sound"

55. The proposal has been peer reviewed by Acoustic Engineering Services (attached as **Appendix 4**). As part of their review, AES notes the potential adverse effects associated with the cumulative effects of having a number of activities operating across the site. AES notes that the proposed limits already represent the upper threshold for protection of residential amenity and have recommended that an advice note is included alongside the proposed noise condition that states that "*cumulative noise should be appropriately addressed for any staged development"*.

56. AES have also identified "*concerns that these noise limits do not apply to "noise from standard outdoor recreational activities or early childhood centre activities occurring between 0800 and 1800 hours Monday to Saturday"*. AES note that their concerns primarily relate to the potential for regular and sustained use of areas such as hard courts (and other intensively used artificial turf areas) or early childhood facilities resulting in daytime levels above 55 dB L_{Aeq}. AES notes that given the extensive road boundaries,

"there is likely low risk of sustained noise levels above 55 dB L_{Aeq} occurring at all but the direct residential boundary to the north, where medium density is proposed".

57. I accept the assessment provided by AES and consider the potential acoustic adverse effects for the Pye Lane properties to be at least minor. As has been noted, these properties are currently owned by Hughes Development who have provided their written approval for the proposed development and therefore any potential adverse effects on these properties have been disregarded.

58. Subject to the proposed advice note to manage cumulative effects, I consider that the adverse acoustic effects on the remaining surrounding residential environment (excluding the Pye Lane properties) will be less than minor.

Conclusion

59. Overall, I consider that the proposed educational facility may have adverse effects, in terms of residential coherence, character and amenity, visual amenity, noise and traffic movements, but these effects will largely be contained to the immediate vicinity of the site and largely contained within that urban block demarcated by Eileen Way, Hungerford Drive, Selwyn Road and Springston Rolleston Road. Any adverse effects beyond the road reserve will be less than minor.

60. Further, while the potential adverse effects of the proposal may be more than minor for the four Pye Lane properties located directly adjacent to the site, I note that ownership of the land is currently retained by the developer of the wider area, and approval for the activity in a written notice has been received by the Selwyn District Council.

Operative Selwyn District Plan

61. The subject site is zoned Rural Inner Plains in the Operative District Plan. However, it is noted that the nature of the receiving environment is characterised by residential development and authorised by way of resource consents granted under the FTCA and Special Housing Area legislation. These resource consents prescribe development to occur generally in accordance with the Living Z zone framework of the District plan. It is on this basis that it is considered relevant to consider the Rural and Townships Volumes of the Operative District Plan. The District Plan objectives and policies that are considered relevant are as follows:

Rural Volume

Objective B2.1.1

An integrated approach to land use and transport planning to ensure the safe and efficient operation of the District's roads, pathways railway lines and airfields is not compromised by adverse effects from activities on surrounding land or by residential growth.

Objective B2.1.2

An integrated approach to land use and transport planning to manage and minimise adverse effects of transport networks on adjoining land uses, and to avoid "reverse sensitivity" effects on the operation of transport networks.

Objective B2.1.4

Adverse effects of land transport networks on natural and physical resources or amenity values, are avoided, remedied, or mitigated, including adverse effects on the environment from construction, operation and maintenance.

Policy B2.1.2

Manage effects of activities on the safe and efficient operation of the District's existing and planned road network, considering the classification and function of each road in the hierarchy.

Policy B2.1.4(a) Ensure all sites, allotments or properties have legal access to a legal road which is formed to a standard necessary to meet the needs of the activity considering:

- *The number and type of vehicle movements generated by the activity;*
- *The road classification and function; and*

- *any pedestrian, cycle, public transport or other access required by the activity.*

62. As has been discussed in the Assessment of Environmental Effects above, the potential adverse traffic effects of the proposal has been assessed by Abley and peer reviewed by Carriageway Consulting. The results of those assessments has determined a number of conditions to the designation to ensure that the safety and efficiency of the road network and those who use it is not compromised. I consider that, subject to conditions, the proposal will be consistent with the relevant traffic objectives and policies.

Objective B3.4.1

The District's rural area is a pleasant place to live and work in.

Objective B3.4.2

A variety of activities are provided for in the rural area, while maintaining rural character and avoiding reverse sensitivity effects.

Policy B3.4.1

Recognise the Rural Zone as an area where a variety of activities occur and maintain environmental standards that allows for primary production and other business activities to operate.

Policy B3.4.3

Avoid, remedy, or mitigate significant adverse effects of activities, on the amenity values of the rural area.

63. The policy framework for the rural environment seeks to recognise and provide for a variety of rural activities where the rural amenity of the area is maintained. On balance, it is considered that proposed conditions will ensure that future development on the site will enable the ongoing maintenance of the character and amenity of the receiving environment.

64. On balance, it is considered that the proposal is consistent with the rural objectives and policies.

Townships Volume

Objective B3.4.1

The District's townships are pleasant places to live and work in.

Objective B3.4.2

A variety of activities are provided for in townships, while maintaining the character and amenity values of each zone.

Objective B3.4.5

Urban growth within and adjoining townships will provide a high level of connectivity both within the development and with adjoining land areas (where these have been or are likely to be developed for urban activities or public reserves) and will provide suitable access to a variety of forms of transport.

Policy B3.4.2

To provide for any activity to locate in a zone provided it has effects which are compatible with the character, quality of the environment and amenity values of that zone.

Policy B3.4.3

To provide Living zones which:

- *Are pleasant places to live in and provide for the health and safety of people and their communities;*
- *Are less busy and more spacious than residential areas in metropolitan centres;*
- *Have safe and easy access for residents to associated services and facilities;*
- *(…)*

Policy B3.4.18

Ensure non-residential activities in Living zones generate vehicle and pedestrian movements on a scale compatible with the quality of the environment in Living zones and the local receiving environment.

Policy B3.4.25

In all zones in townships, ensure buildings:

- *Do not shade adjoining properties; and*
- *Maintain a predominantly low rise skyline*

Policy B3.4.26

Ensure buildings are setback an appropriate distance from road boundaries to maintain the privacy and outlook for residents and to maintain the character of the rea in which they are located

Policy B3.4.27

Ensure buildings and structures in the Living zones which are used for non-residential activities, are of a size and bulk and in a setting compatible with the quality of the environment and amenity values of a residential area.

65. The policy framework for the Living zones seeks to ensure a pleasant township environment, to provide for a range of activities and to maintain the character and amenity of the receiving environment.

66. The applicant has proposed a number of conditions that seek to maintain the exiting recession plane and site coverage controls relevant to the residential interface to provide for maintaining the anticipated levels of amenity and privacy and reducing potential adverse effects associated with shading and building dominance.

67. On balance, it is considered that proposed conditions will ensure that future development on the site will enable the ongoing maintenance of the character and amenity of the receiving environment.

Summary – District Plan Objectives and Policies

68. Overall, I consider the proposal to be consistent with the relevant objectives and policies of the Operative District Plan.

Proposed District Plan Objectives and Policies

69. The Proposed District Plan objectives and policies that I consider relevant are:

TRAN-O1

People and places are connected through safe, efficient, and convenient land transport corridors and land transport infrastructure which is well integrated with land use activities and subdivision development.

TRAN-P4

Manage the adverse effects of activities within the General Rural Zone that exceed the maximum number of vehicle movements for each site.

TRAN-P7

Recognise and protect the function of the district's land transport network and systems by managing land use activities and subdivision development to ensure the safe and efficient movement of people and goods by:

1. *Managing adverse effects from activities on land transport corridors and land transport infrastructure, particularly where it may reduce safe and efficient traffic flows within the strategic transport network and links with Christchurch City;*
2. *Ensuring land transport corridors and land transport infrastructure can support the volume and type of transport movements based on the network road classifications; and*
3. *Requiring the design, positioning and maintenance of accessways, corner splays, vehicle crossings, intersections, footpaths, plantings and signs to ensure appropriate sightline visibility is provided to road users to support safe and efficient vehicle, pedestrian and cycle movements.*

TRAN-P11

Manage vehicle access, vehicle crossings and manoeuvring areas to maintain the safe and efficient operation of land transport corridors and land transport infrastructure by:

1. *Requiring all sites to have access to a road and to ensure that this access is constructed to the appropriate formation standards and is compatible with the network road classification;*
2. *Avoiding the need to reverse vehicles onto the strategic transport network;*
3. *Avoiding the establishment of new accessways and vehicle crossings to roads that require access across a rail line; and*
4. *Minimising the need to reverse onto Collector and Local Roads through the provision of appropriate on-site manoeuvring areas.*

TRAN-P13

Minimise the adverse effects of development on the physical and natural environment by:

1. *locating, designing and operating development while minimising the effects on, the amenity values of the surrounding environment, public access and the health and safety of people.*
2. *encourage development to consider alternative sites, routes or methods.*
3. *limiting the presence and effects of development within Outstanding Natural Landscapes, Visual Amenity Landscapes, Areas of Significant Indigenous Vegetation and habitats of indigenous fauna, sites of historic heritage and site and areas of significance to Māori to those which:*
    a. *can demonstrate an operational or functional requirement for the location; and*
    b. *can demonstrate through site, route or method selection the minimisation of effects on the environment; and*
    c. *integrate design measures and management methods to mitigate adverse effects.*
4. *requiring restoration of indigenous biodiversity and habitat following construction in areas of Areas of Significant Indigenous Vegetation and habitats of indigenous fauna, and the on-going monitoring of that restoration.*
5. *considering biodiversity off-setting or compensation where the loss of significant indigenous vegetation cannot be restored and significant habitats of indigenous fauna or wetlands cannot be fully mitigated where the adverse effects cannot be avoided or remedied.*
6. *Using the substantial upgrade of land transport infrastructure as an opportunity to reduce existing adverse effects.*

70. The Transport policy framework of the Proposed District Plan seeks to manage effects of activities on the safe and efficient operation of the existing and planned roading network. As has been discussed in the Assessment of Environmental Effects above, the potential adverse traffic effects of the proposal have been assessed by Abley and peer reviewed by Carriageway Consulting. The results of those assessments have determined a number of conditions to the designation to ensure that the safety and efficiency of the road network and those who use it is not compromised. I consider that, subject to conditions, the proposal will be consistent with the relevant traffic objectives and policies.

71. The zoning of the subject site under the Proposed District Plan is General Rural. The applicant notes that the zoning does not *"appropriately or reasonably reflect the approved land use, or the character and amenity of development that has been established".* Further, the applicant consider that *"(t)o this end, and noting the weight to be afforded to the PDP at this point in time, a broad assessment of the PDP has been undertaken".* I concur with this assessment of the PDP and have focussed my assessment on the broader objectives relating to the rural and residential environment as follows:

GRUZ-O1

Subdivision, use, and development in rural areas that:

1. *supports, maintains, or enhances the function and form, character, and amenity value of rural areas;*
2. *prioritises primary production, over other activities to recognise its importance to the economy and wellbeing of the district;*
3. *allows primary production to operate without being compromised by reverse sensitivity; and*
4. *retains a contrast in character to urban areas.*

72. Objective GRUZ-O1 seeks to ensure that development in the rural zone supports, maintains or enhances the function, form and character and amenity values of rural areas. As has been noted, the subject site is located within an area that is characterised by residential development, and the development will be more in keeping with he anticipated character and amenity of the receiving environment. However, the NoR will provide for social infrastructure that will support the economy and wellbeing of the district and subject to conditions, will appropriately maintain the function, form, character and amenity values of the rural environment, insofar as it is relevant to the site and surrounding environment.

RESZ-O7

Residents have access to a range of community, recreation, education, health and corrections activities and facilities that support, maintain and enhance the surrounding residential amenity.

73. Objective RESZ-O7 recognises the role of educational facilities in the township and seeks to ensure these facilities support, maintain and enhance the surrounding residential amenity. It is considered that subject to conditions the development will maintain a level of residential amenity.

74. It is considered that the proposal is consistent with the relevant rural and residential objectives of the Proposed District Plan.

Summary – District Plan Objectives and Policies

75. Overall, I consider the proposal to be consistent with the relevant objectives and policies of the Proposed District Plan.

Weighting Between District Plans

76. Section 104(1)(b) requires decision makers to take account of any relevant plan or proposed plan. Where there is conflict between an operative and proposed plan, a weighting assessment is required to determine which plan should be afforded dominant weight.

77. In this case, as the conclusions reached in the above assessment lead to the same conclusion under both the Operative District Plan and Proposed District Plan, no weighting assessment is required.

Canterbury Regional Policy Statement

78. The RPS provides an overview of the main resource management issues facing the region, and lists objectives, policies and methods that seek to achieve the integrated management of natural and physical resources of Canterbury.

79. The chapters I consider of most relevance to the assessment of the NOR are Chapter 5 – Land Use and Infrastructure and, as the application site is located within the 'Greater Christchurch' part of the Region, Chapter 6 – Recovery and Rebuilding of Greater Christchurch.

80. Objective 5.2.1 seeks to ensure that development is located and designed so that it achieves consolidated, well designed and sustainable growth, enables the social, economic and cultural well being of people and communities, and is compatible with regionally significant infrastructure. Associated Policy 5.3.7 seeks to avoid development which adversely affects the safe efficient and effective functioning of the transport network. The proposed educational facility is located on a site that is surrounded on three sides by residential development, and subject to a number of conditions, will be

compatible with regionally significant infrastructure. On balance, it is considered that the proposal is consistent with Objective 5.2.1.

81. Objective 6.2.1 and associated Policy 6.3.1 seeks to enable development within the Greater Christchurch area to existing urban area of greenfield priority areas. Policy 6.3.12 provides for urban development in Future Development Areas. The proposal does not give rise to concerns relating to the majority of the matters identified in the objective and policies relating to outstanding natural features or landscapes, indigenous biodiversity, waterbodies, air quality, rural character and amenity, natural hazards or strategic infrastructure.

82. The site is not located within an existing urban area, greenfield priority area or a Future Development Area. However, it is considered that the development of the site for educational activities responds to the urban growth developing on the northern, eastern and western boundaries of the site. On balance, given the residential context of the receiving environment, it is considered that the proposal is not inconsistent with Objective 6.2.1, Policy 6.3.1 and 6.3.12.

83. Overall, I consider that the NOR is not inconsistent with the RPS.

Alternative sites

84. Under s. 171(1)(b) the Council must have particular regard to whether adequate consideration has been given to alternative sites or methods if the requiring authority does not have an interest in the land sufficient for undertaking the work, or it is likely that the work will have significant adverse effects on the environment.

85. The Crown has recently purchased the site and therefore has an interest in the land sufficient to establish the proposed development. It is considered that as the Requiring Authority is the owner of the application site, and the adverse effects on the proposal have been assessed as being minor, so there is no requirement to consider alternative sites under s171(1)(b).

86. Nevertheless, consideration of alternatives has been provided in Section 7 of the NOR, and that alternative sites were evaluated by the Ministry as part of the their site investigation and evaluation exercise.

87. The site subject to this application was the preferred site as a result of the evaluation process.

88. The NOR also considered an alternative method of applying for a resource consent to undertake the work and concluded that a designation is the most suitable method of securing the future establishment and on-going operative of a future school and is consistent with the national policy of the Ministry to designate school sites.

89. In my opinion the information provided in the NOR confirms that adequate consideration has been given to alternative sites and methods of providing for the purpose of the proposed works.

Necessity of the designation

90. Section 171(1)(c) requires the Council to have particular regard to whether the designation is reasonably necessary to achieve the objectives of the requiring authority. As set out in section 1 of the NOR, the objective is to “establish educational facilities to cater for secondary school students from Year 9 to 13, primary school students from Year 0 to 8, along with an early childhood education centre (ECE), and a specialist Hangarau teaching hub / space”. Section 4 of the NOR expresses this objective more broadly,

91. Once stated, it is not appropriate to question the Requiring Authority’s choice or expression of objective for which the designation is said to be necessary. Therefore, the question becomes whether the designation, as a form of RMA approval, and the associated works are reasonably necessary to achieve

the objective stated by the Requiring Authority, and whether the extent of land affected by the designation is reasonably necessary for achieving the objectives of the works.

92. Having considered the information provided in the NOR, the Requiring Authority's stated objective, and the general growth of Rolleston, the Requiring Authority has adequately demonstrated that the NOR is reasonably necessary for the provision of an education facility that will meet the needs of the Rolleston Township. Designation of the site for educational purposes will formally confirm the site's use in the District Plan, thereby offering the community a high degree of certainty of what the site will be used for in the future, as well as providing the planning certainty required by the Minister.

Part 2 Resource Management Act 1991

93. The purpose of the Resource Management Act 1991 is to promote the sustainable management of natural and physical resources. In summary enabling people and communities to provide for their well-being, while sustaining resources and addressing any adverse effects.

94. I agree with the assessment provided in section 5.2 of the NOR, and consider that the proposed designation will promote the sustainable use of land, buildings and infrastructure to meet the reasonably foreseeable educational needs of the community while avoiding, remedying or mitigating adverse effects on the environment. Therefore, I consider that the proposal is in accordance with the purpose and principles of the Resource Management Act 1991.

Conclusion

95. Having taken into account the matters that must be considered under s. 171 of the RMA, it is my conclusion that the NOR to establish educational facilities to cater for secondary school students from Year 9 to 13, primary school students from Year 0 to 8, along with an early childhood education centre (ECE), and a specialist Hangarau teaching hub / space promotes the purpose of the RMA and is reasonably necessary to achieve the Requiring Authority's objectives.

96. The range of actual and potential adverse effects on the environment have been assessed and reviewed by appropriate experts. Provided appropriate conditions are imposed in the NOR as recommended in this report, in my view any adverse effects caused by allowing the works can be avoided, remedied, or mitigated and therefore will not be significant on the receiving environment.

97. The NOR is also considered to be consistent with relevant statutory documents and reasonably necessary in the context of the s. 171 considerations.

Recommendations

98. For the reasons set out in the foregoing assessment, I recommend to the Council that the Notice of Requirement (D220002) for an educational facility on Lot 1000 DP 557037, Rolleston be confirmed pursuant to s.171(2)(a) of the Resource Management Act 1991, subject to the following conditions, imposed under s.171(2)(c) of the Act:

Purpose of Designation

Educational purposes - Secondary School, Primary School, Early Childhood, and Specialist Hubs

1. "Educational purposes" in the designated purpose means to:
   a. Enable the use of the facilities on the site by and for the educational benefit of any preschool and school age students (i.e., years 0 to 13) regardless of whether they are enrolled at the institutions located on the site.
   b. Enable the provision of supervised care and study opportunities for students outside school hours in school facilities.

c. Enable the provision of community education (e.g., night classes for adults) outside school hours in school facilities.

d. Include but not be limited to the provision of academic, sporting, social, and cultural education including through:

   i. Formal and informal recreational, sporting, and outdoor activities and competitions whether carried out during or outside school hours;

   ii. Formal and informal cultural activities and competitions whether carried out during or outside school hours; and

   iii. The provision of specialist hubs and units (including language immersion units and teen parenting units) for children with particular educational requirements or special needs.

e. Enable the use of facilities for purposes associated with the education of students including school assemblies, functions, fairs, and other gatherings whether carried out during or outside school hours.

f. Enable the provision of associated administrative services; car-parking and vehicle manoeuvring; and health, social services, and medical services (including dental clinics and sick bays).

g. Enable housing on-site for staff members whose responsibilities require them to live on-site (e.g., school caretakers) and their families.

The Notice of Requirement documentation associated with this designation is held in Selwyn District Council file D220002.

Building Controls

2. Any new building or building extension (excluding goal posts or similar structures) shall not protrude through a 45 degree recession plane angle measured from any internal boundary with adjoining land (zoned or designated for residential purposes), with the starting point for the recession plane to be 4m above ground level.

3. Buildings on the site shall not exceed a total site coverage of 45%.

4. Any building shall be setback a minimum of 3m from any road boundary.

Outline Plan

5. Any outline plan of works to be undertaken on the site that relates to increased student capacity of more than 100 students shall be accompanied by:

   a. an urban design statement from a suitably qualified urban designer and/or architect demonstrating how the layout and design of the education facility will promote a positive relationship to the adjoining street network and neighbourhood, in terms of:

      i. pedestrian connectivity and desire lines;

      ii. building location and arrangement; and

      iii. location and design of perimeter fencing.

   b. A landscape concept plan, which includes the following:

      i. framework tree planting (species, grades and locations), and the location and planting (planting plans) for any garden areas. If hedges are proposed, the species and layout must complement and be well integrated with the landscape works (existing and proposed) for the surrounding streetscapes, but not to the detriment of student safety or sight lines;

      ii. the identification of outdoor space, including all outdoor play areas (both hard surfaces and grassed areas);

      iii. vehicle access and parking areas including cycle parks;

      iv. entrances for cyclists and pedestrians; and

      v. the location, style and height of fencing on exterior boundaries of the school which face roads or other public spaces.

c. A construction management plan which shall include but not be limited to the details of dust suppression methods and hours of operation.

6. An outline plan of works shall not be required for:
   a. Any internal building works other than those that result in a net increase in the number of classrooms or classroom equivalents;
   b. General building maintenance and repair including but not limited to re-painting, recladding and re-roofing;
   c. Installing, modifying and removing playground furniture and sports structures (e.g. goal posts), and shade canopies;
   d. Amending any internal pedestrian circulation routes/pathways;
   e. Installing, maintaining or repairing any in ground infrastructure services such as stormwater, sewerage and water lines and connections, including any ancillary earthworks;
   f. Provision of landscaping and gardens, provided that it does not conflict with any designation condition or alter landscaping required as mitigation as part of an outline plan for other works;
   g. General site maintenance and repair work, or boundary fencing otherwise permitted by the Selwyn District Plan; or
   h. Installing, modifying or removing minor ancillary buildings and structures (e.g. garden / storage sheds, temporary construction buildings / offices).

Transport

7. Prior to the lodgement of the first outline plan for the secondary school, the Requiring Authority will, in consultation with the Asset Manager Transportation for Selwyn District Council or its successors, resource, develop and action a Transport Management Plan, which:
   a. sets the initial goals of the school with respect to sustainable travel modes and the mitigating real and potential adverse traffic effects;
   b. ensures sufficient access and off street car parking, including for drop off and pick up, and bus parking, is provided such that on-street student and staff parking does not give rise to adverse road safety or efficiency effects;
   c. facilitates the integration of the school with the surrounding transport network (including pedestrian and cycling access to the site);
   d. provides an assessment, if no school travel plan has been provided, as to how a school travel plan would be developed.

   The Transport Management Plan shall be reviewed by the Council's Asset Manager Transportation at the time of submitting any and each outline plan relating to increased student capacity of more than 100 students since the Transport Management Plan was last reviewed, and shall be maintained and regularly updated while the school is operating under this designation.

8. On-site car parking spaces shall be provided in accordance with the Transport Management Plan prepared under Condition 7 above. On-site car parking spaces may be provided on a staged basis in line with the Transport Management Plan prepared under Condition 7 above.

9. The Requiring Authority shall, in accordance with the requirements of s176A of the Resource Management Act 1991, submit an Outline Plan of Works for the construction and development of the secondary school, which shall include a Transport Assessment prepared by a suitably qualified traffic engineer / transportation planner which, taking into account the Integrated Transport Assessment (ITA) prepared by Abley dated 6 June 2022, addresses safety, efficiency and the following specific matter:
   a. Safe access for pedestrians, cyclist and vehicles to Eileen Way, including any appropriate mitigation measures and treatments, and on road interventions to minimise conflict between all transport modes.

10. Within six (6) months of the opening of the secondary school, the Requiring Authority shall, either directly or through the School Board of Trustees, develop a School Travel Plan which provides specifically for measures to reduce vehicle dependence, including walking school buses, carpooling, the

encouragement of the use of public transport, the use of remote pick up/drop off locations if appropriate, and the encouragement of walking and cycling.

This Plan shall be developed in consultation with Selwyn District Council and shall be reviewed at the time of submitting any and each subsequent outline plan of Works relating to increased student capacity of more than 100 students since the School Travel Plan was last reviewed.

Noise

11. The operation of the facilities shall comply with the following noise limits at the boundary of any site zoned primarily for a residential purpose, or in the case of a rural zone, at a notional point 20m from the façade of any residential unit, or the site boundary, whichever is closest to the residential unit:

Day / Time	Noise Level (Leq) dBA
Mon – Sun, 7.00am – 10.00pm (0700 -2200)	55dB L_{Aeq}
Mon – Sun, 10.00pm – 7.00am (2200 -0700)	45 dB L_{Aeq} 75 dB L_{Amax}

These noise levels shall not apply to noise from standard school outdoor recreational activities or early childhood education centre activities occurring between 0800 and 1800 hours Monday to Saturday.

Noise levels shall be measured and assessed in accordance with NZS 6801: 2008 “Measurement of Environmental Sound” and NZS 6802:2008 “Environmental Noise”.

Note: These limits apply to cumulative development of the site, and assessment of particular stages should include an appropriate allowance for future activities.

12. Noise from construction shall not exceed the limits recommended in, and shall be measured in accordance with, New Zealand Standard NZS 6803:1999 “Acoustics – Construction Noise”.

Designation Lapse Period

13. The designation shall lapse on the expiry of 10 years from the date on which it is included in the District Plan if it has not been given effect to before the end of that period.

Note to the Requiring Authority

Advice Notes

<u>School Travel Plan</u>

1. The School Travel Plan required under Condition 10 would be expected to address matters such as:

    a. start and finish times and whether there is a need to stagger these to alleviate demands on parking, particularly at pick-up times;

    b. the outcome of any discussions with Environment Canterbury or its successor over the provision of bus services;

    c. provision for bus loading either on-site or on-street clear of the traffic lanes consistent with growth in use of this transport mode;

    d. identification of safe access across the roads to the school;

    e. identification of safe pedestrian and cyclist routes required to and from the school relative to the school catchment; and

    f. provision of on-site parking and end of trip facilities for motorcycles, scooters and bicycles.

<u>Car Parking Areas</u>

2. The design and layout of car parking areas should have regard to the following design principles:

    a. for car parking areas adjacent to street boundaries and open space, a positive frontage should be presented by providing high quality boundary landscaping treatment such as permeable fencing and hedge planting to no more than 1.5m in height to screen cars but allow for passive surveillance to the street and/or open space;

    b. adequate space for landscaping should be provided within the group car parking area to break up the expanse of the impermeable area, and permeable surface materials and Low Impact Design treatment should be used where possible;

    c. where possible shared surfaces should be used to indicate equal status for vehicles and pedestrians and footpaths may not be required;

    d. lighting should be provided for security; and

    e. if physical speed restrictions are required, these can include vertical displacement or other treatments, such as:

        i. raised tables and horizontal displacement;

        ii. narrowing at entry and exit points.

Infrastructure Works

3. Unless already delivered by others or otherwise agreed with Selwyn District Council, the Ministry of Education will be responsible for the funding and delivery of the following on-road interventions:

    a. A “Kea Crossing”, with this to be in place prior to the opening of the primary school;

    b. The continuation of a footpath along Selwyn Road directly adjacent to the school site, the details of which (i.e. length, formation, design etc) will respond to the specific location of any direct vehicle or pedestrian access points to the school along Selwyn Road.

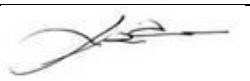
Contaminated Soils

4. If at the time of construction (being carried out in accordance with the outline plan) contaminated soils are discovered, the Ministry is advised that construction should cease so that the site can be assessed in accordance with relevant Ministry for the Environment Guidelines by a suitably Qualified Environmental Practitioner; and all relevant resource consents obtained in accordance with the provisions of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011.

Accidental discovery

5. In the event of archaeological evidence being uncovered, work is to cease in the vicinity of the discovery, and an Archaeologist, Heritage New Zealand, Te Taumutu Rūnanga and Selwyn District Council are to be contacted so that the appropriate action can be taken before any work may recommence.

Reported and recommended by	

 **Jane Anderson** **Consultant Planner**	**Date: 16 January 2023**

That, having considered the notice of requirements and the above report, I adopt the findings of this report and recommend that the Selwyn District Council recommend Minister of Education confirm the designation pursuant to s. 171 of the Resource Management Act 1991.

 **Matt Bonis** **Commissioner**	**Date: 23 January 2022**

Appendix 1 Notice of requirement

http://doris16/docs/ResourceManagementPl/Designations/Education/D220002%20New%20Rolleston%20Secondary%20School%20(Second%20campus)/D220002%20s42%20(s171)%20report%20Appendix%201%20NOR.pdf

Appendix 2 RFI Response and Peer Review Response

http://doris16/docs/ResourceManagementPl/Designations/Education/D220002%20New%20Rolleston%20Secondary%20School%20(Second%20campus)/D220002%20s42%20(s171)%20report%20Appendix%202%20Response%20to%20peer%20review%20and%20RFI.pdf

Appendix 3 Transport peer review

http://doris16/docs/ResourceManagementPl/Designations/Education/D220002%20New%20Rolleston%20Secondary%20School%20(Second%20campus)/D220002%20s42%20(s171)%20report%20Appendix%203%20Transport%20Peer%20Review.pdf

Appendix 4 Acoustic peer review

http://doris16/docs/ResourceManagementPl/Designations/Education/D220002%20New%20Rolleston%20Secondary%20School%20(Second%20campus)/D220002%20s42%20(s171)%20report%20Appendix%204%20AES%20Acoustic%20Peer%20Review.pdf

REPORT

TO: Chief Executive Officer

FOR: Council meeting – 8 February 2023

FROM: Rachael Carruthers – Policy Planner

DATE: 23 January 2023

SUBJECT: **AMENDMENT TO DESIGNATION CONDITIONS FOR RAKAIA COMMERCIAL VEHICLE SAFETY CENTRE (D220001)**

RECOMMENDATION

'That:

1. *pursuant to s171(2) of the Resource Management Act 1991, the Council accepts the decision of Waka Kotahi NZ Transport Agency to vary Selwyn District Plan designation TR7 North Rakaia Road and corresponding Proposed District Plan designation NZTA-7 Rakaia Commercial Vehicle Safety Centre as set out in Commissioner's recommendation D220001 and amended by the decision of Waka Kotahi NZ Transport Agency dated 15 December 2023.*
2. *Council delegates to either the Head of Strategy and Policy or Team Leader Policy to undertake all necessary actions to give effect to the decision of Waka Kotahi NZ Transport Agency in relation to recommendation 1 above.'*

1. PURPOSE

Selwyn District Council as territorial authority has received from Waka Kotahi NZ Transport Agency (Waka Kotahi) as requiring authority a Notice of Requirement (NOR) under s181(1) RMA to alter the designation for the Rakaia Commercial Vehicle Safety Centre.

The NOR is attached as **Appendix 1** to this report.

The recommendation of Independent Commissioner Graham Taylor is attached as **Appendix 2** to this report.

Waka Kotahi NZ Transport Agency have reviewed the recommendation and accepted it in part. The amendment is to Condition 9, to ensure consistency with the existing designation. Their decision is attached as **Appendix 3** to this report.

Both the NOR and the Commissioner's recommendation also refer to the corresponding Outline Plan of Works (Outline Plan), which was lodged with the NOR. Council staff have existing delegation to make recommendations to the requiring authority in relation to Outline Plans, and so no decision of Council is required in this respect.

2. SIGNIFICANCE ASSESSMENT/COMPLIANCE STATEMENT

The proposal is to establish and operate a Commercial Vehicle Safety Centre on the site, of a smaller scale and intensity than provided for in the existing designation.

On this basis the matter is considered to be of ***low*** significance.

3. HISTORY/BACKGROUND

Designation TR7 for a weigh station serving both northbound and southbound traffic at the corner of State Highway 1 and North Rakaia Road, Bankside, was included in the Selwyn District Plan on 10 August 2020. It was 'rolled over' into the Proposed District Plan as designation NZTA-7, without modification.

4. PROPOSAL

In order to avoid traffic crossing the centreline of State Highway 1 to enter or leave the site, Waka Kotahi now propose that the Commercial Vehicle Safety Centre (CVSC) on the site will only serve southbound traffic, and as such a smaller site is required than originally proposed. As such, amendments to the designation conditions are proposed to reflect the updated plans.

If required within Selwyn, a separate NOR will be lodged in due course to provide for a CVSC for northbound traffic.

The relevant statutory tests are set out and applied in the Commissioner's recommendation at **Appendix 2**. In summary:

- The adverse effects on the environment of the designation alteration would be less than minor (s171(1)(a) RMA)
- Consideration need not be given to alternative sites, routes, or methods of undertaking the work, because the proposal relates to an existing designation (s171(1)(b) RMA)
- The designation is reasonably necessary for achieving the objectives of Waka Kotahi (s171(1)(c) RMA)
- The proposal is consistent with the relevant objectives and policies of the Selwyn District Plan and the Proposed District Plan, and there are no other relevant matters (s171(1)(d) RMA)

5. OPTIONS

1. That Council accepts the Waka Kotahi decision to alter Selwyn District Plan designation TR7, with consequential alterations to Proposed District Plan designation NZTA-7, as set out in the Commissioner's recommendation with a further amendment as set out in the Waka Kotahi decision. This is the recommended option.

2. That Council recommends that Waka Kotahi withdraw the alteration.

In this instance, the proposed alterations are to reduce the scale and intensity of the project. As such, it is considered that the effect of the alterations would be less than minor, and so it is not appropriate for Council to refuse to agree to the alterations.

6. VIEWS OF THOSE AFFECTED / CONSULTATION

A decision regarding notification pursuant to sections 169, 149ZCB(1)-(4), 149ZCC(1)-(4), 149ZCE and 149ZCF RMA has been undertaken separately. In summary, it was determined that the NOR should be processed on a non-notified basis.

(a) Views of those affected

The adverse effects of the proposed designation are considered overall as a whole to be less than minor, and therefore no person is considered to be an affected person under s.149ZCF(1) RMA.

(b) Consultation

Because no person is consider affected, there is no scope under the Act for Council to undertake any consultation in relation to this proposal.

(c) Māori implications

There is no scope under the Act for Council to consider implications for Māori in relation to this proposal.

(d) Climate Change considerations

As an alteration to reduce the scale of the project, there are no climate change implications associated with this proposal.

7. FUNDING IMPLICATIONS

The cost of staff time associated with the alteration of a designation is charged to the requiring authority on a time and cost basis. There are no other funding implications.



Rachael Carruthers
POLICY PLANNER

Endorsed For Agenda



Tim Harris
GROUP MANAGER DEVELOPMENT AND GROWTH

APPENDIX 1 NOTICE OF REQUIREMENT

NOTICE OF REQUIREMENT FOR ALTERATION TO A DESIGNATION

Waka Kotahi NZ Transport Agency
Weigh Right Programme – (SH1) Rakaia

27 MAY 2022



NOTICE OF REQUIREMENT FOR AN ALTERATION OF A DESIGNATION PURSUANT TO SECTION 181(3) OF THE RESOURCE MANAGEMENT ACT 1991

FORM 18

To: Selwyn District Council
PO Box 90
Rolleston 7643

From: Waka Kotahi NZ Transport Agency
PO Box 1479
Christchurch 8140

Note: Different address for service.

Pursuant to Section 181(3) of the Resource Management Act 1991 (RMA) Waka Kotahi NZ Transport Agency (Waka Kotahi) gives notice of its requirement to alter a designation.

Waka Kotahi is a network utility operator approved as a requiring authority under Section 167 of the RMA. The relevant Gazette Notices are:

- Resource Management (Approval of NZ Transport Agency as a Requiring Authority) Order 1992 (NZ Gazette, Notice Number 1994-go1500) – and refer Schedule 2, Clause 29 of the Land Transport Management Act 2003 which confirms that the order applies to NZ Transport Agency

- Resource Management (Approval of NZ Transport Agency as a Requiring Authority) Notice 2015 (NZ Gazette, Notice Number 2015-go6742) – which confirms the NZ Transport Agency as a requiring authority for the purpose of constructing or operating (or proposing to construct or operate) and maintaining cycleways and shared paths.

The designations to be altered:

The designations to be altered are Designation *TR7* in the Operative Selwyn District Plan (Operative SDP), and corresponding Designation NZTA-7 Rakaia Commercial Vehicle Safety Centre (hereon 'NZTA-7') within the Proposed Selwyn District Plan (Proposed SDP).

The nature of the alteration:

Waka Kotahi propose to undertake a minor alternation to the existing Designation TR7 in the Operative SDP. The proposed alteration seeks to remove the following condition from the designation:

> *"General Accordance with details provided in the NOR and plans attached in D190066 Appendix C updated 17/02/2020; the Addendum to the NOR 17/02/2020; and the response to the request for further information 27/03/2020."*

Additionally, Waka Kotahi proposed to undertake a minor alteration to the existing Designation NZTA-7 in the Proposed SDP. The proposed alteration seeks to remove the following condition from the designation:

"General Accordance

1. *The designation shall be implemented in general accordance with the details provided with the Notice of Requirement:*

    a. *The Plans attached in Appendix C of the Notice of Requirement dated 17/02/2020;*
    b. *The Addendum to the Notice of Requirement dated 17/02/2020;*
    c. *The response to the request to the further information dated 27/03/2020; and*
    d. *The response to the request for further information dated 17/04/2020."*

The site to which the requirement applies:

The location of the site for which the proposed alteration to a designation relates to is shown on the plans attached as Appendix A of this Notice. This requirement applies to an area of land approximately 28,620m^2 or 2.86 hectares located at the junction of State Highway 1 and North Rakaia Road, Bankside. The requirement applies to the following land:

Address	Legal Description	Parcel Size	Landowner
Junction SH1 and North Rakaia Road	Rural Section 33582	23,000m^2 / 2.3 ha	Waka Kotahi (New Zealand Transport Agency)
North Rakaia Road	Parcel ID 3576329	N/A	Selwyn District Council

The nature of the proposed public work:

Waka Kotahi are proposing to undertake a minor alteration to existing Designation *TR7* in the Operative SDP, and corresponding Designation NZTA-7 within the Proposed SDP.

The alteration to the designation conditions in both the Operative SDP and Proposed SDP will facilitate the proposed works associated within the construction, operation, and maintenance of a Commercial Vehicle Safety Centre (CVSC) at the site. The proposed CVSC is smaller in scale and intensity than that previously approved and shown in the plans lodged with the previous NOR and Outline Plan application referenced in the existing conditions of the designation.

The proposed works are described in Section 7 of the accompanying Assessment of Effects of the Environment (AEE) Report and Section 8 of the proposal description for the Outline Plan of Works.

In summary, the proposed works include:

- Construction of a CVSC to capture southbound commercial vehicles only.
- Construction of a Tier 1.5 Safety Building
- A CVSC with a significantly reduced size and scale compared with that approved in the Plans of the previous NOR application.

The nature of the proposed conditions that would apply are:

The alteration to designation seeks to remove a condition on Designation TR7 within the Operative SDP and Condition 1 within the Proposed SDP. The other conditions are proposed to remain the same for both designations. Section 4 of the accompanying Assessment of Environmental Effects (AEE) outlines the nature of the conditions which would apply to the site.

The effects of the proposal on the environment, and mitigation of adverse effects:

The effects that removal of the general condition on Designation TR7 in the Operative SDP and Condition 1 of Designation NZTA-7 in the Proposed SDP will have on the environment, and the ways in which any adverse effects will be mitigated are provided in Section 6 of the AEE.

Alternative sites, routes, and methods:

Alternative sites, routes, and methods have not been considered as part of this Notice for an alteration of the existing designation given the minor alternations are proposed to an existing designation.

The public work and alteration are reasonably necessary for achieving the objectives of the requiring authority because:

The objective of Waka Kotahi under Section 94 of the Land Transport Management Act 2003 (LTMA) is to undertake its functions in a way that contributes to an effective, efficient and safe land transport system in the public interest.

The objectives of Waka Kotahi for the proposed CVSC are to:

- Effective enforcement for overweight and unsafe heavy vehicles on the road.
- Reduced wear and maintenance requirements for the road network.
- Fair market conditions for compliant heavy vehicle operators.
- Increased safety of other road network users.

The proposed alteration to the designation is necessary for achieving the objectives of Waka Kotahi because it will:

- Make the transport system safe.
- Keeps the land transport system well maintained to ensure a safer and more reliable network, helping to keep communities connected and supporting economic growth.

The proposed alteration of the designations is reasonably necessary as a planning tool, as it identifies and protects land required for the proposed work and will enable Waka Kotahi to construct, operate, and maintain a CVSC which differs from the original approved plans.

The principal reason for requiring a designation alteration to facilitate the work to which this requirement relates is:

- It will allow for the construction of a CVSC on the site which will provide increased safety for other road network users.

The following resource consents are needed for the proposed activity and have been applied for and granted:

Canterbury Regional Council

- CRC202420 – Discharge Stormwater to Land
- CRC202421 – Discharge Greywater and Wastewater to Land
- CRC202422 – Earthworks over an Aquifer

Selwyn District Council

- RCD19005 – Notice of Requirement to Designate a site at the junction of State Highway 1 and North Rakaia Road, and Outline Plan for the construction of a CVSC

- RC195641 – Construct and Operate a VMS outside of the State Highway 1 Designation TR1
- RC195640 – Outline Plan Waiver to undertake minor works within the State Highway 1 Designation TR1
- RC205208 – Outline Plan for the installation of infrastructure associated with a CVSC

The following resource consents are being obtained for the proposed activity:

Canterbury Regional Council

- S127 Variation to the conditions of CRC202420 and CRC202421

Selwyn District

- Resource consent for the construction and operation of a VMS outside of the State Highway 1 Designation.

The following consultation has been undertaken:

- Selwyn District Council - Transportation Asset Manager

Supporting Information:

Waka Kotahi attaches the following information in support of this Notice.

- An assessment of Environmental Effects on the Environment

Signed by:



Richard Shaw
Team Lead South – Poutiaki Taiao I Environmental Planning
Transport Services

Pursuant to authority delegated by Waka Kotahi NZ Transport Agency

Address for Service:

WSP NZ Ltd
12 Moorhouse Avenue
Christchurch 8011

Attention: Samuel Hammond
Phone: +64 3 367 0058
E-mail: Samuel.Hammond@wsp.com

Contents

NOTICE OF REQUIREMENT FOR AN ALTERATION OF A DESIGNATION PURSUANT TO SECTION 181(3) OF THE RESOURCE MANAGEMENT ACT 1991 2
FORM 18 2
1 INTRODUCTION 9
1.1 Overview 9
1.2 Project Background 9
1.3 Project History 9
1.4 Purpose of Report 10
2 OTHER ACTIVITIES PERMITTED OR REQUIRING CONSENT OR REGULATION 11
2.1 Overview 11
2.2 NESCS (2011) 11
2.3 Canterbury Land and Water Regional Plan 11
2.4 Operative Selwyn District Plan 12
3 DESCRIPTION OF THE SITE AND SURROUNDING AREA 13
3.1 Site Location 13
3.2 Surrounding Environment 14
3.3 Selwyn District Plan Zoning and Overlays 14
4 PROPOSED ALTERATION TO DESIGNATION 16
4.1 Designation Condition Removal 16
4.2 Need for Designation Condition Removal 16
4.3 Designation Purpose 17
5 CONSIDERATION OF ALTERNATIVES 17
6 ASSESSMENT OF EFFECTS ON THE ENVIRONMENT 17
6.1 Positive Effects 17
6.2 Effects on Amenity and Character 18
6.3 Cultural and Archaeological Effects 19
6.4 Conclusion 20
7 CONSULTATION 20
7.1 Iwi 20
7.2 Selwyn District Council 20
7.3 Summary 20
8 STATUTORY ASSESSMENT 21
8.1 The Resource Management Act 1991 21

8.2 Section 5: Purpose of the RMA 21
8.3 RMA Part 8: Alteration to Designation 21
8.3.1 Minor Change to Effects (s181(3)(a)(i)) 22
8.3.2 Minor Change to Boundaries (s181(3)(a)(ii)) 22
8.3.3 Notice of Proposed Alteration to Owners and Occupiers (s181(3)(b)) 22
8.3.4 Territorial Authority and Requiring Authority to Agree (s181(3)(c)) 22
8.4 Canterbury Regional Policy Statement 23
8.5 Selwyn District Plan 24
9 PROPOSAL DESCRIPTION FOR OUTLINE PLAN 25
9.1 Overview 25
9.2 Commercial Vehicle Safety Centre 25
9.3 Site of Works 25
9.4 Operative Selwyn District Plan 26
10 OUTLINE PLAN S176A ASSESSMENT 29
10.1 Height, Shape, and Bulk of Work 29
10.1.1 Designation TR1 – State Highway 1 29
10.1.2 Designation TR7 – North Rakaia Road 30
10.2 Likely Finished Contour of Site 32
10.3 Vehicular Access, Circulation, and Provision for Parking 33
10.3.1 Vehicular Access 33
10.3.2 Circulation 33
10.3.3 Parking 34
10.4 Landscaping Proposed 34
10.4.1 Designation TR1 – State Highway 1 34
10.4.2 Designation TR7 – North Rakaia Road 34
10.5 Any Other Matters 34
11 CONCLUSION 36
APPENDIX A 37
APPENDIX B 38
APPENDIX C 39
APPENDIX D 40
APPENDIX E 41
APPENDIX F 42
APPENDIX G 43
APPENDIX H 44

1 INTRODUCTION

1.1 Overview

Waka Kotahi is a Crown entity with its functions, powers and responsibilities set out in the Land Transport Management Act 2003 (LTMA) and the Government Roading Powers Act 1989. Waka Kotahi is also a Requiring Authority under Section 167(3) of the Resource Management Act 1991 (the RMA).

The Waka Kotahi statutory objective as set under the LTMA is to undertake its functions in a way that contributes to an effective, efficient, and safe land transport system in the public interest.

An integrated approach to transport planning, funding, and delivery is taken by Waka Kotahi. This includes exhibiting a sense of cultural, social, and environment responsibility when undertaking its functions.

Waka Kotahi is proposing to alter existing designations to facilitate the construction, operation, and maintenance of a commercial vehicle safety centre (CVSC) within the boundary of Designation TR7 as shown in the Operative Selwyn District Plan (Operative SDP) and Designation NZTA-7 Rakaia Commercial Vehicle Safety Centre (hereon 'NZTA-7) as shown in the Proposed Selwyn District Plan (Proposed SDP).

1.2 Project Background

The Weigh Right Programme (the Programme) combines roadside technology and intelligent software developed to screen heavy vehicles and to direct potentially overweight vehicles into a CVSC for further inspection. The Programme supports Waka Kotahi – the NZ transport Agency 'Road to Zero' strategy which aims to create a road system free of death and serious injury. Waka Kotahi also seek to enable a productive land transport system which supports a level playing field for the heavy vehicle industry. The Weigh Right programme is one way that Waka Kotahi is delivering this.

Vehicle screening involves weigh-in-motion or in-road scales, automatic number plate recognition cameras and electronic signs all working together to identify potentially overweight vehicles. Weigh-in-motion sensors are installed within the road on the approach to CVSCs. The weigh-in-motion sensors and automatic number plate recognition (ANPR) cameras send information to a connected information technology system (ITS) to determine whether a vehicle is potentially overweight by either gross vehicle mass or by axle weight distribution. Information is then displayed on the variable messaging sign(s) (VMS). Vehicles identified as potentially overweight are directed to pull into the CVSC while compliant vehicles continue uninterrupted.

Expected benefits of the Weigh Right Programme are:

- Effective enforcement for overweight and unsafe heavy vehicles on the road.
- Reduced wear and maintenance requirements for the road network
- Fair market conditions for compliant heavy vehicle operators
- Increased safety of other road network users

1.3 Project History

Waka Kotahi previously proposed to construct and operate a CVSC at the junction of State Highway 1 and North Rakaia Road which would capture potentially overweigh heavy vehicles travelling in both a

north bound and south bound direction. As part of this project, the following approvals were obtained in 2019/2020.

Canterbury Regional Council

- CRC202420 – Discharge Stormwater to Land
- CRC202421 – Discharge Greywater and wastewater to Land
- CRC202422 – Earthworks over an Aquifer

Selwyn District Council

- RC D19005 – Notice of Requirement to Designate the site at the junction of State Highway 1 and North Rakaia Road, and Outline Plan for the construction and operation of a CVSC
- RC195641 – Construct and Operate a VMS outside of the State Highway 1 Designation
- RC195640 – Outline Plan Waiver to undertake minor works within the State Highway 1 Designation
- RC205208 – Outline Plan for the installation of infrastructure associated with a CVSC

Project Change

Since obtaining the approvals listed above, Traffic Planning Consultants Ltd (TPC) were engaged by Waka Kotahi to carry out a road safety audit to identify safety concerns that may affect the safety and performance of the proposed commercial vehicle safety centre. The audit found that commercial vehicles crossing State Highway 1 posed an unacceptable safety risk. As a result, separate north and south bound CVSC sites are proposed which do not require commercial vehicles to cross over lanes of oncoming traffic.

Waka Kotahi now propose to reduce the size and scale of the previously approved development at the junction of State Highway 1 and North Rakaia Road. The development will now be used as a commercial vehicle safety centre for southbound vehicles only. A separate project will be undertaken in the future to provide a CVSC to capture northbound vehicles at the junction of State Highway 1 and Weavers Road. Waka Kotahi will prepare a separate Notice of Requirement, Outline Plan, and relevant resource consents for this project.

Therefore, for this CVSC southbound project, variations are required to the existing Canterbury Regional Council consents obtained as well as a Notice of Requirement (NOR) to alter the existing designation conditions within both the Operative and Proposed SDP's and an Outline Plan.

1.4 Purpose of Report

This is a combined Notice of Requirement and Outline Plan application for the following:

- A minor alteration to a designation (Designation TR7) in the Operative SDP, and to designation (Designation NZTA-7) in the Proposed SDP pursuant to Section 181(3) of the Resource Management Act 1991 (RMA).
- An Outline Plan associated with works to construct, operate, and maintain and CVSC within Designation TR1 and Designation TR7 in the Operative Selwyn District plan under Section 176A of the Resource Management Act 1991 (RMA).

2 OTHER ACTIVITIES PERMITTED OR REQUIRING CONSENT OR REGULATION

2.1 Overview

The following RMA planning provisions have been considered in determining if additional resource consents are required:

- Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESCS)
- Canterbury Land and Water Regional Plan (Plan Change 7 Inclusive)
- The Operative Selwyn District Plan

2.2 NESCS (2011)

The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESCS) 2011 is a national consistent set of planning controls and soil contaminant values. It ensures that land affected by contaminants in soil is appropriately identified and assessed before it is developed – and if necessary, the land is remediated, or the contaminants contained to make the land safe for human use. Territorial authorities are responsible for implementing the NESCS. It only applies if there is a risk to human health and does not require consideration of effects on the environment. The NESCS applies only to a 'piece of land' on which an activity that is listed on the Minister for the Environment's (MfE) Hazardous Activities and Industries List (HAIL) is occurring currently or has been carried our historically.

The land contained within designation TR7 in the Operative SDP and within designation NZTA-7 in the Proposed SDP is not identified on Canterbury Regional Council's Listed Land Use Register (LLUR) as being a HAIL site. Given the long-term use of the designation as a roading corridor and primary production farmland, as shown on historic aerial imagery on Canterbury Maps, it is unlikely that any HAIL activity has occurred onsite. Therefore, the NESCS does not apply.

2.3 Canterbury Land and Water Regional Plan

Waka Kotahi obtained three resource consents from Canterbury Regional Council in 2020 for the project. This related to the discharge of stormwater, discharge of grey water and wastewater, and earthworks over an aquifer. These consents were obtained specifically for this project and additional detail is provided below:

- CRC202420 – Discharge Stormwater to Land
- CRC202421 – Discharge Greywater and Wastewater to Land
- CRC202422 – Earthworks over an Aquifer

Following the safety audit as discussed in Section 1.3 of this report, Waka Kotahi are now proposing to reduce the size and scale of this CVSC. As a result, a Section 127 (Change of Conditions) application will be lodged with Canterbury Regional Council.

The Section 127 application will be a joint application for both CRC202420 and CRC202421 to change the general accordance conditions. This Section 127 application seeks to alter the conditions on the consent allowing stormwater to originate from site different than that referenced within the conditions of

consent, and greywater and stormwater to originate from a site different than that reference within the conditions of consent.

The Section 127 application will be lodged separate and concurrently with this NOR and Outline Plan application.

2.4 Operative Selwyn District Plan

Waka Kotahi have obtained several outline plans, outline plan waivers, and resource consents under the Operative SDP for the project prior to the safety audit being undertaken. Details of these approvals is provided below:

- RC D19005 – Notice of Requirement to Designate the site at the junction of State Highway 1 and North Rakaia Road, and Outline Plan for the construction and operation of a CVSC
- RC195640 – Outline Plan Waiver to undertake minor works within the State Highway 1 Designation
- RC195641 – Construct and Operate a VMS outside of the State Highway 1 Designation
- RC205208 – Outline Plan for the installation of infrastructure associated with a CVSC

Following the safety audit, Waka Kotahi are now proposing to reduce the size and scale of the CVSC, and this project will provide a southbound CSCV facility. As a result, a VMS sign will be located outside of the State Highway 1 designation (Designation TR1) which does not comply with the standards of the Operative Selwyn District Plan. A separate resource consent application seeks to permit the construction and operation of the VMS.

In addition to the above resource consent application for a VMS outside of the State Highway 1 designation, this application is a joint NOR seeking to remove Condition 1 of Designation TR7 within the Operative SDP and Condition 1 of Designation NZTA-7 within the Proposed SDP, and an Outline Plan to allow the construction of a CVSC and associated operational features within Designation TR1 and TR7.

3 DESCRIPTION OF THE SITE AND SURROUNDING AREA

3.1 Site Location

Designations TR1 and TR7 and Designation NZTA-7 are located at the junction of State Highway 1 and North Rakaia Road, Bankside. The location of these designations are shown in Figure 1 and Figure 2 below.

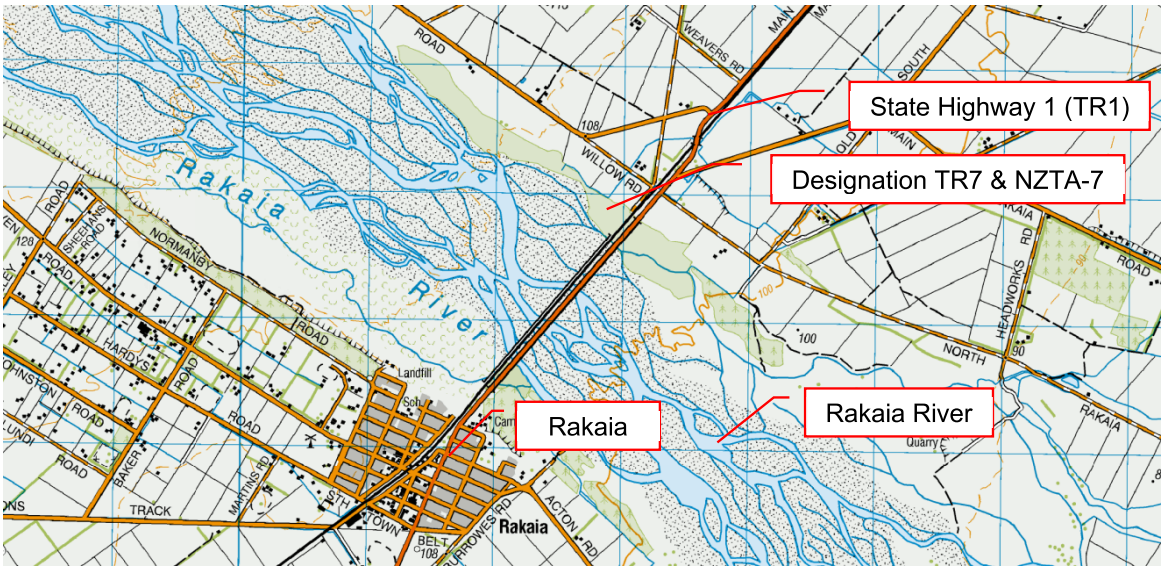


Figure 1: Location of Designation TR7 and Designation NZTA-7. (Source: NZ TopoMap)

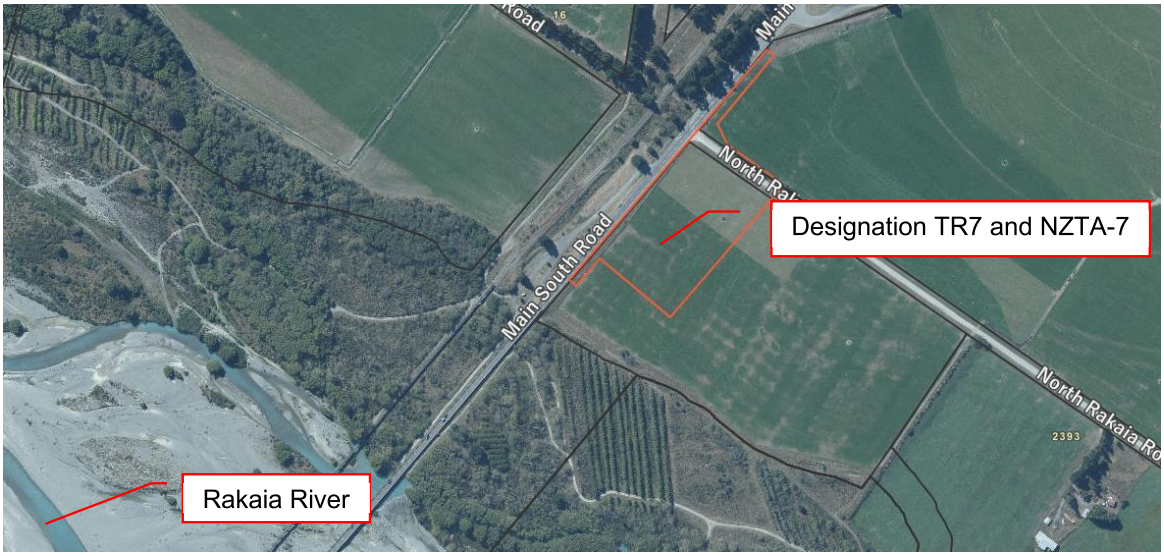


Figure 2: Aerial photo of Designation TR7 and Designation NZTA-7. (Source: Canterbury Maps)

3.2 Surrounding Environment

The surrounding environment is characterised by high intensity primary production farming to the north, east, and west. The Rakaia Township is located approximately 2.5km south of the site and is connected via bridge over the Rakaia River.

The topography of the site is flat and there are no surface water bodies in proximity to the site apart from the Rakaia River (0.4km approx.). No reticulated water, sewage, or stormwater services are provided onsite. State Highway 1 is adjacent to the site and is designated (TR1) within the Operative Selwyn District Plan.

3.3 Selwyn District Plan Zoning and Overlays

Operative Selwyn District Plan

Designation TR7 is located on the corner of Main South Road and North Rakaia Road. The underlying zoning to the designation is the Outer Plains Zone. The designated site is also within the '*Lower Plains Flood Area'*. No other planning overlays are present on or near the Designation TR7. Designation TR7 in the Operative SDP is shown in Figure 3 below.

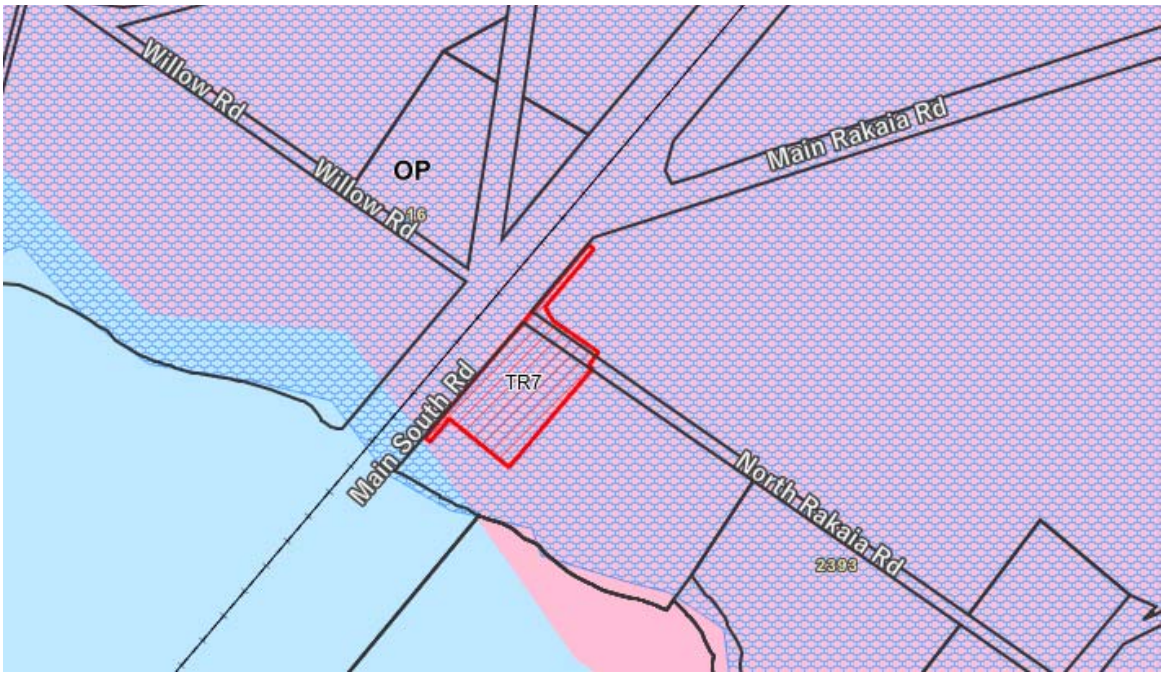


Figure 3: Designation TR7 as shown in the Operative SDP. (Source: Canterbury Maps).

Designation TR7 contains several conditions. These are outlined below:

'Conditions including (but not limited to) the following:

- *General Accordance with details provided in the NOR and plans attached in D190066 Appendix C updated 17/02/2020; the Addendum to the NOR 17/02/2020; and the response to the request for further information 27/03/2020;*

- *10yr Lapse;*
- *Prior to construction works being undertaken, engineering plans and specifications relating to the upgrade of the local road to be reviewed and approved by Council's Asset Manager, Transportation;*
- *Prior to commencement of operations, the operational management plan shall be provided to Council's Asset Manager, Transportation'.*

Proposed Selwyn District Plan

The Proposed SDP was publicly notified on 5 October 2020. SDC have been holding hearings on the Proposed SDP since August 2021 and the hearing regarding Designations were held in May 2022.

Designation NZTA-7 is located within the planning maps as shown in Figure 4 below. The underlying zoning is the General Rural Zone, and the site is also located within the Plains Flood Management Overlay. No other planning overlays are present within the boundary of Designation NZTA-7.



Figure 4: Designation NZTA-7 as shown in the Proposed SDP. (Source: SDC).

Designation NZTA-7 contains several conditions, and these are outlined below:

Conditions:

'General Accordance

1. *The designation shall be implanted in general accordance with the details provided within the Notice of Requirement:*
   a. *The Plans attached in Appendix C to the Notice of Requirement updated 17/02/2020;*
   b. *The Addendum to the Notice of Requirement dated 17/02/2020;*
   c. *The response to the request for further information dated 27/03/2020; and*
   d. *The response to the request for further information dated 17/04/2020.*

Outline Plan

2. *Works undertaken in accordance with the NOR will not require an Outline Plan.*

Lapse Date

3. *The designation shall lapse on the expiry of 10 years from the date on which it is included in the District Plan if it has not been given effect to before the end of that period.*

Advice Note:

For the avoidance of doubt, none of these conditions prevent or apply to works required for the ongoing operation or maintenance of the Project following construction, such as routine maintenance or changes to signage over time. Depending upon the nature of such works, Outline Plans or Outline Plan waivers may be required for any such works'.

4 PROPOSED ALTERATION TO DESIGNATION

4.1 Designation Condition Removal

Waka Kotahi seeks to remove the first general condition of Designation TR7 within the Operative SDP. The condition states:

> *"General Accordance with details provided in the NOR and plans attached in D190066 Appendix C updated 17/02/2020; the Addendum to the NOR 17/02/2020; and the response to the request for further information 27/03/2020".*

This Notice of Requirement seeks to remove this condition in its entirety.

Waka Kotahi seeks to remove Condition 1 of Designation NZTA-7 within the Proposed SDP. Condition 1 states:

> *"General Accordance*
>
> 1. *The designation shall be implemented in general accordance with the details provided with the Notice of Requirement:*
>
>   a. *The Plans attached in Appendix C of the Notice of Requirement dated 17/02/2020;*
>   b. *The Addendum to the Notice of Requirement dated 17/02/2020;*
>   c. *The response to the request to the further information dated 27/03/2020; and*
>   d. *The response to the request for further information dated 17/04/2020."*

4.2 Need for Designation Condition Removal

Waka Kotahi seek to remove the general condition of Designation TR7 to enable the construction, operation, and maintenance of a CVSC which is not in general accordance with the plans referenced above. As outlined in Section 1.3, the safety audit required the project to be altered from the approved plans. The project will now provide a southbound CVSC, which differs from the previously approved plans which provided a combined northbound and southbound CVSC. A combined northbound and southbound CVSC facility was not considered to be feasible. Hence, the requirement to remove the condition limiting the development to be in accordance with previously approved plans. This condition lacks flexibility and is impractical when changes to the approved plans need to be undertaken.

In conjunction with the removal of the general condition of Designation TR7 in the Operative SDP, the removal of Condition 1 of Designation NZTA-7 in the Proposed SDP is also proposed. This will enable onsite development on Designation NZTA-7 once the Proposed SDP becomes operative.

4.3 Designation Purpose

The purpose of Designation TR7 is to '*undertake maintenance, operation, use, and improvement to the state highway network'*. No change to the purpose of the designation is proposed. The existing designation purpose supports the development of a CVSC as discussed further within this report.

The removal of the first general condition of Designation TR7, will enable the construction, operation, and maintenance of a CVSC which is not in general accordance with the referenced plans to remain consistent with the purpose of the designation.

Likewise, the purpose of Designation NZTA-7 in the Proposed SDP is '*to undertake construction, maintenance, operation, use and improvement of the state highway network and associated infrastructure'.* As outlined above, the proposal is consistent with the purpose of the Designation NZTA-7.

5 CONSIDERATION OF ALTERNATIVES

Section 171(1)(b) of the RMA requires that a consideration of alternative sites, routes, or methods of undertaking the work is relevant in certain specific respects, including whether adequate consideration has been given to the alternative sites, routes or methods of undertaking the work (where a Requiring Authority does not have an interest in the land sufficient for undertaking the work, or it is likely that the work will have a significant adverse effect on the environment).

It is not considered that the proposal will result in significant environmental effects. Furthermore, it is considered that the requiring authority has sufficient interest in the land to undertake the works. As such, a consideration of alternative sites and/or methods is not considered to be required.

6 ASSESSMENT OF EFFECTS ON THE ENVIRONMENT

To satisfy Section 181(3)(a)(i) of the RMA, it is necessary to demonstrate that the:

> *"alteration involves no more than a minor change to the effects on the environment associated with the use of proposed use of the land or any water concerned"*

The assessment of actual and potential effects on the environment from the proposed designation alteration is outlined below and summarised in the categories below:

- Positive Effects
- Effects on Amenity and Character
- Cultural and Archaeological Effects

6.1 Positive Effects

The construction, operation, and maintenance of the CVSC will contribute to the safe and efficient operation of the State Highway network through means of creating a productive land transport system that supports a level playing field in the heavy vehicle industry. In assessing the positive effects of

removing the general condition from Designation TR7 and Condition 1 from NZTA-7, the following are considered relevant.

The removal of the general condition in Designation TR7 and condition 1 of NZTA-7 will allow onsite development to occur which is not in general accordance with plans lodged with a previous NOR and Outline Plan application. The previous plans are no longer practical as a result of a safety audit, and an unacceptable safety risk which would have been created.

The removal of the general condition firstly allows the development to occur, and secondly, contributes to the effective enforcement of overweight and unsafe vehicles, reduced wear and maintenance on the road network, fair market conditions for compliant heavy vehicle operators, and increasing the safety of other road network users.

The removal of the general condition on Designation TR7 and condition 1 on NZTA-7 allows Waka Kotahi to meet their statutory objectives as outlined in the Land Transport Management Act 2003.

6.2 Effects on Amenity and Character

6.2.1 Visual

The removal of the general condition from TR7 and condition 1 from NZTA-7 will enable the development of a CVSC which is smaller in scale and intensity than that permitted by the existing conditions on the designation. A smaller CVSC is expected to have lesser adverse effects on existing amenity values and character of the rural area. On the basis that the proposed site is smaller is scale and intensity, adverse effects on visual amenity will be lesser than those already considered within the previous NOR application, and for the purpose of this application, insignificant.

No sensitive receivers are located within proximity to the proposed CVSC. The nearest residential dwelling is located approximately 280m north-west of the CVSC and is separated by the Main South Line (Railway) and State Highway 1. The next closest residential dwelling is located 650m south-east if the CVSC. Large vegetative planting provides good visual screening.

All sensitive visual receivers have good separation and features which provide visual screening. As above, the removal of the general condition from Designation TR7 and condition 1 from NZTA-7 to allow a site smaller in scale and intensity will create effects no greater than that already considered acceptable within the previous NOR. Therefore, any adverse effects on amenity and character are considered to be less than minor.

6.2.2 Noise

Noise is expected to arise from construction activities and from the ongoing operation of the proposed CVSC. Construction noise is expected to be generated during the construction of buildings, through the operation of machinery such as excavators, compactors, loaders and the likes. Operational noise will result from the movement of commercial vehicles throughout the site when the CVSC becomes operational.

All onsite construction activities associated with the development of the CVSC is expected to occur in accordance with NZS6803:1999 *Acoustics – Construction Noise* to ensure acceptable construction noise effects. This will mean avoiding noisy construction activities at night, limiting construction to between the hours of 7:30am and 6pm during weekdays and Saturdays and no construction activity occurring on Sunday's and public holidays. This will also mean adopting the best practical option to

minimise construction noise where possible. Overall, any noise effects from construction related activities will be less than minor and of a temporary nature.

The CVSC will likely be operational for less than 7 days per month. The operation of the CVSC will result in the movement of heavy commercial vehicles into, around, and off the site. These vehicle movements are expected to result in minimal periodic operational noise. The overall effects of noise as a result of the operation of the CVSC will be lessened due to the absence of sensitive noise receivers in close proximity to the site. The closest dwelling is located approximately 270m north west of the proposed site. Given this large separation distance and the limited duration in which the CVSC will be in operation, any adverse effects noise effects as a result of the operation of the CVSC facility will be less than minor.

In addition to the separation distance provided between the site and the closest dwelling is State Highway 1 and the Main South Line (railway). It is likely that the existing ambient noise generated by the operation of State Highway 1 and Main South Line would likely exceed that of vehicles manoeuvring onsite with the operation of the CVSC. For these reasons, operational noise is not expected to create any adverse effects on the closest residential dwelling beyond that already present.

Overall, any noise effects from the operation of the CVSC will be less than minor.

6.3 Cultural and Archaeological Effects

6.3.1 Cultural Effects

The nearest culturally significant feature is the Rakaia River which is located approximately 300 – 400m south-west of Designation TR7 and NZTA-7. The Rakaia River is a Runanga Sensitive Area and is recognised for mahinga Kai (food gathering) and ara tawhito (tradition travel routes).

No effects above and beyond those already addressed within the previous NOR are anticipated from the removal of the general condition on Designation TR7 and condition 1 from NTZA-7.

6.3.2 Archaeological Effects

There are no archaeologically significant sites in the vicinity of the application site. Additionally, a review of the New Zealand Archaeological Society's ArchSite carried out as part of the previous NOR application did not identify any archaeological sites in the vicinity. Therefore, any adverse effects on archaeological values are negligible.

6.3.3 Summary

In manging risk, Waka Kotahi contractors will follow an Accidental Discovery Protocol. During works if any archaeological sites or remains are discovered, the works at that place of discovery will cease immediately. Heritage New Zealand, Mahaanui Kurataiao on behalf of Te Taumutu Runanga and Te Ngāi Tūāhuriri Rūnanga, and Selwyn District Council shall be contacted, and works shall only recommence in the affected areas when any necessary statutory authorisations or consents are obtained.

Adverse effects arising from the removal of the general condition from Designation TR7 and condition 1 from NZTA-7 are no greater than those already considered in the previous NOR application. Therefore, the effects on cultural values, and archaeological sites are expected to be less than minor.

6.4 Conclusion

No adverse effects above and beyond those already consented and considered acceptable and anticipated to arise from the removal of Condition 1 of Designation TR7 and NZTA-7. The proposed CVSC is smaller in scale and intensity and is therefore indicated to have lesser effects on the receiving environment than the previously approved site.

Adverse effects on the environment from the proposed alteration to a designation(s) is less than minor and satisfies Section 181(3)(a)(i) of the RMA.

7 CONSULTATION

7.1 Iwi

Waka Kotahi is currently undertaking consultation with Te Taumutu Rūnanga and Te Ngāi Tūāhuriri Rūnanga. Waka Kotahi will undertake this consultation at a hui scheduled for early June 2022.

Further details on the outcome of this consultation can be provided in June 2022 following the conclusion of the hui.

7.2 Selwyn District Council

In accordance with an existing condition of the designation (TR7 and NZTA7) and listed below, Waka Kotahi are required to obtain approval from Selwyn District Council's Asset Manager – Transportation, for the upgrade works to North Rakaia Road.

8. *'That prior to the undertaking of construction works, the engineering plans and specifications relating to the upgrades to the local road to be reviewed and approved by Council's Asset Manager, Transportation'.*

Waka Kotahi are in the process of obtaining engineering approval from Selwyn District Council for the upgrade works to North Rakaia Road. This approval is required as Selwyn District Council are the landowner of North Rakaia Road.

In addition to the above-mentioned approval, Waka Kotahi are required to provide Council's Asset Manager – Transportation with an operational management plan. This condition of the designation is shown below:

9. *'That prior to the commencement of operations, the operational management plan shall be provided to Council's Asset Manager, Transportation'.*

Note: A recommendation on this application for a Notice of Requirement and Outline Plan can be provided without engineering approval from Council's Asset Manager – Transportation. Engineering approval from Council's Asset Manager – Transportation is only required prior to the construction works being undertaken for the upgrade of North Rakaia Road to fulfil condition 8 of the designation.

7.3 Summary

Waka Kotahi are currently consulting with Iwi and Selwyn District Council's Asset Management – Transportation. The outcome of this can be provided, following the completion of the consultation.

No other parties are considered to be directly affected by the proposed alteration to designation.

8 STATUTORY ASSESSMENT

8.1 The Resource Management Act 1991

The RMA governs the use and development of New Zealand's natural and physical resources through:

- Part 2 (Purposes and Principles) which establishes the purposes and principles applying to resource management
- Section 171, which prescribes matters to be taken into account in confirming designations.

The following sections of the RMA are considered the most relevant to the project.

8.2 Section 5: Purpose of the RMA

The overriding purpose of the RMA is "to promote the sustainable management of natural and physical resources" (Section 5). The broader principles (Sections 6 to 8) are to inform the achieving of that purpose.

When considering an application, the consent authority, must subject to Part 2, have regard to those matters listed under Section 104 of the RMA.

With regards to the application of the subject to Part 2' under Section 104, case law findings have directed that decision makers / Commissioners may now only have recourse to Part 2 of the RMA if it is determined that one of three exceptions apply:

- If any part or the whole of the relevant plan(s) are invalid.
- If the relevant plan(s) did not provide complete coverage of the Part 2 matters.
- If there is uncertainty of the meaning of provisions as they affect Part 2.

In essence what this means is that decisions makers only need to 'go back to' Part 2 of the Act if the relevant planning documents have not fully addressed the Part 2 matters. If a Regional or District Plan has not fully addressed the Part 2 matters, then decision makers can 'go up the tree' to the RPS and then any relevant NPS in relation to any Part 2 matters.

Plans, which have to "give effect" to the higher order statutory planning documents (RPS and NPSs), should have appropriately addressed Part 2 of the RMA.

It is considered that none of the three exceptions listed above apply and that the Part 2 matters have adequately been addressed through the SDP. Based on the assessment of the proposal being consistent with the SDP as per below, the proposal is considered to be consistent with Part 2 of the RMA.

8.3 RMA Part 8: Alteration to Designation

Waka Kotahi is a Requiring Authority under section 166 of the RMA. Section 181(1) of the RMA provides that a Requiring Authority may give notice at any time to a territorial authority of its requirement to alter a designation or a designation requirement.

Under section 181(3), a territorial authority may at any time alter a designation in a district plan or a requirement for a designation in a proposed district plan, if:

(a) The alteration-
(i) involves no more than a minor change to the effects on the environment associated with the use or proposed use of land or any water concerned; or
(ii) involves only minor changes or adjustments to the boundaries of the designation or requirement; and
(b) written notice of the proposed alteration has been given to every owner or occupier of the land directly affects and those owners or occupiers agree with the alteration; and
(c) both the territorial authority and the requiring authority agree with the alteration-and sections 168 to 179 and 198AA to 198AD shall not apply to any such alteration.

If these criteria are satisfied, the alteration to designation may occur without further formality (ie on a non-notified basis).

The “effects” criteria provided for under s181(3)(a)(i) is one of two options available to the Requiring Authority. The other relates to a determination of the extent of change or adjustment to the “boundaries” of the designation under s181(3)(a)(ii). It is important to note it is not necessary to satisfy both the “effects” and the “boundaries” tests.

An assessment of the criteria under s181(3) is outlined below:

8.3.1 Minor Change to Effects (s181(3)(a)(i))

In order to satisfy s.181(3)(a)(i), it is necessary to demonstrate the proposal will involve a no more than minor change to the effects on the environment associated with the use of the land.

Section 6 of this report outlines that any effects of the proposed alteration to designation with the removal of conditions will be less than minor. There will be no change in the level of effects currently associated with the existing designations.

It is considered the proposal meets the ‘change in effects’ test of s.181(3)(a)(i).

8.3.2 Minor Change to Boundaries (s181(3)(a)(ii))

In order to satisfy s.181(3)(a)(ii), it is necessary to demonstrate the proposal involves no more than a minor change or adjustment to the boundaries of the designation or requirement. No changes are proposed to be undertaken to the boundaries of the existing designations TR7 in the Operative SDP and NZTA-7 in the Proposed District Plan.

8.3.3 Notice of Proposed Alteration to Owners and Occupiers (s181(3)(b))

Waka Kotahi own and occupy all the land for the proposed development. Therefore, there are no directly affected owners or occupiers affected by the proposed alteration to designation.

8.3.4 Territorial Authority and Requiring Authority to Agree (s181(3)(c))

As the Requiring Authority, Waka Kotahi agrees to this alteration, thereby partially satisfying s.181(3)(c) of the RMA. Selwyn District Council has discretion on this matter.

It is considered the alteration to designation satisfies the criteria set out in Section 181(3) of the RMA and can proceed on the basis as a minor alteration to designation and be processed non-notified.

Waka Kotahi therefore seeks that SDC agrees with the alteration to Designation TR7 in the Operative SDP and Designation NZTA-7 in the Proposed SDP through the s.181 notice process.

8.4 Canterbury Regional Policy Statement

The Canterbury Regional Policy Statement 2013 (RPS) (revised February 2017) provides an overview of the resource management issues of the region. It sets out how natural and physical resources are to be managed in an integrated way to promote sustainable management.

The provisions contained in Sections 5 - 8 of the RMA provide the framework for the objectives and policies of the RPS. The RPS in turn provides the framework for the issues, objectives, policies and methods of the underlying Regional Plans. The Regional Plans have to be consistent with the RPS.

The following objectives and policies contained within Chapter 5 of the Canterbury Regional Policy Statement are considered relevant to the proposal and have been assessed below.

Objective 5.2.3: Transport Network (Wider Region)
Policy 5.3.1: Regional Growth (Wider Region)
Policy 5.3.2: Development Conditions (Wider Region)
Policy 5.3.3: Management of Development (Wider Region)
Policy 5.3.7: Strategic Land Transport Network and Arterial Roads (Entire Region)
Policy 5.3.8: Land Use and Transport Integration (Wider Region)

The proposal is consistent and not contrary to the above objectives and policies contained within the Canterbury Regional Policy Statement. The proposal is specifically consistent with Objective 5.2.3 and Policies 5.3.7 and 5.3.8 as they relate to transportation networks and transportation land uses.

In addition to Chapter 5, Chapter 11 is considered relevant to the proposal. Chapter 11 relates to natural hazards, with the relevant objectives being assessed below.

Objective 11.2.2: Adverse Effects from Hazard Mitigation are avoided or mitigated
Objective 11.2.3: Climate Change and Natural Hazards
Policy 11.3.7: Physical Mitigation Works
Policy 11.3.8: Climate Change

The proposal has taken into account the flood hazard at the site which has potential to cause adverse effects on built structures at the CVSC. The Tier 1.5 Compliance Building has been raised in accordance with a flood hazard report provided by Canterbury Regional Council. This report is attached as Appendix F of this application. The application is therefore considered consistent with the objectives and policies as they relate to natural hazards.

In addition, the proposal has considered the actual and potential adverse effects of climate change. The stormwater design onsite allows for increases in rainfall as a result of climate change.

Overall, the proposal is consistent with the objectives and policies of the Canterbury Regional Policy Statement.

8.5 Selwyn District Plan

The Operative and Proposed Selwyn District Plans contain objectives and policies which relate to the proposed activity. The following objectives and policies have been recognised as relevant to the proposal.

Operative Selwyn District Plan

Objective B2.1.2: An integrated approach to land use and transport planning to manage and minimise adverse effects of transport networks on adjoining land uses, and to avoid "reverse sensitivity" effects on the operation of transport networks.

Policy B2.1.3: Recognise and protect the primary function of roads classified as State Highways or Arterial Roads in Appendix 9, to ensure the safe and efficient flow of through traffic en route to its destination.

Objective B3.1.2: Measures to mitigate natural hazards do not cause or exacerbate adverse effects on the environment.

Policy B3.1.3: Ensure dwellings or other principal buildings located in the flood area shown on the Planning Maps have minimum floor heights 300mm (freeboard) above the projected flood level for a 2% AEP (Annual Exceedance Probability) flood event so as to minimise the risk of inundation.

The proposal provides appropriate methods of mitigating natural hazard risk and adverse effects on the environment. Additionally, the CVSC contributes to the safe operation of the roading network. The proposal is consistent with the relevant objectives and policies of the Operative Selwyn District Plan.

Proposed Selwyn District Plan

TRAN-01: People and places are connected through safe, efficient, and convenient land transport corridors and land transport infrastructure which is well integrated with land use activities and subdivision development.

TRAN-03: Land transport corridors and land transport infrastructure support the needs of people and freight, while ensuring adverse effects on the surrounding environment from their establishment and operation are managed.

TRAN-P1: The safety and efficiency of the district's land transport network and systems are enabled through integrated land use and subdivision development […]

TRAN-P7: Recognise and protect the function of the district's land transport network and systems by managing land use activities and subdivision development to ensure the safe and efficient movement of people and goods […]

NH-O1: New subdivision, use, and development, other than new important infrastructure and land transport infrastructure […]

NH-O2: Important infrastructure and land transport infrastructure is only located within areas of significant natural hazard risk where there is no reasonable alternative and the important infrastructure or land transport infrastructure is designed so as not to exacerbate natural hazard risk to people and property.

NH-O3: Methods to mitigate natural hazards do not create or exacerbate adverse effects on other people, property, infrastructure, or the environment.

NH-P2: Avoid the development or use of land, buildings or structures in high hazard areas for any important infrastructure or land transport infrastructure, unless the activity […]

NH-P10: In areas within the Plains Flood Management Overlay that are not a high hazard area, provide for any new subdivision, use, and development (other than important infrastructure and land transport infrastructure) only where every new residential unit or principal building has an appropriate floor level above the 200-year Average Return Interval (ARI) design flood level.

The proposal is consistent with the above objectives and policies of the Proposed Selwyn District Plan. The proposal contributes to the safe and efficient movement of people and freight within the district while ensuring that adverse effects and appropriately managed. The proposal also has appropriate measures of mitigating the actual and potential effects of flood hazard.

Overall, the proposal is consistent and not contrary to the objectives and policies of the Proposed Selwyn District Plan.

9 PROPOSAL DESCRIPTION FOR OUTLINE PLAN

9.1 Overview

Waka Kotahi seek to construct, operate, and maintain a CVSC on Designation TR7 which has a reduced size and scale to that previously approved. Further details on the CVSC are provided below.

9.2 Commercial Vehicle Safety Centre

Works within Designation TR1 and TR7 for the construction and operation of a commercial vehicle safety centre (CVSC) are proposed as part of the Waka Kotahi national Weigh Right Programme. Appendix A contains plans which provide a general overview of the entire Rakaia CVSC.

The proposed CVSC north of the Rakaia River within the Selwyn District will capture a significant portion of heavy vehicles travelling south out of Christchurch along State Highway 1. The CVSV will contribute to the operation of an effective, efficient, and safe land transport system.

9.3 Site of Works

The works are proposed to occur within the boundaries of Designation TR1 and TR7 as listed within the Operative Selwyn District Plan. Different aspects of the proposal are scattered over a 1.5km length of State Highway 1 (TR1), with the CVSC concentrated in the North Rakaia Road site (TR7). A separate resource consent application for a variable message sign (VMS) located outside of Designation TR1 will be lodged with Council concurrent to this application. The general location of each aspect of the proposal are shown in Figure 5 below.

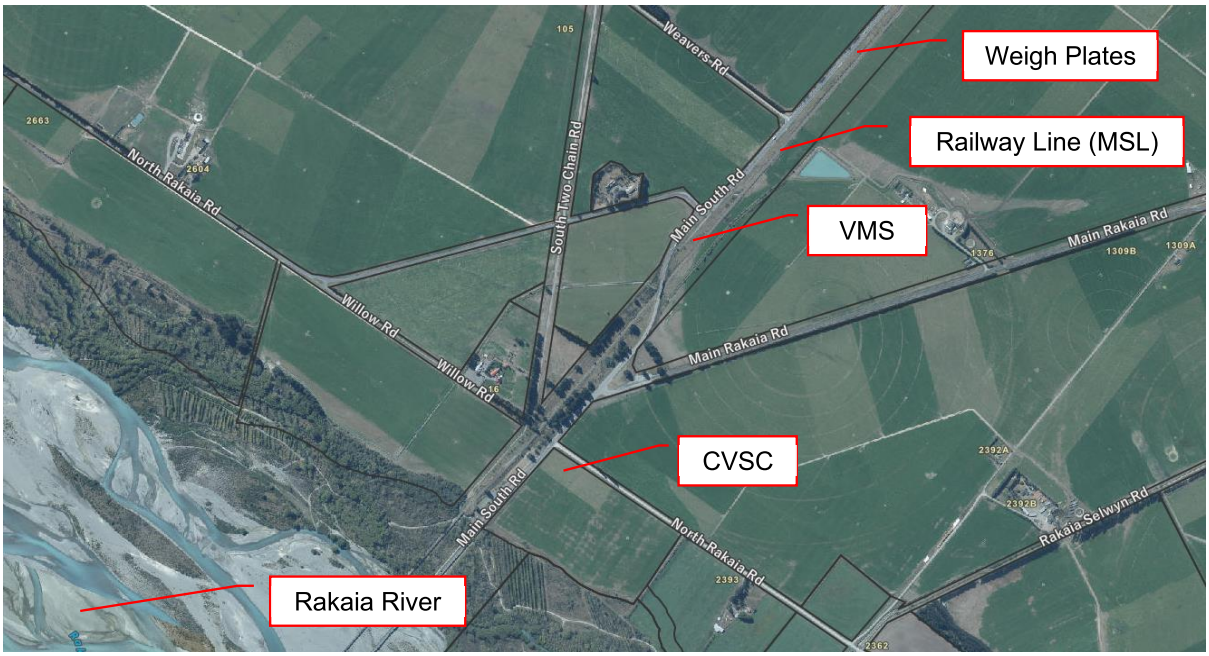


Figure 5: Location of works. (Source: Canterbury Maps)

9.4 Operative Selwyn District Plan

Works will be carried out in Designation TR1 and TR7. Both designations are listed within the Operative Selwyn District Plan and discussed further below.

9.4.1.1 Designation TR1

Designation TR1 as listed in the Operative Selwyn District Plan is shown in Figure 6 below.

Des No.	Map Ref	Site Name	Designation Purpose	Location	Zone	Legal Description and Gazette (where known)	Comments/ Conditions
TR1	Various	State Highways 1, 73, 75 and 77	State Highway	SH1: From the intersection of SH1 with the centerline of the Rakaia River. Note: there is a short section of SH1 south of Marshs Road that is within Christchurch City. *Note: For that part of TR1 affected by the CSM2 and MSRFL proposal, separate conditions apply. The areas where these apply have been noted in the District Plan as either TR5 or TR6 (see below).* SH73: From the Dawsons Road / SH 73 intersection to the summit of Arthurs Pass.	Various	Various	Various

Figure 6: Designation TR1 as shown in the Operative Selwyn District Plan. (Source: Selwyn District Plan)

As shown in Figure 6 above, TR1 is designated for State Highway purposes. The designation has full effect and overrides any rules in the Selwyn District Plan. There are no conditions on the designation that apply to this section of State Highway 1 (TR1).

Designation TR1 covers a significant portion of State Highway 1 within the Selwyn District. For the purpose of this application, the applicable section of Designation TR1 is shown in Figure 7 below.

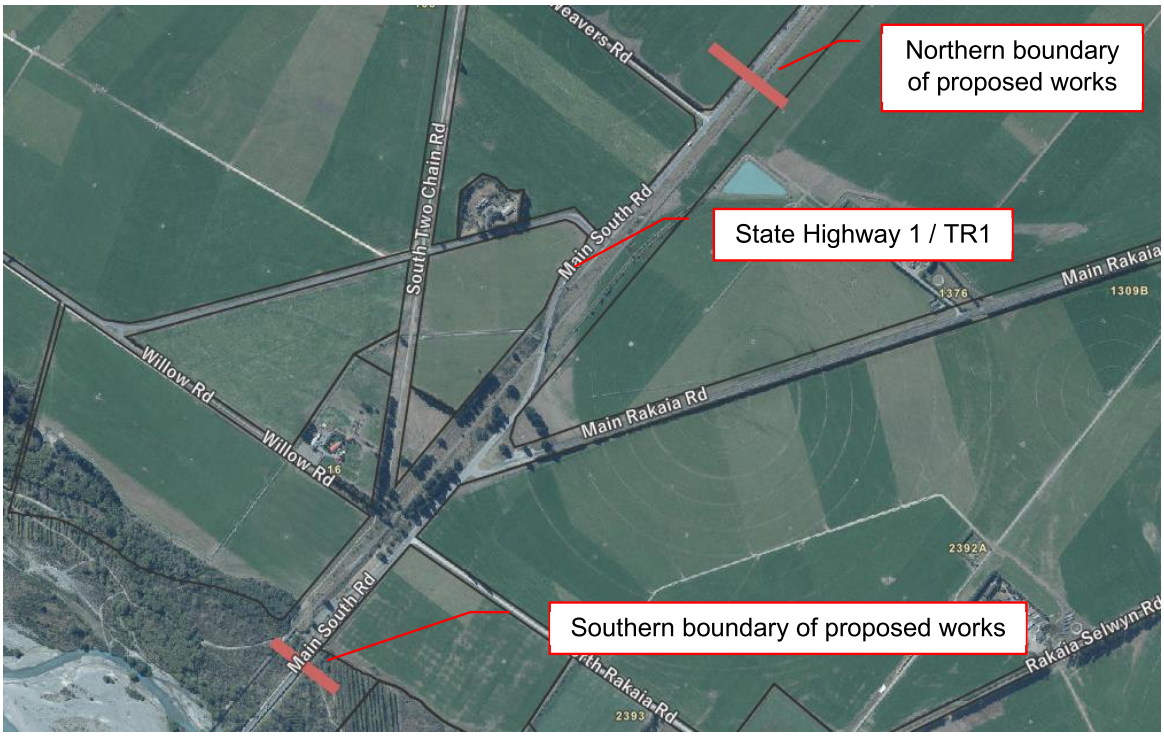


Figure 7: Applicable section of Designation TR1 which applies to this application. (Source: Canterbury Maps).

The purpose of the designation is for '*State Highway'* and the proposal to construct and operate a CVSC is therefore in accordance with the designated State Highway purpose of the site.

9.4.1.2 Designation TR7

Designation TR7 is listed within the Operative Selwyn District Plan and is shown in Figure 8 below.

TR7	Various	North Rakaia Road	Undertake maintenance, operation, use, and improvement to the state highway network	North Rakaia Road	Outer Plains	Rural Section 33582 (23,000m^2); Rural Section 33583 (1660M^2); Rural Section 34454 (240m^2); Parcel ID 3576329	**Conditions including (but not limited to) the following:** General Accordance with details provided in the NOR and plans attached in D190066 Appendix C updated 17/02/2020; the Addendum to the NOR 17/02/2020; and the response to the request for further information 27/03/2020; 10yr Lapse; Prior to construction works being undertaken, engineering plans and specifications relating to the upgrade of the local road to be reviewed and approved by Council's Asset Manager, Transportation; Prior to commencement of operations, the operational management plan shall be provided to Council's Asset Manager, Transportation.

Figure 8: Designation TR7 as shown in the Operative Selwyn District Plan. (Source: Selwyn District Plan)

As shown above, the site is designated for the purpose of *'undertaking maintenance, operation, use and improvement to the State Highway network'*.

The site where the CVSC is to be located is at the junction of State Highway 1 and North Rakaia Road. The site is legally described as RS 33582 contained within Record of Title CB20B/482. This land parcel has an area of 11.15 hectares. The site is currently vacant and used for primary production purposes by Rakaia Dairy Limited and has recently been purchased by Waka Kotahi. A copy of the purchase agreement has been included as Appendix H.

As shown in Section 3.3 of this application, Designation TR7 is located within the Outer Plains Zone and is subject to the Lower Plains Flood Area overlay. No other overlays or management zones apply to the site as shown in the Selwyn District Council Planning Maps.

10 OUTLINE PLAN S176A ASSESSMENT

Section 176A of the Resource Management Act 1991 (RMA) requires an Outline Plan of works to be constructed on designated land to be submitted to a territorial authority. This provides opportunity for the territorial authority to request changes before construction commences.

Section 176A(3) of the RMA states:

"An outline plan must show –

(a) The height, shape, and bulk of the public works, project, or work; and
(b) The location on the site of the public works, project, or work; and
(c) The likely finished contour of the site; and
(d) The vehicular access, circulation, and the provision for parking; and
(e) The landscaping proposed; and
(f) Any other matters to avoid, remedy, or mitigate any adverse effects on the environment."

A territorial authority does not have the discretion to approve or decline a development under an Outline Plan. Under Section 176A(4) of the RMA, the sole discretion of a territorial authority is to request changes to an Outline Plan within 20 working days of its receipt.

Assessment under Section 176A(3) of the RMA is discussed under the relevant headings below.

10.1 Height, Shape, and Bulk of Work

10.1.1 Designation TR1 – State Highway 1

Works within designation TR1 are shown on Plans attached as Appendix A. Works include the following:

- Automatic Number Plate Reading (ANPR) Camera
- Weigh-In-Motion (WIN) Plates
- ITS Cabinets
- Metal Side Guard
- Road Resurfacing

Plan showing the location and scale of the above listed features are contained within Appendix A.

10.1.2 Designation TR7 – North Rakaia Road

The general layout of the proposed CVSC to be located within Designation TR7 is shown in Figure 9 below and attached within Appendix A of this application.

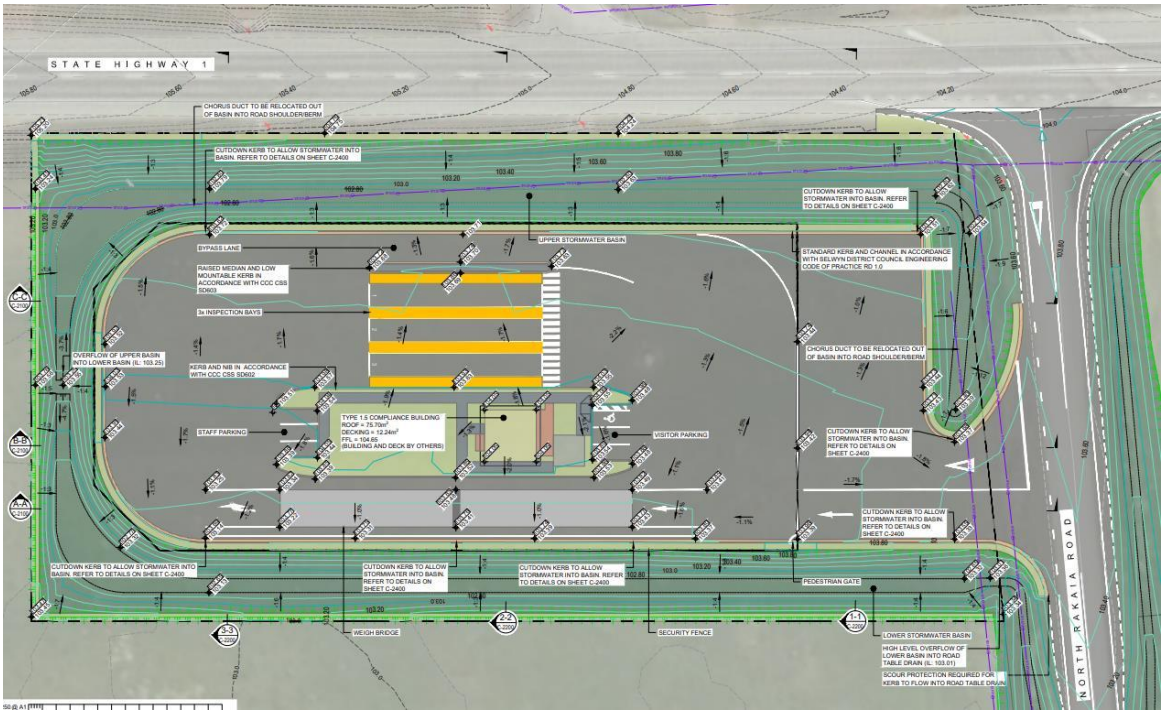


Figure 9: Proposed general layout of the CVSC to be located in Designation TR7. (Source: WSP)

The proposed CVSC when complete will comprise of:

- A weigh bridge
- Tier 1.5 compliance building
- Bypass lane
- Inspection bays
- Staff and visitor parking
- Lighting
- Onsite greywater and wastewater disposal
- Onsite stormwater disposal
- Site fencing

10.1.2.1 Weigh Bridge

The onsite weigh bridge comprises of two 5m wide by 25m long weigh plates. These plates are located on the east of the CVSC site and will require all heavy vehicles entering the site to pass over the plates. The weigh bridge will be integrated into the site at ground level.

10.1.2.2 Tier 1.5 Compliance Building

The tier 1.5 compliance building is a 7.5m wide by 7.5m long (75m^2 in area) building located adjacent to the weigh bridge on the CVSC site. The building will be situated on wooden piles 600mm above ground level, giving the building a total approximate height of 4.5m.

The building contains an observation area, two information and communication technology (ICT) rooms, interview room, kitchenette, and toilet facilities. The internal layout of the building is shown in Figure 10 below.

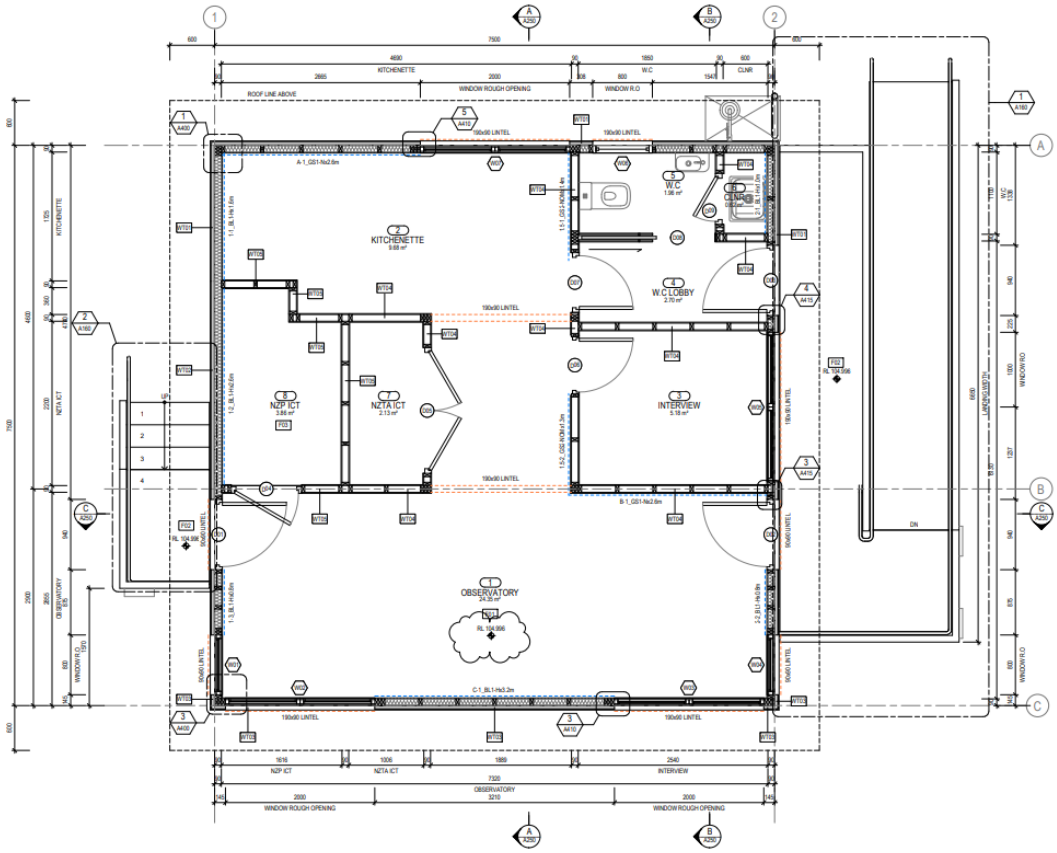


Figure 10: Internal layout of Tier 1.5 Compliance Building. (Source: GHD Woodhead)

Access to the building is obtained either by a wooden ramp on the buildings north-east elevation, or wooden steps on the south-west elevation. The exterior of the building is characterised by dark weatherboard. A complete set of building plans for the Tier 1.5 Compliance Building have been attached as Appendix B of this application.

10.1.2.3 Bypass Lane

A bypass lane is provided for heavy vehicles which are either weight compliant or do not require inspection. This bypass lane is located on the north-west portion of the site and runs adjacent to State Highway 1. The bypass lane is approximately 4m in width and is separated from the inspection bays by a raised median and low mountable kerb.

10.1.2.4 Inspection Bays

Three inspection bays will be provided on the CVSC site. Heavy vehicles will be directed to these if they are either overweight or require further inspection. Each bay is approximately 3m in width and 25m in length. The inspection bays are adjacent to the bypass lane and are separated by a raised median and low mountable kerb.

10.1.2.5 Staff and Visitor Parking

Six car parks will be provided onsite. These are located at the front and rear of the Tier 1.5 Compliance Building.

10.1.2.6 Lighting

Onsite lighting has been designed to facilitate the safe and efficient movement of vehicles entering, exiting, and manoeuvring on the CVSC. Onsite lighting will be mounted on poles and will be pointed towards the ground (0-degree angle). Lighting which is angled directly at the ground will ensure that light spill onto surrounding properties and the state highway network is minimised. A lighting plan is attached to this application as Appendix G.

10.1.2.7 Onsite Services

No reticulated water or wastewater services are available onsite.

In lieu of this, the Tier 1.5 Compliance Building will obtain drinking water from a roof water collection tank located on a concrete pad to the north-east.

Wastewater generated from the Tier 1.5 Compliance Building will be disposed of onsite via a secondary aerated treatment system discharge to a sand trench land application system.

Stormwater generated onsite will be disposed of into onsite stormwater basins. These stormwater basins form the perimeter of the CVSC and are shown on Plan C-2010 within Appendix C of this application.

The discharge of wastewater to land, and discharge of stormwater to land are permitted under previously obtained resource consent from Canterbury Regional Council.

10.1.2.8 Site Fencing

Security fencing will be installed around the perimeter of the CVSC site. This will be located between the edge of the hardstand area and stormwater basins. An electric gate will close the site off from North Rakaia Road when the CVSC is not operating.

10.2 Likely Finished Contour of Site

The entire site will be stripped of topsoil before works commence onsite. This is expected to result in approximately 3,000m^3 of topsoil to be stripped to a depth of 300mm below the existing ground level. It is assumed that 1,600m^3 of topsoil will be retained onsite for reuse. This will result in approximately 1,400m^3 of topsoil to be cut to waste.

Following the construction of the CVSC, the hardstand area will have a 1.1% to 2.2% slope to direct stormwater to the stormwater swales and basins which form the perimeter of the site. The proposed finish contour of the site is shown in Figure 11 below and shown in plan C-2010 attached as Appendix D of this application.

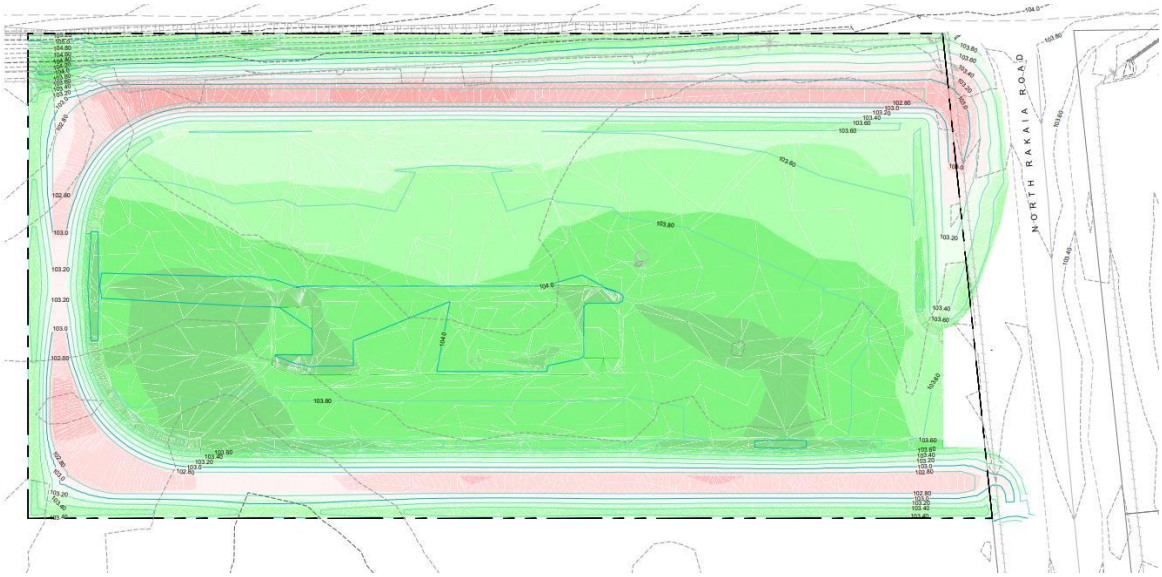


Figure 11: Finished site contour following the construction of the CVSC on Designation TR7. (Source: WSP).

10.3 Vehicular Access, Circulation, and Provision for Parking

Vehicle access upgrade works are proposed to occur in Designation TR7 (North Rakaia Road) to support the construction, operation, and maintenance of the CVSV. These works will only occur in Designation TR7.

No upgrade works associated with vehicular access, circulation, or provisions for parking will occur in Designation TR1 (State Highway 1).

10.3.1 Vehicular Access

As part of the development of the CVSC, North Rakaia Road will be upgraded. Upgrade works involve widening and sealing North Rakaia Road approximately 90m off State Highway 1. Permanent asphalt will be overlayed the existing gravel road surface.

Proposed upgrade works to North Rakaia Road are shown on the Plans attached in Appendix E of the application.

10.3.2 Circulation

The CVSC has been designed to direct entering vehicles over a weigh bridge and then either into an inspection land or a bypass lane. Following, vehicles are able to exit the site and continue travelling south bound.

The CVSC can facilitate the circulation of a standard 17.9m truck + semi-trailer, and a 25m truck + single steer tri-drive + trailer capable of carrying a 10m wide load. The plans demonstrate how the above vehicles enter, circulate, and exit the CSVS. These plans are attached as Appendix E to this application.

10.3.3 Parking

Parking for all vehicles expected to utilise the CVSC will be provided within the CVSC site. A total of five car parks and one mobility car park will be provided onsite. These car parks will be used by Road Safety Officers and visitors to the site. Adequate space is provided onsite such that cars can enter and exit the site in a forward direction.

Provisions for parking are shown in Plans attached in Appendix E of the application.

10.4 Landscaping Proposed

10.4.1 Designation TR1 – State Highway 1

Minor landscaping is proposed within Designation TR1. This is limited to the re-instatement of grassed areas upon the completion of earthworks for signs and foundations. No further landscaping is proposed to occur within Designation TR1.

10.4.2 Designation TR7 – North Rakaia Road

Landscaping with Designation TR7 is limited to re-grassing stormwater basins following the completion of earthworks. No shrubs or trees are proposed to be planted onsite and they have potential to compromise sightlines resulting in increased crash risk and reduced safety onsite.

10.5 Any Other Matters

10.5.1 Management and Mitigation Measures

An approved erosion and sediment control will be prepared in accordance with Canterbury Regional Council's Erosion and Sediment Control Toolbox. This plan will be implemented during the construction of the CVSC. This plan is required as a condition of consent CRC202422 for earthworks activities.

A dust management plan will be prepared prior to the commencement of works on the CVSC. This plan will be implemented for the duration of works.

An erosion and sediment control plan, and dust management plan will mitigate potential adverse effects arising during the construction of the CVSC. If both plans are implemented and followed, construction activities are expected to have effects less than minor.

10.5.2 Permanent Traffic Impacts

The CVSC site is not expected to generate any additional traffic as site operators, police vehicles, and trucks directed to the CVSC are already traveling along State Highway 1.

10.5.3 Flood Zones and Fixed Floor Levels

The CVSC site is located within the Lower Plains Flood Area as shown on the Selwyn District Planning Maps. As part of the previous consenting process, a Flood Hazard Risk assessment was obtained from Canterbury Regional Council. This Flood Hazard Risk Assessment has been included as Appendix F of this application, and is summarised as follows:

- New buildings with floor levels of at least 104.3 m.a.s.l (Lyttleton 1937 Datum) are likely to provide some freeboard above the Rakaia River overflows. This equates to 600mm above the existing ground level.

The proposed Tier 1.5 Compliance Building will be placed on 600mm wooden piles and the building will have a fixed floor level of 104.99 m.a.s.l (Lyttleton 1937 Datum) as shown in the plans included in Appendix B of this application.

10.5.4 Compliance with Designation Conditions

Designation TR7 (OSDP)	
General Accordance with details provided in the NOR and plans attached in D190066 Appendix C updated 17/02/2020; the Addendum to the NOR 17/02/2020; and the response to the request for further information 27/03/2020;	**Not Applicable:** Proposal seeks to remove this condition.
10yr Lapse;	**Compliant:** Proposal will give effect to Designation TR7.
Prior to construction works being undertaken, engineering plans and specifications relating to the upgrade of the local road to be reviewed and approved by Council's Asset Manager, Transportation;	**Will Comply:** Council's Asset Manager – Transportation has been consulted and is pending approval.
Prior to commencement of operations, the operational management plan shall be provided to Council's Asset Manager, Transportation.	**Will Comply:** Council's Asset Manager – Transportation will be provided with a copy of the operational management plan for the site. .

The proposal has also been assessed against the conditions of Designation NZTA-7 of the Proposed Selwyn District Plan. This assessment is as follows:

Designation NZTA-7 (PSDP)	
1. *The designation shall be implemented in general accordance with the details provided with the Notice of Requirement:* a. *the Plans attached in Appendix C to the Notice of Requirement updated 17/02/2020;* b. *the Addendum to the Notice of Requirement dated 17/02/2020;* c. *the response to the request for further information dated 27/03/2020; and* d. *the response to the request for further information dated 17/04/2020.*	**Not Applicable:** Proposal seeks to remove condition
2. *Works undertaken in accordance with the NOR will not require an Outline Plan.*	**Not Applicable:** Works will be undertaken in accordance with proposed Outline Plan.

3. *The designation shall lapse on the expiry of 10 years from the date on which it is included in the District Plan if it has not been given effect to before the end of that period.*	**Will Comply:** Proposal will give effect to Designation NZTA-7

11 CONCLUSION

Pursuant to Section 181(1) of the RMA, Waka Kotahi gives notice of its requirement to alter existing Designation TR7 in the Operative Selwyn District Plan and Designation NZTA-7 in the Proposed District Plan. The proposed alteration to Designation satisfies the criteria outlined in s181(3) of the RMA. The proposed alteration is considered to be minor and can be processed on a non-notified basis.

The proposed alteration to designation will have positive effects in allowing the development to occur and will contribute to the effective enforcement of overweight and unsafe vehicles, reduced wear and maintenance on the road network, establish fair market conditions for compliant heavy vehicle operators, and increase the safety of other road network users.

The assessment of actual and potential effects concludes that any adverse effects of the proposed alteration to designation will be less than minor.

The proposal is in accordance with the designated purpose of the site. The works will enable Waka Kotahi to continue to ensure the state highway network remains resilient and fit for purpose.

Waka Kotahi as the Requiring Authority and by virtue of giving Notice, agrees to the alteration of the designation.

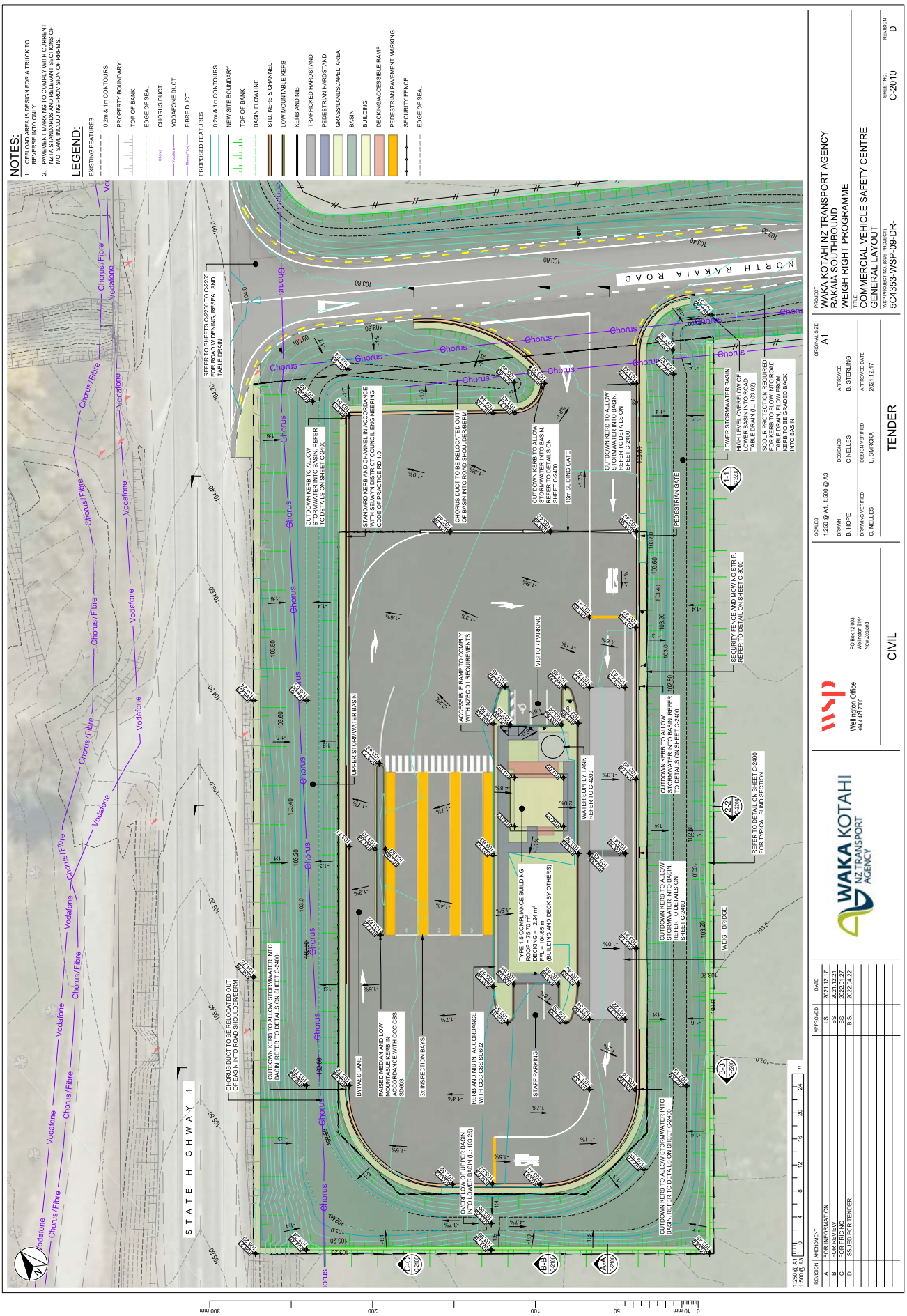
The bulk and location of the proposed works has been confirmed in the Outline Plan that forms part of this application. It is therefore concluded that pursuant to Section 176A of the RMA, the Selwyn District Council can confirm the Outline Plan for the works within TR1, TR7 without any modification.

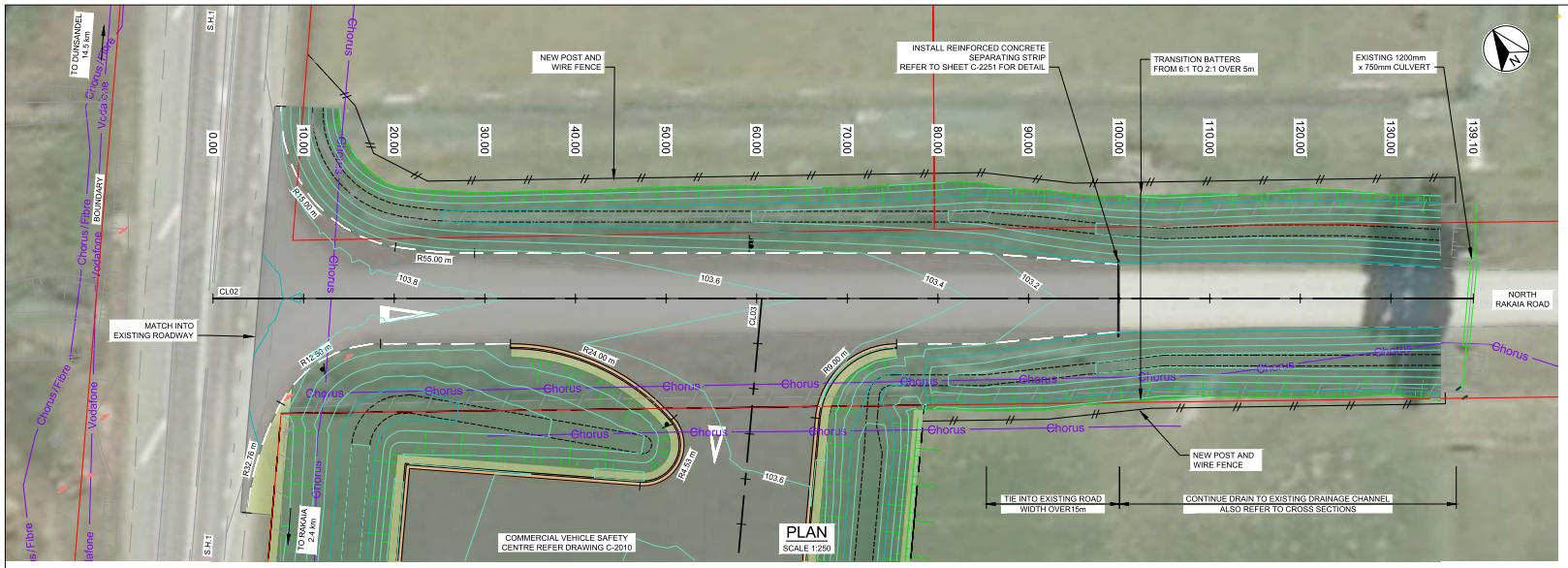
APPENDIX A

WAKA KOTAHI NZ TRANSPORT AGENCY
RAKAIA SOUTHBOUND
WEIGH RIGHT PROGRAMME

CIVIL
TENDER

Project No: 5C4353-WSP-09-DR-
Date: 2022.04.22

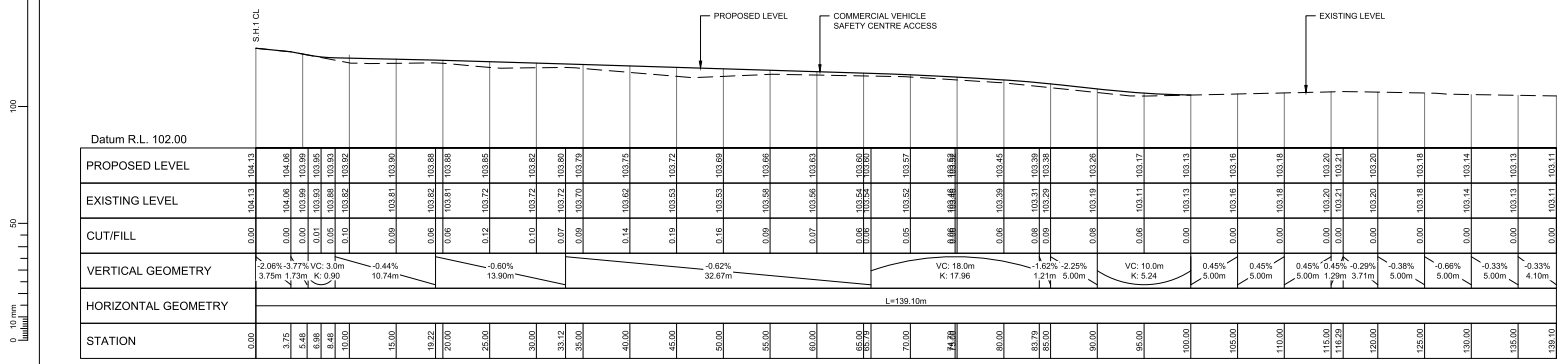

NOTES:
1. OFFLOAD AREA IS DESIGN FOR A TRUCK TO REVERSE INTO ONLY.
2. PAVEMENT MARKING TO COMPLY WITH CURRENT NZTA STANDARDS AND RELEVANT SECTIONS OF MOTSAM, INCLUDING PROVISION OF RRPMS.
LEGEND:
EXISTING FEATURES
0.2m & 1m CONTOURS
PROPERTY BOUNDARY
TOP OF BANK
EDGE OF SEAL
CHORUS DUCT
VODAFONE DUCT
FIBRE DUCT
PROPOSED FEATURES
0.2m & 1m CONTOURS
NEW SITE BOUNDARY
TOP OF BANK
BASIN FLOWLINE
STD. KERB & CHANNEL
LOW MOUNTABLE KERB
KERB AND NIB
TRAFFICKED HARDSTAND
PEDESTRIAN HARDSTAND
GRASS/LANDSCAPED AREA
BASIN
BUILDING
DECKING/ACCESSIBLE RAMP
PEDESTRIAN PAVEMENT MARKING
SECURITY FENCE
EDGE OF SEAL
STATE HIGHWAY 1
NORTH RAKAIA ROAD
REFER TO SHEETS C-2200 TO C-2255 FOR ROAD WIDENING, RESEAL AND TABLE DRAIN
CUTDOWN KERB TO ALLOW STORMWATER INTO BASIN. REFER TO DETAILS ON SHEET C-2400
STANDARD KERB AND CHANNEL IN ACCORDANCE WITH SELWYN DISTRICT COUNCIL ENGINEERING CODE OF PRACTICE REV. 1.8
CHORUS DUCT TO BE RELOCATED OUT OF BASIN INTO ROAD SHOULDER/BERM
16m SLIDING GATE
PEDESTRIAN GATE
HIGH LEVEL OVERFLOW OF LOWER BASIN INTO ROAD TABLE DRAIN (IL: 103.02)
SCOUR PROTECTION REQUIRED FOR KERB TO FLOW INTO ROAD TABLE DRAIN. FLOW INTO KERB TO BE GRADED BACK INTO BASIN
LOWER STORMWATER BASIN
SECURITY FENCE AND MOWING STRIP. REFER TO DETAIL ON SHEET C-5000
UPPER STORMWATER BASIN
ACCESSIBLE RAMP TO COMPLY WITH NZBC D1 REQUIREMENTS
VISITOR PARKING
WATER SUPPLY TANK REFER TO C-4200
TYPE 1.5 COMPLIANCE BUILDING ROOF = 23.70 m²
DECKING = 24.24 m²
FFL = 104.65 m
(BUILDING AND DECK BY OTHERS)
REFER TO DETAIL ON SHEET C-2400 FOR TYPICAL BUND SECTION
WEIGH BRIDGE
BYPASS LANE
RAISED MEDIAN AND LOW MOUNTABLE KERB IN ACCORDANCE WITH CCC CSS SD603
3x INSPECTION BAYS
KERB AND NIB IN ACCORDANCE WITH CCC CSS SD602
STAFF PARKING
OVERFLOW OF UPPER BASIN INTO LOWER BASIN (IL: 103.25)
CUTDOWN KERB TO ALLOW STORMWATER INTO BASIN. REFER TO DETAILS ON SHEET C-2400
Chorus
Vodafone
Chorus / Fibre
Vodafone
Chorus
Vodafone
Chorus / Fibre
Vodafone
Chorus
Vodafone
Chorus / Fibre
Vodafone



LEGEND:

EXISTING FEATURES
- PROPERTY BOUNDARY
- FENCE
- TOP OF BANK
- EDGE OF SEAL
- CHORUS DUCT
- VODAFONE DUCT
- FIBRE DUCT

PROPOSED FEATURES
- 0.2m & 1m CONTOURS
- NEW SITE BOUNDARY
- TOP OF BANK
- BASIN FLOWLINE
- STD. KERB & CHANNEL
- LOW MOUNTABLE KERB
- TRAFFICKED HARDSTAND
- PEDESTRIAN HARDSTAND
- GRASS/LANDSCAPED AREA
- BASIN
- BUILDING
- PEDESTRIAN PAVEMENT MARKING
- SECURITY FENCE
- EDGE OF SEAL



CL02
LONGSECTION BETWEEN STA: 0.00 AND 139.10

SCALE HORIZ 1:250 VERT 1:50

1:250@ A1
1:500@ A3
0 4 8 12 16 20 24 m

REVISION	AMENDMENT	APPROVED	DATE
A	FOR INFORMATION	LS	2021.12.17
B	FOR REVIEW	BS	2021.12.21
C	FOR PRICING	BS	2022.01.27
D	ISSUED FOR TENDER	B.S.	2022-04-22

WAKA KOTAHI NZ TRANSPORT AGENCY

Wellington Office
+64 4 471 7000
PO Box 12-003
Wellington 6144
New Zealand

CIVIL

SCALES: 1:250 @ A1, 1:500 @ A3
ORIGINAL SIZE: A1

DRAWN	DESIGNED	APPROVED
M.A.DONALDSON	M.A.DONALDSON	B. STERLING
DRAWING VERIFIED	DESIGN VERIFIED	APPROVED DATE
B.McNEILL	B.McNEILL	2021.12.17

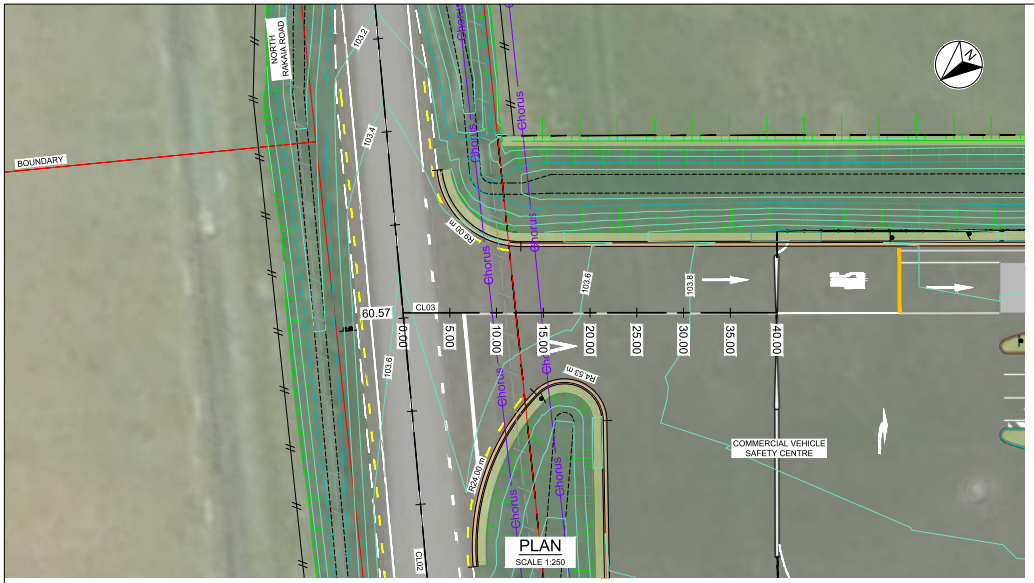
TENDER

PROJECT: WAKA KOTAHI NZ TRANSPORT AGENCY
RAKAIA SOUTHBOUND
WEIGH RIGHT PROGRAMME

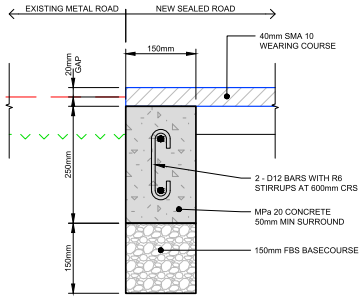
TITLE: COMMERCIAL VEHICLE SAFETY CENTRE
NORTH RAKAIA ROAD PLAN AND LONGITUDINAL SECTION

WSP PROJECT NO. (SUB-PROJECT): 5C4353-WSP-09-DR-
SHEET NO.: C-2250
REVISION: D

Original sheet size A1 (841x594) Plot Date 2022-04-21 at 3:36:03 PM U:\ProjectsNZ\5c\5-C4353.09 Weigh Right programme - Rakaia Site\Home\04_CADD\01_WIP\3350_Cinfra\01_ACAD\5C4353-WSP-09-DR-C-2250_2255.dwg C-2250



PLAN
SCALE 1:250

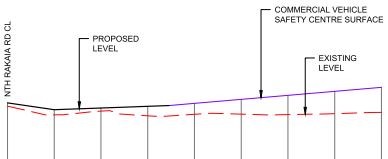


REINFORCED CONCRETE SEPARATING STRIP
SCALE 1:5

LEGEND:

EXISTING FEATURES
- PROPERTY BOUNDARY
- FENCE
- TOP OF BANK
- EDGE OF SEAL
- CHORUS DUCT
- VODAFONE DUCT
- FIBRE DUCT

PROPOSED FEATURES
- 0.2m & 1m CONTOURS
- NEW SITE BOUNDARY
- TOP OF BANK
- BASIN FLOWLINE
- STD. KERB & CHANNEL
- LOW MOUNTABLE KERB
- TRAFFICKED HARDSTAND
- PEDESTRIAN HARDSTAND
- GRASS/LANDSCAPED AREA
- BASIN
- BUILDING
- PEDESTRIAN PAVEMENT MARKING
- SECURITY FENCE
- EDGE OF SEAL



Datum R.L. 102.00

PROPOSED LEVEL	103.63	103.48	103.62	103.55	103.57	103.62	103.70	103.79	103.87	103.96
EXISTING LEVEL	103.56	103.37	103.45	103.35	103.35	103.38	103.39	103.38	103.40	103.42
CUT/FILL	0.07	0.11	0.07	0.20	0.22	0.23	0.32	0.41	0.47	0.54
VERTICAL GEOMETRY		-2.93% 5.00m		0.72% 12.27m			1.72% 22.73m			
HORIZONTAL GEOMETRY		L=17.27m				L=22.73m				
STATION	0.00	5.00	10.00	15.00	17.27	20.00	25.00	30.00	35.00	40.00

CL03
LONGSECTION BETWEEN STA: 0.00 AND 57.79
SCALE HORIZ 1:250 VERT 1:50

1:250 @ A1 / 1:500 @ A3: 0 4 8 12 16 20 24 m
1:5 @ A1 / 1:10 @ A3: 0 50 100 150 200 250 300 350 400 450 500 mm

REVISION	AMENDMENT	APPROVED	DATE
A	FOR INFORMATION	LS	2021.12.17
B	FOR REVIEW	BS	2021.12.21
C	FOR PRICING	BS	2022.01.27
D	ISSUED FOR TENDER	B.S.	2022-04-22

WAKA KOTAHI NZ TRANSPORT AGENCY

Wellington Office
+64 4 471 7000
PO Box 12-003
Wellington 6144
New Zealand

CIVIL

SCALES: AS SHOWN
ORIGINAL SIZE: A1
DRAWN: M.A.DONALDSON
DESIGNED: M.A.DONALDSON
APPROVED: B. STERLING
DRAWING VERIFIED: B.McNEILL
DESIGN VERIFIED: B.McNEILL
APPROVED DATE: 2021.12.17

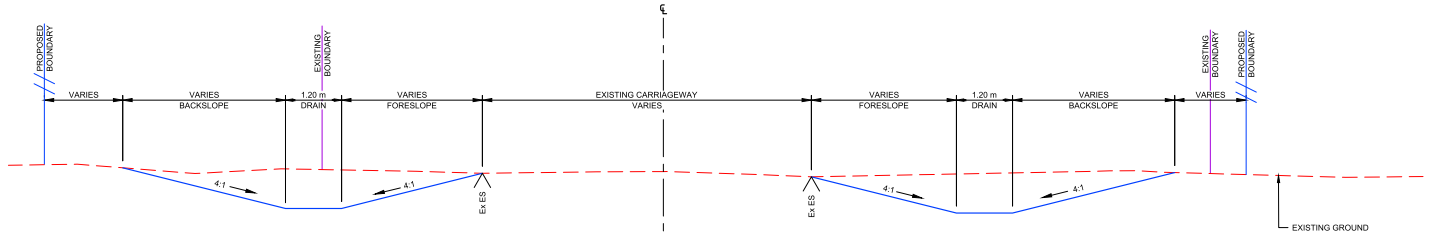
TENDER

PROJECT: WAKA KOTAHI NZ TRANSPORT AGENCY
RAKAIA SOUTHBOUND
WEIGH RIGHT PROGRAMME

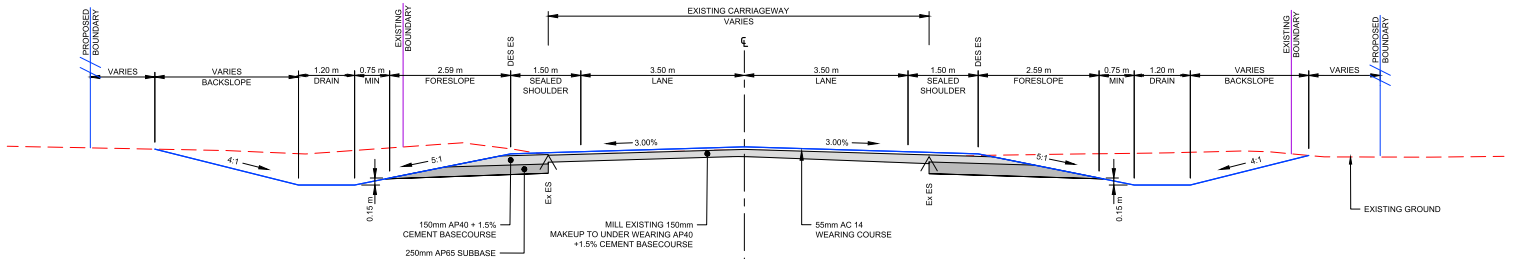
TITLE: COMMERCIAL VEHICLE SAFETY CENTRE
ACCESSWAY PLAN AND LONGITUDINAL SECTION & DETAILS

WSP PROJECT NO. (SUB-PROJECT): 5C4353-WSP-09-DR-
SHEET NO.: C-2251
REVISION: D

Original sheet size A1 (841x594) Plot Date 2022-04-21 at 3:36:09 PM U:\ProjectsNZ\5c\5-C4353.09 Weigh Right programme - Rakaia Site\Home\04_CADD\01_WIP\3350_Cinfra\01_ACAD\5C4353-WSP-09-DR-C-2250_2255.dwg C-2251



TYPICAL SECTION
SIDE DRAINS



TYPICAL SECTION
ROADING REHABILITATION

TYPICAL SECTIONS
SCALE 1:50

1:50 @ A1
1:100 @ A3
0 1 2 3 4 5 m

REVISION	AMENDMENT	APPROVED	DATE
A	FOR INFORMATION	LS	2021.12.17
B	FOR REVIEW	BS	2021.12.21
C	FOR PRICING	BS	2022.01.27
D	ISSUED FOR TENDER	B.S.	2022-04-22

WAKA KOTAHI NZ TRANSPORT AGENCY

Wellington Office
+64 4 471 7000
PO Box 12-003
Wellington 6144
New Zealand

CIVIL

SCALES: 1:50 @ A1, 1:100 @ A3
ORIGINAL SIZE: A1

DRAWN	DESIGNED	APPROVED
M.A.DONALDSON	M.A.DONALDSON	B. STERLING
DRAWING VERIFIED	DESIGN VERIFIED	APPROVED DATE
B.McNEILL	B.McNEILL	2021.12.17

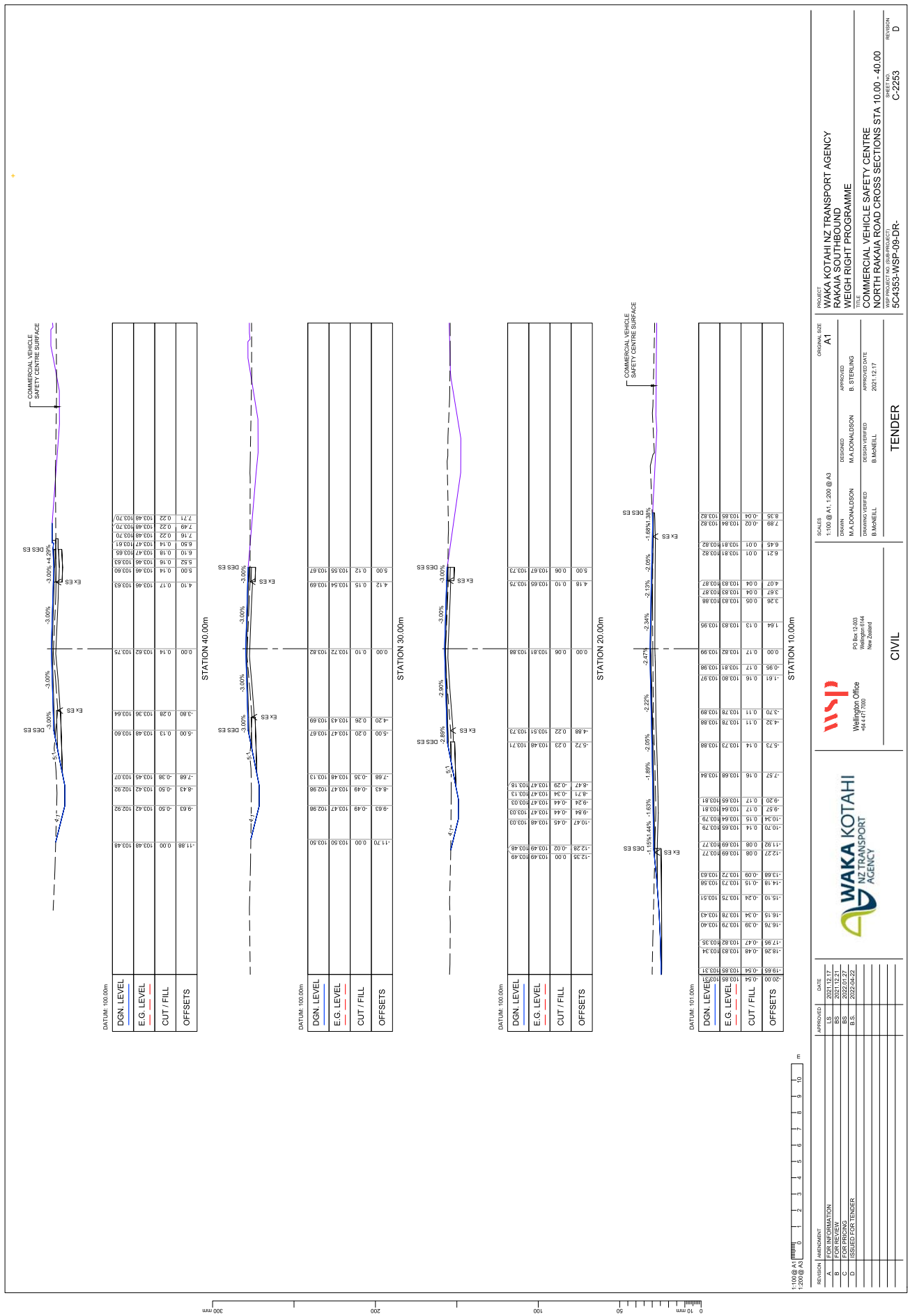
TENDER

PROJECT
WAKA KOTAHI NZ TRANSPORT AGENCY
RAKAIA SOUTHBOUND
WEIGH RIGHT PROGRAMME

TITLE
COMMERCIAL VEHICLE SAFETY CENTRE
NORTH RAKAIA ROAD TYPICAL SECTIONS

WSP PROJECT NO. (SUB-PROJECT): 5C4353-WSP-09-DR-
SHEET NO.: C-2252
REVISION: D

Original sheet size A1 (841x594) Plot Date 2022-04-21 at 3:36:10 PM U:\ProjectsNZ\5c\5-C4353.09 Weigh Right programme - Rakaia Site\Home\04_CADD\01_WIP\3350_Cinfra\01_ACAD\5C4353-WSP-09-DR-C-2250_2255.dwg C-2252



REVISION	AMENDMENT	APPROVED	DATE
A	FOR INFORMATION	LS	2021.12.17
B	FOR REVIEW	BS	2021.12.21
C	FOR PRICING	BS	2022.01.27
D	ISSUED FOR TENDER	B.S.	2022.04.22

1:100@ A1
1:200@ A3

WAKA KOTAHI NZ TRANSPORT AGENCY

WSP
Wellington Office
+64 4 471 7000
PO Box 12-003
Wellington 6144
New Zealand

CIVIL

SCALES: 1:100 @ A1, 1:200 @ A3 — ORIGINAL SIZE: A1

DRAWN	DESIGNED	APPROVED
M.A.DONALDSON	M.A.DONALDSON	B. STERLING

DRAWING VERIFIED	DESIGN VERIFIED	APPROVED DATE
B.McNEILL	B.McNEILL	2021.12.17

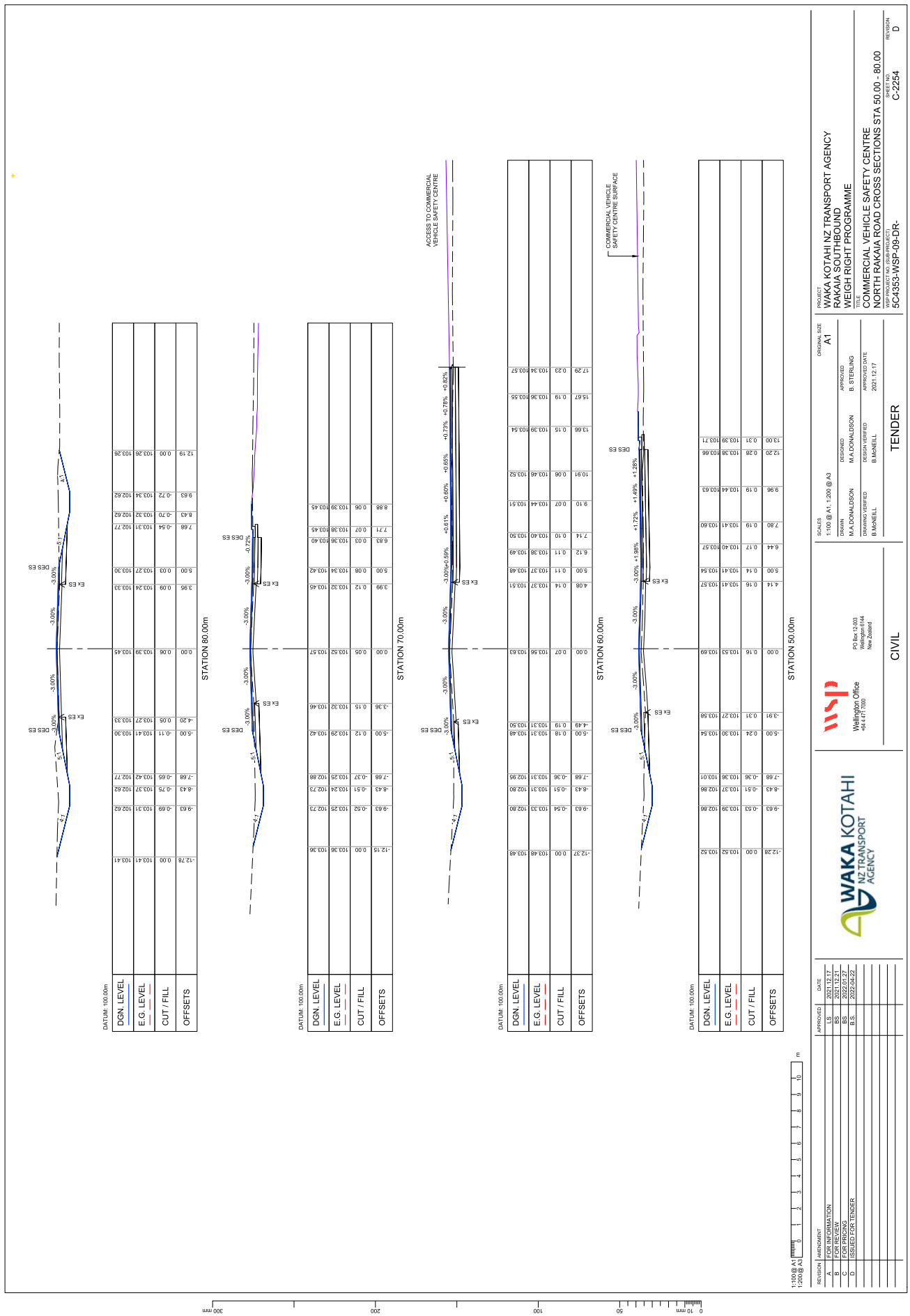
TENDER

PROJECT: WAKA KOTAHI NZ TRANSPORT AGENCY
RAKAIA SOUTHBOUND
WEIGH RIGHT PROGRAMME

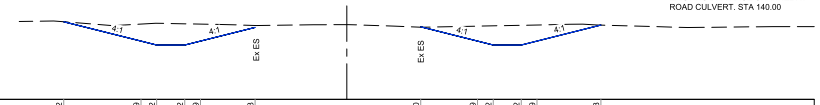
TITLE: COMMERCIAL VEHICLE SAFETY CENTRE
NORTH RAKAIA ROAD CROSS SECTIONS STA 10.00 - 40.00

WSP PROJECT NO. (SUB-PROJECT): 5C4353-WSP-09-DR-
SHEET NO.: C-2253
REVISION: D

Original sheet size A1 (841x594) Plot Date 2022-04-21 at 3:36:12 PM U:\Projects\NZ\5c\5-C4353.09 Weigh Right programme - Rakaia Site\Home\04_CADD\01_WIP\3350_Cinfra\01_ACAD\5C4353-WSP-09-DR-C-2250_2255.dwg C-2253


STATION 80.00m
STATION 70.00m
STATION 60.00m
STATION 50.00m
DATUM: 100.00m
DGN. LEVEL
E.G. LEVEL
CUT / FILL
OFFSETS
ACCESS TO COMMERCIAL VEHICLE SAFETY CENTRE
COMMERCIAL VEHICLE SAFETY CENTRE SURFACE
DES ES
EX ES
-3.00%
-5:1
4:1
REVISION
AMENDMENT
APPROVED
DATE
A FOR INFORMATION LS 2021.12.17
B FOR REVIEW BS 2021.12.21
C FOR PRICING BS 2022.01.27
D ISSUED FOR TENDER B.S. 2022.04.22
1:100 @ A1
1:200 @ A3
0 1 2 3 4 5 6 7 8 9 10 m
0 10 mm 50 100 200 300 mm
WAKA KOTAHI NZ TRANSPORT AGENCY
Wellington Office
+64 4 471 7000
PO Box 12-003
Wellington 6144
New Zealand
CIVIL
TENDER
SCALES
1:100 @ A1, 1:200 @ A3
ORIGINAL SIZE
A1
DRAWN M.A.DONALDSON
DESIGNED M.A.DONALDSON
APPROVED B. STERLING
DRAWING VERIFIED B.McNEILL
DESIGN VERIFIED B.McNEILL
APPROVED DATE 2021.12.17
PROJECT
WAKA KOTAHI NZ TRANSPORT AGENCY
RAKAIA SOUTHBOUND
WEIGH RIGHT PROGRAMME
TITLE
COMMERCIAL VEHICLE SAFETY CENTRE
NORTH RAKAIA ROAD CROSS SECTIONS STA 50.00 - 80.00
WSP PROJECT NO. (SUB-PROJECT)
5C4353-WSP-09-DR-
SHEET NO.
C-2254
REVISION
D
Original sheet size A1 (841x594) Plot Date 2022-04-21 at 3:36:14 PM U:\Projects\NZ\5c\5-C4353.09 Weigh Right programme - Rakaia Site\Home\04_CADD\01_WIP\3350_Cinfra\01_ACAD\5C4353-WSP-09-DR-C-2250_2255.dwg C-2254

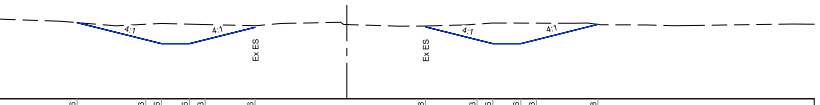
CONTINUE DRAINS TO MERGE INTO EXISTING DRAINAGE CHANNEL AT ROAD CULVERT. STA 140.00



DATUM: 100.00m

DGN. LEVEL	103.32		102.49	102.32	102.49	103.08		103.10	102.49	102.32	102.49	103.18		
E.G. LEVEL	103.32	103.22	103.25	103.23	103.22	103.16	103.08	103.08	103.13	103.14	103.17	103.18	103.18	
CUT / FILL	0.00	-0.73	-0.93	-0.91	-0.73	-0.08	0.02	0.02	-0.64	-0.82	-0.84	-0.69	0.00	
OFFSETS	-12.11	-8.80	-8.13	-6.93	-6.26	-3.92	3.16	3.16	5.99	6.27	7.47	8.14	10.87	

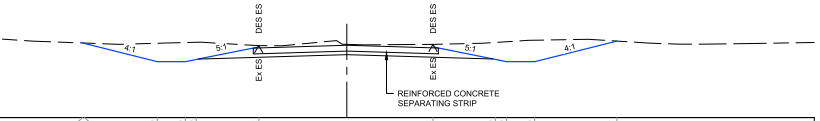
STATION 120.00m



DATUM: 100.00m

DGN. LEVEL	103.26		102.53	102.36	102.53	103.06		103.08	102.53	102.36	102.53	103.18		
E.G. LEVEL	103.26	103.19	103.23	103.19	102.36	103.12	103.06	103.11	103.20	103.24	103.24	103.24	103.18	
CUT / FILL	0.00	-0.66	-0.87	-0.84	-0.65	-0.06	-0.04	-0.04	-0.67	-0.88	-0.71	0.00		
OFFSETS	-11.53	-8.60	-7.93	-6.73	-6.06	-3.92	3.37	3.37	5.57	6.25	7.45	8.12	10.75	

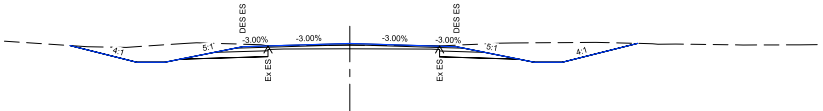
STATION 110.00m



DATUM: 100.00m

DGN. LEVEL	103.19	103.17	102.39	102.49	103.02		103.02	102.49	102.39	102.39	103.27			
E.G. LEVEL	103.19	103.19	103.18	103.21	103.22	103.08	103.13	103.21	103.24	103.31	103.27			
CUT / FILL	0.00	-0.02	-0.79	-0.82	-0.73	-0.06	-0.11	-0.73	-0.85	-0.92	0.00			
OFFSETS	-11.30	-11.22	-8.11	-6.91	-6.44	-3.76	3.69	6.36	6.84	8.04	11.55			

STATION 100.00m



DATUM: 100.00m

DGN. LEVEL	103.17		102.46	102.46	102.59	103.13	103.16	103.26	103.15	103.13	102.59	102.46	102.46	103.27
E.G. LEVEL	103.17	103.13	103.21	103.21	103.25	103.23	103.16	103.19	103.16	103.19	103.28	103.29	103.30	103.27
CUT / FILL	0.00	-0.67	-0.75	-0.75	-0.68	-0.11	0.00	0.08	-0.01	-0.06	-0.70	-0.83	-0.84	0.00
OFFSETS	-11.97	-9.11	-7.91	-7.27	-4.89	-3.50	0.00	3.84	4.56	7.24	7.89	9.09	12.32	

STATION 90.00m

1:100@ A1
1:200@ A3

0 1 2 3 4 5 6 7 8 9 10 m

REVISION	AMENDMENT	APPROVED	DATE
A	FOR INFORMATION	LS	2021.12.17
B	FOR REVIEW	BS	2021.12.21
C	FOR PRICING	BS	2022.01.27
D	ISSUED FOR TENDER	B.S.	2022-04-22

WAKA KOTAHI NZ TRANSPORT AGENCY

Wellington Office
+64 4 471 7000
PO Box 12-003
Wellington 6144
New Zealand

CIVIL

SCALES: 1:100 @ A1, 1:200 @ A3
ORIGINAL SIZE: A1

DRAWN	DESIGNED	APPROVED
M.A.DONALDSON	M.A.DONALDSON	B. STERLING
DRAWING VERIFIED	DESIGN VERIFIED	APPROVED DATE
B.McNEILL	B.McNEILL	2021.12.17

TENDER

PROJECT
WAKA KOTAHI NZ TRANSPORT AGENCY
RAKAIA SOUTHBOUND
WEIGH RIGHT PROGRAMME

TITLE
COMMERCIAL VEHICLE SAFETY CENTRE
NORTH RAKAIA ROAD CROSS SECTIONS STA 90.00 - 120.00

WSP PROJECT NO. (SUB-PROJECT)	SHEET NO.	REVISION
5C4353-WSP-09-DR-	C-2255	D

Original sheet size A1 (841x594) Plot Date 2022-04-21 at 3:36:16 PM U:\ProjectsNZ\5c\5-C4353.09 Weigh Right programme - Rakaia Site\Home\04_CADD\01_WIP\3350_Cinfra\01_ACAD\5C4353-WSP-09-DR-C-2250_2255.dwg C-2255

APPENDIX B

NEW ZEALAND TRANSPORT AGENCY
TIER 1.5 - CONTROL BUILDING

51-34037



NZTA TIER 1.5 TYPE CONTROL BUILDING.

THIS IS A STANDARDISED BUILDING TYPE THAT IS CONSTRUCTED AT SEVERAL SITES

REFER TO SPECIFIC SITE PLAN FOR LOCATION OF CONTROL BUILDING WITHIN SITE

THIS BUILDING HAS BEEN DESIGNED TO THE FOLLOWING 'WORST CASE SCENARIO' SITE CONDITIONS

WINDZONE: VERY HIGH
EARTHQUAKE ZONE: 3
EXPOSURE ZONE: ZONE D

WHERE THE PROPOSED LOCATION OF THE TIER 1.5 BUILDING TYPE EXCEEDS TO THE ABOVE SCENARIOS, THEN THE BUILDING WILL NEED TO BE DESIGNED SPECIFICALLY FOR THE SITE.

DRAWING LIST

DRG NO. PROJECT No.	SHEET	DRAWING TITLE	CURRENT REVISION
1. ARCHITECTURAL			
51-34037	A001	ARCHITECTURAL DRAWING INDEX	1
51-34037	A010	GENERAL NOTES	1
51-34037	A100	GENERAL ARRANGEMENT PLAN	1
51-34037	A101	SET OUT PLAN	2
51-34037	A102	SECURITY PLAN	1
51-34037	A105	REFLECTED CEILING PLAN	1
51-34037	A110	ROOF PLAN	1
51-34037	A120	SUBFLOOR FRAMING PLAN	1
51-34037	A121	FLOOR FRAMING PLAN	1
51-34037	A122	ROOF FRAMING PLAN	1
51-34037	A160	EXTERIOR RAMP & STAIR DETAILS	1
51-34037	A200	EXTERIOR ELEVATIONS	2
51-34037	A201	EXTERIOR ELEVATIONS	1
51-34037	A250	SECTIONS	1
51-34037	A300	KITCHEN JOINERY SETOUT	1
51-34037	A301	WC ELEVATIONS	1
51-34037	A400	PLAN DETAILS	1
51-34037	A405	SECTION DETAILS	1
51-34037	A410	WINDOW DETAILS	1
51-34037	A415	DOOR DETAILS	1
51-34037	A500	DOOR & WINDOW SCHEDULE	1
51-34037	A800	HYDRAULICS & PLUMBING PLAN	1
51-34037	A801	MECHANICAL LAYOUT PLAN	1
51-34037	A900	POWER, & COMMS LAYOUT	1
51-34037	A901	LIGHTING LAYOUT	1

TENDER / CONSENT

No	Revision	Drawn	Date
1	CONSENT ISSUE		05.07.19

Plot Date: 15/10/2019 10:37:34 a.m.

Cad File No: G:\51\34037\CADD\Revit\TIER 1.5\TIER 1.5 RAKAIA\TIER 1.5 RAKAIA.rvt

GHDWOODHEAD creativespaces
Level 1, Grant Thornton House
215 Lambton Quay, Wellington New Zealand
T 64 4 472 0799 F 64 4 472 0833
E wgtnmail@ghd.com W www.ghd.com

Conditions of Use.
This document may only be used by GHD's client (and any other person who GHD has agreed can use this document) for the purpose for which it was prepared and must not be used by any other person or for any other purpose.

DO NOT SCALE

Scale 1 : 1

Client NEW ZEALAND TRANSPORT AGENCY
Project TIER 1.5 - CONTROL BUILDING
Title ARCHITECTURAL WORKS
ARCHITECTURAL DRAWING INDEX

Original Size A1 Drawing No: 51-34037-A001 Rev: 1

GENERAL NOTES

1. COPYRIGHT OF THIS DRAWING IS VESTED IN THE PRINCIPAL CONSULTANT.
2. THE CONTRACTOR SHALL VERIFY ALL EXISTING IN-GROUND AND ABOVE-GROUND SERVICES WITHIN THE SCOPE OF WORKS BEFORE COMMENCING CONSTRUCTION/DEMOLITION. ANY DISCREPANCIES ARE TO BE REPORTED TO THE CONTRACT ADMINISTRATOR.
3. ALL WALLS, CEILINGS, FLOOR SURFACES AND JOINERY ITEMS TO BE FINISHED TO AVOID SHARP OR ROUGH EDGES TO THE SATISFACTION OF THE CONTRACT ADMINISTRATOR / SUPERINTENDENT'S AND OPERATOR.
4. ANY 3D DRAWINGS ARE INDICATIVE ONLY, AND ARE TO BE READ IN CONJUNCTION WITH OTHER RELEVANT DRAWINGS.
5. THIS DRAWINGS SHOULD BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS, SCHEDULES AND DRAWINGS.
   REFER TO SCHEDULES / SPECIFICATION FOR FF&E AND FINISHES / MATERIALS CODES
   REFER TO MECHANICAL ENGINEER'S DRAWINGS FOR ALL MECHANICAL DETAILS
   REFER TO STRUCTURAL ENGINEER'S DRAWINGS FOR ALL STRUCTURAL DETAILS
   REFER TO FIRE ENGINEER'S DRAWINGS FOR ALL FIRE SYSTEM DETAILS
   REFER TO ELECTRICAL ENGINEERS DRAWINGS FOR ALL ELECTRICAL DETAILS
   REFER TO CIVIL ENGINEERS DRAWINGS FOR ALL CIVIL DETAILS
7. DIMENSIONS: CONTRACTOR AND SUB-CONTRACTOR SHALL VERIFY ALL DIMENSIONS OF THIS DRAWING AND SITE CONDITIONS PRIOR TO ANY WORK COMMENCING.
   FIGURED DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS (UNLESS NOTED OTHERWISE). FIGURED DIMENSIONS ARE:
   - TIMBER FRAMED WALL SETOUT: TO FACE OF TIMBER FRAMING
   - MASONRY / CONCRETE SETOUT: - FACE OF MASONRY / CONCRETE AND FACE OF OPENING.
   - STEEL WORK SETOUT. - CENTER LINE OF MEMBER.
   - WINDOW SETOUT: - CENTER OF MULLIONS/TRANSOMS, EXCEPT WHERE THEY FORM THE PERIMETER FRAMING.
   - DOOR SETOUT: - FACE OF LATCH FRAME SIDE. FOR SINGLE SWING DOORS (WL AS 1428.1)
   - SOFFIT: FINISHED UNDERSIDE OF CEILINGS - SOFFIT HEIGHT IS MEASURED FROM FINISH FLOOR LEVEL.
   - FITTINGS AND FIXTURES. - DIMENSIONS TO FIXTURES AND FITTINGS ARE SETOUT FROM "FINISH" WALL FACE / FINISH FLOOR LEVEL.
   FOR ADDITIONAL SETOUT INFORMATION WHERE NO DIMENSIONING SHOWN, REFER TO REFERENCE TAGS FOR DETAILED ARCHITECTURAL DRAWINGS.

TIMBER FRAMING

1. ALL TIMBER SHALL BE MSG8 RADIATA UNO.
2. TIMBER TREATMENT TO COMPLY WITH NZS-3602.
3. ALL BOLTS/BRACKETS WITHIN 500 METRES OF THE SEA ARE TO BE STAINLESS STEEL. ALL OTHER LOCATIONS, THEY ARE TO BE GALVANIZED.
4. ALL NUTS AND BOLT HEADS THROUGH TIMBER ARE TO HAVE GALVANIZED OR STAINLESS WASHERS. 50x50x3 mm FOR BOLTS NOT EXCEEDING 12 mm DIAMETER AND 65x65x5 mm FOR BOLTS NOT EXCEEDING 20mm DIAMETER, UNO.
5. BOLTS SHALL BE TO THE SIZES AND POSITIONS AS SHOWN ON THE DRAWINGS. ALLOW TO COUNTERSINK BOLT HEADS AND NUTS AS NECESSARY TO CLEAR LININGS. THE DIAMETER OF A HOLE FOR A BOLT SHALL NOT BE LESS THAN THE BOLT DIAMETER NOR EXCEED IT BY 1.5 mm.
6. NAILS, BRADS AND SCREWS AND BOLTS SHALL BE OF STEEL, GENERALLY IN ACCORDANCE WITH NZS 3604. MINIMUM PENETRATIONS OF NAILS, BRADS AND SCREWS SHALL BE 10 TIMES THE FASTENER DIAMETER INTO.
7. FRAMING. NAIL PENETRATION THROUGH PACKING WILL NOT COUNT. MINIMUM SHEET EDGE DISTANCE FOR FASTENERS SHALL BE 10 mm.
8. ALL FOLDED METAL ANGLES/NAIL PLATES/JOIST HANGERS AND MISCELLANEOUS TIMBER FASTENERS SHALL BE GALVANISED G.250 MILD STEEL CONFORMING TO AS 1397. GALVANISING REQUIRED 275 g/m².
9. ALL TIMBER LINTELS SHALL BE AS PER NZS3604 UNO.

SAFETY IN DESIGN

- THE CONTRACTOR IS HEREBY NOTIFIED OF THEIR NEED TO UNDERSTAND ITS OBLIGATIONS OF SAFETY IN DESIGN UNDER THE HEALTH AND SAFETY AT WORK ACT 2015 WITH PARTICULAR REFERENCE TO SECTION 39 – SAFETY IN DESIGN.
- GHD HAS TAKEN ALL REASONABLE STEPS TO IDENTIFY HAZARDS ASSOCIATED WITH DESIGN VIA AN INTERNATIONALLY ACCREDITED SAFETY IN DESIGN REVIEW PROCESS AND HAS MADE THE RESULTING REGISTER AVAILABLE TO THE CLIENT AND CONTRACTOR FOR THEIR REFERENCE AND ACTION DURING THE CONSTRUCTION OF THIS PROJECT.
- IN THE EVENT THAT A DESIGN RELATED HAZARD BECOMES APPARENT TO THE CLIENT AND/OR CONTRACTOR, THEY ARE REQUIRED TO IMMEDIATELY NOTIFY GHD LTD OF THESE ISSUES AT WHICH POINT GHD WILL REVIEW THE DESIGN WITH ALL APPROPRIATE STAKEHOLDERS TO IDENTIFY THE APPROPRIATE RISK MITIGATION METHODS.
- GHD'S SAFETY IN DESIGN REVIEW RELIES ON THE CONTRACTOR UNDERTAKING ALL WORKS IN ACCORDANCE WITH THE HEALTH AND SAFETY AT WORK ACT (2015), SUBSEQUENT HEALTH AND SAFETY AT WORK REGULATIONS, IN CONJUNCTION WITH IDENTIFIED CODES AND INDUSTRY STANDARDS.

ARCHITECTURAL SYMBOLS

- CENTRELINE OF ELEMENT
- TILE SETOUT POINT
- BUILDING/GRID SETOUT POINT
- LEVEL DATUM - TOP OF ELEMENT
- LEVEL DATUM - BOTTOM OF ELEMENT
- RL 12.345 — PLAN SPOT RELATIVE LEVEL
- FALL — FALL DIRECTION SYMBOL
- ACT / 2400 — CEILING TAG
- D23 — DOOR TAG
- G.01 — ROOM NUMBER
- W1 — WALL TYPE TAG
- W.0.01-01 — WINDOW TAG
- C.1.01-01 — CURTAIN WALL TAG
- SD — CONCRETE FLOOR SLAB SETDOWN
- CONCRETE FLOOR SLAB EDGE
- FFL 00.000 — PLAN - FINISH FLOOR LEVEL
- SL 00.000 — PLAN - SLAB LEVEL

BRACING LEGEND

- BRACING ELEMENT
- 1-2_BL1-Hx1.9 — BRACING ELEMENT LENGTH
- BRACING ELEMENT TYPE
- BRACING LINE ELEMENT
- BRACING LINE
- LINTEL ABOVE WINDOW

WALL TYPE LEGEND

WALL TYPES:

WT01 — **CORRUGATED HORIZONTAL CLADDING**
- 13mm STANDARD PLASTERBOARD INTERIOR LINING - L4 FINISH
- 90mm TIMBER FRAMING - STUDS @ 400mm CENTRES
- R2.8 ULTRA WALL BATTS
- 7mm ECOPLY RAB - SCREW FIXED
- 45x21 H3.2 TIMBER CAVITY BATTENS
- CORRUGATED PROFILE CLADDING

WT02 — **CORRUGATED HORIZONTAL CLADDING**
- 13mm STANDARD PLASTERBOARD INTERIOR LINING - L4 FINISH
- 90mm TIMBER FRAMING - STUDS @ 400mm CENTRES
- 2mm GAUGED STEEL SHEET INSTALLED TO INSIDE FACE OF WALL FRAMING
- R2.8 ULTRA WALL BATTS
- 7mm ECOPLY RAB - SCREW FIXED
- 45x21 H3.2 TIMBER CAVITY BATTENS
- CORRUGATED PROFILE CLADDING

WT03 — **JAMES HARDIE HARDIEFLEX PANEL**
- 13mm STANDARD PLASTERBOARD INTERIOR LINING - L4 FINISH
- 90mm TIMBER FRAMING - STUDS @ 400mm CENTRES
- R2.8 ULTRA WALL BATTS
- 7mm ECOPLY RAB - SCREW FIXED
- 45x21 H3.2 TIMBER CAVITY BATTENS
- JAMES HARDIE HARDIEFLEX SHEET CLADDING

WT04 — **INTERIOR TIMBER WALL**
- 90mm TIMBER FRAMING - STUDS @ 600mm CENTRES
- 13mm GIB PLASTERBOARD BOTH SIDES L4 FINISH - REFER TO BRACING PLAN FOR LOCATION BRACING UNITS

WT05 — **INTERIOR TIMBER WALL**
- 90mm TIMBER FRAMING - STUDS @ 600mm CENTRES
- 2mm GAUGED STEEL SHEET INSTALLED TO NZP ICT ROOM FACE OF WALL FRAMING
- 13mm GIB PLASTERBOARD BOTH SIDES L4 FINISH - REFER TO BRACING PLAN FOR LOCATION BRACING UNITS

INSULATION NOTES:

ROOF:
FIT R3.6 FIBERGLASS BATTS TO ALL CEILING SPACES - PINK BATTS R3.6 SKILLION ROOF INSULATION SHALL BE INSTALLED TO SKILLION ROOF TO ACHIEVE 25MM AIR GAP BETWEEN INSULATION AND ROOF UNDERLAY

WALL INSULATION:
EXTERIOR WALLS: ARE TO BE INSULATED WITH R2.8 PINK BATTS ULTRA FIBERGLASS BATTS.

UNDERFLOOR INSULATION:
MAMMOTH POLYESTER R1.9 UNDERFLOOR SECTIONS FITTED BETWEEN FLOOR JOISTS

ROOF LEGEND

RF01 — **DIMOND CORRUGATE**
- DIMOND CORRUGATE 0.55mm ROOFING
- COLORSTEEL MAXX FINISH - COLOUR 'GREY FRIARS'
- ROOF UNDERLAY
- 70x45mm H3.2 TIMBER PURLINS @ 900mm CTRS FIXED ON FLAT
- 290x45mm H1.2 TIMBER RAFTERS AT 480mm CTRS NOTCHED AT SOFFIT

GU01 — **STEEL GUTTER - 125 BOX**
- DIMOND BOX 125 GUTTER PROFILE
- COLORSTEEL MAXX FINISH - COLOUR 'GREY FRIARS'

DP01 — **100mmØ DOWN PIPE**
- DIMOND 0.55mm STEEL
- FINISH TO MATCH ROOFING

ROOF NOTES

1. ALL OTHER RAINWATER GOODS, FIXINGS AND SEALANTS TO MATCH ROOF SHEETING.
2. REFER TO SERVICES DRAWINGS FOR ALL ROOF SERVICE PENETRATIONS.
3. ALL ROOF PENETRATIONS TO BE APPROPRIATELY FLASHED/SEALED TO RIDGE LINE, REFER TO SPECIFICATION FOR DETAILS.
4. CONNECT ALL NEW RAINWATER DOWNPIPES TO STORM WATER RETICULATION AND LEGAL POINT OF DISCHARGE.

CEILING LEGEND

CT01 (HEIGHT) — **PLASTERBOARD CEILING**
- 13mm PLASTERBOARD, L4 FINISH. PAINTED
- 308 RONDO CEILING BATTENS ON
- GIB 226 CLIP FIXED TO ROOF FRAMING

CT02 (HEIGHT) — **SOFFIT LINING**
- 6mm THICK FIBRE CEMENT SHEET
- PROPRIETARY JOINTERS
- 45mm FRAMING
- PAINTED

CEILING NOTES

- REFER TO ELECTRICAL DRAWINGS TO COORDINATE LIGHTING AND FOR INSTALLATION DETAILS
- REFER TO SERVICES DRAWINGS FOR OTHER REQUIRED CEILING ACCESS POINTS
- PROVIDE ACCESS PANELS IN CEILING IN ACCORDANCE WITH BUILDING SERVICES REQUIREMENTS.
- CEILING PLANS TO BE READ IN CONJUNCTION WITH BUILDING SERVICES AND RELEVANT SHOP DRAWINGS.
- CEILING EQUIPMENT/FITTINGS TO ALIGN WHERE POSSIBLE (CENTRE LINES) AND BE SPACED EVENLY BETWEEN ADJACENT WALLS.
- PROVIDE ADDITIONAL SUPPORTS IN THE CEILING SUSPENSION SYSTEM WHERE CEILING MOUNTED CURTAIN TRACKS ARE HUNG.
- CEILING MOUNTED EQUIPMENT/FITTINGS ARE TO ALIGN WHERE POSSIBLE (CENTRE LINES) AND BE SPACED EVENLY BETWEEN ADJACENT WALLS.

FLOOR LEGEND

FLOOR TYPES:

F01 — **TIMBER FLOOR**
- 19mm PLYWOOD
- 140x45mm FLOOR JOISTS AT 450mm CRS
- FULL DEPTH BLOCKING BETWEEN ADJACENT FLOOR JOISTS AT 1800mm CRS MAX
- MAMMOTH MULTI UNDERFLOOR INSULATION R1.9
- 6mm FIBRE CEMENT LINING TO UNDERSIDE OF FLOOR JOISTS - PROPRIETARY JOINTERS.

F02 — **TIMBER DECK**
- EX. 100x32mm TIMBER DECKING
- 140x45 H3.2 FLOOR JOISTS AT 600 CRS

F03 — **TIMBER FLOOR**
- 2mm GAUGED STEEL PLATE FIXED WITH SECURITY SCREWS
- 19mm PLYWOOD
- 140x45mm H1.2 FLOOR JOISTS AT 450mm CRS
- FULL DEPTH BLOCKING BETWEEN ADJACENT FLOOR JOISTS AT 1800mm CRS MAX
- MAMMOTH MULTI UNDERFLOOR INSULATION R1.9
- 6mm FIBRE CEMENT LINING TO UNDERSIDE OF FLOOR JOISTS - PROPRIETARY JOINTERS.

BATHROOM FIXTURES:

- WC — **WC PAN**: CAROMA CUBE WALL FACED TOILET SUITE WITH SOFT CLOSE SEAT, PRODUCT CODE: 824615W
- WHB — **BASIN**: CAROMA LUNA HAND WALL BASIN, BLACK BOTTLE TRAP
- BMT — **BASIN MIXER:** CAROMA LIANO BASIN MIXER
- CS — **CLEANERS SINK:** FRANKE SS CLEANERS SINK WITH SPLASHBACK AND BUCKET GRID. CODE: FRCS
  CLEANERS SINK TAPWARE: ZURN SINK FAUCET FOR CLEANERS SINK, MODEL: ZURN Z-SF
- SHR — **EXTERIOR SHOWER:** SPEAKMAN LIFESAVER WALL MOUNTED EXTERIOR EMERGENCY SHOWER HEAD WITH PULL DOWN ARM

BATHROOM ACCESSORIES

- MIR — **MIRROR**: 1000mmH x 600mmW FRAMLESS MIRROR - GLUE FIXED TO WALL SURFACE
- TPH — **TOILET ROLL HOLDER**: SINGLE JUMBO DISPENSER RESERVE, LIVI-COTTONSOFT
- SD — **SOAP DISPENSER:** ASI SURFACE MOUNTED VERTICAL SOAP DISPENSER
- PTD — **PAPER TOWEL DISPENSER:** AS1 SURFACE MOUNTED PAPER TOWEL DISPENSER

TENDER / CONSENT

No	Revision	Drawn	Date
1	CONSENT ISSUE		05.07.19

GHD WOODHEAD creativespaces
Level 1, Grant Thornton House
215 Lambton Quay, Wellington New Zealand
T 64 4 472 0799 F 64 4 472 0833
E wgtnmail@ghd.com W www.ghd.com

Conditions of Use.
This document may only be used by GHD's client (and any other person who GHD has agreed can use this document) for the purpose for which it was prepared and must not be used by any other person or for any other purpose.

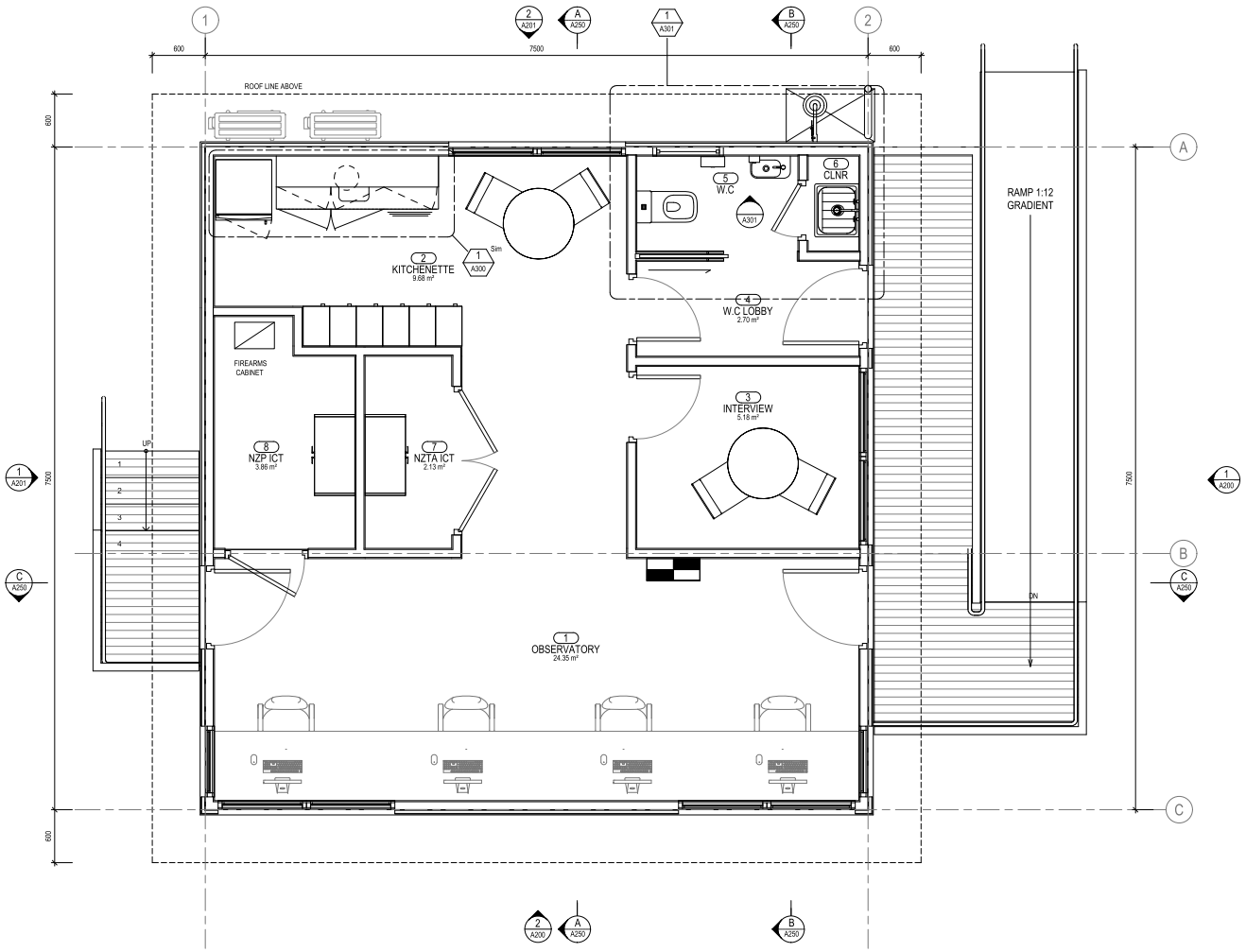
DO NOT SCALE

Scale As indicated

Client NEW ZEALAND TRANSPORT AGENCY
Project TIER 1.5 - CONTROL BUILDING
Title ARCHITECTURAL WORKS GENERAL NOTES

Original Size A1 Drawing No: 51-34037-A010 Rev: 1

Plot Date: 15/10/2019 10:37:35 a.m.
Cad File No: G:\51\34037\CADD\Revit\TIER 1.5\TIER 1.5 RAKAIA\TIER 1.5 RAKAIA.rvt



GENERAL ARRANGEMENT PLAN
SCALE 1 : 25

ARCHITECTURAL SYMBOLS

- CENTRELINE OF ELEMENT
- TILE SETOUT POINT
- BUILDING/GRID SETOUT POINT
- LEVEL DATUM - TOP OF ELEMENT
- LEVEL DATUM - BOTTOM OF ELEMENT
- RL 12.345 — PLAN SPOT RELATIVE LEVEL
- FALL — FALL DIRECTION SYMBOL
- ACT 2400 — CEILING TAG
- D23 — DOOR TAG
- G.01 — ROOM NUMBER
- W1 — WALL TYPE TAG
- W.0.01-0 — WINDOW TAG
- C.1.01-01 — CURTAIN WALL TAG
- SD — CONCRETE FLOOR SLAB SETDOWN
- CONCRETE FLOOR SLAB EDGE
- FFL 00.000 — PLAN - FINISH FLOOR LEVEL
- SL 00.000 — PLAN - SLAB LEVEL

EXTERNAL COLOUR SELECTIONS:

CORRUGATE CLADDING:	DULUX 'GREY FRIARS'
HARDIEFLEX CLADDING:	RESENE 'GREEN LEAF'
ROOFING:	COLORSTEEL 'GREY FRIARS'
FASCIA & BARGE:	'GREY FRIARS' PAINT FINISH
GUTTERS:	'GREY FRIARS'
DOWNPIPES:	'GREY FRIARS'
SOFFIT PAINT COLOUR:	RESENE 'ALABASTER'
FLASHINGS:	POWDERCOAT 'GREY FRIARS'
WINDOW & DOOR JOINERY:	BLACK ANODISED
EXTERNAL DOOR PAINT:	'GREY FRIARS'
EXTERIOR DECKING/BALUSTRADES:	RESENE WOODSMAN 'LIMED GUM'

INTERIOR PAINT COLOURS:

GENERAL WALLS:	RESENE 'ALABASTER'
INTERIOR DOOR LEAFS:	RESENE 'GREY FRIARS'
INTERIOR DOOR TRIMS:	RESENE 'GREY FRIARS'
WINDOW TRIMS:	RESENE 'ALABASTER'
SKIRTING:	RESENE 'ALABASTER'

FLOOR FINISHES:

FLOOR FINISHES:
INSTALL FLOORING VINYL TO ALL SPACES:
TARKITT IQ GRANIT
COLOUR: 461

SKIRTING TRIM: 90x10 BEVELLED PINE FJ SKIRTING PROFILE

WALL PAINT COLOUR:	RESENE 'ALABASTER'
CEILING PAINT COLOUR:	RESENE 'ALABASTER'
INTERIOR TRIM PAINT COLOUR:	RESENE 'ALABASTER'

TENDER / CONSENT

No	Revision	Drawn	Date
1	CONSENT ISSUE		05.07.19
A	CLIENT REVIEW	RW	WIP

0 250 500 750 1000 1250mm
SCALE 1:25 AT ORIGINAL SIZE

GHDWOODHEAD creativespaces
Level 1, Grant Thornton House
215 Lambton Quay, Wellington New Zealand
T 64 4 472 0799 F 64 4 472 0833
E wgtnmail@ghd.com W www.ghd.com

Conditions of Use.
This document may only be used by GHD's client (and any other person who GHD has agreed can use this document) for the purpose for which it was prepared and must not be used by any other person or for any other purpose.

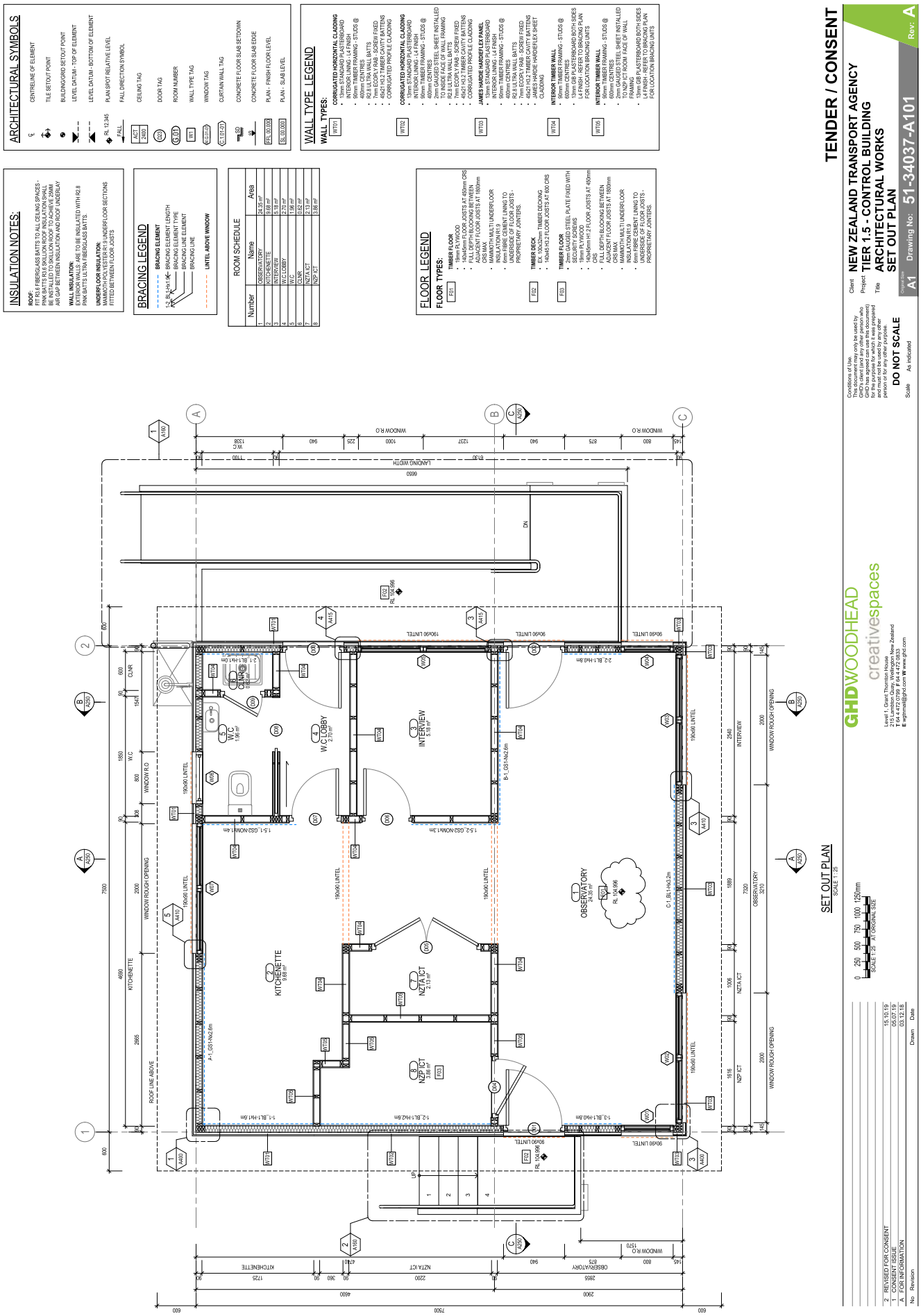
DO NOT SCALE

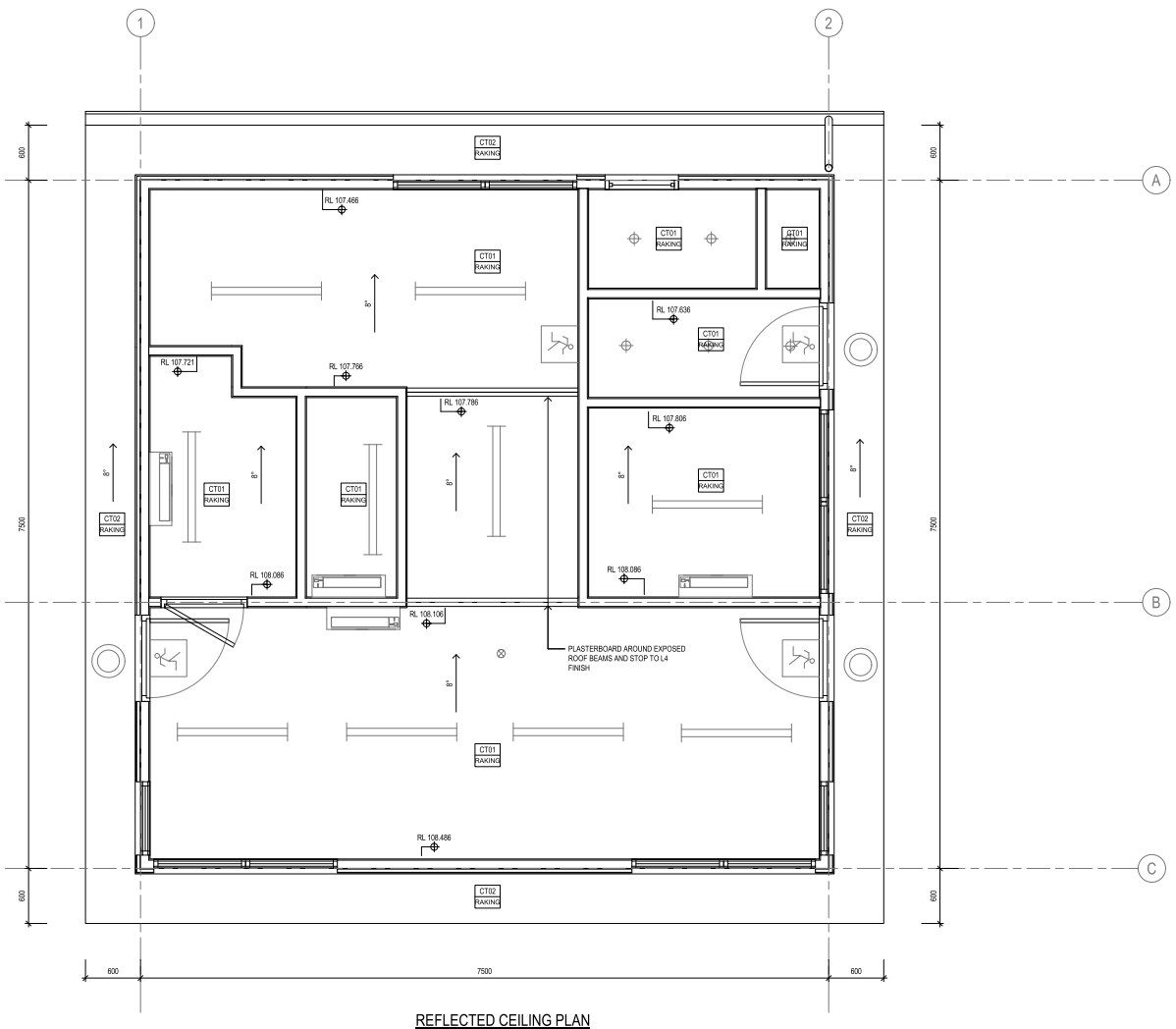
Scale As indicated

Client NEW ZEALAND TRANSPORT AGENCY
Project TIER 1.5 - CONTROL BUILDING
Title ARCHITECTURAL WORKS
GENERAL ARRANGEMENT PLAN

Original Size A1 Drawing No: 51-34037-A100 Rev: A

Plot Date: 15/10/2019 10:37:36 a.m.
Cad File No: G:\51\34037\CADD\Revit\TIER 1.5\TIER 1.5 RAKAIA\TIER 1.5 RAKAIA.rvt


ARCHITECTURAL SYMBOLS
CENTRELINE OF ELEMENT
TILE SETOUT POINT
BUILDING/GRID SETOUT POINT
LEVEL DATUM - TOP OF ELEMENT
LEVEL DATUM - BOTTOM OF ELEMENT
RL 12.345
PLAN SPOT RELATIVE LEVEL
FALL
FALL DIRECTION SYMBOL
ACT 2400
CEILING TAG
D20
DOOR TAG
G.10
ROOM NUMBER
W1
WALL TYPE TAG
W20.00
WINDOW TAG
CT.1.01.x01
CURTAIN WALL TAG
CONCRETE FLOOR SLAB SETDOWN
FFL 10.000
PLAN - FINISH FLOOR LEVEL
SL 09.800
PLAN - SLAB LEVEL
INSULATION NOTES:
ROOF:
ALL ROOFS TO BE INSULATED WITH R2.8 PINK BATTS R2.8 SKILLION ROOF INSULATION SHALL BE INSTALLED TO SKILLION ROOF TO ACHIEVE 25MM AIR GAP BETWEEN INSULATION AND ROOF UNDERLAY
WALL INSULATION:
EXTERNAL WALLS TO BE INSULATED WITH R2.8 PINK BATTS ULTRA FIBERGLASS BATTS
UNDERFLOOR INSULATION:
MANDATORY FOR INSULATED R1.0 UNDERFLOOR SECTIONS FITTED BETWEEN FLOOR JOISTS
BRACING LEGEND
BRACING ELEMENT
2.4 BL-1.0H1
BRACING ELEMENT LENGTH
BRACING ELEMENT TYPE
BRACING HEIGHT OF ELEMENT
BRACING LINE
LINTEL ABOVE WINDOW
ROOM SCHEDULE
Number | Name | Area
1 | OBSERVATORY | 24.38 m²
2 | KITCHENETTE | 9.88 m²
3 | INTERVIEW | 5.18 m²
4 | W.C LOBBY | 2.70 m²
5 | W.C | 1.96 m²
6 | CLNR | 1.82 m²
7 | NZTA ICT | 2.13 m²
8 | NZP ICT | 3.86 m²
FLOOR LEGEND
FLOOR TYPES:
F01
TIMBER FLOOR
• 19mm PARTICLEBOARD
• 140x45 H1.2 FLOOR JOISTS AT 450mm CRS
• FULL DEPTH BLOCKING BETWEEN ADJACENT FLOOR JOISTS AT 1800mm CRS MAX
• MAINFOIL MULTI UNDERFLOOR INSULATION R1.0
• 6mm FIBRE CEMENT LINING TO UNDERSIDE OF FLOOR JOISTS - PROPRIETARY JOINTERS
F02
TIMBER DECK
• EX. 100x32mm TIMBER DECKING
• 140x45 H3.2 FLOOR JOISTS AT 600 CRS
F03
TIMBER FLOOR
• 2mm GALVSED STEEL SHEET PLATE FIXED WITH SECURITY SCREWS
• 19mm PLYWOOD
• 140x45mm H1.2 FLOOR JOISTS AT 450mm CRS
• FULL DEPTH BLOCKING BETWEEN ADJACENT FLOOR JOISTS AT 1800mm CRS MAX
• MAINFOIL MULTI UNDERFLOOR INSULATION R1.0
• 6mm FIBRE CEMENT LINING TO UNDERSIDE OF FLOOR JOISTS - PROPRIETARY JOINTERS
WALL TYPE LEGEND
WALL TYPES:
W101
CORRUGATED HORIZONTAL CLADDING
• 13mm ST-NDARD PLASTERBOARD
• 90x45 H1.2 TIMBER FRAMING
• 90mm TIMBER FRAMING - STUDS @ 400mm CENTRES
• R2.8 ULTRA WALL BATTS
• 7mm ECOPLY RAB - SCREW FIXED
• 45x21 H3.2 TIMBER CAVITY BATTENS
• CORRUGATED PROFILE CLADDING
W102
CORRUGATED HORIZONTAL CLADDING
• 13mm ST-NDARD PLASTERBOARD
• 90x45 H1.2 TIMBER FRAMING
• 90mm TIMBER FRAMING - STUDS @ 400mm CENTRES
• 2mm GALVSED STEEL SHEET INSTALLED TO INSIDE FACE OF WALL FRAMING
• R2.8 ULTRA WALL BATTS
• 7mm ECOPLY RAB - SCREW FIXED
• 45x21 H3.2 TIMBER CAVITY BATTENS
• CORRUGATED PROFILE CLADDING
W103
JAMES HARDIE HARDIEFLEX PANEL
• 13mm ST-NDARD PLASTERBOARD
• 90x45 H1.2 TIMBER FRAMING
• 90mm TIMBER FRAMING - STUDS @ 400mm CENTRES
• R2.8 ULTRA WALL BATTS
• 7mm ECOPLY RAB - SCREW FIXED
• 45x21 H3.2 TIMBER CAVITY BATTENS
• JAMES HARDIE HARDIEFLEX SHEET CLADDING
W104
INTERIOR TIMBER WALL
• 90mm TIMBER FRAMING - STUDS @ 600mm CENTRES
• 13mm GIB PLASTERBOARD BOTH SIDES
• L4 FINISH - REFER TO BRACING PLAN FOR LOCATION BRACING UNITS
W105
INTERIOR TIMBER WALL
• 90mm TIMBER FRAMING - STUDS @ 600mm CENTRES
• 2mm GAUGED STEEL SHEET INSTALLED TO NZP ICT ROOM FACE OF WALL FRAMING
• 13mm GIB PLASTERBOARD BOTH SIDES
• L4 FINISH - REFER TO BRACING PLAN FOR LOCATION BRACING UNITS
SET OUT PLAN
SCALE 1:25
0 250 500 750 1000 1250mm
SCALE 1:25 - A1 ORIGINAL SIZE
GHDWOODHEAD
creativespaces
Level 1, Grant Thornton House
215 Lambton Quay, Wellington, New Zealand
T 64 4 472 0799 F 64 4 472 0833
E wgtmail@ghd.com W www.ghd.com
Conditions of Use:
This document may only be used by the client and may only be used by GHD's client (and any other person who GHD has agreed can use this document) for the purpose for which it was prepared and must not be used by any other person or for any other purpose.
DO NOT SCALE
Scale: As indicated
Paper Size: A1
TENDER / CONSENT
Client: NEW ZEALAND TRANSPORT AGENCY
Project: TIER 1.5 - CONTROL BUILDING
Title: ARCHITECTURAL WORKS
SET OUT PLAN
Drawing No: 51-34037-A101
Rev: A
2 REVISED FOR CONSENT 15.10.19
1 CONSENT ISSUE 05.12.18
A FOR INFORMATION 03.12.18
No Revision Drawn Date
Plot Date: 15/10/2019 10:37:36
Cad File No: G:\51\34037\CADD\Revit\TIER 1.5\TIER 1.5 RAKAIA.rvt



REFLECTED CEILING PLAN
SCALE 1 : 25

CEILING LEGEND

CT01 HEIGHT — **PLASTERBOARD CEILING**
- 13mm PLASTERBOARD, L4 FINISH. PAINTED
- 308 RONDO CEILING BATTENS ON
- GIB 226 CLIP FIXED TO ROOF FRAMING

CT02 HEIGHT — **SOFFIT LINING**
- 6mm THICK FIBRE CEMENT SHEET
- PROPRIETARY JOINTERS
- 45mm FRAMING
- PAINTED

CEILING NOTES

- REFER TO ELECTRICAL DRAWINGS TO COORDINATE LIGHTING AND FOR INSTALLATION DETAILS
- REFER TO SERVICES DRAWINGS FOR OTHER REQUIRED CEILING ACCESS POINTS
- PROVIDE ACCESS PANELS IN CEILING IN ACCORDANCE WITH BUILDING SERVICES REQUIREMENTS.
- CEILING PLANS TO BE READ IN CONJUNCTION WITH BUILDING SERVICES AND RELEVANT SHOP DRAWINGS.
- CEILING EQUIPMENT/FITTINGS TO ALIGN WHERE POSSIBLE (CENTRE LINES) AND BE SPACED EVENLY BETWEEN ADJACENT WALLS.
- PROVIDE ADDITIONAL SUPPORTS IN THE CEILING SUSPENSION SYSTEM WHERE CEILING MOUNTED CURTAIN TRACKS ARE HUNG.
- CEILING MOUNTED EQUIPMENT/FITTINGS ARE TO ALIGN WHERE POSSIBLE (CENTRE LINES) AND BE SPACED EVENLY BETWEEN ADJACENT WALLS.

Council 8 February 2023

TENDER / CONSENT

No	Revision	Drawn	Date
1	CONSENT ISSUE		05.07.19

0 250 500 750 1000 1250mm
SCALE 1:25 AT ORIGINAL SIZE

GHDWOODHEAD creativespaces
Level 1, Grant Thornton House
215 Lambton Quay, Wellington New Zealand
T 64 4 472 0799 F 64 4 472 0833
E wgtnmail@ghd.com W www.ghd.com

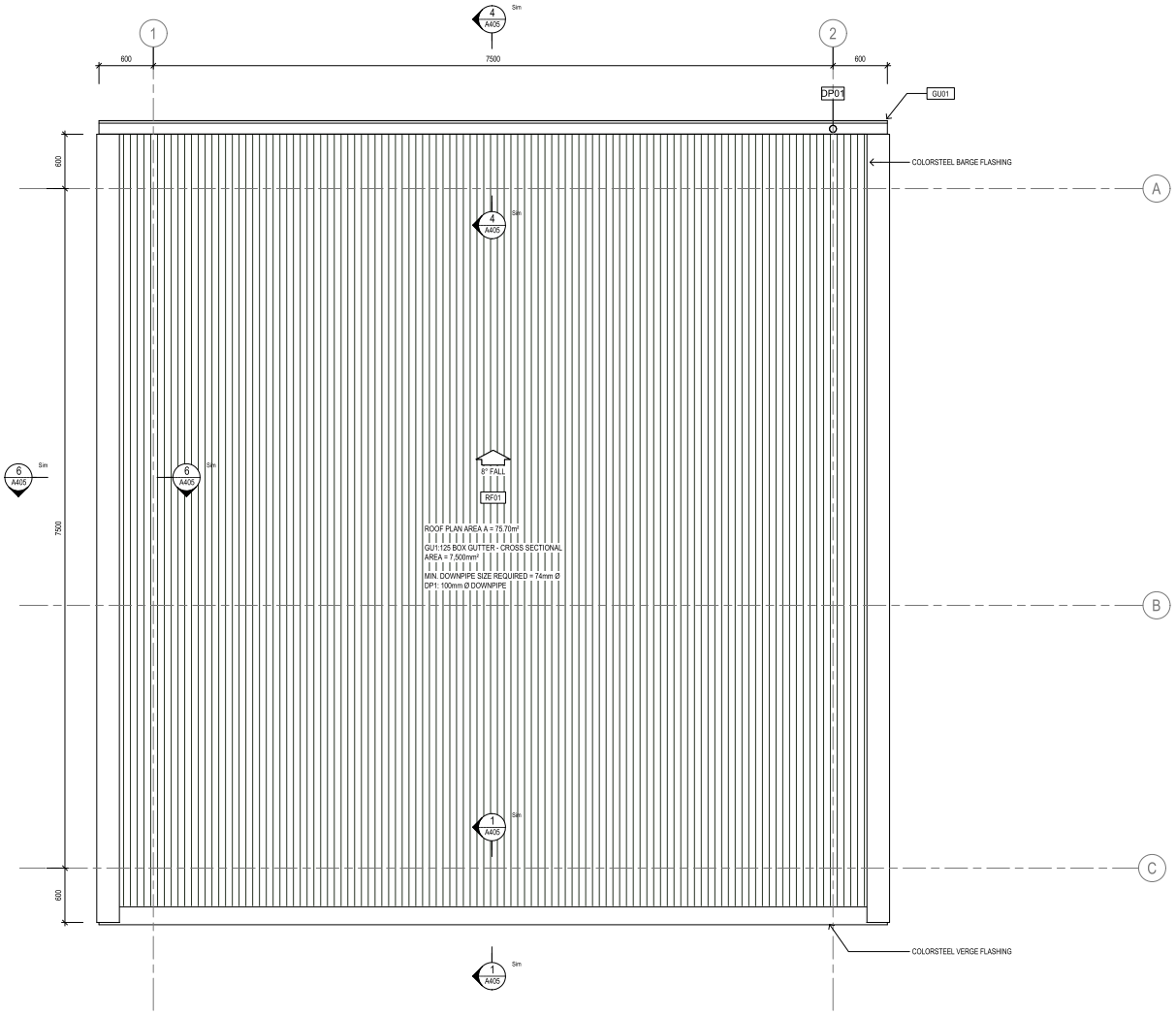
Conditions of Use.
This document may only be used by GHD's client (and any other person who GHD has agreed can use this document) for the purpose for which it was prepared and must not be used by any other person or for any other purpose.

DO NOT SCALE
Scale 1 : 25

Client NEW ZEALAND TRANSPORT AGENCY
Project TIER 1.5 - CONTROL BUILDING
Title ARCHITECTURAL WORKS
REFLECTED CEILING PLAN

Original Size A1 Drawing No: 51-34037-A105 Rev: 1

Plot Date: 15/10/2019 10:37:37 a.m.
Cad File No: G:\51\34037\CADD\Revit\TIER 1.5\TIER 1.5 RAKAIA\TIER 1.5 RAKAIA.rvt



ROOF PLAN
SCALE 1 : 25

ROOF LEGEND

RF01 **DIMOND CORRUGATE**
- DIMOND CORRUGATE 0.55mm ROOFING
- COLORSTEEL MAXX FINISH - COLOUR 'GREY FRIARS'
- ROOF UNDERLAY
- 70x45mm H3.2 TIMBER PURLINS @ 900mm CTRS FIXED ON FLAT
- 290x45mm H1.2 TIMBER RAFTERS AT 480mm CTRS NOTCHED AT SOFFIT

GU01 **STEEL GUTTER - 125 BOX**
- DIMOND BOX 125 GUTTER PROFILE
- COLORSTEEL MAXX FINISH - COLOUR 'GREY FRIARS'

DP01 **100mmØ DOWN PIPE**
- DIMOND 0.55mm STEEL
- FINISH TO MATCH ROOFING

ROOF NOTES

1. ALL OTHER RAINWATER GOODS, FIXINGS AND SEALANTS TO MATCH ROOF SHEETING.
2. REFER TO SERVICES DRAWINGS FOR ALL ROOF SERVICE PENETRATIONS.
3. ALL ROOF PENETRATIONS TO BE APPROPRIATELY FLASHED/SEALED TO RIDGE LINE, REFER TO SPECIFICATION FOR DETAILS.
4. CONNECT ALL NEW RAINWATER DOWNPIPES TO STORM WATER RETICULATION AND LEGAL POINT OF DISCHARGE.

TENDER / CONSENT

No	Revision	Drawn	Date
1	CONSENT ISSUE		05.07.19

0 250 500 750 1000 1250mm
SCALE 1:25 AT ORIGINAL SIZE

GHD WOODHEAD creativespaces
Level 1, Grant Thornton House
215 Lambton Quay, Wellington New Zealand
T 64 4 472 0799 F 64 4 472 0833
E wgtnmail@ghd.com W www.ghd.com

Conditions of Use.
This document may only be used by GHD's client (and any other person who GHD has agreed can use this document) for the purpose for which it was prepared and must not be used by any other person or for any other purpose.

DO NOT SCALE

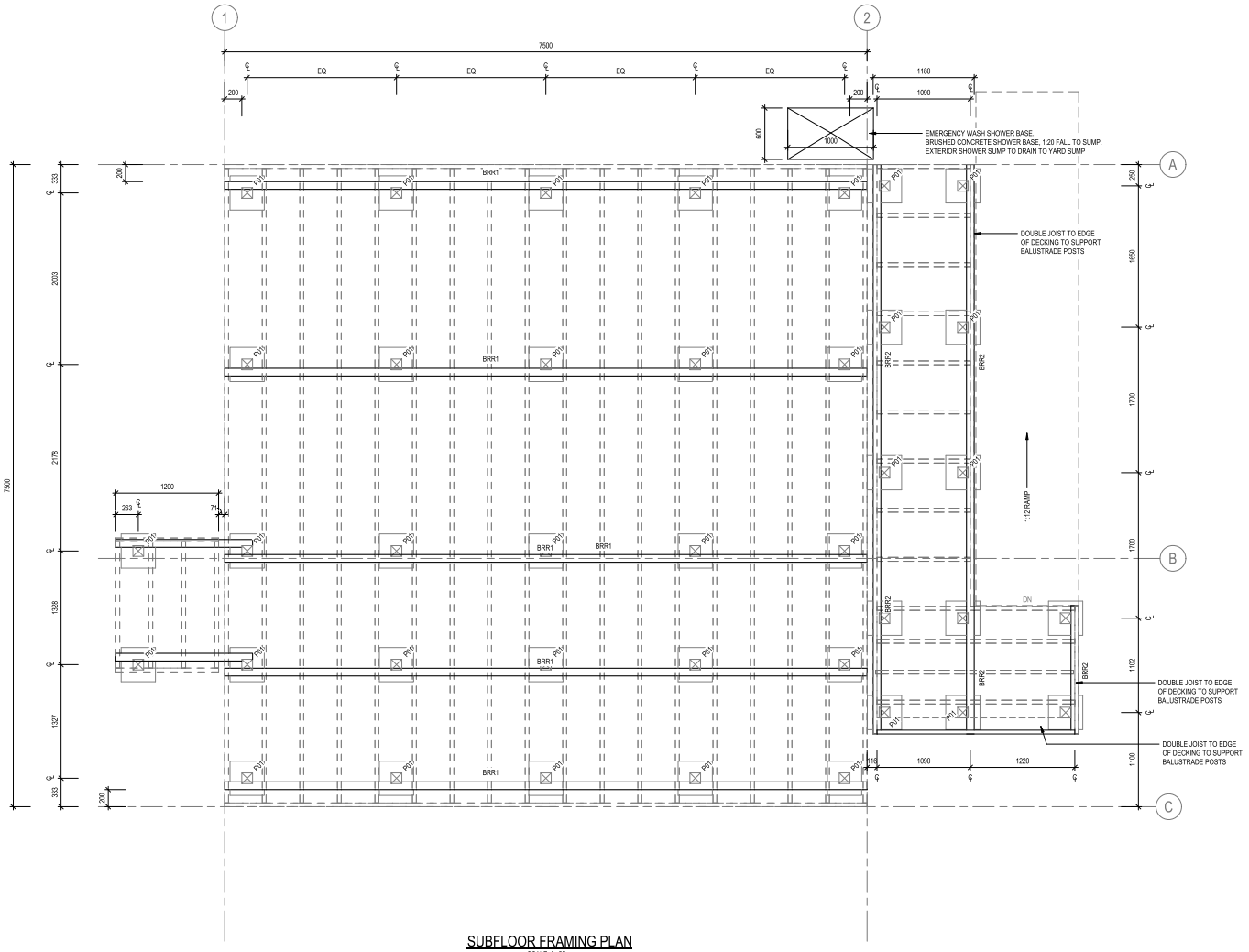
Scale As indicated

Client NEW ZEALAND TRANSPORT AGENCY
Project TIER 1.5 - CONTROL BUILDING
Title ARCHITECTURAL WORKS
ROOF PLAN

Original Size A1 Drawing No: 51-34037-A110 Rev: 1

Plot Date: 15/10/2019 10:37:38 a.m.
Cad File No: G:\51\34037\CADD\Revit\TIER 1.5\TIER 1.5 RAKAIA\TIER 1.5 RAKAIA.rvt

Council 8 February 2023



SUBFLOOR FRAMING PLAN
SCALE 1 : 25

SUB FLOOR FRAMING & FOOTING LEGEND

GROUND BEARING CAPACITY
BEARING CAPACITY OF THE SOIL MUST MEET 'GOOD GROUND CONDITIONS' AS DEFINED IN NZS3604:2011 AND HAVE A ULTIMATE BEARING CAPACITY OF 300kPa.

IF THE PILE HOLES FAIL TO MEET THE 300kPa ULTIMATE BEARING CAPACITY, THE ARCHITECT SHALL BE NOTIFIED AND A SPECIFIC ENGINEERING DESIGN WILL BE REQUIRED.

P01 **TIMBER PILE**
- 125x125mm H5 TIMBER PILE IN 400x400, 900mm DEEP CONCRETE FOOTING

BRR1 **TIMBER BEARER - PROTECTED**
- 140x90mm SG8 H1.2 TIMBER BEARER

BRR2 **TIMBER BEARER - EXPOSED**
- 140x90mm SG8 H3.2 TIMBER BEARER

NOTE: THE TIMBER BEARERS SHALL BE FIXED TO EACH TIMBER PILE WITH 1/ M12 SS BOLT WITH 50x50x3mm SS WASHER. BEARER TO BE OVER 300mm TO GROUND

TENDER / CONSENT

No	Revision	Drawn	Date
1	CONSENT ISSUE	DA	05.07.19

0 250 500 750 1000 1250mm
SCALE 1:25 AT ORIGINAL SIZE

GHD WOODHEAD creativespaces
Level 1, Grant Thornton House
215 Lambton Quay, Wellington New Zealand
T 64 4 472 0799 F 64 4 472 0833
E wgtnmail@ghd.com W www.ghd.com

Conditions of Use.
This document may only be used by GHD's client (and any other person who GHD has agreed can use this document) for the purpose for which it was prepared and must not be used by any other person or for any other purpose.

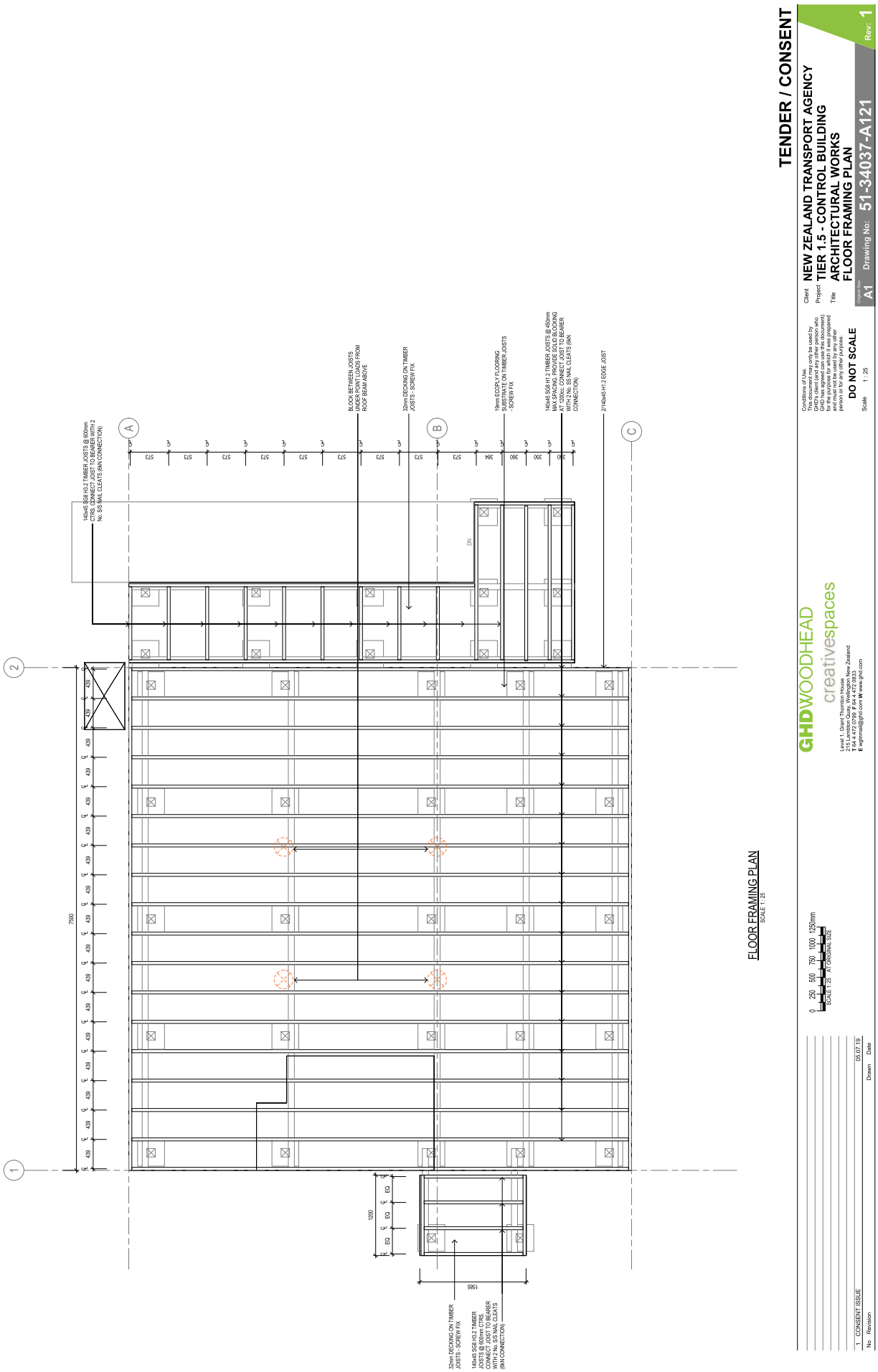
DO NOT SCALE

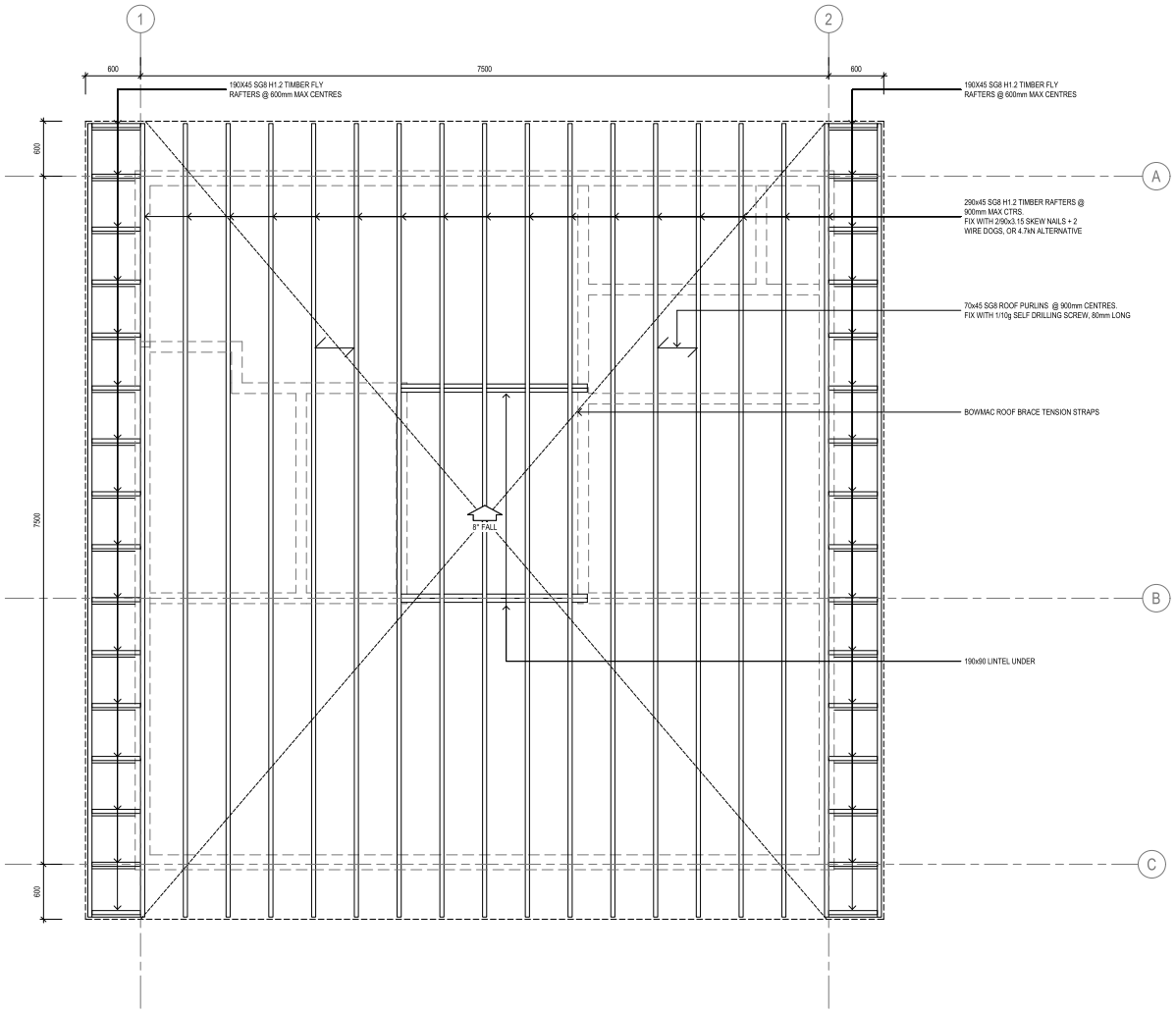
Scale As indicated

Client **NEW ZEALAND TRANSPORT AGENCY**
Project **TIER 1.5 - CONTROL BUILDING**
Title **ARCHITECTURAL WORKS**
SUBFLOOR FRAMING PLAN

Original Size A1 Drawing No: **51-34037-A120** Rev: **1**

Plot Date: 15/10/2019 10:37:38 a.m.
Cad File No: G:\51\34037\CADD\Revit\TIER 1.5\TIER 1.5 RAKAIA\TIER 1.5 RAKAIA.rvt


TENDER / CONSENT
Client NEW ZEALAND TRANSPORT AGENCY
Project TIER 1.5 - CONTROL BUILDING
Title ARCHITECTURAL WORKS
FLOOR FRAMING PLAN
Paper Size A1
Drawing No: 51-34037-A121
Rev: 1
DO NOT SCALE
Scale 1 : 25
GHDWOODHEAD
creativespaces
FLOOR FRAMING PLAN
SCALE 1:25
1 CONSENT ISSUE 05.07.19
No Revision Drawn Date



ROOF FRAMING PLAN
SCALE 1 : 25

TENDER / CONSENT

No	Revision	Drawn	Date
1	CONSENT ISSUE		05.07.19

0 250 500 750 1000 1250mm
SCALE 1:25 AT ORIGINAL SIZE

GHDWOODHEAD
creativespaces
Level 1, Grant Thornton House
215 Lambton Quay, Wellington New Zealand
T 64 4 472 0799 F 64 4 472 0833
E wgtnmail@ghd.com W www.ghd.com

Conditions of Use.
This document may only be used by GHD's client (and any other person who GHD has agreed can use this document) for the purpose for which it was prepared and must not be used by any other person or for any other purpose.

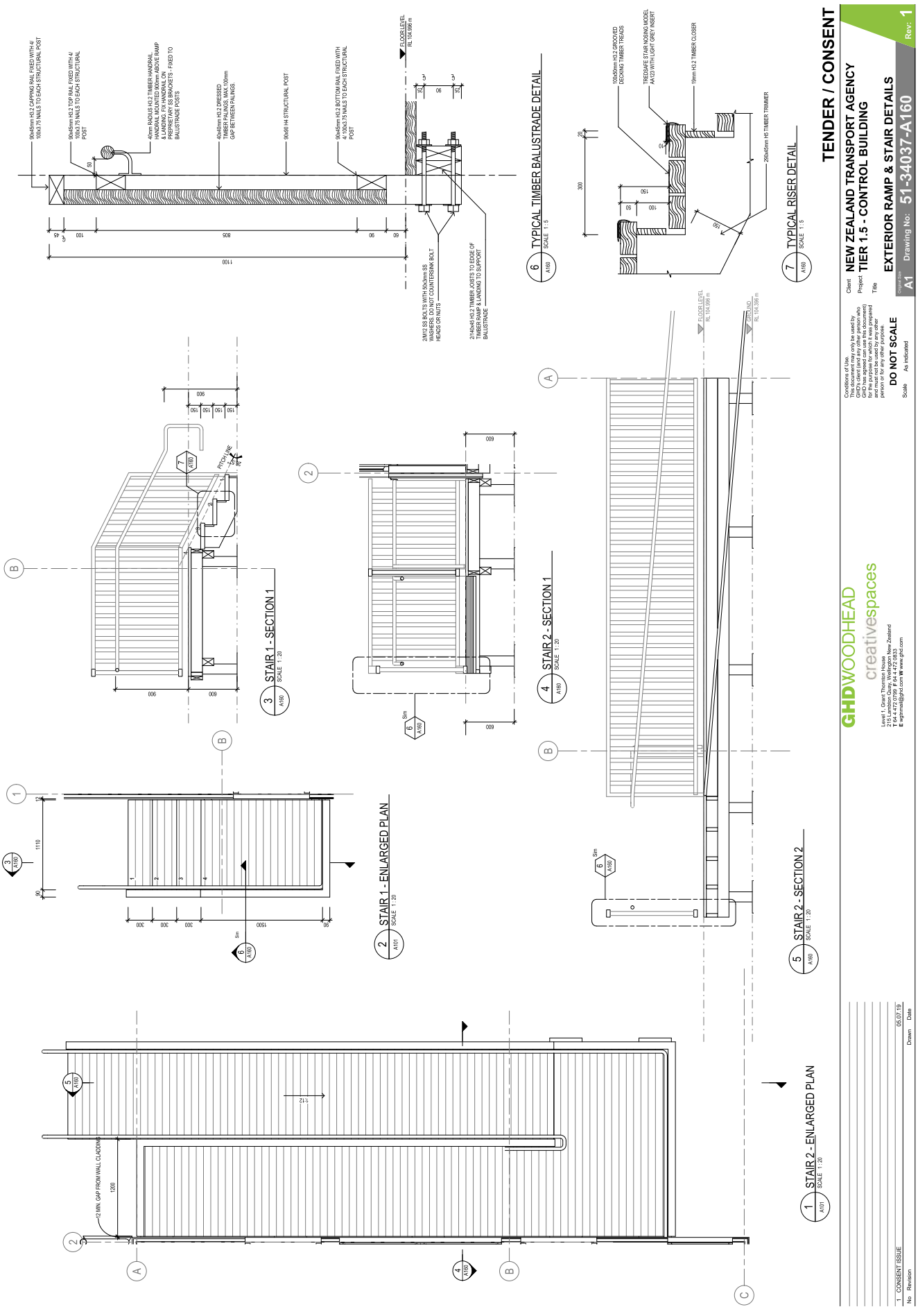
DO NOT SCALE

Scale 1 : 25

Client NEW ZEALAND TRANSPORT AGENCY
Project TIER 1.5 - CONTROL BUILDING
Title ARCHITECTURAL WORKS
ROOF FRAMING PLAN

Original Size A1 Drawing No: 51-34037-A122 Rev: 1

Plot Date: 15/10/2019 10:37:39 a.m.
Cad File No: G:\51\34037\CADD\Revit\TIER 1.5\TIER 1.5 RAKAIA\TIER 1.5 RAKAIA.rvt


TENDER / CONSENT
Client NEW ZEALAND TRANSPORT AGENCY
Project TIER 1.5 - CONTROL BUILDING
Title EXTERIOR RAMP & STAIR DETAILS
Drawing No: 51-34037-A160
Rev: 1
Original Size A1
DO NOT SCALE
Scale As indicated
GHDWOODHEAD
creativespaces
Level 1, Grant Thornton House
215 Lambton Quay, Wellington 6011, New Zealand
T 64 4 472 0799 F 64 4 472 0833
E wgtmail@ghd.com W www.ghd.com
Conditions of Use.
This document may only be used by GHD's client (and any other person who GHD has agreed can use this document) for the purpose for which it was prepared and must not be used by any other person or for any other purpose.
1 CONSENT ISSUE 05.07.19
No Revision Drawn Date
Plot Date: 15/10/2019 10:37:41
Cad File No: G:\51\34037\CADD\Revit\TIER 1.5\TIER 1.5 RAKAIA\TIER 1.5 RAKAIA.rvt
6 TYPICAL TIMBER BALUSTRADE DETAIL SCALE 1 : 5
7 TYPICAL RISER DETAIL SCALE 1 : 5
3 STAIR 1 - SECTION 1 SCALE 1 : 20
4 STAIR 2 - SECTION 1 SCALE 1 : 20
5 STAIR 2 - SECTION 2 SCALE 1 : 20
2 STAIR 1 - ENLARGED PLAN SCALE 1 : 20
1 STAIR 2 - ENLARGED PLAN SCALE 1 : 20
FLOOR LEVEL RL 104.996 m
GROUND RL 104.396 m
90x45mm H3.2 CAPPING RAIL FIXED WITH 4/ 100x3.75 NAILS TO EACH STRUCTURAL POST
90x45mm H3.2 TOP RAIL FIXED WITH 4/ 100x3.75 NAILS TO EACH STRUCTURAL POST
40mm RADIUS H3.2 TIMBER HANDRAIL HANDRAIL MOUNTED 900mm ABOVE RAMP & LANDING SURFACE AND 750mm ABOVE PERIPHERETARY SS BRACKETS - FIXED TO BALUSTRADE POSTS
40x45mm H3.2 DRESSED TIMBER PALINGS. MAX 100mm GAP BETWEEN PALINGS.
90x90 H4 STRUCTURAL POST
90x45mm H3.2 BOTTOM RAIL FIXED WITH 4/ 100x3.75 NAILS TO EACH STRUCTURAL POST
2M10 SS BOLTS WITH 65x3mm SS WASHERS. DO NOT COUNTERSINK BOLT HEADS OR NUTS
2/140x45 H3.2 TIMBER JOISTS TO EDGE OF TIMBER RAMP & LANDING TO SUPPORT BALUSTRADE
100x50mm H3.2 GROOVED DECKING TIMBER TREADS
TREDSAFE STAIR NOSING MODEL AA123 WITH LIGHT GREY INSERT
19mm H3.2 TIMBER CLOSER
250x45mm H5 TIMBER TRIMMER
12 MIN. GAP FROM WALL CLADDING
PITCH LINE
1200
1110
1500
1712



SIDE ELEVATION 1
SCALE 1 : 25



FRONT ELEVATION
SCALE 1 : 25

WALL TYPE LEGEND

WALL TYPES:

WT01 **CORRUGATED HORIZONTAL CLADDING**
- 13mm STANDARD PLASTERBOARD INTERIOR LINING - L4 FINISH
- 90mm TIMBER FRAMING - STUDS @ 400mm CENTRES
- R2.8 ULTRA WALL BATTS
- 7mm ECOPLY RAB - SCREW FIXED
- 45x21 H3.2 TIMBER CAVITY BATTENS
- CORRUGATED PROFILE CLADDING

WT02 **CORRUGATED HORIZONTAL CLADDING**
- 13mm STANDARD PLASTERBOARD INTERIOR LINING - L4 FINISH
- 90mm TIMBER FRAMING - STUDS @ 400mm CENTRES
- 2mm GAUGED STEEL SHEET INSTALLED TO INSIDE FACE OF WALL FRAMING
- R2.8 ULTRA WALL BATTS
- 7mm ECOPLY RAB - SCREW FIXED
- 45x21 H3.2 TIMBER CAVITY BATTENS
- CORRUGATED PROFILE CLADDING

WT03 **JAMES HARDIE HARDIEFLEX PANEL**
- 13mm STANDARD PLASTERBOARD INTERIOR LINING - L4 FINISH
- 90mm TIMBER FRAMING - STUDS @ 400mm CENTRES
- R2.8 ULTRA WALL BATTS
- 7mm ECOPLY RAB - SCREW FIXED
- 45x21 H3.2 TIMBER CAVITY BATTENS
- JAMES HARDIE HARDIEFLEX SHEET CLADDING

WT04 **INTERIOR TIMBER WALL**
- 90mm TIMBER FRAMING - STUDS @ 600mm CENTRES
- 13mm GIB PLASTERBOARD BOTH SIDES L4 FINISH - REFER TO BRACING PLAN FOR LOCATION BRACING UNITS

WT05 **INTERIOR TIMBER WALL**
- 90mm TIMBER FRAMING - STUDS @ 600mm CENTRES
- 2mm GAUGED STEEL SHEET INSTALLED TO NZP ICT ROOM FACE OF WALL FRAMING
- 13mm GIB PLASTERBOARD BOTH SIDES L4 FINISH - REFER TO BRACING PLAN FOR LOCATION BRACING UNITS

ROOF LEGEND

RF01 **DIMOND CORRUGATE**
- DIMOND CORRUGATE 0.55mm ROOFING
- COLORSTEEL MAXX FINISH - COLOUR 'GREY FRIARS'
- ROOF UNDERLAY
- 70x45mm H3.2 TIMBER PURLINS @ 900mm CTRS FIXED ON FLAT
- 290x45mm H1.2 TIMBER RAFTERS AT 480mm CTRS NOTCHED AT SOFFIT

GU01 **STEEL GUTTER - 125 BOX**
- DIMOND BOX 125 GUTTER PROFILE
- COLORSTEEL MAXX FINISH - COLOUR 'GREY FRIARS'

DP01 **100mmØ DOWN PIPE**
- DIMOND 0.55mm STEEL
- FINISH TO MATCH ROOFING

ROOF NOTES

1. ALL OTHER RAINWATER GOODS, FIXINGS AND SEALANTS TO MATCH ROOF SHEETING.
2. REFER TO SERVICES DRAWINGS FOR ALL ROOF SERVICE PENETRATIONS.
3. ALL ROOF PENETRATIONS TO BE APPROPRIATELY FLASHED/SEALED TO RIDGE LINE, REFER TO SPECIFICATION FOR DETAILS.
4. CONNECT ALL NEW RAINWATER DOWNPIPES TO STORM WATER RETICULATION AND LEGAL POINT OF DISCHARGE.

TENDER / CONSENT

No	Revision	Note: * indicates signatures on original issue of drawing or last revision of drawing	Drawn	Job Manager	Project Director	Date
2	REVISED FOR CONSENT					15.10.19
1	CONSENT ISSUE					05.07.19
B	CLIENT REVIEW					18.01.19
A	CLIENT REVIEW		RW	DA	NW	WIP

0 250 500 750 1000 1250mm
SCALE 1:25 AT ORIGINAL SIZE

NZ TRANSPORT AGENCY WAKA KOTAHI

GHDWOODHEAD creativespaces
Level 1, Grant Thornton House
215 Lambton Quay, Wellington New Zealand
T 64 4 472 0799 F 64 4 472 0833
E wgtnmail@ghd.com W www.ghd.com

DO NOT SCALE
GHDWOODHEAD is a trading name of GHD Pty Ltd.
Conditions of Use.
This document may only be used by GHD's client (and any other person who GHD has agreed can use this document) for the purpose for which it was prepared and must not be used by any other person or for any other purpose.

Drawn R.WURSTER
Drafting Check
Approved (Project Director)
Date
Scale As indicated
Designer D.ANGUS
Design Check

This Drawing must not be used for Construction unless signed as Approved

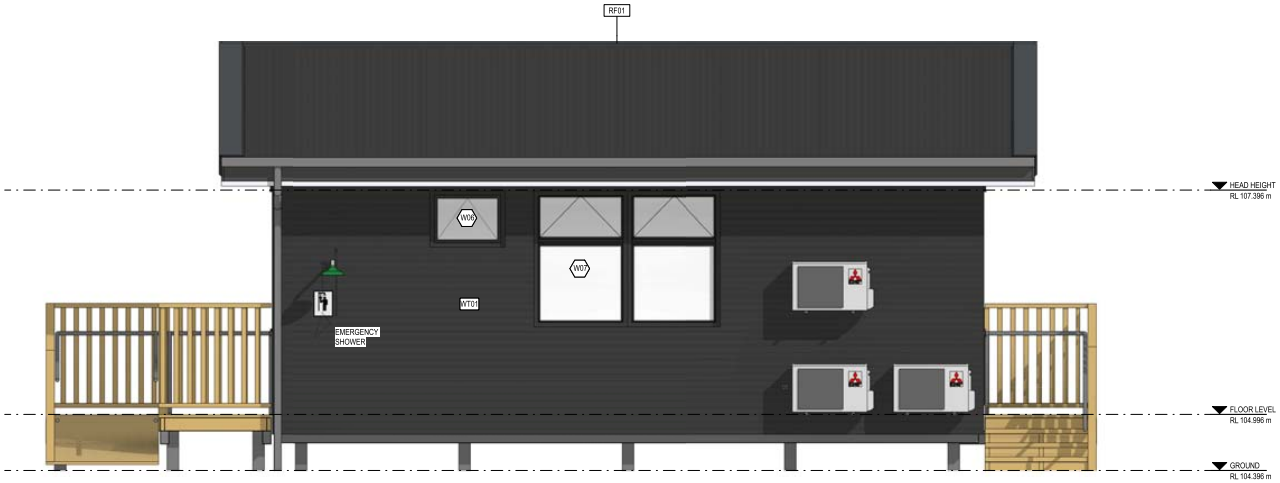
Client NEW ZEALAND TRANSPORT AGENCY
Project TIER 1.5 - CONTROL BUILDING
Title ARCHITECTURAL WORKS EXTERIOR ELEVATIONS

Original Size A1
Drawing No: 51-34037-A200
Rev: 2

Plot Date: 15/10/2019 10:37:45 a.m.
Cad File No: G:\51\34037\CADD\Revit\TIER 1.5\TIER 1.5 RAKAIA\TIER 1.5 RAKAIA.rvt



SIDE ELEVATION 2
SCALE 1 : 25



REAR ELEVATION
SCALE 1 : 25

WALL TYPE LEGEND

WALL TYPES:

WT01 **CORRUGATED HORIZONTAL CLADDING**
- 13mm STANDARD PLASTERBOARD INTERIOR LINING - L4 FINISH
- 90mm TIMBER FRAMING - STUDS @ 400mm CENTRES
- R2.8 ULTRA WALL BATTS
- 7mm ECOPLY RAB - SCREW FIXED
- 45x21 H3.2 TIMBER CAVITY BATTENS
- CORRUGATED PROFILE CLADDING

WT02 **CORRUGATED HORIZONTAL CLADDING**
- 13mm STANDARD PLASTERBOARD INTERIOR LINING - L4 FINISH
- 90mm TIMBER FRAMING - STUDS @ 400mm CENTRES
- 2mm GAUGED STEEL SHEET INSTALLED TO INSIDE FACE OF WALL FRAMING
- R2.8 ULTRA WALL BATTS
- 7mm ECOPLY RAB - SCREW FIXED
- 45x21 H3.2 TIMBER CAVITY BATTENS
- CORRUGATED PROFILE CLADDING

WT03 **JAMES HARDIE HARDIEFLEX PANEL**
- 13mm STANDARD PLASTERBOARD INTERIOR LINING - L4 FINISH
- 90mm TIMBER FRAMING - STUDS @ 400mm CENTRES
- R2.8 ULTRA WALL BATTS
- 7mm ECOPLY RAB - SCREW FIXED
- 45x21 H3.2 TIMBER CAVITY BATTENS
- JAMES HARDIE HARDIEFLEX SHEET CLADDING

WT04 **INTERIOR TIMBER WALL**
- 90mm TIMBER FRAMING - STUDS @ 600mm CENTRES
- 13mm GIB PLASTERBOARD BOTH SIDES L4 FINISH - REFER TO BRACING PLAN FOR LOCATION BRACING UNITS

WT05 **INTERIOR TIMBER WALL**
- 90mm TIMBER FRAMING - STUDS @ 600mm CENTRES
- 2mm GAUGED STEEL SHEET INSTALLED TO N2P ICT ROOM FACE OF WALL FRAMING
- 13mm GIB PLASTERBOARD BOTH SIDES L4 FINISH - REFER TO BRACING PLAN FOR LOCATION BRACING UNITS

ROOF LEGEND

RF01 **DIMOND CORRUGATE**
- DIMOND CORRUGATE 0.56mm ROOFING
- COLORSTEEL MAXX FINISH - COLOUR 'GREY FRIARS'
- ROOF UNDERLAY
- 70x45mm H3.2 TIMBER PURLINS @ 900mm CTRS FIXED ON FLAT
- 290x45mm H1.2 TIMBER RAFTERS AT 480mm CTRS NOTCHED AT SOFFIT

GU01 **STEEL GUTTER - 125 BOX**
- DIMOND BOX 125 GUTTER PROFILE
- COLORSTEEL MAXX FINISH - COLOUR 'GREY FRIARS'

DP01 **100mmØ DOWN PIPE**
- DIMOND 0.55mm STEEL
- FINISH TO MATCH ROOFING

ROOF NOTES

1. ALL OTHER RAINWATER GOODS, FIXINGS AND SEALANTS TO MATCH ROOF SHEETING.
2. REFER TO SERVICES DRAWINGS FOR ALL ROOF SERVICE PENETRATIONS.
3. ALL ROOF PENETRATIONS TO BE APPROPRIATELY FLASHED/SEALED TO RIDGE LINE, REFER TO SPECIFICATION FOR DETAILS.
4. CONNECT ALL NEW RAINWATER DOWNPIPES TO STORM WATER RETICULATION AND LEGAL POINT OF DISCHARGE.

TENDER / CONSENT

No	Revision	Note: * indicates signatures on original issue of drawing or last revision of drawing	Drawn	Job Manager	Project Director	Date
1	CONSENT ISSUE					05.07.19

0 250 500 750 1000 1250mm
SCALE 1:25 AT ORIGINAL SIZE

NZ TRANSPORT AGENCY WAKA KOTAHI

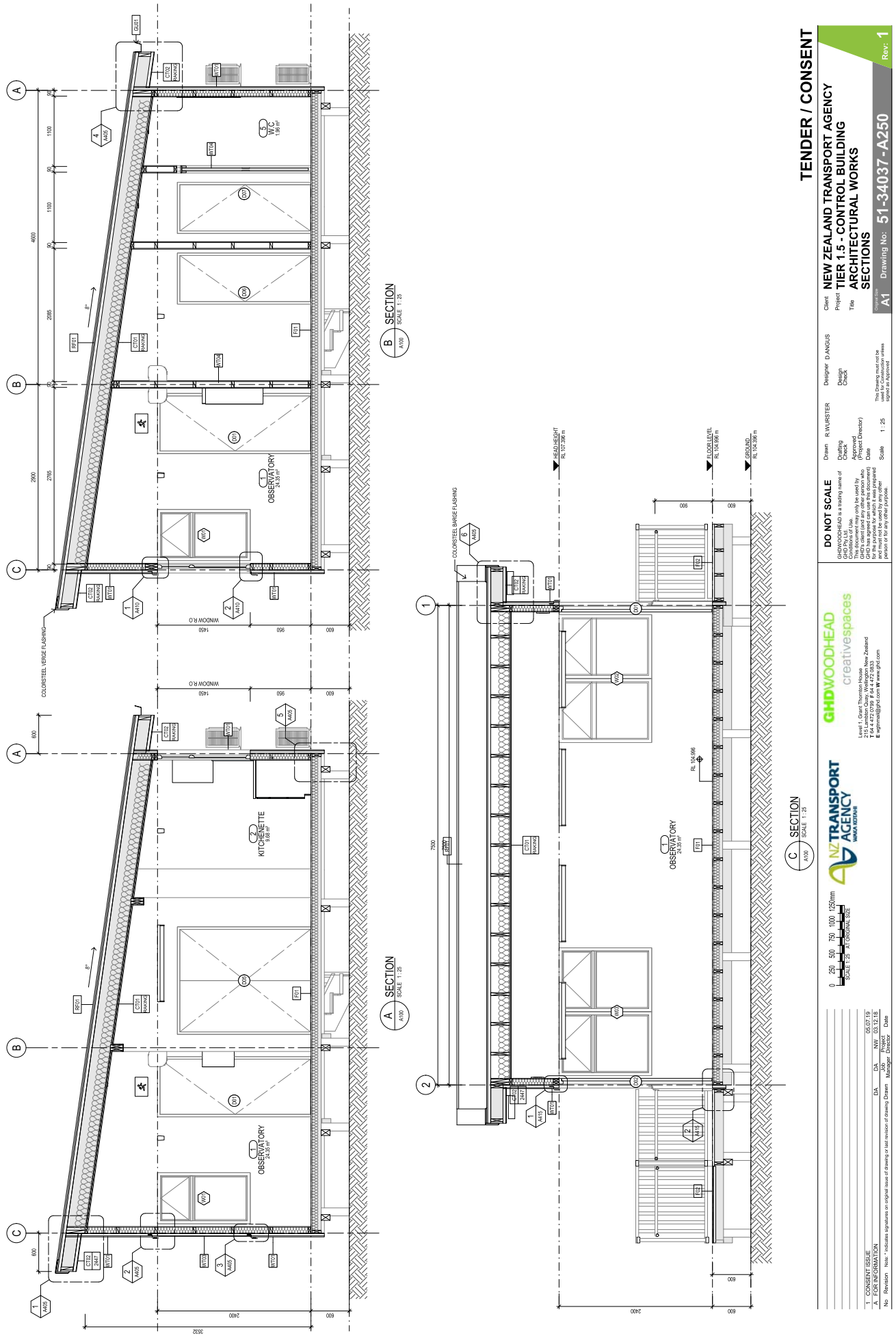
GHDWOODHEAD creativespaces
Level 1, Grant Thornton House
215 Lambton Quay, Wellington New Zealand
T 64 4 472 0799 F 64 4 472 0833
E wgtnmail@ghd.com W www.ghd.com

DO NOT SCALE
GHDWOODHEAD is a trading name of GHD Pty Ltd.
Conditions of Use.
This document may only be used by GHD's client (and any other person who GHD has agreed can use this document) for the purpose for which it was prepared and must not be used by any other person or for any other purpose.

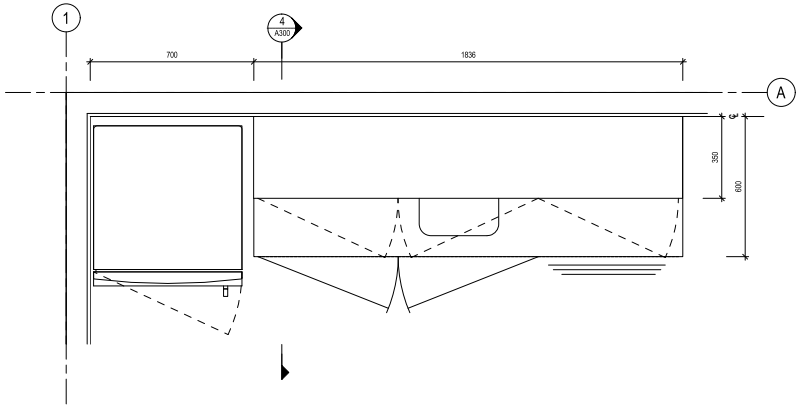
Drawn R.WURSTER
Designer D.ANGUS
Drafting Check
Design Check Checker
Approved (Project Director)
Approver
Date
Scale As indicated
This Drawing must not be used for Construction unless signed as Approved

Client NEW ZEALAND TRANSPORT AGENCY
Project TIER 1.5 - CONTROL BUILDING
Title EXTERIOR ELEVATIONS
Original Size A1
Drawing No: 51-34037-A201
Rev: 1

Plot Date: 15/10/2019 10:37:49 a.m.
Cad File No: G:\51\34037\CADD\Revit\TIER 1.5\TIER 1.5 RAKAIA\TIER 1.5 RAKAIA.rvt


TENDER / CONSENT
NEW ZEALAND TRANSPORT AGENCY
TIER 1.5 - CONTROL BUILDING
ARCHITECTURAL WORKS
SECTIONS
Drawing No: 51-34037-A250
Rev: 1
DO NOT SCALE
GHDWOODHEAD
creativespaces
NZ TRANSPORT AGENCY
SECTION
SECTION
SECTION
OBSERVATORY
KITCHENETTE
W.C
WINDOW R.O
COLORSTEEL VERGE FLASHING
COLORSTEEL BARGE FLASHING
HEAD HEIGHT RL 107.396 m
FLOOR LEVEL RL 104.996 m
GROUND RL 104.396 m
RL 104.996





KITCHEN JOINERY PLAN
SCALE 1 : 10

NOTES

GENERAL:
It is the joiners responsibility to setout and build in all kitchen appliances. Appliances are to be fitted in accordance with the manufacturers recommendations with all venting spaces, clearances etc.
All appliances shall be supplied by owner. Owner to confirm appliance models prior to kitchen joinery fabrication commencing.

DRAWER RUNNERS
All drawers to have full height sides and backs with soft closing system. Drawer slider tracks to be sized to suit drawer width/weight

HINGES
Generally concealed HETTICH, Sensy or similar approved 130 degree throw out to standard carcass doors, with soft closing system. Full or half overlay as required to conceal carcass behind.
Site measure prior to manufacturing of joinery, coordinate joinery with the setout of new and relocated appliances

All dimensions are to be checked on site, any discepencies are to be brought to designers attention. Units and tops are to be a neat fit between walls. Allow to template bench top to ensure an accurate fit.

CARCASES:
Carcases are to be 18mm standard white Melteca in general. All carcases are to be clashed with 3mm PVC where not visible. Concealed shelves are to be 18mm white Melteca with 3mm pvc all sides except where noted otherwise.

CABINETRY FINISHES

L1 **JOINERY FINISH - TYPE 1**
18mm MDF(MR) Bestwood Melamine, colour **CARBON EMBOSSED**

L2 **JOINERY FINISH - TYPE 2**
18mm MDF (MR) Bestwood Melamine - colour **RANFURLY OAK, WILDERNESS**

KP **KICKPLATE - TYPE 1**
Brushed stainless steel sheet mounted on18mm MDF(MR)

B1 **KITCHEN BENCHTOPS - TYPE 1**
Brushed Stainless steel benchtop on 36mm Meranti Plywood substrate

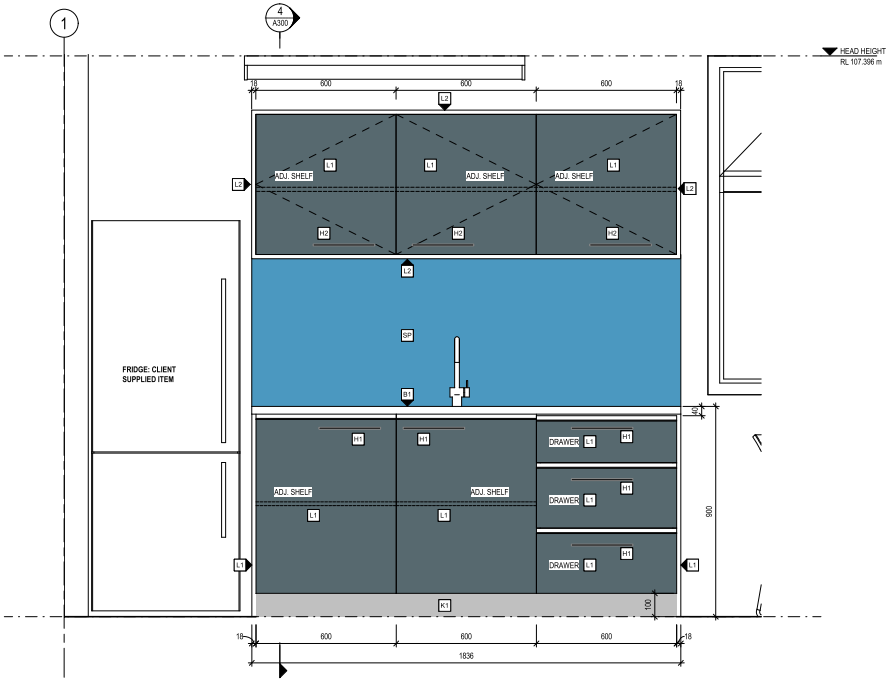
KITCHEN SINK
Burns & Ferrari BFD380R15 Single Bowl sink (Bowl size 380x400x200) allow to integrate into Stainless Steel benchtop

H1 **HANDLES - BASE CABINETS & DRAWERS**
Mardecco Arezzo 4030, 264mm x 8.5mm Black

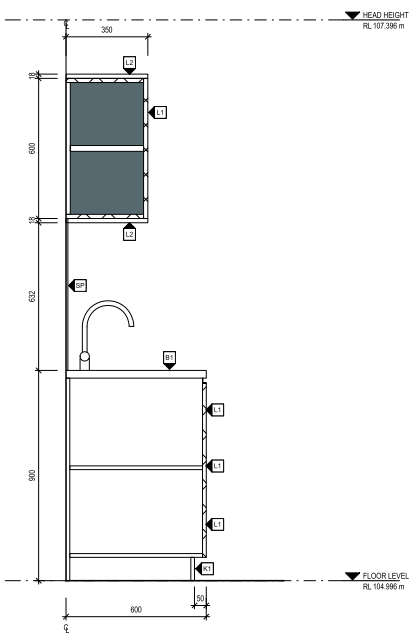
H2 **HANDLES - OVER HEAD CABINETS**
Mardecco Arezzo 4030, 264mm x 8.5mm Black

SP **SPLASHBACK**
10mm Tempered glass splashback
Coloured -Resene Blumine

CT **MIXER TAP**
Methven Minimalist goose neck sink mixer tap



KITCHEN JOINERY - FRONT ELEVATION
SCALE 1 : 10



KITCHEN JOINERY - SECTION
SCALE 1 : 10

TENDER / CONSENT

No	Revision	Note: * indicates signatures on original issue of drawing or last revision of drawing	Drawn	Job Manager	Project Director	Date
1	CONSENT ISSUE		RW	DA	NW	05.07.19

0 100 200 300 400 500 mm
SCALE 1:10 AT ORIGINAL SIZE

NZ TRANSPORT AGENCY WAKA KOTAHI

GHDWOODHEAD creativespaces
Level 1, Grant Thornton House
215 Lambton Quay, Wellington New Zealand
T 64 4 472 0799 F 64 4 472 0833
E wgtnmail@ghd.com W www.ghd.com

DO NOT SCALE

GHDWOODHEAD is a trading name of GHD Pty Ltd.
Conditions of Use.
This document may only be used by GHD's client (and any other person who GHD has agreed can use this document) for the purpose for which it was prepared and must not be used by any other person or for any other purpose.

Drawn R.WURSTER
Drafting Check
Approved (Project Director)
Date
Scale As indicated

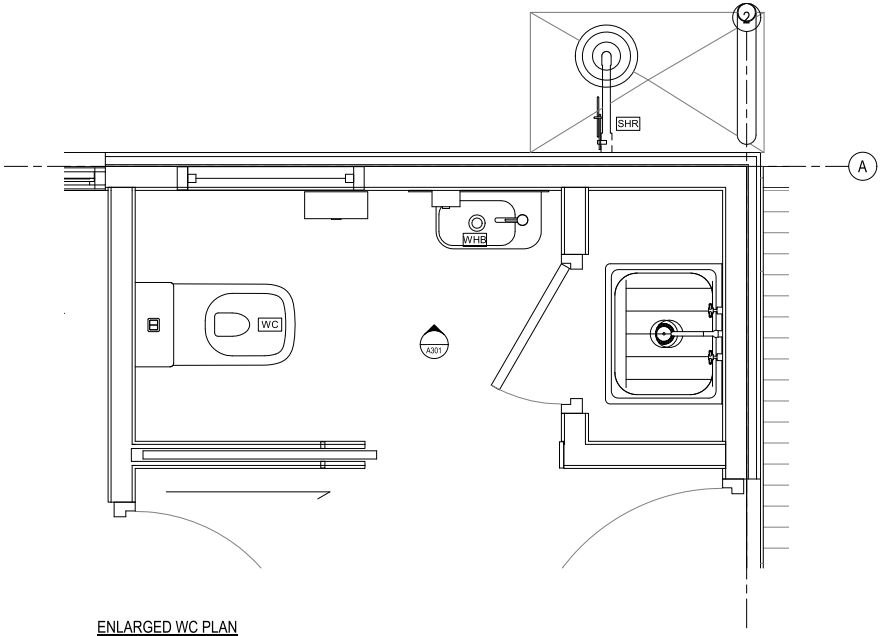
Designer D.ANGUS
Design Check

This Drawing must not be used for Construction unless signed as Approved

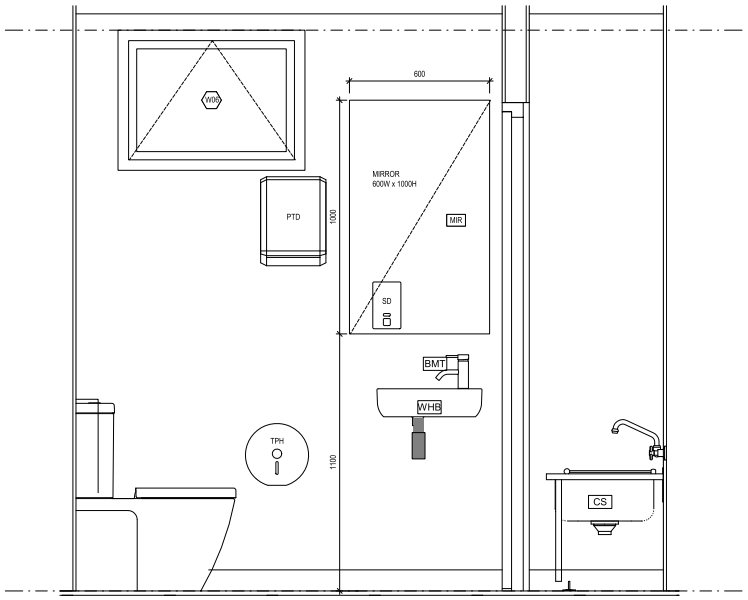
Client NEW ZEALAND TRANSPORT AGENCY
Project TIER 1.5 - CONTROL BUILDING
Title ARCHITECTURAL WORKS
KITCHEN JOINERY SETOUT

Original Size A1
Drawing No: 51-34037-A300
Rev: 1

Plot Date: 15/10/2019 10:37:53 a.m.
Cad File No: G:\51\34037\CADD\Revit\TIER 1.5\TIER 1.5 RAKAIA\TIER 1.5 RAKAIA.rvt



ENLARGED WC PLAN
SCALE 1 : 10



WC ELEVATION
SCALE 1 : 10

BATHROOM FIXTURES:

- WC — **WC PAN:** CAROMA CUBE WALL FACED TOILET SUITE WITH SOFT CLOSE SEAT, PRODUCT CODE: 824615W
- WHB — **BASIN:** CAROMA LUNA HAND WALL BASIN, BLACK BOTTLE TRAP
- BMT — **BASIN MIXER:** CAROMA LIANO BASIN MIXER
- CS — **CLEANERS SINK:** FRANKE SS CLEANERS SINK WITH SPLASHBACK AND BUCKET GRID. CODE: FRCS **CLEANERS SINK TAPWARE:** ZURN SINK FAUCET FOR CLEANERS SINK, MODEL: ZURN Z-SF
- SHR — **EXTERIOR SHOWER:** SPEAKMAN LIFESAVER WALL MOUNTED EXTERIOR EMERGENCY SHOWER HEAD WITH PULL DOWN ARM

BATHROOM ACCESSORIES

- MIR — **MIRROR:** 1000mmH x 600mmW FRAMLESS MIRROR - GLUE FIXED TO WALL SURFACE
- TPH — **TOILET ROLL HOLDER:** SINGLE JUMBO DISPENSER RESERVE, LIV-COTTONSOFT
- SD — **SOAP DISPENSER:** ASI SURFACE MOUNTED VERTICAL SOAP DISPENSER
- PTD — **PAPER TOWEL DISPENSER:** AS1 SURFACE MOUNTED PAPER TOWEL DISPENSER

TENDER / CONSENT

No	Revision	Note: * indicates signatures on original issue of drawing or last revision of drawing	Drawn	Job Manager	Project Director	Date
1	CONSENT ISSUE					05.07.19

Plot Date: 15/10/2019 10:37:55 a.m.
Cad File No: G:\51\34037\CADD\Revit\TIER 1.5\TIER 1.5 RAKAIA\TIER 1.5 RAKAIA.rvt

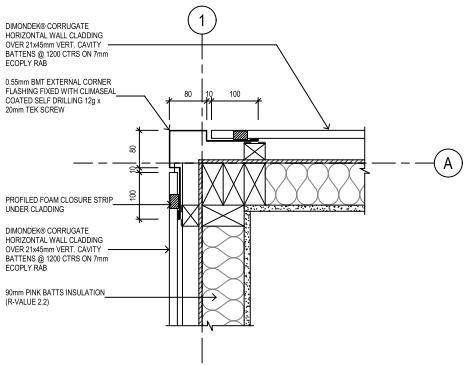
NZ TRANSPORT AGENCY WAKA KOTAHI

GHDWOODHEAD creativespaces
Level 1, Grant Thornton House
215 Lambton Quay, Wellington New Zealand
T 64 4 472 0799 F 64 4 472 0833
E wgtnmail@ghd.com W www.ghd.com

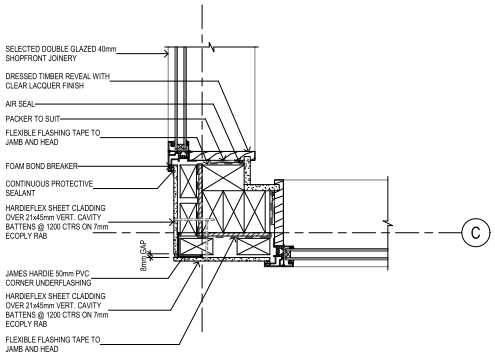
DO NOT SCALE
GHDWOODHEAD is a trading name of GHD Pty Ltd.
Conditions of Use.
This document may only be used by GHD's client (and any other person who GHD has agreed can use this document) for the purpose for which it was prepared and must not be used by any other person or for any other purpose.

Drawn Author | Designer Designer
Drafting Check | Design Check Checker
Approved (Project Director) Approver
Date
Scale As indicated
This Drawing must not be used for Construction unless signed as Approved

Client NEW ZEALAND TRANSPORT AGENCY
Project TIER 1.5 - CONTROL BUILDING
Title WC ELEVATIONS
Original Size A1 Drawing No: 51-34037-A301 Rev: 1



1 A101 CORRUGATE CLADDING EXTERNAL CORNER
SCALE 1 : 5



3 A101 FCS PANEL EXTERNAL CORNER
SCALE 1 : 5

TENDER / CONSENT

No	Revision	Note: * indicates signatures on original issue of drawing or last revision of drawing	Drawn	Job Manager	Project Director	Date
1	CONSENT ISSUE		RW	DA	NW	05.07.19

0 50 100 150 200 250 mm
SCALE 1:5 AT ORIGINAL SIZE

NZ TRANSPORT AGENCY WAKA KOTAHI

GHDWOODHEAD creativespaces
Level 1, Grant Thornton House
215 Lambton Quay, Wellington New Zealand
T 64 4 472 0799 F 64 4 472 0833
E wgtnmail@ghd.com W www.ghd.com

DO NOT SCALE
GHDWOODHEAD is a trading name of GHD Pty Ltd.
Conditions of Use.
This document may only be used by GHD's client (and any other person who GHD has agreed can use this document) for the purpose for which it was prepared and must not be used by any other person or for any other purpose.

Drawn R.WURSTER
Drafting Check
Approved (Project Director)
Date
Scale 1 : 5

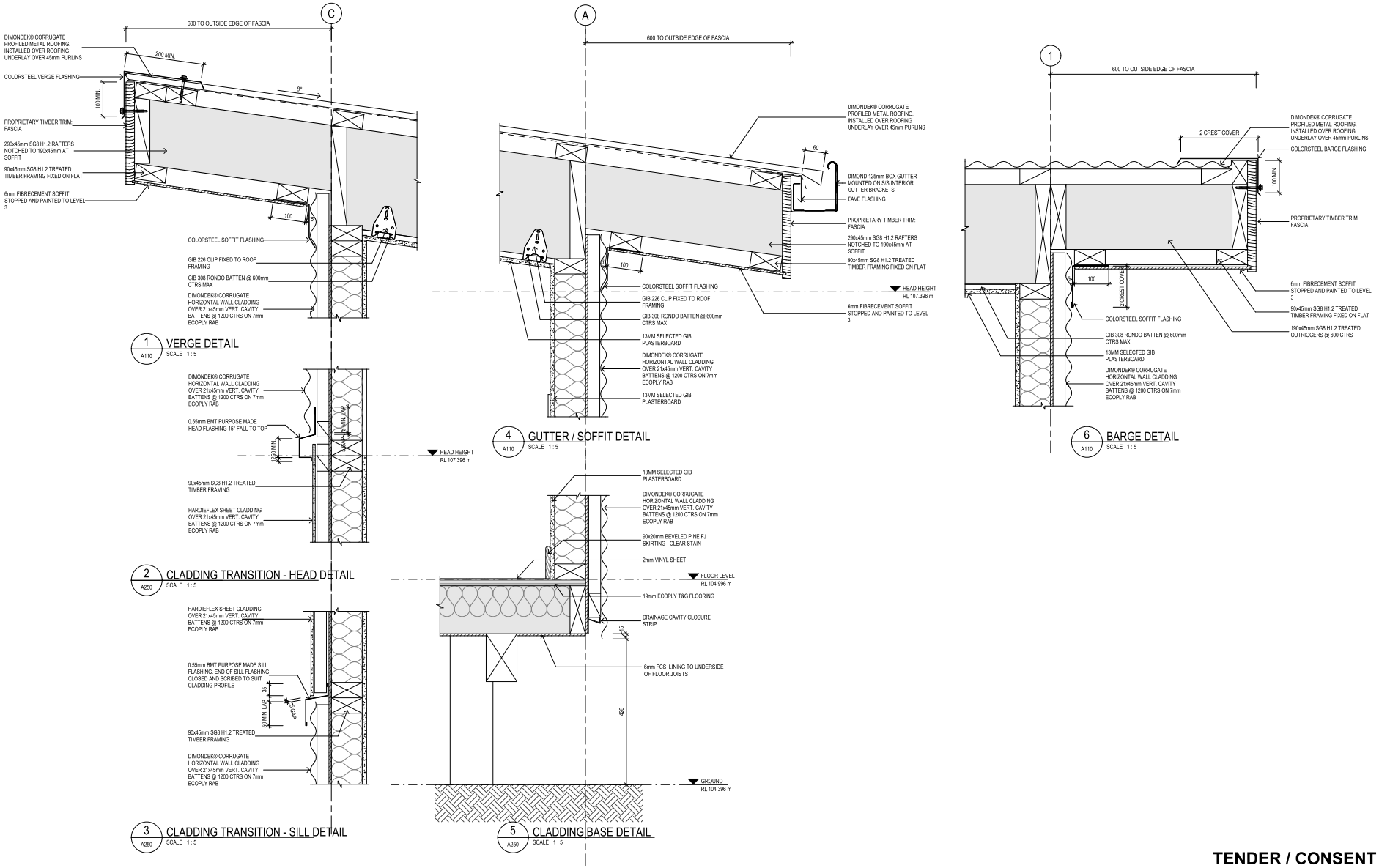
Designer D.ANGUS
Design Check

This Drawing must not be used for Construction unless signed as Approved

Client NEW ZEALAND TRANSPORT AGENCY
Project TIER 1.5 - CONTROL BUILDING
Title ARCHITECTURAL WORKS PLAN DETAILS

Original Size A1
Drawing No: 51-34037-A400
Rev: 1

Plot Date: 15/10/2019 10:37:56 a.m.
Cad File No: G:\51\34037\CADD\Revit\TIER 1.5\TIER 1.5 RAKAIA\TIER 1.5 RAKAIA.rvt



TENDER / CONSENT

No	Revision	Note: * indicates signatures on original issue of drawing or last revision of drawing	Drawn	Job Manager	Project Director	Date
1	CONSENT ISSUE		RW	DA	NW	05.07.19

0 20 40 60 80 100 mm
SCALE 1:2 AT ORIGINAL SIZE

NZ TRANSPORT AGENCY WAKA KOTAHI

GHDWOODHEAD creativespaces
Level 1, Grant Thornton House
215 Lambton Quay, Wellington New Zealand
T 64 4 472 0799 F 64 4 472 0833
E wgtnmail@ghd.com W www.ghd.com

DO NOT SCALE

GHDWOODHEAD is a trading name of GHD Pty Ltd.
Conditions of Use.
This document may only be used by GHD's client (and any other person who GHD has agreed can use this document) for the purpose for which it was prepared and must not be used by any other person or for any other purpose.

Drawn R.WURSTER
Drafting Check
Approved (Project Director)
Date
Scale 1 : 5

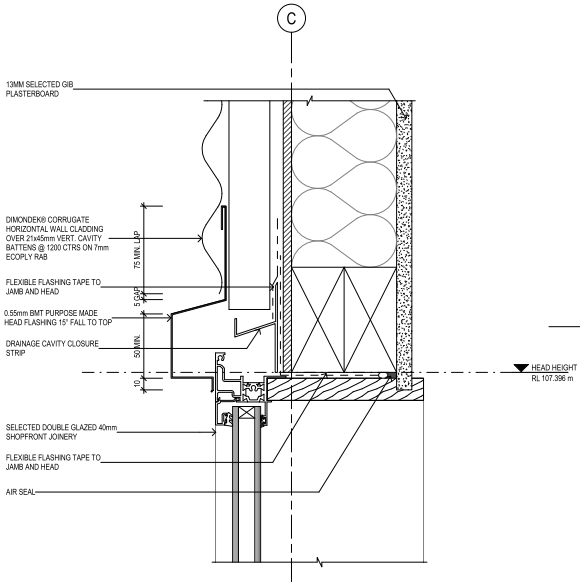
Designer D.ANGUS
Design Check

This Drawing must not be used for Construction unless signed as Approved

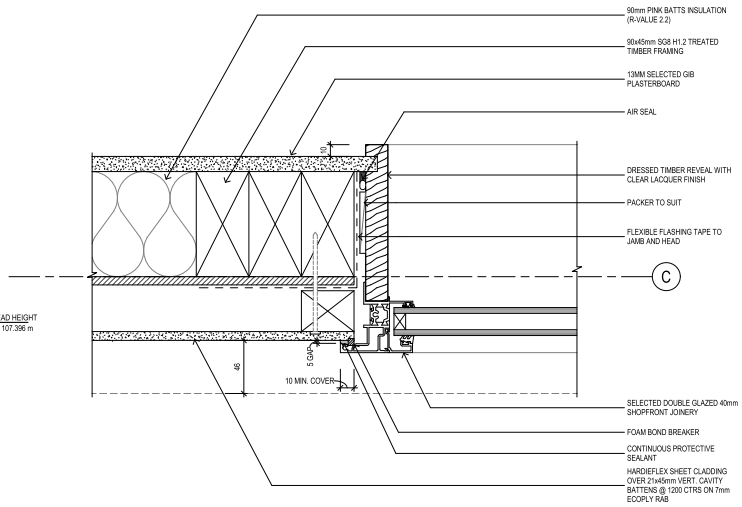
Client NEW ZEALAND TRANSPORT AGENCY
Project TIER 1.5 - CONTROL BUILDING
Title ARCHITECTURAL WORKS SECTION DETAILS

Original Size A1
Drawing No: 51-34037-A405
Rev: 1

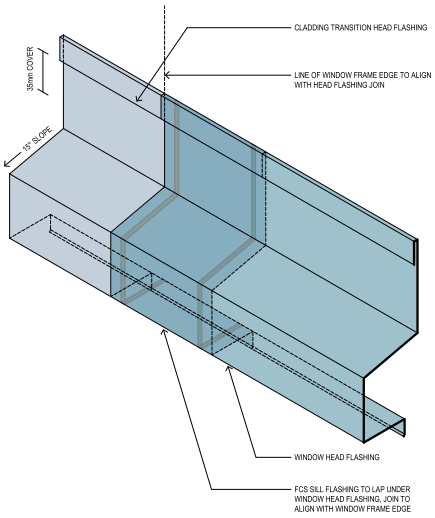
Plot Date: 15/10/2019 10:37:57 a.m.
Cad File No: G:\51\34037\CADD\Revit\TIER 1.5\TIER 1.5 RAKAIA\TIER 1.5 RAKAIA.rvt



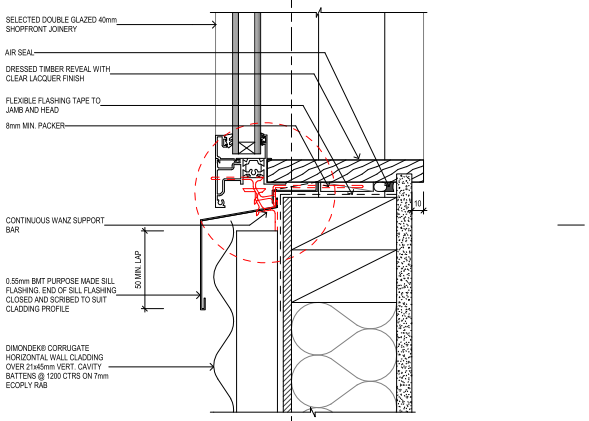
1 A250 WINDOW HEAD DETAIL
SCALE 1 : 2



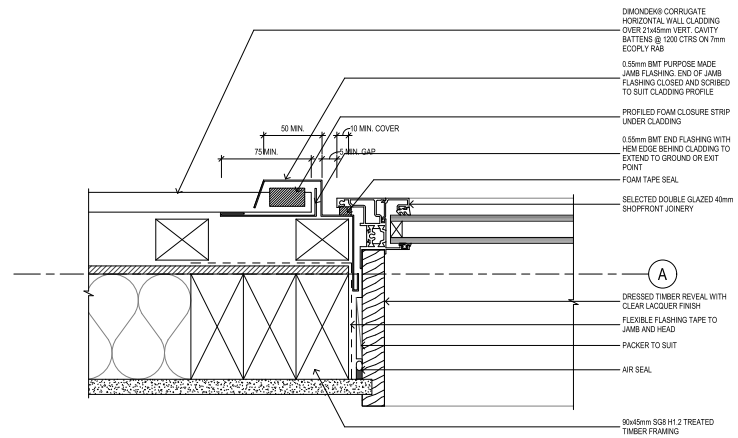
3 A101 WINDOW JAMB - FCS
SCALE 1 : 2



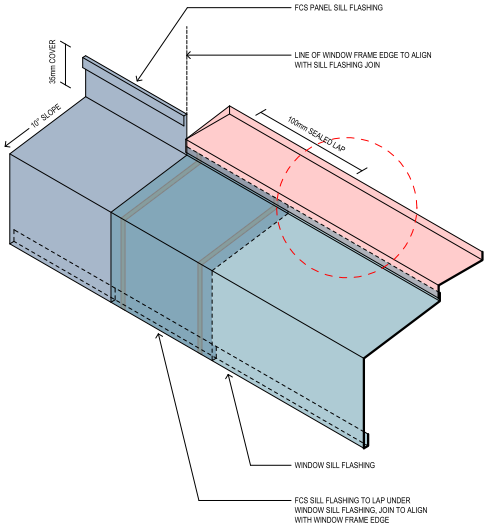
HEAD FLASHING - TRANSITION
SCALE 1 : 2



2 A250 WINDOW SILL DETAIL
SCALE 1 : 2



5 A101 Detail 0
SCALE 1 : 2



SILL FLASHING - TRANSITION
SCALE 1 : 2

TENDER / CONSENT

No	Revision	Note: * indicates signatures on original issue of drawing or last revision of drawing	Drawn	Job Manager	Project Director	Date
1	CONSENT ISSUE					05.07.19

0 20 40 60 80 100 mm
SCALE 1:2 AT ORIGINAL SIZE

NZ TRANSPORT AGENCY WAKA KOTAHI

GHDWOODHEAD creativespaces
Level 1, Grant Thornton House
215 Lambton Quay, Wellington New Zealand
T 64 4 472 0799 F 64 4 472 0833
E wgtnmail@ghd.com W www.ghd.com

DO NOT SCALE
GHDWOODHEAD is a trading name of GHD Pty Ltd.
Conditions of Use.
This document may only be used by GHD's client (and any other person who GHD has agreed can use this document) for the purpose for which it was prepared and must not be used by any other person or for any other purpose.

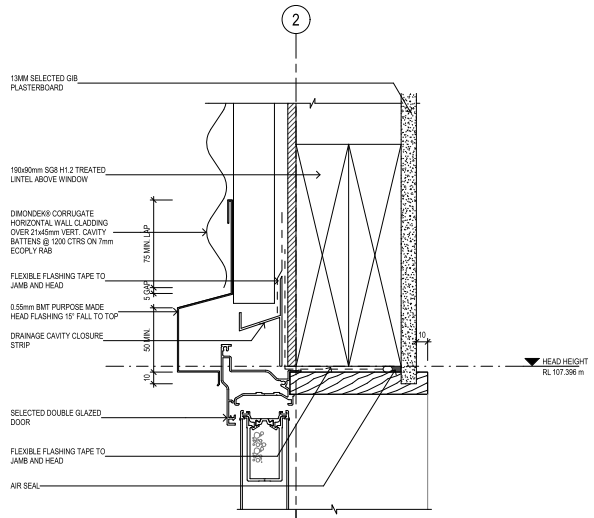
Drawn	R.WURSTER	Designer	D.ANGUS
Drafting Check		Design Check	Checker
Approved (Project Director)	Approver		
Date			
Scale	1 : 2		

This Drawing must not be used for Construction unless signed as Approved

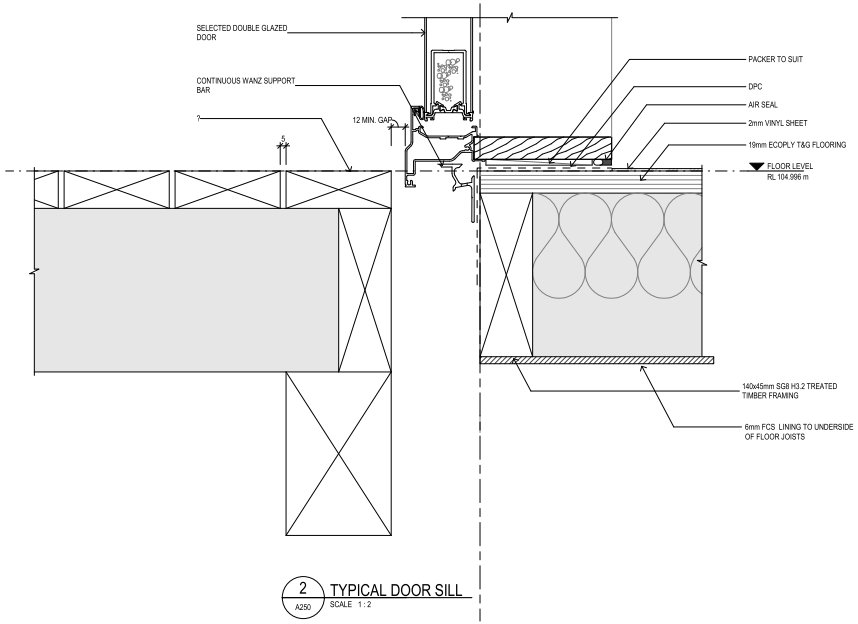
Client NEW ZEALAND TRANSPORT AGENCY
Project TIER 1.5 - CONTROL BUILDING
Title ARCHITECTURAL WORKS
WINDOW DETAILS

Original Size A1 Drawing No: 51-34037-A410 Rev: 1

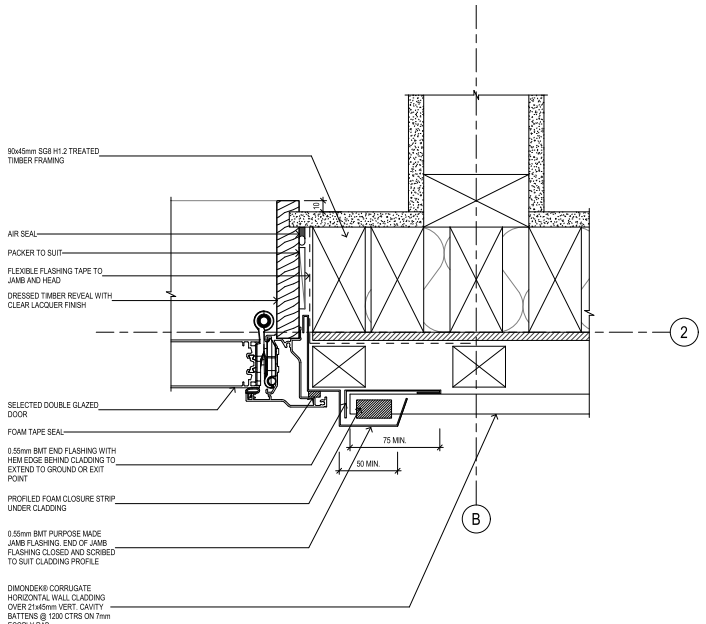
Plot Date: 15/10/2019 10:37:59 a.m.
Cad File No: G:\51\34037\CADD\Revit\TIER 1.5\TIER 1.5 RAKAIA\TIER 1.5 RAKAIA.rvt



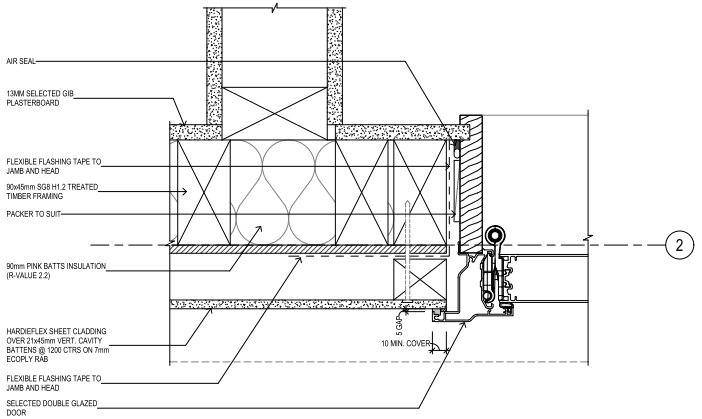
1 A250 TYPICAL DOOR HEAD SCALE 1 : 2



2 A250 TYPICAL DOOR SILL SCALE 1 : 2



3 A101 DOOR JAMB - CORRUGATE SCALE 1 : 2



4 A101 DOOR JAMB - FCS SCALE 1 : 2

TENDER / CONSENT

No	Revision	Note: * indicates signatures on original issue of drawing or last revision of drawing	Drawn	Job Manager	Project Director	Date
1	CONSENT ISSUE					05.07.19

0 20 40 60 80 100 mm
SCALE 1:2 AT ORIGINAL SIZE

NZ TRANSPORT AGENCY WAKA KOTAHI

GHDWOODHEAD creativespaces
Level 1, Grant Thornton House
215 Lambton Quay, Wellington New Zealand
T 64 4 472 0799 F 64 4 472 0833
E wgtnmail@ghd.com W www.ghd.com

DO NOT SCALE
GHDWOODHEAD is a trading name of GHD Pty Ltd.
Conditions of Use.
This document may only be used by GHD's client (and any other person who GHD has agreed can use this document) for the purpose for which it was prepared and must not be used by any other person or for any other purpose.

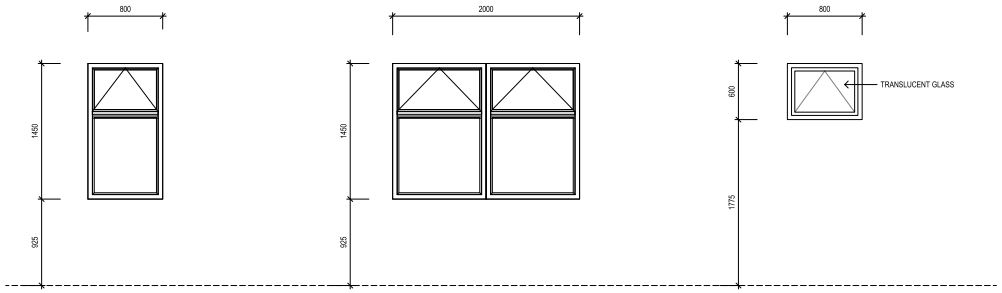
Drawn	R.WURSTER	Designer	D.ANGUS
Drafting Check		Design Check	Checker
Approved (Project Director)		Approver	
Date			
Scale	1 : 2		

This Drawing must not be used for Construction unless signed as Approved

Client NEW ZEALAND TRANSPORT AGENCY
Project TIER 1.5 - CONTROL BUILDING
Title ARCHITECTURAL WORKS
DOOR DETAILS

Original Size A1 Drawing No: 51-34037-A415 Rev: 1

Plot Date: 15/10/2019 10:38:00 a.m.
Cad File No: G:\51\34037\CADD\Revit\TIER 1.5\TIER 1.5 RAKAIA\TIER 1.5 RAKAIA.rvt



W01, W04

- NULOOK SOVERIGN SERIES - FLUSH SASH
- AWNING OPENING SASHES
- AWNING OPENINGS TO BE SECURED WITH KEYED WINDOW BOLTS
- CONSENSATION CHANNELS TO ALL SILL MEMBERS
- BLACK ANODISED FINISH
- GLAZING: DOUBLE GLAZED TRANSLUCENT LAMINATE GLASS

- **HARDWARE:** PROVIDE SS SCISSOR ARM SECURITY STAY & WEDGELESS WINDOW HANDLES

- **GLAZING: DOUBLE GLAZED UNIT**
- EXTERIOR GLASS UNIT: 11.5mm ANTI-BANDIT LAMINATED GLASS
- 12mm AIR GAP BETWEEN GLASS UNITS
- INTERIOR GLASS UNIT: 6.76mm LAMINATED GLASS

W02, W03, W05, W07

- NULOOK SOVERIGN SERIES - FLUSH SASH
- AWNING OPENING SASHES
- AWNING OPENINGS TO BE SECURED WITH KEYED WINDOW BOLTS
- CONSENSATION CHANNELS TO ALL SILL MEMBERS
- SAFELITE PVB LAMINATED SAFETY GLAZING
- BLACK ANODISED FINISH

- **HARDWARE:** PROVIDE SS SCISSOR ARM SECURITY STAY & WEDGELESS WINDOW HANDLES

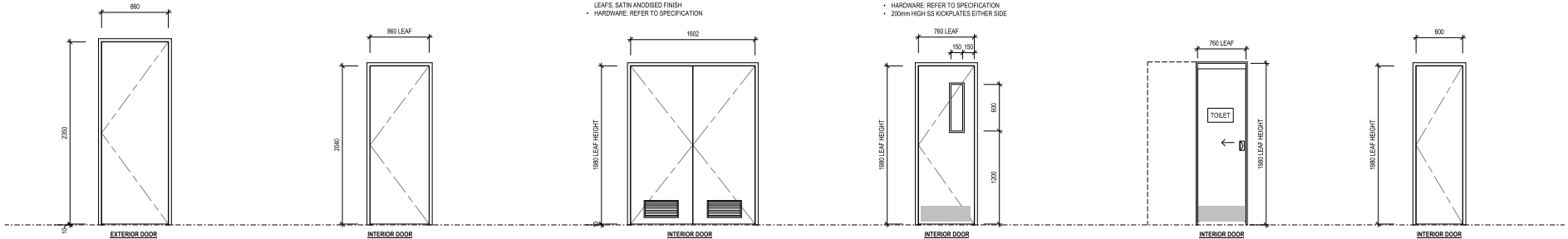
- **GLAZING: DOUBLE GLAZED UNIT**
- EXTERIOR GLASS UNIT: 11.5mm ANTI-BANDIT LAMINATED GLASS
- 12mm AIR GAP BETWEEN GLASS UNITS
- INTERIOR GLASS UNIT: 6.76mm LAMINATED GLASS

W06

- NULOOK SOVERIGN SERIES - FLUSH SASH
- AWNING OPENING SASHES
- AWNING OPENINGS TO BE SECURED WITH KEYED WINDOW BOLTS
- CONSENSATION CHANNELS TO ALL SILL MEMBERS
- SAFELITE PVB LAMINATED SAFETY GLAZING
- BLACK ANODISED FINISH
- GLAZING: DOUBLE GLAZED TRANSLUCENT LAMINATE GLASS

- **HARDWARE:** PROVIDE SS SCISSOR ARM SECURITY STAY & WEDGELESS WINDOW HANDLES

- **GLAZING: DOUBLE GLAZED UNIT**
- EXTERIOR GLASS UNIT: 11.5mm ANTI-BANDIT LAMINATED GLASS
- 12mm AIR GAP BETWEEN GLASS UNITS
- INTERIOR GLASS UNIT: 6.76mm LAMINATED GLASS



EXTERIOR DOOR
D01, D02, D03

LEAF	SOLID CORE 44mm THICK
FIRE RATING	N/A
VISION PANEL	N/A
FRAME	ALUMINIUM, PC1 FINISH
FACING	MILD STEEL FACING (SUITABLE FOR EXTERIOR USE)
FACING FINISH	PAINT FINISH IN 'GREY FRIARS'
HINGES	4 Pair
LATCH	LEGGE 990 CS7 60mm BACKSET MORTICE PASSAGE LATCH
CLOSER	LCN 1461P SIZE 1-6 REGULAR FC DOOR CLOSER
HANDLE	LEGGE LATCH FURNITURE TO MATCH EXISTING
PUSHPLATE	N/A
KICKPLATE	N/A
STOP	LEGGE 12821 DOOR STOP
COMMENTS	PROXY CARD SECURITY INSTALLED TO DOOR

INTERIOR DOOR
D04

LEAF	PACIFIC DOORS 3UE HINGED DOOR
FIRE RATING	N/A
VISION PANEL	N/A
FRAME	STEEL
FACING	GALV MILD STEEL FACING (SUITABLE FOR EXTERIOR USE)
FACING FINISH	PAINT FINISH IN 'GREY FRIARS'
HINGES	4 Pair
LATCH	MOTTURA MULTIPOINT LOCKING SYSTEM INBUILT
CLOSER	LCN 1461P SIZE 1-6 REGULAR FC DOOR CLOSER
HANDLE	N/A MOTTURA LOCKING SYSTEM ONLY
PUSHPLATE	N/A
KICKPLATE	N/A
STOP	LEGGE 12821 DOOR STOP

- INTERIOR SOLID CORE DOOR
- PAINT FINISH - RESENE 'ALABASTER'
- HOLYOAKE 400w x 200h SERIES DG-52 DOOR GRILLES INSTALLED TO DOOR LEAFS, SATIN ANODISED FINISH
- HARDWARE: REFER TO SPECIFICATION

INTERIOR DOOR
D05

LEAF	INTERIOR SOLID CORE
FIRE RATING	N/A
VISION PANEL	N/A
FRAME	TIMBER
FACING	TIMBER
FACING FINISH	PAINT FINISH IN 'GREY FRIARS'
HINGES	4 Pair
LATCH	LEGGE 990 CS7 60mm BACKSET MORTICE PASSAGE LATCH
CLOSER	LCN 1461P SIZE 1-6 REGULAR FC DOOR CLOSER
HANDLE	LEGGE LATCH FURNITURE TO MATCH EXISTING
LOCK	COMBINATION PUSH PIN PAD
PUSHPLATE	N/A
KICKPLATE	N/A
STOP	LEGGE 12821 DOOR STOP
COMMENTS	DOOR GRILLE INSTALLED TO DOOR LEAFS

- INTERIOR SOLID CORE DOOR
- CLEAR GLASS VISION PANEL
- PAINT FINISH - RESENE 'ALABASTER'
- HARDWARE: REFER TO SPECIFICATION
- 200mm HIGH SS KICKPLATES EITHER SIDE

INTERIOR DOOR
D06, D07

LEAF	INTERIOR SOLID CORE
FIRE RATING	N/A
VISION PANEL	YES
FRAME	TIMBER
FACING	TIMBER
FACING FINISH	PAINT FINISH IN 'GREY FRIARS'
HINGES	4 Pair
LATCH	LEGGE 990 CS7 60mm BACKSET MORTICE PASSAGE LATCH
CLOSER	LCN 1461P SIZE 1-6 REGULAR FC DOOR CLOSER
HANDLE	LEGGE LATCH FURNITURE TO MATCH EXISTING
PUSHPLATE	N/A
KICKPLATE	N/A
STOP	LEGGE 12821 DOOR STOP
COMMENTS	PROXY CARD SECURITY REQUIRED TO DOOR D07

- CS FOR DOORS POWDERSEAL EAS/ OPEN CAVITY SLIDER
- PAINT FINISH - RESENE 'GREY FRIARS'
- HARDWARE: CL100 LAVLOCK WITH TURN AND EMERGENCY RELEASE
- 200mm HIGH SS KICKPLATES EITHER SIDE
- UNISEX TOILET SIGNAGE TO BE INSTALLED TO OUTSIDE DOOR LEAF

INTERIOR DOOR
D08

- INTERIOR SOLID CORE DOOR
- PAINT FINISH - RESENE 'GREY FRIARS'
- HARDWARE: REFER TO SPECIFICATION
- 20mm UNDERCUT TO DOOR LEAF

INTERIOR DOOR
D09

TENDER / CONSENT

No	Revision	Note: * indicates signatures on original issue of drawing or last revision of drawing	Drawn	Job Manager	Project Director	Date
1	CONSENT ISSUE		DA	DA	NW	05.07.19

0 20 40 60 80 100 mm
SCALE 1:2 AT ORIGINAL SIZE

NZ TRANSPORT AGENCY WAKA KOTAHI

GHDWOODHEAD creativespaces
Level 1, Grant Thornton House
215 Lambton Quay, Wellington New Zealand
T 64 4 472 0799 **F** 64 4 472 0833
E wgtnmail@ghd.com **W** www.ghd.com

DO NOT SCALE
GHDWOODHEAD is a trading name of GHD Pty Ltd.
Conditions of Use.
This document may only be used by GHD's client (and any other person who GHD has agreed can use this document) for the purpose for which it was prepared and must not be used by any other person or for any other purpose.

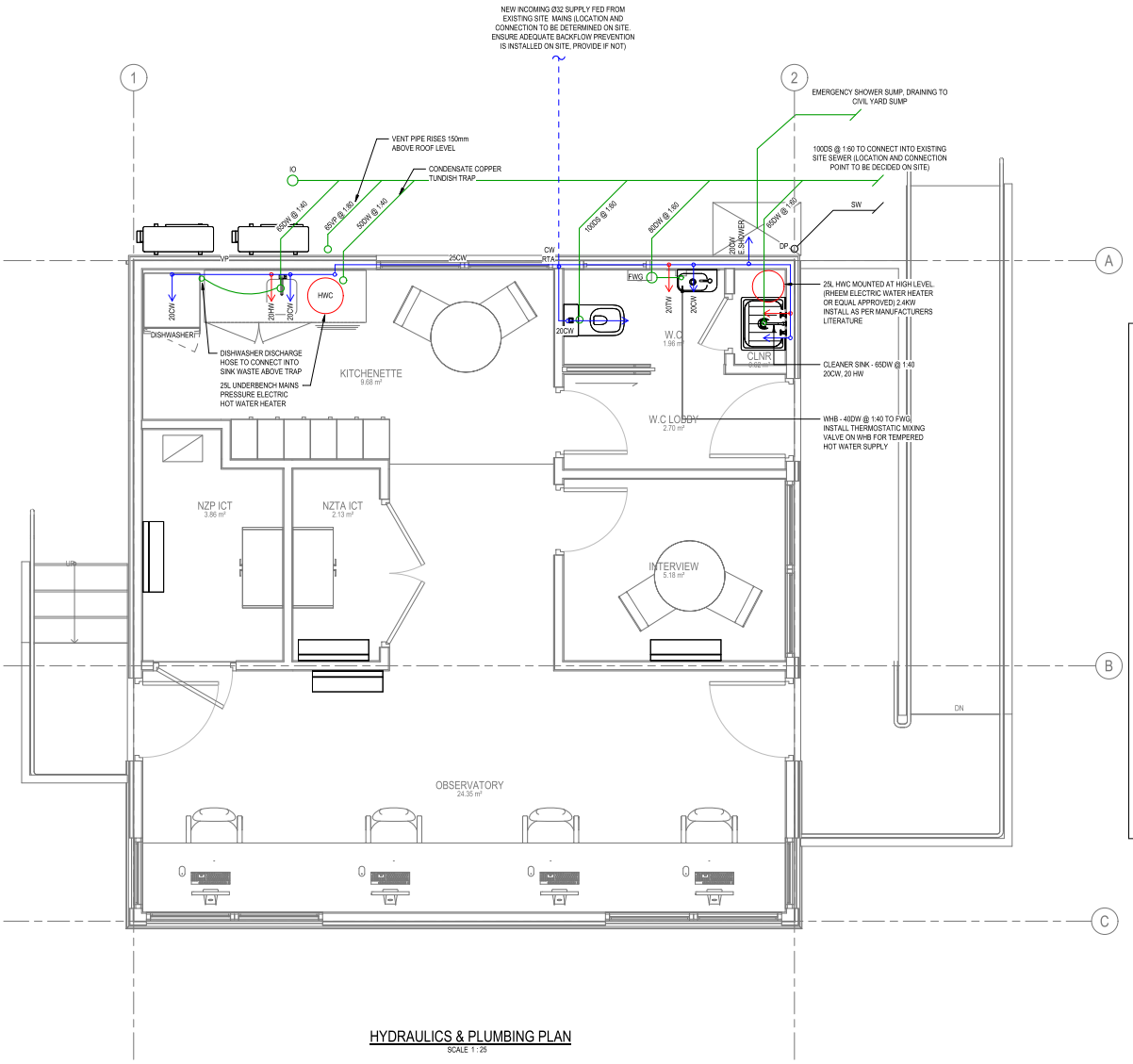
Drawn	R.WURSTER	Designer	D.ANGUS
Drafting Check		Design Check	
Approved (Project Director)			
Date			
Scale	1 : 25		

This Drawing must not be used for Construction unless signed as Approved

Client: **NEW ZEALAND TRANSPORT AGENCY**
Project: **TIER 1.5 - CONTROL BUILDING**
Title: **ARCHITECTURAL WORKS DOOR & WINDOW SCHEDULE**

Original Size: A1
Drawing No: **51-34037-A500**
Rev: **1**

Plot Date: 15/10/2019 10:38:01 a.m.
Cad File No: G:\51\34037\CADD\Revit\TIER 1.5\TIER 1.5 RAKAIA\TIER 1.5 RAKAIA.rvt



HYDRAULICS & PLUMBING PLAN
SCALE 1 : 25

PLUMBING & DRAINAGE NOTES

- ALL WORKS TO BE CONSTRUCTED IN ACCORDANCE WITH THE NEW ZEALAND BUILDING CODE (NZBC) AND TOTHE APPROVAL OF THE LOCAL AUTHORITY.
- ALL PLUMBING AND DRAINAGE MATERIALS SHALL BE IN ACCORDANCE WITH THE NZBC.WORKS SHALL BE CONSTRUCTED BY SUITABLY QUALIFIED AND LICENSED TRADES PEOPLE.

SANITARY PLUMBING & DRAINAGE:

- ALL INTERNAL SANITARY PLUMBING AND DRAINAGE SHALL COMPLY WITH NZS3500.2:2003 AS A NZBC ACCEPTABLE SOLUTION IN COMPLIANCE WITH G13/AS1, CLAUSE 8.0 AND LOCAL AUTHORITIES.
- ALL DRAINAGE LINES SHALL BE CHECKED TO ENSURE ADEQUATE FALL TO THE SITE DRAINAGE LINES BEFORE COMMENCING.
- ENSURE MINIMUM HEIGHT OF 150mm IS MAINTAINED BELOW LOWEST FIXTURE TO TOP OF OVERFLOW RELIEF GULLY.
- GULLY TRAPS SHALL INSTALLED MIN.25mm ABOVE PAVEMENT LEVEL. ALLOW TO INSTALL CONCRETE SURROUND TO GULLY TRAP WITH FALLS AWAY FROM LID
- ALL INSPECTION OPENINGS UNDER CONCRETE ARE TO BE TAKEN TO SURFACE LEVEL UNO. WHERE SUBJECT TO VEHICULAR TRAFFIC, ALL IO'S SHALL BE FINISHED WITH A BRASS CLEAR OUT COVER. SUITED FOR ANTICIPATED LOADS.
- ALL FLOOR WASTE GULLIES SHALL HAVE SCREWED REMOVABLE GRATES.

UPPER TERMINATION OF THE RELIEF VENT SHALL BE TO THE VENT STACK ABOVE THE HIGHEST CONNECTION.RELIEF VENT SHALL NOT PENETRATE THE ROOF.

FIXTURE DRAIN SIZES:
BASIN ø40mm TRAP AND ø65mm WASTE PIPE.
SINK ø50mm TRAP AND ø65mm WASTE PIPE.
WC ø100mm SOIL PIPE.
TROUGH ø50mm TRAP AND ø65mm WASTE PIPE.
SHR ø65mm GRADED CHANNEL.
TUNDISH ø50mm TRAP AND WASTE PIPE.
FWG ø65mm WASTE PIPE.

MIN. SIZE MIN. GRADE
DN40 1:40
DN50 1:40
DN65 1:40
DN80 1:60
DN100 1:60
DN125 1:80
DN150 1:100
DN225 1:150
DN300 1:250

STORMWATER DRAINAGE:
STORMWATER INSTALLATION SHALL COMPLY WITH AS/NZS 3500.3 AND THE NEW ZEALAND BUILDING CODE AND LOCAL AUTHORITIES

HOT & COLD WATER SUPPLY:

- THE HOT AND COLD WATER SERVICES INSTALLATION SHALL COMPLY WITH THE NEW ZEALAND BUILDING CODE G12, AS1 AND THE REQUIREMENTS OF THE CONTRACT DOCUMENTATION AND THESE DRAWINGS.
- ALL WHB, SK, CS, SHR, WC, LT AND BTH FIXTURES SHALL HAVE A MINIMUM WATER EFFICIENCY RATING OF AAA. UNO
- COLD WATER SERVICES SUPPLY PIPEWORK SHALL BE A MINIMUM OF DN15 SUPPLY TO A SINGLE FIXTURE AND DN20 TO TWO OR MORE FIXTURES. UNO.
- HOT WATER SERVICES SUPPLY PIPEWORK SHALL BE A MINIMUM OF DN15 SUPPLY FOR A MAXIMUM OF TWO FIXTURES AND DN20 FOR THREE OR MORE FIXTURES. UNO.
- ALL HOT WATER SERVICES SHALL BE LAGGED TO REDUCE HEAT LOSS. THERMAL LAGGING SHALL HAVE A MINIMUM "R" VALUE OF 0.3. COLD WATER PIPES SHALL BE INSULATED WHERE THERE IS RISK OF CONDENSATION OR FREEZING OCCURING.
- ALL HOT AND COLD WATER RETICULATION SHALL BE RUN IN THE CEILING SPACE OR THE CAVITY SPACE OF THE WALLS. PIPES LOCATED IN MASONRY WALLS, IN CONCRETE SLABS, OR UNDER CONCRETE SLABS SHALL BE LAGGED FOR PROTECTION OR HOUSED IN A CONDUIT. UNO.
- ALL HOSE TAPS TO BE FITTED WITH VACUUM BREAK DEVICE.
- WHERE REQUIRED, SAFE TRAYS SHALL BE FABRICATED FROM SHEET COPPER WITH BRAZED JOINTS. ANY WATER CAUGHT BY THE SAFE TRAY SHALL DRAIN TO THE SAFE TRAY OUTLET
- COLD WATER EXPANSION VALVE DRAINS AND TEMPERATURE/PRESSURE RELIEF VALVE DRAINS SHALL DISCHARGE INDEPENDENTLY OVER A TUNDISH AND NOT INTO THE SAFE TRAY.

WATER FEED Ø

SINK:	20CW, 20HW
DISHWASHER:	20CW
HWC:	20CW
WC:	20CW
WHB:	20CW, 20HW (TEMPERED)

HOTWATER CYLINDER:
RHEEM -MAINS PRESSURE ELECTRIC
VE 312 025 19 (25L) 2kW

TENDER / CONSENT

No	Revision	Drawn	Date
1	CONSENT ISSUE	EB	05.07.19

0 250 500 750 1000 1250mm
SCALE 1:25 AT ORIGINAL SIZE

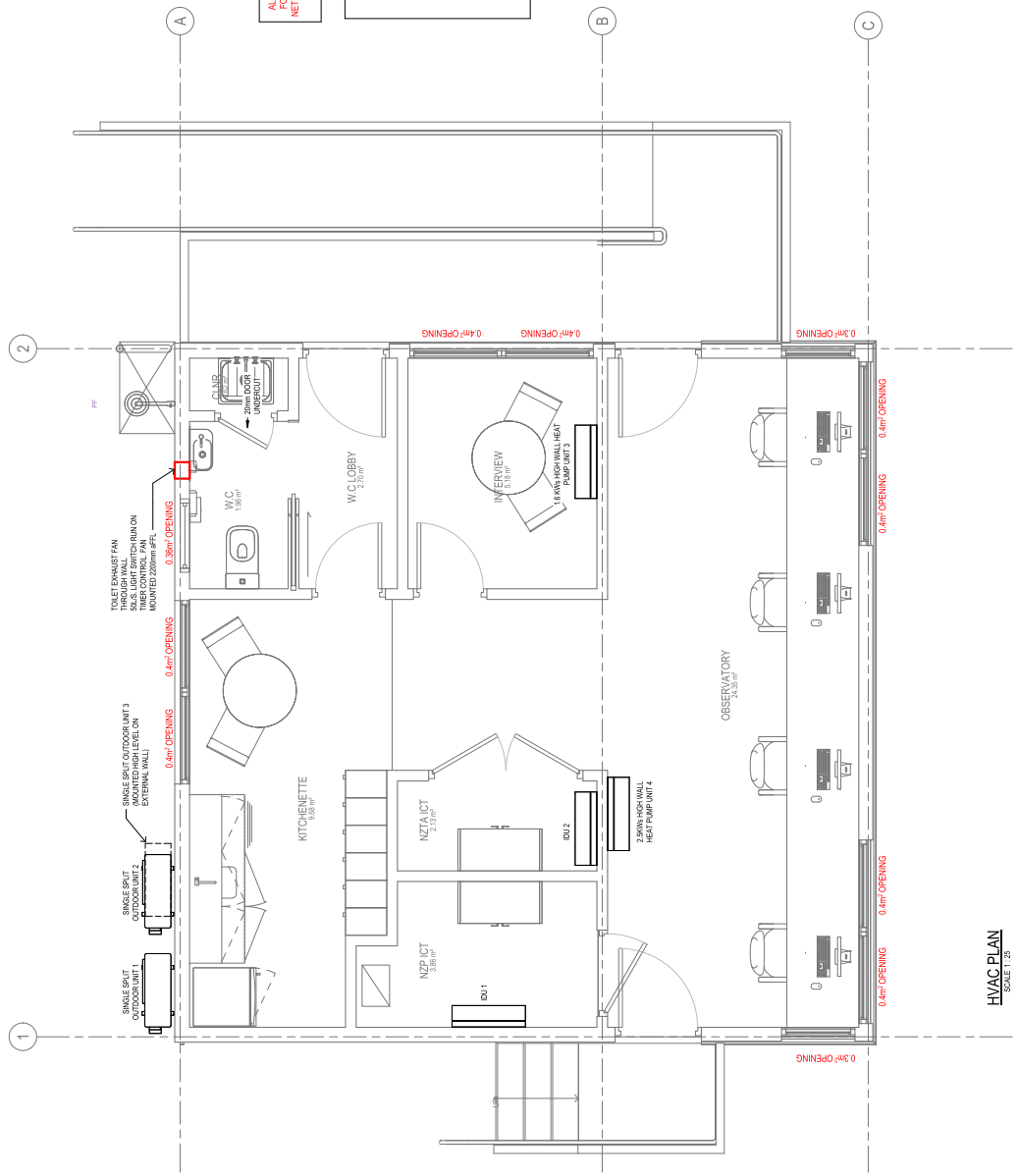
GHDWOODHEAD creativespaces
Level 1, Grant Thornton House
215 Lambton Quay, Wellington New Zealand
T 64 4 472 0799 F 64 4 472 0833
E wgtnmail@ghd.com W www.ghd.com

Conditions of Use.
This document may only be used by GHD's client (and any other person who GHD has agreed can use this document) for the purpose for which it was prepared and must not be used by any other person or for any other purpose.

DO NOT SCALE
Scale As indicated

Client NEW ZEALAND TRANSPORT AGENCY
Project TIER 1.5 - CONTROL BUILDING
Title HYDRAULICS & PLUMBING PLAN
Original Size A1
Drawing No: 51-34037-A800
Rev: 1

Plot Date: 15/10/2019 10:38:02 a.m.
Cad File No: G:\51\34037\CADD\Revit\TIER 1.5\TIER 1.5 RAKAIA\TIER 1.5 RAKAIA.rvt



HVAC PLAN
SCALE 1 : 25

TENDER / CONSENT

GHDWOODHEAD creativespaces

Level 1, Grant Thornton House
215 Lambton Quay, Wellington, New Zealand
T 64 4 472 0799 F 64 4 472 0833
E wgtmail@ghd.com W www.ghd.com

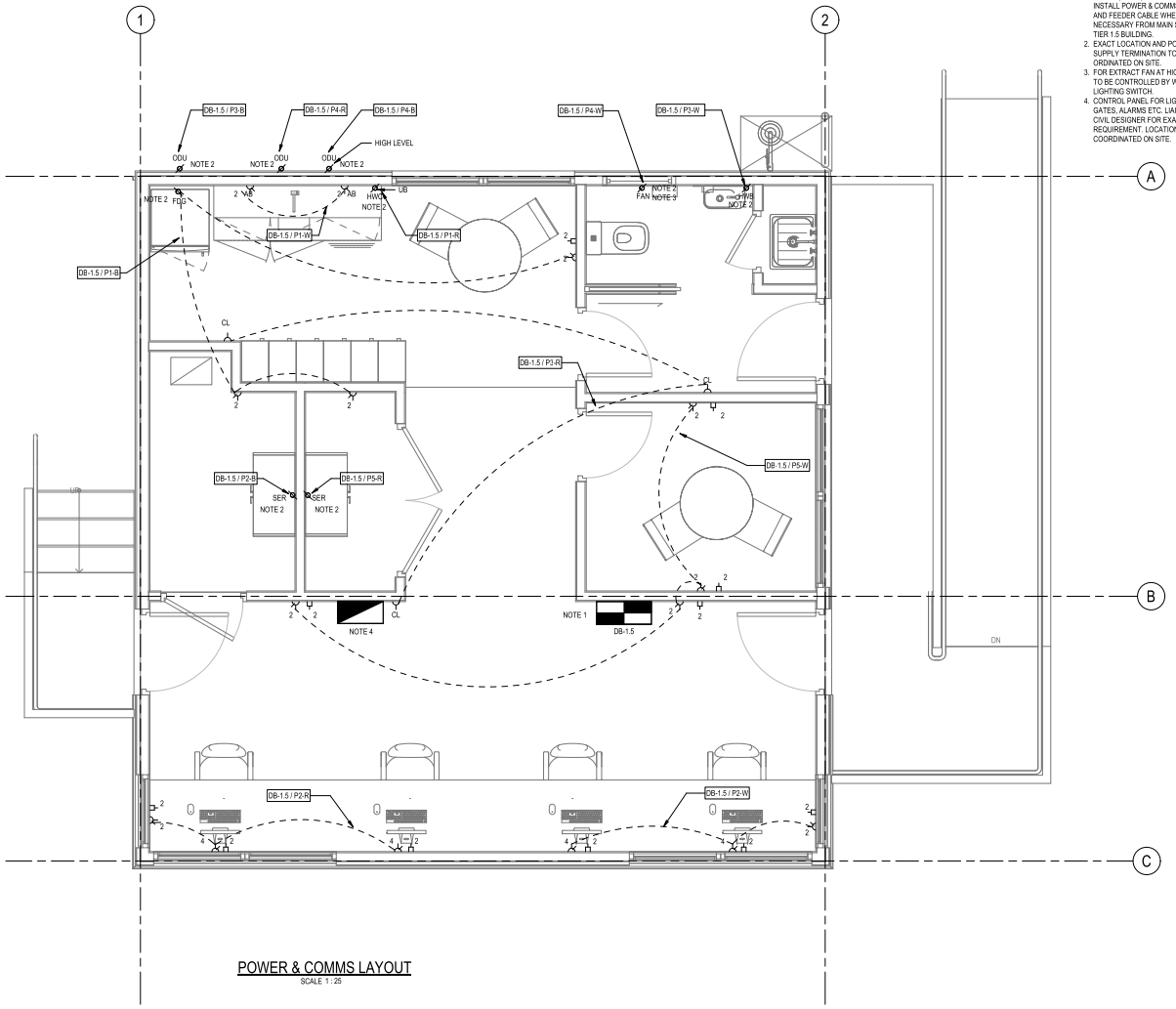
Conditions of Use:
This document may only be used by GHD's client (and any other person who GHD has agreed can use this document) for the purpose for which it was prepared and must not be used by any other person or for any other purpose.

Client NEW ZEALAND TRANSPORT AGENCY
Project TIER 1.5 - CONTROL BUILDING
Title MECHANICAL LAYOUT PLAN
Paper Size A1 Drawing No: 51-34037-A801 Rev: 1
DO NOT SCALE
Scale 1 : 25

0 250 500 750 1000 1250mm
SCALE 1:25 - AT ORIGINAL SIZE

No	Revision	Drawn	Date
1	CONSENT ISSUE	EB	05.07.19

Plot Date: 15/10/2019 10:38:03 Cad File No: G:\51\34037\CAD\Rev4\TIER 1.5\TIER 1.5 RAKAIA\TIER 1.5 RAKAIA.rvt



POWER & COMMS LAYOUT
SCALE 1 : 25

NOTES:

1. LIAISE WITH NZTA TO ESTABLISH A NEW MAIN CABLE TO DISTRIBUTION BOARD (DB-1.5). SUPPLY AND INSTALL POWER & COMMS CONDUIT AND FEEDER CABLE WHERE NECESSARY FROM MAIN SUPPLY TO TIER 1.5 BUILDING.
2. EXACT LOCATION AND POWER SUPPLY TERMINATION TO BE CO-ORDINATED ON SITE.
3. FOR EXTRACT FAN AT HIGH LEVEL. TO BE CONTROLLED BY WC LIGHTING SWITCH.
4. CONTROL PANEL FOR LIGHTING, GATES, ALARMS ETC. LIAISE WITH CIVIL DESIGNER FOR EXACT REQUIREMENT. LOCATION TO BE COORDINATED ON SITE.

POWER

- DISTRIBUTION BOARD (DB)
- CONTROL PANEL
- 2 — SWITCHED SOCKET OUTLET. NO. INDICATES QUANTITY. (2 SHOWN)
- 4 — SWITCHED SOCKET OUTLET. NO. INDICATES QUANTITY. (4 SHOWN)
- CL — CLEANER OUTLET
- CIRCUIT LINE
- FAN — POWER SUPPLY FOR EXTRACT FAN
- FDG — POWER SUPPLY FOR FRIDGE
- HWB — POWER SUPPLY FOR HOT WATER BOILER
- HWC — POWER SUPPLY FOR HOT WATER CYLINDER
- ODU — POWER SUPPLY FOR HEAT PUMP OUTDOOR UNIT
- SER — POWER SUPPLY FOR SERVER

COMMUNICATIONS

- 2 / 4 — COMMUNICATIONS OUTLET FOR DATA. PROVIDE SINGLE MOUNTING PLATE WITH NUMBER OF OUTLETS AS INDICATED (2 SHOWN)

COMMUNICATIONS SERVICES SHOWN FOR INFORMATION & CO-ORDINATION ONLY. SUPPLY AND INSTALLATION OF SERVICES BY OTHERS

ABBREVIATIONS

AB	ABOVE BENCH
AFFL	ABOVE FINISHED FLOOR LEVEL
CL	CLEANERS' SOCKET
C/W	COMPLETE WITH
FDG	FRIDGE
HWB	HOT WATER BOILER
HWC	HOT WATER CYNLINDER
NTS	NOT TO SCALE
ODU	HEAT PUMP OUTDOOR UNIT
UB	UNDER BENCH

GENERAL NOTES

1. ALL ELECTRICAL INSTALLATION SHALL COMPLY WITH AS/NZS 3000.
2. LOCATION OF ALL DOORS AND DOOR SWINGS TO BE CONFIRMED WITH THE ARCHITECT PRIOR TO LIGHT SWITCH AND WIRING INSTALLATION.
3. UNLESS STATED OTHERWISE ALL LIGHT SWITCHES TO BE MOUNTED AT 1200mm AFFL AND POWER OUTLETS AT 300mm AFFL.
4. RUN AN UNSWITCHED ACTIVE TO EACH EMERGENCY LIGHT FITTING AND PROVIDE EMERGENCY TEST FACILITIES.
5. ALL CONDUITS SHALL BE INSTALLED C/W PLASTIC DRAW WIRES.
6. LIAISE WITH ALL TRADES.
7. WHERE REQUIRED FOR SUPPORT AND FOR SEISMIC REQUIREMENTS ALLOW TO PROVIDE AND INSTALL UNISTRUT C/W BRACKETS AND FIXINGS BETWEEN PURLINS AND STRUCTURAL MEMBERS AS REQUIRED.
8. CABLES SHALL BE RUN IN TREFOIL FORMATION UNLESS STATED OTHERWISE.
9. ALL DISTRIBUTION BOARDS SHALL BE TPN CONFIGURATION UNLESS STATED OTHERWISE.
10. ALL CIRCUITS LABELED AS SPARE ON THE SINGLE LINE DIAGRAM AND IN THE DISTRIBUTION BOARD SCHEDULES SHALL BE PROVIDED C/W CIRCUIT BREAKERS.
11. ALL SURFACE CONDUITS SHALL BE GRAY.
12. ALL LUMINARIES SHALL BE SEISMIC RESTRAINT WITH GRIPPLE SEISMIC KIT.
13. THE SUB CONTRACTOR IS TO COORDINATE WITH ALL RELEVANT ARCHITECTURAL DRAWINGS, DETAILS, ELEVATIONS, JOINERY DETAILS AND WITH JOINERY INSTALLER.
14. EMERGENCY LIGHT FITTING AND EXIT SIGNS SHALL BE SUPPLIED BY LOCAL LIGHTING CIRCUIT.
15. LIAISE WITH MECHANICAL TRADE FOR EXACT LOCATION OF MECHANICAL EQUIPMENT AND FINAL TERMINATION OF CABLINGS.

TENDER / CONSENT

No	Revision	Note: * indicates signatures on original issue of drawing or last revision of drawing	Drawn	Job Manager	Project Director	Date
1	CONSENT ISSUE		SZ	DA	NW	05.07.19

0 250 500 750 1000 1250mm
SCALE 1:25 AT ORIGINAL SIZE

NZ TRANSPORT AGENCY WAKA KOTAHI

GHDWOODHEAD creativespaces
Level 1, Grant Thornton House
215 Lambton Quay, Wellington New Zealand
T 64 4 472 0799 F 64 4 472 0833
E wgtnmail@ghd.com W www.ghd.com

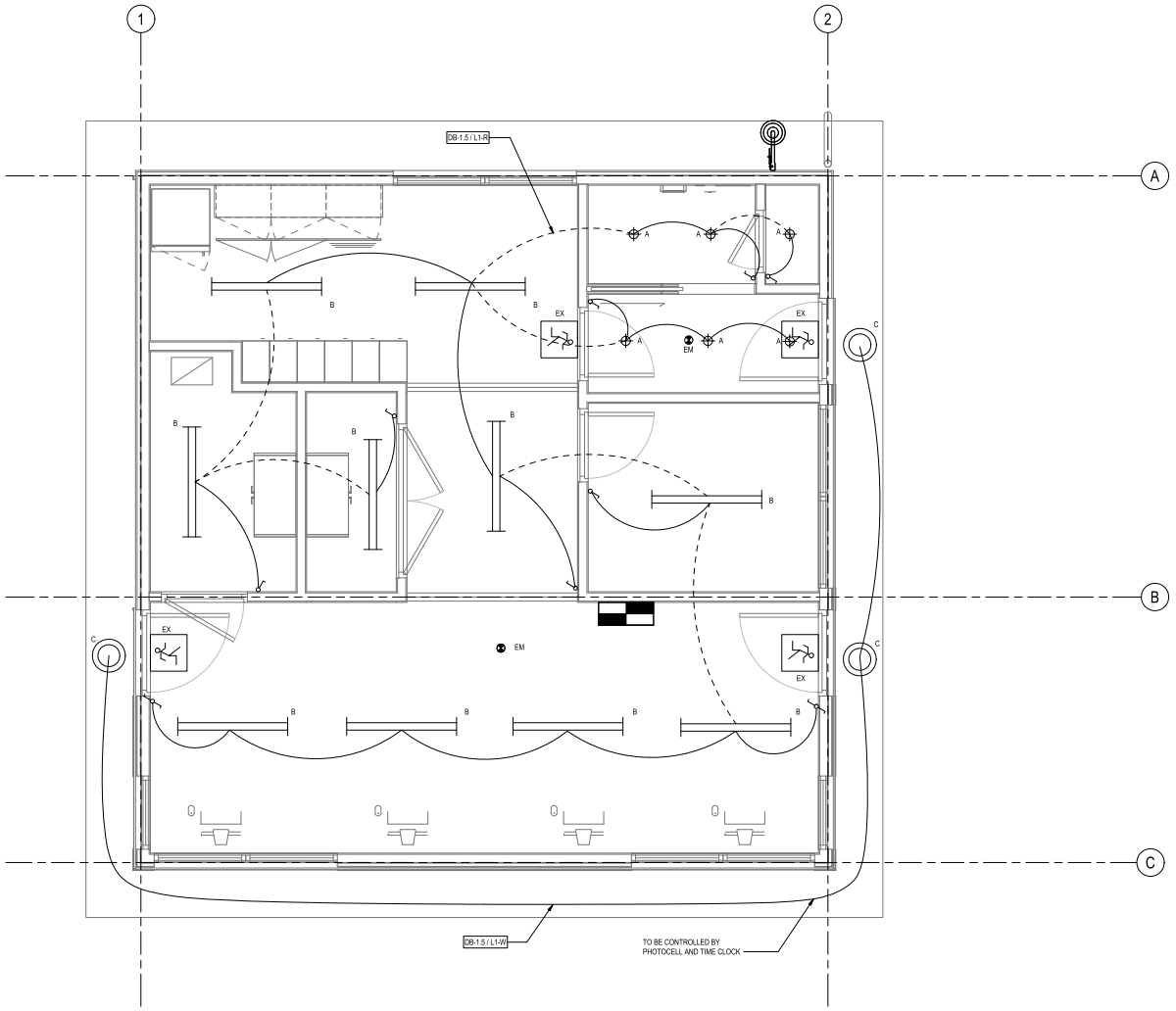
DO NOT SCALE

GHDWOODHEAD is a trading name of GHD Pty Ltd.
Conditions of Use.
This document may only be used by GHD's client (and any other person who GHD has agreed can use this document) for the purpose for which it was prepared and must not be used by any other person or for any other purpose.

Drawn | Designer
Drafting Check | Design Check
Approved (Project Director)
Date
Scale: As indicated
This Drawing must not be used for Construction unless signed as Approved

Client: NEW ZEALAND TRANSPORT AGENCY
Project: TIER 1.5 - CONTROL BUILDING
Title: POWER, & COMMS LAYOUT
Original Size: A1
Drawing No: 51-34037-A900
Rev: 1

Plot Date: 15/10/2019 10:38:04 a.m.
Cad File No: G:\51\34037\CADD\Revit\TIER 1.5\TIER 1.5 RAKAIA\TIER 1.5 RAKAIA.rvt



LIGHTING LAYOUT
SCALE 1 : 25

LIGHTING

- SWITCHING LINE
- CIRCUIT LINE
- ONE WAY LIGHT SWITCH
- TWO WAY LIGHT SWITCH
- SURFACE MOUNTED LUMINAIRE
- DOWNLIGHT
- BULKHEAD TYPE LUMINAIRE
- RECESSED OCCUPANCY SENSOR
- SURFACE MOUNTED IP55 PIR SENSOR

EMERGENCY LIGHTING

- INTERNALLY ILLUMINATED EXIT SIGN WITH DIRECTIONAL ARROWS
- INTERNALLY ILLUMINATED EXIT SIGN
- RECESSED EMERGENCY LUMINAIRE

LUMINAIRE SCHEDULE

LABEL	IMAGE	DESCRIPTION
A		VERSALUX COMO MINI, 11W LED AND 775lm OUTPUT. IP44 RATED, FACETED CLEAR REFLECTOR, C/W HF NON-DIM DRIVER, 4000K COLOUR TEMPERATURE. LUMINAIRE TO BE RECESSED INTO CEILING
B		VERSALUX AXIUM LINEAR EXTRUDED LUMINAIRE, 34W LED WITH 4100lm OUTPUT, IP20 RATED, C/W INTERGRAL ELECTRONIC GEAR, 4000K COLOUR TEMPERATURE. LUMINAIRE TO BE SUSPENDED AT 2400mm AFFL.
D		LEGRAND BULKHEAD R 360 PLAIN LED LUMINAIRE WITH EMERGENCY LIGHTING FUNCTION, 18W LED WITH 2700lm OUTPUT, IP65 AND IK10 RATED, C/W INTERGRAL FIXED OUTPUT ELECTRONIC GEAR, 4000K COLOUR TEMPERATURE. C/W BATTERY PACK WITH MINIMUM 90 MINUTES DISCHARGE TIME. LUMINAIRE TO BE SURFACE MOUNTED TO UNDERSIDE OF SOFFIT.
EM		LEGRAND SATELLITE CORRIDOR NON-MAINTAINED SPU EMERGENCY LUMINAIRE 685204/LI, C/W 0.95W LED, Li-ion BATTERY PACK, D50 CLASSIFICATION, MINIMUM 90 MINUTES DISCHARGE TIME. LUMINAIRE TO BE RECESSED INTO CEILING.
EX		LEGRAND G2 LED EMERGENCY MAINTAINED SPU RUNNING MAN DECAL EXIT SIGN,WHITE BODY, C/W Li-ion BATTERY PACK AND WALL/SURFACE MOUNTING KIT, MINIMUM 90 MINUTES DISCHARGE TIME. LUMINAIRE TO BE SURFACE MOUNTED TO WALL ABOVE DOOR.

TENDER / CONSENT

No	Revision	Drawn	Date
1	CONSENT ISSUE	SZ	05.07.19

0 250 500 750 1000 1250mm
SCALE 1:25 AT ORIGINAL SIZE

GHDWOODHEAD creativespaces
Level 1, Grant Thornton House
215 Lambton Quay, Wellington New Zealand
T 64 4 472 0799 F 64 4 472 0833
E wgtnmail@ghd.com W www.ghd.com

Conditions of Use.
This document may only be used by GHD's client (and any other person who GHD has agreed can use this document) for the purpose for which it was prepared and must not be used by any other person or for any other purpose.

DO NOT SCALE

Scale As indicated

Client NEW ZEALAND TRANSPORT AGENCY
Project TIER 1.5 - CONTROL BUILDING
Title LIGHTING LAYOUT

Original Size A1 Drawing No: 51-34037-A901 Rev: 1

Plot Date: 15/10/2019 10:38:05 a.m.
Cad File No: G:\51\34037\CADD\Revit\TIER 1.5\TIER 1.5 RAKAIA\TIER 1.5 RAKAIA.rvt

APPENDIX C

APPENDIX 2 RECOMMENDATION OF INDEPENDENT COMMISSIONER

Section 171 Resource Management Act 1991

Report pursuant to s. 42A of the Resource Management Act 1991 recommending whether or not a notice of requirement should be:

- Confirmed, modified, have conditions imposed, or be withdrawn.

Author: Jane Anderson

Position: Consultant Planner

Resource Consent Number: D220001

REQUIRING AUTHORITY:	New Zealand Transport Agency
PROPOSAL:	To designate the site to 'Undertake maintenance, operation and use of, and improvements to the State Highway Network' (D220001); and Outline Plan for the construction, operation and maintenance of a commercial vehicle safety centre (RC225373).
LOCATION:	State Highway 1 and North Rakaia Road, Rakaia
LEGAL DESCRIPTION:	Rural Section 33582 (23,000m^2) contained in Record of Title 891584 North Rakaia Road – No appellation, Parcel ID 3576329 2160m^2
ZONING:	The site is zoned Rural (Outer Plains) under the provisions of the Operative District Plan (Rural) Volume.

Introduction

1. The New Zealand Transport Agency (the Requiring Authority) has given notice of its requirements for an alteration to Designation TR7 in the Operative Selwyn District Plan and corresponding Designation NZTA-7 Rakaia Commercial Vehicle Safety Centre in the Proposed Selwyn District Plan (hereon 'NZTA-7').

Description of the Proposal

2. Waka Kotahi propose to undertake minor alterations to the existing designations in the Operative and Proposed District Plans with the following alterations to the condition wording:

   Operative District Plan*:*

   "General Accordance with details provided in the NOR and plans attached in ~~D190066 Appendix C updated 17/02/2020; the Addendum to the NOR 17/02/2020~~ D220001 Appendices A - E; and the response to the request for further information ~~27/03/2020~~ dated 26 July 2022; and the additional response to the request for further information dated 19 October 2022."

Proposed District Plan:

General Accordance

1. *The designation shall be implemented in general accordance with the details provided with the Notice of Requirements:*

   a. *The Plans attached in ~~Appendix C~~ Appendices A – E of the Notice of Requirement dated ~~17/02/2020~~ 27 May 2022;*

   b. ~~*The Addendum to the Notice of Requirement dated 17/02/2020;*~~

   b. *The response to the request for further information dated ~~27/03/2020~~ 26 July 2022; and*

   c. *The additional response to the request for further information dated ~~17/04/2020~~ 19 October 2022."*

3. The proposed alterations to the designation are sought to provide for the construction, operation and maintenance of a smaller Commercial Vehicle Safety Centre (CVSC) at the site. The application provides the following summary of the proposed works:

   - Construction of a CVSC to capture southbound commercial vehicles only;
   - Construction of a Tier 1.5 Safety Building;
   - A CVSC with a significantly reduced size and scale compared within that approved in the Plans of the previous NOR application

4. The proposed changes are sought in response to a road safety audit that determined that commercial vehicles crossing State Highway 1 posed an unacceptable safety risk. As a result, separate north and south bound CVSC sites are proposed which do not require commercial vehicles to cross over lanes of oncoming traffic. A smaller CVSC is proposed for south bound vehicles only. A separate project will be undertaken in the future to capture north bound vehicles.

5. Waka Kotahi has advised that the proposed alteration is necessary as it will "*allow for the construction of the CVSC on the site which will provide increased safety for other road network users".*

6. No changes is proposed to the purpose of the designation, being "*to undertake maintenance, operation and use of, and improvements to the State Highway Network*." No other changes are sought the existing condition.

7. The application includes an Outline Plan for the works to construct, operate and maintain the CVSC within Designation TR1 and TR7 of the Operative Selwyn District Plan under Section 176A of the Resource Management Act.

Description of the Existing Environment

8. The application site is located at the junction of State Highway 1 and North Rakaia Road.

9. The site is generally flat and is vegetated in pasture grass. There are no existing structures. There is an existing access to the site via a farm gate off North Rakaia Road approximately 187 metres from the intersection with State Highway 1.

10. The Main South Rail line lies parallel to State Highway 1. To the southwest of the site on the opposite side of the State Highway from the site is a public rest area. The access to the rest area is approximately 55m from the intersection of North Rakaia Road.

11. The Rakaia River is approximately 165m southwest of the site. This river is a braided river, and a Chinook salmon fishery. The surrounding margins support several species of birdlife including the endangered black bill gull, a large population of wrybill as well as black footed tern and banded dotterel. The river is subject to the National Water Conservation (Rakaia River) Order 1988.

12. At the site location the width of SH 1 is 8m wide with two carriage lanes of 3.5m with 500mm sealed shoulders. There is a right hand turning bay north east of the intersection from North Rakaia Road to Main

Rakaia Road, and further north approximately 240 metres away is the Rakaia overbridge that passes over the main trunk railway line. There are street lights to aid visibility at the intersection and at the overbridge.

13. The traffic volume of State Highway 1 at this point is 12,142 vehicles with approximately 14% being heavy vehicles. The speed limit at this point is 100km/hr. In the District Plan State Highway is designated as TR1 (State Highway) and the NZTA as the requiring authority. North Rakaia Road is managed by Selwyn District Council, and has a traffic volume of 100 vehicles per day.

14. Other land uses in the area consist of larger rural production activities.

Notification

15. A decision regarding notification pursuant to sections 169, 149ZCB(1)-(4), 149ZCC(1)-(4), 149ZCE and 149ZCF has been undertaken separately. In summary, it was determined that the NOR be processed on a non-notified basis.

Matters to be Considered

Alteration to the Designation

16. Section 171 of the Resource Management Act 1991 sets out the matters which Selwyn District Council must have regard to in considering the effects on the environment of allowing a notice of requirement. In this case the relevant matters are:

- a regional policy statement or proposed regional policy statement (s. 171(1)(a)(iii))
- a plan or proposed plan (s. 171(1)(a)(iv))
- whether adequate consideration has been given to alternative sites, routes, or methods of undertaking the work if either the requiring authority does not have an interest in the land sufficient for undertaking the work; or it is likely that the work will have a significant adverse effect on the environment (s. 171(1)(b))
- whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought (s. 171(1)(c))
- any other matter the territorial authority considers reasonably necessary in order to make a decision on the requirement (s. 171(1)(d))
- any positive effects on the environment to offset or compensate for any adverse effects that may result from the activity enabled by the designation (s. 171(1B)).

17. All matters listed in s. 171 (1) are subject to Part 2 of the Act, which contains its purposes and principles.

Outline Plan

18. The statutory requirements of the Resource Management Act 1991 in respect of this application are contained in section 176A, which subject to subsection (2) requires that an outline plan of the public work, project or work to be constructed on designated land must be submitted by the requiring authority to the territorial authority to allow the territorial authority to request changes before construction commences. The territorial authority may only make recommendations.

19. The matters that may be considered are set out in section 176A(3) which states that:

An outline plan must show:

a. *The height, shape and bulk of the public work, project or work; and*

b. *The location on the site of the public work, project or work; and*

c. *The likely finished contour of the site; and*

d. *The vehicular access, circulation and the provision for parking; and*

e. *The landscaping proposed; and*

f. *Any other matters to avoid, remedy or mitigate any adverse effects on the environment.*

Assessment of Environmental Effects – Alteration to Designation

20. The actual and potential adverse effects of the proposal relate to visual, character and amenity, noise and transport effects.

Permitted baseline

21. In determining whether the adverse effects of a proposal are more than minor, section 149ZCE allows the Council to disregard the adverse effects of permitted activities. The site is zoned Rural (Outer Plains).

22. In the Rural Outer Plains zone, a non-residential and non-rural activity would have the following general parameters of most relevance:

- Earthworks to a maximum volume of 5000m^3, with a vertical cut of no more than 5%
- A maximum of 100m^2 for the loading, storage and waste activities;
- Two staff maximum;
- 30 equivalent car movements per day per site; and
- Compliance with the noise rules would be required

Visual effects

23. Currently, the site is vacant pasture land, and is subject to an operative Designation TR7 that provides for the construction, operation and maintenance of a CVSC on the site.

24. The proposal seeks to construct a CVSC that, according to the applicant "*is smaller in size and in intensity that that currently permitted by the existing conditions on the designation*". The applicant considers that:

"On the basis that the proposed site is smaller in scale and intensity, adverse effects on visual amenity will be lesser than those already considered within the previous NoR application, and of the purpose of the application, insignificant."

25. The assessment of effects from the applicant notes that the closest sensitive visual receivers are located approximately 280m northwest of the CVSC, and are separated by the Main South Railway Line and State Highway 1. The report assess the effects on the closest receivers noting that vegetative planting will provide a degree of provides good visual screening. I accept this assessment, and consider that the distance to sensitive receivers and the proposed landscaping will ensure that any adverse effects will be less than minor, subject to the proposed conditions restricting the development to a scale and intensity less than the original proposal.

Noise

26. In consideration of construction noise, it is noted that the application seeks to ensure that all construction activities shall occur in accordance with NZS6803:1999 Acoustics – Construction Noise to ensure acceptable construction noise. This will require noisy construction activities to occur between the hours of 0730 and 1800 hours Mondays to Saturdays, and adopting the best practical option to minimise construction noise where possible.

27. The operation of the CVSC will generate noise associated with heavy vehicle movements entering and exiting the site, and manoeuvring within the site. The operation of the CVSC is likely to be less than 7 days per month. It is noted that the site and surrounding environment is subject to an existing ambient noise environment influenced by the adjacent State Highway. Whilst it is acknowledged that the proposal will result in additional vehicle movements associated with vehicles turning into the site for inspection, it is noted that the closest sensitive receiver is approximately 270m north west of the site.

28. I consider that any potential noise effects associated with the proposed alteration to the designation will be less than minor.

Traffic

29. The current application does not include a detailed traffic assessment, however the proposal has been peer reviewed by Abley, this is attached as **Appendix 1**.

30. Abley have reviewed the application and provided the following conclusions :

31. The modelling of the State Highway 1 / North Rakaia Road intersection operates at a minimum LoS C with conservative assumptions, resulting in delays being a maximum of 14 seconds. This is found to be acceptable.

32. Due to the safety record, high speed environment, head on collision risk and potential driver frustration over decelerating left turning vehicles a left turn auxiliary lane on State Highway 1 is recommended.

33. The non-compliant sight distance has been assessed and is considered to be acceptable as there is sufficient distance between the intersection and vehicle crossings for a truck to stop if a vehicle accidentally pulled out and vehicles will be predominantly turning left when exiting the site, where there is sufficient visibility.

34. The proposed right turn median on SH1 will improve safety of right turning vehicles from SH1. The safety record of the surrounding environment is poor and there have been recorded fatalities of head on collisions with heavy vehicles. The speed limit on SH1 is recommended to be reduced from 100km/hr to 80km/hr, although Abley notes that this is a matter for Waka Kotahi as the road controlling authority.

35. In response to these issues, Abley have recommended the following conditions:

    a. The provision of an appropriate Construction Traffic Management Plan (CTMP) to mitigate any potential adverse effects of construction traffic, including deliveries and the displacement of any vehicles due to loss of parking spaces during construction;

    b. Prior to operation of the activity, a left turn auxiliary lane and right turn median shall be installed on State Highway 1 at the State Highway 1 and North Rakaia Road intersection before construction activity. The designs shall be submitted to Council for approval.

    c. A site management plan is to be prepared and submitted to Council for approval prior to the operation of the activity and reviewed annually. It shall include:

        - Staging of heavy vehicle departures within the site to prevent convoying;
        - Appropriate on-site procedures for oversized vehicles within the site

    d. During commencement of the activity, the proposed sealed section of North Rakaia Road is to be maintained by Waka Kotahi as part of the State Highway Maintenance agreement with Selwyn District Council.

36. These issues and proposed conditions have been provided to Waka Kotahi. A copy the response from Waka Kotahi is attached as **Appendix 2**. In summary, Waka Kotahi have commented as follows:

    i. Waka Kotahi requires any construction activities taking place on or near the state highway to have a Construction traffic Management Plan, to be provided to them as the Road Controlling Authority and Requiring Authority and holder of the designation.

    ii. Waka Kotahi considers that a left turn auxillary lane is note required given their assessment of the likely access demand. However, they note that *"should a future safety audit identify that widening or other safety measures are required, then they will be designed and included at that time following statutory approvals that may be needed".*

    iii. Waka Kotahi notes that the existing designation TR1 contains a condition relating to a site management plan and considers that there is no need for additional review and approval process.

iv. Waka Kotahi notes that the section of North Rakaia Road is included in the designation and will be maintained as part of the State Highway network.

37. Based on the above assessment and the information provided with the proposal and subsequent responses from further information provided, I consider the traffic effects of the development to be no more than minor.

Conclusion on adverse effects

38. Overall, I consider that the visual effects, effects on rural character, and amenity, and noise of the proposed designation to be less than minor.

39. Overall, given the location and design of the buildings, their potential effect visually and upon the rural character of the zone and the proposed traffic volume, and safety mitigation measures proposed, that the effects of the development are no more than minor.

Assessment of Environmental Effects – Outline Plan

40. The matters for consideration for the Outline Plan are assessed below:

(a) The height, shape and bulk of the public work, project or work; and

41. The proposed works within Designation TR7 are detailed in the application, and defined as including:

- Automatic Number Plate Reading (ANPR) Camera
- Weigh-In-Motion (WIN) Plates;
- ITS Cabinet;
- Metal Side Guard; and
- Road resurfacing

42. The general layout of the proposed CVSC within the Designation TR7 is detailed in **Figure 1** below:

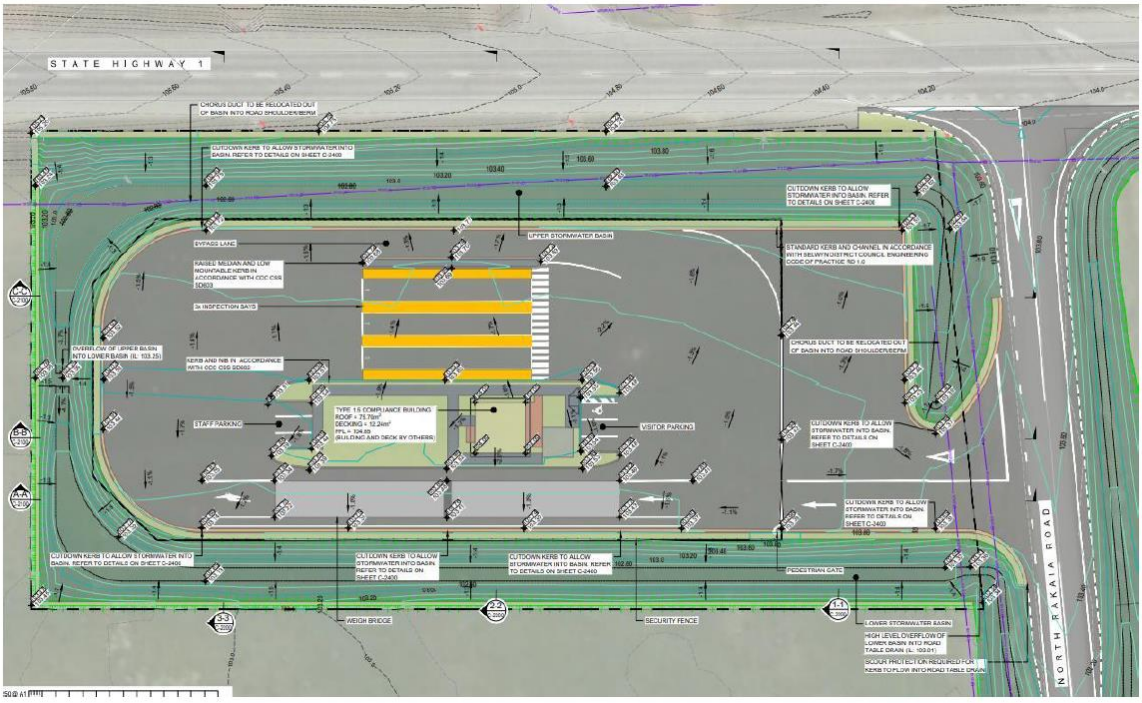


Figure 1: General Layout of CVSC (source: application)

43. The proposed CVSC shall comprise of:

- A weigh bridge, comprising of two 5m wide by 25m long weigh plates, integrated into the site at ground level;
- Tier 1.5 compliance 75m^2 building, with an approximate height of 4.5m;
- Bypass lane, approximately 4m in width and separated from the inspection bays by a raised median and low mountable kerb;
- Three inspection bays, each being approximately 3m wide and 25m in length and located adjacent to the bypass lane;
- Six car parks for Staff and visitor parking;
- On site lighting, mounted on poles and pointed at the ground;
- Onsite greywater and wastewater disposal
- Onsite stormwater disposal
- Site fencing to be installed around the perimeter of the site

(b) The location on the site of the public work, project or work; and

44. The location of the proposed works is within sites subject to Designation TR1 and TR7, adjacent to the State Highway 1, and to the south of North Rakaia Road.

(c) The likely finished contour of the site; and

45. The proposal seeks to remove approximately 3000m^3 of topsoil to a depth of 300mm. Approximately 1600m^3 is proposed to be retained on site for reuse, with the remaining 1400m^3 to be cut to waste.

(d) The vehicular access, circulation and the provision for parking; and

46. Vehicle access upgrades associated with the CVSC are proposed to occur in Designation TR7. North Rakaia Road is proposed to be widened and sealed to approximately 90m from State Highway 1.

47. The CVSC has been designed to direct entering vehicles over a weigh bridge and then either into an inspection lane or a bypass lane, and then to exit the site to travel south bound on State Highway 1. The site has been designed to facilitate the circulation of a standard 17.9m truck and semi-trailer, and a 25m truck and single steer truck and trailer capable of carrying a 10m wider load.

48. Parking for all vehicles utilising the CVSC is provided for within the site. Five car parks and one mobility car park are provided on site. The application states that "*adequate space is provided onsite such that cars can enter and exit the site in a forward direction".*

49. No upgrade works are proposed within the Designation TR1.

(e) The landscaping proposed; and

50. The proposal seeks to reinstate grassed areas upon the completion of earthworks, signs and foundations within the Designation TR1.

51. Landscaping within Designation TR7 is proposed to be limited to re-grassing stormwater basins following the completion of earthworks. The landscape plan includes eight totara trees and 13 kowhai trees, along with extensive plantings of *carex virgata* and three species of tussock. The proposed landscaping is low level the applicant notes that trees and shrubs "*have the potential to compromise sightlines resulting in increased crash risk and reduced safety onsite".*

(f) *Any other matters*

Lighting

52. The proposed onsite lighting is to be located on poles, and pointed towards the ground. The lighting will be designed in a manner to ensure that light spill on to surrounding properties and the adjacent state highway network is minimised. The applicant has provided a lighting plan that identifies the 2 lux isoline as being limited to the shoulder of the road corridor and that it will not extend into the road corridor.

53. It is considered that any adverse effects associated with lighting will be less than minor.

New Outline Plan of Works

54. The Waka Kotahi letter dated 5 December 2022 states that "*(g)iven the use fo the CVSC site has now changed to being southbound only, the extent of works required within the SH1 designation as referenced in those previous Outline Plans has also reduced. A new Outline Plan detailing the reduced extent of works now associated with the project is being prepared and will be lodged shortly".*

55. Waka Kotahi have advised that this statement is in reference to an additional Outline Plan which will be lodged in due course, to provide details of the ancillary works within the SH1 designation that are required to ensure the CVSC site function correctly.

Summary – Assessment of Environmental Effects

56. Overall, I consider that based on the above assessment, that the effects of the development are no more than minor.

Operative Selwyn District Plan

57. The Selwyn District Plan (the District Plan) was made operative on 03 May 2016. The District Plan objectives and policies that are considered relevant are as follows:

B1.1 Land and Soil

Objective B1.1.1

Adverse effects of activities on the District's land and soil resources are avoided, remedied or mitigated

Objective B1.1.3

Promote the sustainable management of the soil resources of the District.

Policy B1.1.1

Ensure any activity involving hazardous substance or waste disposal is carried out in a way which reduces the risk of contaminating land or soil.

58. The area of the site is not greater than 1.8 hectares with the surrounding land remaining as production land. The only substance to be stored on site will be oil and grit, and no non-compliances are generated with the District Plan in this regard. There will be no contaminates discharged to ground, and therefore no risk of soil contamination.

B2.1 Transport Networks

Objective B2.1.1

An integrated approach to land use and transport planning to ensure the safe and efficient operation of the District's roads, pathways railway lines and airfields is not compromised by adverse effects from activities on surrounding land or by residential growth.

Objective B2.1.2

An integrated approach to land use and transport planning to manage and minimise adverse effects of transport networks on adjoining land uses, and to avoid "reverse sensitivity" effects on the operation of transport networks.

Objective B2.1.4

Adverse effects of land transport networks on natural and physical resources or amenity values, are avoided, remedied, or mitigated, including adverse effects on the environment from construction, operation and maintenance.

Policy B2.1.2

Manage effects of activities on the safe and efficient operation of the District's existing and planned road network, considering the classification and function of each road in the hierarchy.

Policy B2.1.4(a) Ensure all sites, allotments or properties have legal access to a legal road which is formed to a standard necessary to meet the needs of the activity considering:

- *The number and type of vehicle movements generated by the activity;*
- *The road classification and function; and*
- *any pedestrian, cycle, public transport or other access required by the activity.*

59. As has been ddsicussed in the Assessment of Environmental Effects above, the potential adverse traffic effects of the proposal has been assessed by Waka Kotahi and peer reviewed by Abley. The results of those assessments has determined a number of proposed conditions to ensure that the safety and efficiency of the road network and those who use it is not compromised. I consider that, subject to conditions, the proposal will be consistent with the relevant traffic objectives and policies.

B3.4 Quality of the Environment

Objective B3.4.1

The District's rural area is a pleasant place to live and work in.

Objective B3.4.2

A variety of activities are provided for in the rural area, while maintaining rural character and avoiding reverse sensitivity effects.

Policy B3.4.1

Recognise the Rural Zone as an area where a variety of activities occur and maintain environmental standards that allows for primary production and other business activities to operate.

Policy B3.4.3

Avoid, remedy, or mitigate significant adverse effects of activities, on the amenity values of the rural area.

Policy B3.4.6

Maintain low levels of building density in the rural zone and the predominance of vegetation cover.

Policy B3.4.7

Avoid high rise buildings or highly reflective utility structures.

Policy B3.4.16

Mitigate nuisance effects on adjoining dwellings caused by dust from earthworks, or stockpiled material.

Policy B3.4.20

Ensure new or upgraded road infrastructure and new or expanding activities, which may have adverse effects on surrounding properties, are located and managed to mitigate these potential effects.

Policy B3.4.21

Protect existing lawfully established activities in the Rural zone from potential for reverse sensitivity with other activities which propose to establish in close proximity.

Policy B3.4.23

Provide for temporary activities or those that are necessary for construction purposes, provided associated short-term adverse effects on the environment are appropriately managed.

60. The policy framework for the rural environment seeks to recognise and provide for a variety of rural activities where the rural amenity of the area is maintained. On balance, it is considered that the design of the building and proposed landscaping will reduce the potential effects on the amenity values of the area. All site and construction works will be temporary and can be managed appropriately. Further, it is not considered that there are any effects relating to reverse sensitivity.

61. On balance, it is considered that the proposal is consistent with the rural objectives and policies.

Summary – District Plan Objectives and Policies

62. Overall, I consider the proposal to be consistent with the relevant objectives and policies of the Operative District Plan.

Proposed District Plan Objectives and Policies

63. The Proposed District Plan objectives and policies that I consider relevant are:

TRAN-O1

People and places are connected through safe, efficient, and convenient land transport corridors and land transport infrastructure which is well integrated with land use activities and subdivision development.

TRAN-P4

Manage the adverse effects of activities within the General Rural Zone that exceed the maximum number of vehicle movements for each site.

TRAN-P7

Recognise and protect the function of the district's land transport network and systems by managing land use activities and subdivision development to ensure the safe and efficient movement of people and goods by:

1. *Managing adverse effects from activities on land transport corridors and land transport infrastructure, particularly where it may reduce safe and efficient traffic flows within the strategic transport network and links with Christchurch City;*
2. *Ensuring land transport corridors and land transport infrastructure can support the volume and type of transport movements based on the network road classifications; and*
3. *Requiring the design, positioning and maintenance of accessways, corner splays, vehicle crossings, intersections, footpaths, plantings and signs to ensure appropriate sightline visibility is provided to road users to support safe and efficient vehicle, pedestrian and cycle movements.*

TRAN-P11

Manage vehicle access, vehicle crossings and manoeuvring areas to maintain the safe and efficient operation of land transport corridors and land transport infrastructure by:

1. *Requiring all sites to have access to a road and to ensure that this access is constructed to the appropriate formation standards and is compatible with the network road classification;*
2. *Avoiding the need to reverse vehicles onto the strategic transport network;*
3. *Avoiding the establishment of new accessways and vehicle crossings to roads that require access across a rail line; and*
4. *Minimising the need to reverse onto Collector and Local Roads through the provision of appropriate on-site manoeuvring areas.*

TRAN-P13

Minimise the adverse effects of development on the physical and natural environment by:

1. *locating, designing and operating development while minimising the effects on, the amenity values of the surrounding environment, public access and the health and safety of people.*
2. *encourage development to consider alternative sites, routes or methods.*
3. *limiting the presence and effects of development within Outstanding Natural Landscapes, Visual Amenity Landscapes, Areas of Significant Indigenous Vegetation and habitats of indigenous fauna, sites of historic heritage and site and areas of significance to Māori to those which:*
    a. *can demonstrate an operational or functional requirement for the location; and*
    b. *can demonstrate through site, route or method selection the minimisation of effects on the environment; and*

c. *integrate design measures and management methods to mitigate adverse effects.*

4. *requiring restoration of indigenous biodiversity and habitat following construction in areas of Areas of Significant Indigenous Vegetation and habitats of indigenous fauna, and the on-going monitoring of that restoration.*
5. *considering biodiversity off-setting or compensation where the loss of significant indigenous vegetation cannot be restored and significant habitats of indigenous fauna or wetlands cannot be fully mitigated where the adverse effects cannot be avoided or remedied.*
6. *Using the substantial upgrade of land transport infrastructure as an opportunity to reduce existing adverse effects.*

64. The Transport policy framework of the Proposed District Plan seeks to manage effects of activities on the safe and efficient operation of the existing and planned roading network.

65. On balance, it is considered that the proposal will be consistent with the Transport objectives and policies.

GRUZ-O1

Subdivision, use, and development in rural areas that:

1. *supports, maintains, or enhances the function and form, character, and amenity value of rural areas;*
2. *prioritises primary production, over other activities to recognise its importance to the economy and wellbeing of the district;*
3. *allows primary production to operate without being compromised by reverse sensitivity; and*
4. *retains a contrast in character to urban areas.*

GRUZ-P1

Maintain or enhance rural character and amenity values of rural areas by:

1. *retaining a low overall building density, and predominance of vegetation cover;*
2. *enabling primary production while managing adverse effects of intensive primary production, and mineral extractive industries;*
3. *managing the density and location of residential development; and*
4. *retaining a clear delineation and contrast between the district's rural areas and urban areas, including Christchurch City.*

GRUZ-P4

Provide for the economic development potential of the rural area by enabling a range of activities that:

1. *have a direct relationship with, or are dependent on, primary production;*
2. *have a functional need, or operational need to locate in the rural area;*
3. *represent an efficient use of natural and physical resources; and*
4. *maintain or enhance the character and amenity values of the surrounding area.*

GRUZ-P5

Avoid the establishment or expansion of any industrial activity or commercial activity where the scale of the activity is greater than that of a rural home business, unless the activity has a functional need, or operational need to locate within the rural area.

66. The objective and policy framework acknowledge that business related use and development in the rural area may be appropriate if it supports, maintains or enhances the function, form, character and amenity values of the rural area.

67. It is considered that proposal has a functional and operational need to be located within a rural area.

68. It is considered that the proposal is consistent with the rural objectives and policies of the Proposed District Plan.

Summary – District Plan Objectives and Policies

69. Overall, I consider the proposal to be consistent with the relevant objectives and policies of the Proposed District Plan

Weighting Between District Plans

70. Section 104(1)(b) requires decision makers to take account of any relevant plan or proposed plan. Where there is conflict between an operative and proposed plan, a weighting assessment is required to determine which plan should be afforded dominant weight.

71. In this case, as the conclusions reached in the above assessment lead to the same conclusion under both the Operative District Plan and Proposed District Plan, no weighting assessment is required.

Canterbury Regional Policy Statement

72. The Canterbury Regional Policy Statement (CRPS) objectives and policies that I consider relevant are:

Chapter 5: Land use and Infrastructure

Objective 5.2.1 relates to location, design and function of the development of the entire region.

Objective 5.2.2 Integration of land-use and regionally significant infrastructure within the wider region.

Objective 5.2.3 Transport network of the wider region.

Policy 5.3.2 Development conditions within the wider region.

Policy 5.3.7 Strategic Land Transport network and arterial roads (entire region).

Policy 5.3.8 Land use and transport integration

Policy 5.3.9 Regionally significant infrastructure (wider region).

73. The centre is for the purpose of ensuring the safety and efficient operation of the transport network for all its users by ensuring that heavy transport vehicles are operating within legal limits resulting in increased compliance and therefore increased efficiency overall in terms of travel times and cost to everyone.

74. The activity does not impede on any other existing rural or recreational uses of the area.

75. The proposal enables the safe and efficient operation of the State Highway being the major infrastructure supporting the daily transport needs of people and communities for necessary social and economic purposes.

76. The proposal seeks to provide the ongoing safety of the wider transport network to support regional and national needs while mitigating any potential adverse effects on any land and the transport network overall.

77. The proposal does not impede any development within the region, but rather supports it by ensuring the transportation needs of the area can operate effectively, efficiently and safely.

78. The proposal supports the development of infrastructure to meet the NZ Transport Agency's strategic objectives and an assessment considering alternative locations has been made and found to be satisfactory.

79. In summary, the proposed NOR is considered to be consistent with the CRPS.

Alternative sites

80. Under s. 171(1)(b) the Council must have particular regard to whether adequate consideration has been given to alternative sites or methods if the requiring authority does not have an interest in the land sufficient for undertaking the work, or it is likely that the work will have significant adverse effects on the environment.

81. This matter was considered as part of the original designation of the site. It is considered that the proposed changes to the designation do not change the original conclusion.

Necessity of the designation

82. Section 171(1)(c) requires the Council to have particular regard to whether the designation is reasonably necessary to achieve the objectives of the requiring authority. As set out in section 1 of the NOR, the objective is to "Undertake maintenance, operation and use of, and improvements to the State Highway Network". Section 6 of the NOR expresses this objective more broadly,

83. Once stated, it is not appropriate to question the Requiring Authority's choice or expression of objective for which the designation is said to be necessary. Therefore, the question becomes whether the designation, as a form of RMA approval, and the associated works are reasonably necessary to achieve the objective stated by the Requiring Authority, and whether the extent of land affected by the designation is reasonable necessary for achieving the objectives of the works.

84. This matter was considered as part of the original designation of the site. It is considered that the proposed changes to the designation do not change the original conclusion.

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health

85. Site contamination was considered as part of the original designation, and as a result I consider that there are no potential contamination issues at the site that would present a risk to human health.

Part 2 Resource Management Act 1991

86. The purpose of the Resource Management Act 1991 is to promote the sustainable management of natural and physical resources. In summary enabling people and communities to provide for their well-being, while sustaining resources and addressing any adverse effects.

87. I agree with the assessment provided in section 8.3 of the NOR, and consider that the proposed designation will promote the sustainable use of land, building and infrastructure to meet the reasonably foreseeable transport needs while avoiding, remedying or mitigating adverse effects on the environment. Therefore I consider that the proposal is in accordance with the purpose and principles of the Resource Management Act 1991.

Conclusion

Alteration to the Designation

88. Having taken into account the matters that must be considered under s. 171 of the RMA, it is my conclusion that the NOR to establish and subsequently operate a Commercial Vehice Safety Centre as part of the weigh right programme promotes the purpose of the RMA and is reasonably necessary to achieve the Requiring Authority's objectives.

89. The range of actual and potential adverse effects on the environment have been assessed and reviewed. Provided appropriate conditions are imposed in the NOR as recommended in this report, in my view any adverse effects caused by allowing the works can be avoided, remedied, or mitigated and therefore will not be significant on the receiving environment.

90. The NOR is also considered to be consistent with relevant statutory documents and reasonably necessary in the context of the s. 171 considerations.

Outline Plan

91. The site is designated by New Zealand Transport Agency under the Operative Selwyn District Plan (Rural Volume) for a Commercial Vehicle Safety Centre and it is considered that the proposal is in keeping with this designation.

Recommendations

Alteration to the Designation (D220001)

92. For the reasons set out in the foregoing assessment, I recommend that the Council recommend to the New Zealand Transport Authority that the Alteration to the Designation D220001 be confirmed pursuant to s.171(2)(a) of the Resource Management Act 1991, subject to the following conditions, imposed under s.171(2)(c) of the Act:

Purpose of Designation

"To undertake maintenance, operation and use of, and improvements to the State Highway Network"

Operative District Plan

General accordance with details provided in the NOR and plans attached in D220001 Appendices A-E; and the response to the request for further information dated 26 July 2022, and the additional response to the request for further information dated 19 October 2022"

Proposed District Plan

General Accordance

1. The designation shall be implemented in general accordance with the details provided with the Notice of Requirement:
   a. the Plans attached in Appendices A - E to the Notice of Requirement dated 27 May 2022;
   b. the response to the request for further information dated 26 July 2022; and
   c. The additional response to the request for further rinformation dated 19 October 2022.

Outline Plan

2. Works undertaken in accordance with the NOR will not require an Outline Plan.

Lapse Date

3. The designation shall lapse on the expiry of 10 years from the date on which it is included in the District Plan if it has not been given effect to before the end of that period.

Advice Note: *For the avoidance of doubt, none of these conditions prevent or apply to works required for the ongoing operation or maintenance of the Project following construction, such as routine maintenance or changes to signage over time. Depending upon the nature of such works, Outline Plans or Outline Plan waivers may be required for any such works.*

Conditions 4-7 **not** to be included in the Selwyn District Plan:

Construction Works

4. Prior to the commencement of any construction works in accordance with the purpose of the designation, a dust management plan shall be provided to the Selwyn District Council compliance team.
5. All works shall proceed in accordance with the NZTA's Accidental Discovery Protocol.
6. The Erosion and Sediment Control Plan set out in Appendix L of the Notice of Requirement shall be implemented.

Landscaping

7. That the landscape plan provided with the application be implemented within the first planting season once construction works are completed. Should any plants die or be destroyed, they shall be replaced with the same or similar species as soon as practicable.

Transport

8. That prior to the undertaking of construction works, the engineering plans and specifications relating to the upgrades to the local road shall be reviewed and approved by the Council's Asset Manager, Transportation.
9. That prior to the commencement of operations, the operational management plan shall be reviewed and approved by the Council's Asset Manager, Transportation.

Advice Notes

Contaminated Soils

1. If at the time of construction any contaminated soils are discovered, the NZ Transport Authority is advised that construction should cease so that the site can be assessed in accordance with relevant Ministry for the Environment Guidelines by a suitably Qualified Environmental Practitioner; and all relevant resource consents obtained in accordance with the provisions of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011.

Outline Plan (RC225373)

93. For the reasons set out in the foregoing assessment, I recommend that the Outline Plan for the construction, operation and maintenance of a commercial vehicle safety centre (RC225373) be accepted with no recommendations for change.

Note to the Requiring Authority

Vehicle Crossings

(a) Any new or upgraded vehicle crossing requires a vehicle crossing application from Council's Assets Department prior to installation. For any questions regarding this process please contact transportation@selwyn.govt.nz. You can use the following link for a vehicle crossing information pack and to apply online: https://www.selwyn.govt.nz/services/roads-And-transport/application-to-form-a-vehicle-crossing-entranceway

Building Act

(b) This consent is not an authority to build or to change the use of a building under the Building Act. Building consent will be required before construction begins or the use of the building changes.

Regional Consents

(c) This activity may require resource consent from Environment Canterbury. It is the consent holder's responsibility to ensure that all necessary resource consents are obtained prior to the commencement of the activity.

Impact on Council Assets

(d) Any damage to fixtures or features within the Council road reserve that is caused as a result of construction or demolition on the site shall be repaired or reinstated and the expense of the consent holder.

Reported and recommended by  **Jane Anderson** **Consultant Planner**	**Date: 8 November 2022**

That, having considered the notice of requirements and the above report, I adopt the findings of this report and recommend that the Selwyn District Council recommend The New Zealand Transport Agency confirm the designation pursuant to s. 171 of the Resource Management Act 1991, and

That Outline Plan RC225373 be accepted with no recommendations for change.

 **Graham Taylor** **Commissioner**	**Date: 13 November 2022**

APPENDIX 3 DECISION OF WAKA KOTAHI NZ TRANSPORT AGENCY

Level 1, BNZ Centre
120 Hereford Street
PO Box 1479
Christchurch Mail Centre
Christchurch 8011
www.nzta.govt.nz

Waka Kotahi NZ Transport Agency Reference: D220001 Rakaia Weigh Right

15 December 2022

Selwyn District Council
PO Box 90
Rolleston 7643
Attention: Jane Anderson

Sent via email: *jane.anderson@selwyn.govt.nz*

Dear Jane

RE: WAKA KOTAHI NZ TRANSPORT AGENCY - DECISION ON NOTICE OF REQUIREMENT D220001 RAKAIA WEIGH RIGHT FACILITY - CORNER OF SH1 AND NORTH RAKAIA ROAD

Waka Kotahi NZ Transport Agency (Waka Kotahi) has reviewed the Selwyn District Council Recommendation Report, dated 8 November 2022 and received on 13 December 2022, regarding the notice of requirement D220001 for an alteration to the existing designation to establish and operate a Commercial Vehicle Safety Centre north of Rakaia.

The Selwyn District Council recommendation generally replicates the detail of the previous Council recommendation on the original notice of requirement that established the designation for the Commercial Vehicle Safety Centre site (D190066). Waka Kotahi accepts the amended wording of condition 1 as it reflects the amended detail of the works proposed at the site resulting from the change to a "southbound only" facility.

When Council made their recommendation on the original notice (D190066), Waka Kotahi responded to Council on 3 July 2020 with its decision on the recommendation including some amendments to specific matters as below.

The purpose of the designation was amended through the previous decision to ensure consistency with the schedule of other state highway designations and the New Zealand Planning Standards. This amendment was adopted and is reflected in the Proposed District Plan as follows:

> ***Purpose of Designation***
>
> *"State Highway - To undertake construction, maintenance, operation, use and improvements to the state highway network and associated infrastructure."*

Condition 9, relating to the operational management plan, was also amended in the previous Waka Kotahi decision, so this should also be reflected as follows:

> ***Condition 9***
>
> *"That prior to the commencement of operations, the operational management plan shall be ~~reviewed and approved by~~ provided to the Council's Asset Manager, Transportation"*

This position was again reiterated by Waka Kotahi in the letter responding to queries on D220001 dated 5 December 2022.

The Council recommendation includes "Notes to the Requiring Authority" regarding additional approvals including Vehicle Crossings, Building Act, Regional Consents and the potential for impacts on Council assets. Given the details of the Notice and the requirements of the existing conditions it is likely that any details around the vehicle crossing will be addressed

through the information provided under Condition 8. Condition 8 states "*that prior to the undertaking of construction works, the engineering plans and specifications relating to the upgrades to the local road shall be reviewed and approved by the Council's Asset Manager, Transportation.*" Similarly, as Waka Kotahi has designated the portion of local road subject to the works and operation of the Commercial Vehicle Safety Centre and is going to upgrade and maintain that portion of the road essentially as part of the state highway, there is minimal potential for any impact on Council road assets.

Pursuant to section 172(1) of the Resource Management Act 1991, the decision of Waka Kotahi as the requiring authority for the designation is to **accept in part Selwyn District Council's recommendation** as detailed above. All other aspects of the Council's recommendation are accepted by Waka Kotahi without modification.

Waka Kotahi also acknowledges the recommendation that the Outline Plan for the construction, operation and maintenance of a Commercial Vehicle Safety Centre (RC225373) is accepted with no changes.

If any further clarification is required, please contact me directly on 021 910 745 or via email at *richard.shaw@nzta.govt.nz*

Yours sincerely



Richard Shaw **Date: 15 December 2022**
Team Lead South – Poutiaki Taiao | Environmental Planning
Waka Kotahi NZ Transport Agency

Pursuant to authority delegated by Waka Kotahi NZ Transport Agency

REPORT

TO: Council

FOR: Council Meeting – 8 February 2023

FROM: Personal Assistant to Mayor

DATE: 9 January 2023

SUBJECT: **REGISTER OF DOCUMENTS SIGNED AND SEALED**

RECOMMENDATION

'That the following transactions and the fixing of the Common Seal under authorised signatures have been approved.'

1. PURPOSE

To advise Council of legal documents approved for signing and sealing.

REGISTER OF DOCUMENTS SIGNED AND SEALED

1	Name of other party	Mr J S & Mrs H E G Blanchard
	Transaction type	Deed of Licence
	Transaction description	Part Reserve 1045 corner Edwards Road and Ellesmere Junction Road - 1.3300 hectares

2	Name of other party	Bruce Clinton McCallum, Katherine Plimmer Whyte and Richard Henry Digby Neave – Trustees of the McCallum Whyte Family Trust
	Transaction type	Deed of Licence
	Transaction description	Reserve 2752 – 55 Hauschilds Road, Tai Tapu .4047 hectares

3	Name of other party	Alexander Hammond Ward-Smith
	Transaction type	Deed of Assignment of Claims
	Transaction description	3 Maurice Street, Lincoln

4	Name of other party	Corde Limited
	Transaction type	Deed of Variation of Lease
	Transaction description	85 Hoskyns Road, Rolleston

5	Name of other party	Glentunnel Holiday Park (Glentunnel Camping Ground Ltd)
	Transaction type	Deed of Lease
	Transaction description	Reserve 5257 – 21 Glentunnel Domain Road

6	Name of other party	Woodbury Developments Ltd
	Transaction type	Road Dedication
	Transaction description	Woodbury Estates 32 Carston Street, Leeston – Stage B & Stage E



Bernadette Ryan
PERSONAL ASSISTANT TO MAYOR

Endorsed For Agenda



David Ward
CHIEF EXECUTIVE

RESOLUTION TO EXCLUDE THE PUBLIC

Recommended:

'That the public be excluded from the following proceedings of this meeting. The general subject matter to be considered while the public is excluded, the reason of passing this resolution in relation to the matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered		Reasons for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution	Date information can be released
1.	Public Excluded Minutes	*Good reason to withhold exists under Section 7*	*Section 48(1)(a)*	
2.	Purchase of Land in Leeston			Upon settlement

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act or Section 6 or Section 7 or Section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as follows:

1	To maintain legal professional privilege	Section 7(2)(g)
1 - 2	Enable the local authority holding the information to carry out, without prejudice or disadvantage, commercial activities; or	Section 7(2)(h)
1 - 2	Enable the local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations); or	Section 7(2)(i)

2 that appropriate officers remain to provide advice to the Committee.'

PUBLIC EXCLUDED MINUTES OF AN ORDINARY MEETING OF THE SELWYN DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBERS ON WEDNESDAY 14 DECEMBER 2022 COMMENCING AT 4.52 pm

PRESENT

Mayor Sam Broughton, Councillors, P M Dean, S N O H Epiha, L L Gliddon, D Hasson, M B Lyall, S G McInnes, G S F Miller, R H Mugford, E S Mundt & N C Reid

IN ATTENDANCE

Messrs. D Ward (Chief Executive), K Mason (Group Manager Enabling Services), M Washington (Group Manager Infrastructure and Property), R Love (Head of Strategy and Policy), C Warr (Open Spaces and Facilities Project Manager), G Morgan (Head of Operational Delivery), R Raymond (Communications Advisor - Media), and S Tully (Mayor's Advisor); Mesdames D Kidd (Group Manager Community Services and Facilities) and N Smith (Executive Assistant to the Chief Executive) and Ms T Davel (Committee Advisor)

APOLOGIES

None.

CONFLICTS OF INTEREST

None noted.

CURRENT MATTERS REQUIRING ATTENTION

None noted.

IDENTIFICATION OF EXTRAORDINARY BUSINESS

None noted.

CONFIRMATION OF MINUTES

1. Public excluded minutes of an Ordinary meeting of the Selwyn District Council held in the Council Chamber on Wednesday 23 November 2022.

Moved – Councillor Lyall / **Seconded** – Councillor Dean

'That Council confirms the public excluded minutes of an ordinary Meeting of the Selwyn District Council held on Wednesday 23 November 2022, as amended.'

CARRIED

REPORTS

1. Chief Executive
Chief Executive Appointment

Moved – Councillor Lyall / **Seconded** – Councillor Gliddon

'That Council appoint Brannigans to assist with the process and timeframe for the appointment of a new Chief Executive for Selwyn District Council.'

CARRIED

2. Group Manager Infrastructure and Property
Rolleston Town Centre Stage 3 Infrastructure Carpark 4 & 5 Contract Award

Moved – Councillor Lyall / **Seconded** – Councillor Gliddon

'That Council:

(a) Receives the Public Excluded report outlining the Rolleston Town Centre Stage 3 Infrastructure Carpark #4 and #5 procurement and tender.

(b) Approves the appointment of Isaac Construction Ltd as the contractors for the Civil and Landscaping works at a contract value of $2,194,349.25 plus GST.

(c) Approves a maximum contingency of 15% for the Civil and Landscaping works up to a value of $329,152.39 plus GST.

(d) Approves a maximum professional fee allowance of 12% for the Civil and Landscaping works up to a value of $302,820.19 plus GST.

(e) Agrees to the release of this recommendation into the public environment, with the exception of item c and d above, from 16 December 2022.'

CARRIED

3. Open space and Facilities Projects Manager
Greenpark Hall Building Performance Assessment

Councillor Hasson noted there was information to be included in the report and asked that the Council consider allowing the matter to lie on the table until a future meeting. In particular to allow staff to include information around the liability of contractors versus Council and its building inspectors.

Staff confirmed the matter was not urgent and would include the required information in a future Council report.

Moved – Councillor Hasson / **Seconded** – Councillor Lyall

'That the Council allow the item to lie on the table until a future Council meeting to receive updated information.'

CARRIED

4. Assistant Accountant
Request for a Grant – Nicole Schaap

Moved – Councillor Hasson / **Seconded** – Councillor Reid

'That the Council grant $500 from the Rolleston Ward Discretionary Fund to assist Nicole Schaap with the costs to attend the World Championships of Performing Arts held in USA from 24 July to 6 August 2023.'

CARRIED

5. Assistant Accountant
Request for a Grant – Rorie Poff

Moved – Councillor Lyall / **Seconded** – Councillor Hasson

'That the Council grant $500 from the Springs Ward Discretionary Fund to assist Rorie Poff with the costs to attend the Athletics New Zealand Throws Camp in Hastings, from 18 to 21 January 2022.'

CARRIED

6. Assistant Accountant
Request for a Grant – Lucia Gale

Moved – Councillor Miller / **Seconded** – Councillor Lyall

'That the Council grant $500 from the Springs Ward Discretionary Fund to assist Lucia Gale with the costs to attend the two tennis tournaments in Australia in January and April 2023 to face stronger tennis players.'

CARRIED

7. Assistant Accountant
Request for a Grant – Rolleston Salvation Army

Moved – Councillor Miller / **Seconded** – Councillor Lyall

'That the Council grant $960 from the Rolleston Ward Discretionary Fund to assist the Salvation Army, Rolleston with the repair of 12 bikes to hand it out to families who access the foodbank before Christmas 2022.'

CARRIED

8. Assistant Accountant
Discretionary Fund Financial Update

Moved – Councillor Hasson / **Seconded** – Councillor Lyall

'That the Council receive the Discretionary Fund Financial Update, for information.'

CARRIED

GENERAL BUSINESS

None noted.

RESOLUTION TO MOVE FROM PUBLIC EXCLUDED

Moved – Councillor Lyall / **Seconded** – Councillor Reid

'That the meeting move out of public excluded business at 5.01 pm and resume in open meeting.'

CARRIED

DATED this day of 2023

_____
CHAIRPERSON

PX MATTERS UNDER INVESTIGATION

Item	Meeting referred from	Action required	Report Date
Greenpark Hall Rebuild options	24 August 2022	Comprehensive report (possibly as part of the regular PX Property Update) on options for or against a rebuild	2023

PUBLIC EXCLUDED REPORT

TO: Chief Executive

FOR: Council Meeting – 8 February 2023

FROM: Head of Acquisitions Disposals & Leasing and Water Service Project Manager

DATE: 30 January 2023

SUBJECT: **PURCHASE OF LAND AND TEMPROARY OCCUPTATION FOR LEESTONS STORMWATER BYPASS PROJECT**

RECOMMENDATION

'That Council:

a) Approves the purchase of:

(i) Freehold estate comprising approximately 0.3802 hectares of land; together with a right of temporary occupation for construction purposes comprising approximately 0.5032 hectares, from the property situated at 60 at Leeston Dunsandel Road, Leeston from John Leslie Howson, Sandra Helen Howson and Michael John Kirwin Lay as the Trustees of the J & S Howson Family Trust (Owner), being part of Lot 2 on Deposited Plan 365379 and comprised in Record of Title 264986 (Required Land) for the sum comprised as follows;

Compensation for Freehold Acquisition	*$168,663.00*
Additional Compensation (section 72C PWA)	*$16,866.30 * no GST*
Temporary Occupation	*$11,150 plus GST*
Total Land compensation	***$196,679.30 plus GST (if any)***

and in accordance with the terms and conditions within the Agreement for Sale and Purchase.

b) Agrees to the release of this recommendation into the public environment on settlement of the property purchase.'

1. PUBLIC EXCLUDED REASONING

This report is excluded for the following reasons provided under Section under 7 of the Local Government Official Information and Meetings Act (LGOIMA):	(h) Enable the local authority holding the information to carry out, without prejudice or disadvantage, commercial activities, or

PUBLIC EXCLUDED

	(i) Enable the local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).

2. PURPOSE

This report is to seek Council approval for the purchase of the Required Land and the temporary occupation areas for the Leeston Stormwater Bypass Project (Project) shown hatched blue and edged yellow on the plan at Appendix A.

3. SIGNIFICANCE ASSESSMENT/COMPLIANCE STATEMENT

The issue and decision that is the subject of this Report has been assessed against the Council's Significance and Engagement Policy. Consideration of the criteria in this Policy has been made, particularly with respect to:

- The potential effects on delivery of the Council's policy and strategies;
- The degree to which the decision or proposal contributes to promoting and achieving particular community outcomes;
- The level of community interest in the proposal, decision or issue; and
- The values and interests of Ngāi Tahu whanau, hapū and rūnanga, as mana whenua for the region.

On this basis the matter is considered to be of low/medium significance in view of the fact that the Required Land is necessary as part of the Leeston Stormwater Bypass Project and has been consulted on previously with the Community.

4. HISTORY/BACKGROUND

Background to this project is provided in the Public Excluded report to Council dated 12 August 2020, and Councillor Briefing paper dated 4 May 2022.

Stage 4 requires SDC to obtain land and access before construction can commence. SDC staff and consultants have been actively working to negotiate with directly affected landowners along the Stage 4 alignment since 2019.

Following a resolution from Council at its meeting on 12 August 2020 notice was served on three property owners Mr Howson, Mr Martin and Mr Rathgen using provisions of s181 of the LGA in November 2020. This allowed access for construction and provided for compensation to be assessed in accordance with the provisions of the Public Works Act 1981.

Mr Rathgen accepted the notice but two landowners Mr Howson and Mr Martin objected to the notices and a hearing was arranged to listen to their concerns before an expert engineer appointed following a further resolution from Council at its Extraordinary meeting on 16 December 2020. Mr Martin withdrew his objection prior to the hearing but Mr Howson continued.

PUBLIC EXCLUDED

The hearing proceeded and a determination was issued by the expert engineer upholding the service of the notices by Council subject to some very minor changes. This determination was appealed by Mr Howson and his lawyers to the District Court. Council's lawyers were instructed to represent Council at the District Court hearing. A substantial amount of work was undertaken by Council staff and lawyers to prepare for the hearing over a number of months.

Following negotiations between lawyers Mr Howson agreed to discontinue his appeal subject to him accepting the Section 181 LGA notice, payment of his lawyer's reasonable costs and subject to agreement as to appropriate compensation.

Negotiations for compensation have continued since these notices were served and the discontinuance of the District Court Appeal by Mr Howson.

New resource consents are also being sought for this project.

Purchase Price

Compensation is derived from a valuation assessment undertaken by Mark Dow of Dow and Associates for the acquisition of easement interests dated 22 July 2021 as follows;

Before Current Market Value	$2,325,000.00 plus GST (if any)
After Current Market Value	$2,180,000.00 plus GST (if any)
Compensation for Easement Interest	**$145,000.00 plus GST (if any)**
Add back assessed Easement Value	$23,663.00 plus GST (if any)
Compensation for Freehold Acquisition	**$168,663.00 plus GST (if any)**

PWA Provisions

Additionally, the PWA, under section 72C, provides for the payment of additional compensation in addition to the compensation amount determined by valuation. The amount of compensation payable under this section is calculated at 10% of the total value of the required land to a maximum of $25,000. Given the Required Land value is $168,663.00, additional compensation of $16,866.30 is payable.

The additional compensation pursuant to section 72C is payable to the Owner on the giving and taking of possession which will be the settlement date.

Compensation for Temporary Occupation of 12 months.

This has been assessed at $11,150 plus GST

Reimbursement of Legal Costs

The agreement provides for the reimbursement of legal and valuation fees.

The owners solicitor lodged a formal Notice of Claim in this respect on Council on 22 December 2022.

a. Mark Dow – Registered Valuer	$ 4,025.00
b. Tiho Mijatov – Barrister	$ 29,807.60
c. Themis Law	$ 132,235.00

PUBLIC EXCLUDED

Total Costs as at 5 December 2023	**$ 166,067.60**
less payment of costs in advance of settlement	$ 73,025.00
Legal and Professional Costs due (incl GST)	**$ 93,042.60**

Further fees are expected to be claimed by the owner for finalising the agreement, liaising with Council in respect of the formal claim, plus settlement costs.

The owner's solicitor has taken a litigious approach to negotiations from the outset, and as a result the level of the claim for fees is not considered reasonable in the context of the overall transaction. It should be noted however that the costs claimed include legal fees in representing the landowner Mr Howson at the LGA appeal hearing at Council before an expert engineer and costs in relation to the District Court appeal in relation to the LGA Section 181 Notice which was subsequently discontinued as detailed above but only following substantial work by both parties..

Council has challenged the level of fee's, which resulted in the owners' solicitor submitting a formal Notice of Claim. If unresolved the owner will refer the matter to the Land Valuation Tribunal (LVT). The cost of preparing for and managing the LVT process may exceed the amount in dispute, especially as the LVT may determine that all of the costs claimed are reasonable, and it is possible that the Trust will succeed in its claim for full reimbursement of the costs it has incurred adding to the overall cost of the process to the Council.

In the interest of resolving the issue promptly, without further cost to Council, Councils solicitors Buddle Findlay recommended that it is reasonable and prudent for the Council to pay the costs claimed by the Trust, provided that this will be in full and final settlement of the Trust's claim for legal costs. The Property Group (TPG) have also recommended this course of action.

Based upon this legal advice the Chief Executive and Group Manager Infrastructure and Property via staff instructed TPG on 18 January 2023 to respond to the issues raised in the Notice of Claim and to finalise the format of the Agreement for Sale and Purchase. There is now a commitment in place from Council to settle the costs in full.

5. PROPOSAL

The proposal is that Council approves the acquisition of the Required Land and Easements in accordance with sections 17, 20 & 28 of the PWA to enable the Leeston Stormwater Bypass Project to proceed.

6. OPTIONS

Option 1

- That Council agrees to acquire the Required Land and Occupation rights on the terms and conditions proposed. A negotiated outcome under the PWA is considered the most effective way of securing the Required Land and Occupation rights, as it circumvents the compulsory acquisition process.

PUBLIC EXCLUDED

Option 2

- That Council declines to acquire the Required Land and Occupation rights. This will mean that if Council intends to continue with the Project, Council will need to:

  (i) renegotiate an agreement under the PWA,
  (ii) obtain consent under the LGA to construct the works,
  (iii) undertake the PWA process to compulsorily acquire the Required Land and Occupation rights.
  (iv) redesign the project to follow a different alignment over neighbouring property

Option 1 is recommended. This is the Council's approved location for the Leeston Stormwater Bypass, the negotiated compensation is fair and reasonable and the acquisition is required for the development of the Project.

The fees are not considered reasonable by staff, however Option 1 remains the most cost effective solution for securing land for the project.

7. VIEWS OF THOSE AFFECTED / CONSULTATION

(a) Views of those affected

The Owners are supportive of the acquisition and planned works.

(b) Consultation

Following the June 2013 flood event, a public meeting was held where the Leeston community asked the Council to look at options to divert flood waters from the farm land around the Township and manage localised flooding within the Township.

Following public consultation, a resident's survey and the review of numerous options and design reports the decision for the bypass was approved by Council as the best option going forwards.

The intent to construct the Leeston Stormwater Bypass Project has been publicly consulted through numerous Long Term Plans, most recently through Council's 2021-2031 Long Term Plan as detailed in Councils respective 5 Waters Activity Management Plan (Volume 3) that underpin these.

There is general community support for the development of the stormwater bypass.

(c) Māori implications

The acquisition of land and Occupation rights under the PWA does not attract any obligations under Ngāi Tahu Claims Settlement Act 1998.

PUBLIC EXCLUDED

Although not directly related to the proposed acquisition of land and Occupation rights, Te Taumutu Rūnanga have emphasised to the Infrastructure Team that they remain dissatisfied with the general approach to stormwater management in this area.

(d) Climate change considerations

The impact of and on climate change of the proposed acquisition of land and Occupation rights addressed by this report is no more than minor.

It is important to note, however, that this acquisition is required in order to enable construction of the final stages of the Leeston stormwater bypass, designed to protect the Township from a 1% AEP (1-in-100 year) flood event. Although not designed to protect the Township from an approximate 0.5% AEP (1-in-200 year) flood event, modelling of the proposed design confirms that no additional adverse effects are expected from the construction of stage 4 and 5 of the bypass. Leeston has always been prone to flooding, and this is expected to increase in both frequency and severity due to Climate Change. The proposed works are required to mitigate these impacts.

Minimising as best as practicable the additional greenhouse gas emissions generated by the physical construction of the bypass shall be considered in the procurement of those works. Additional emissions resulting from the operation of the bypass is expected to be limited to grass maintenance and occasional condition inspection, both of which can be mitigated through the existing maintenance contracts that Council have in place.

Emissions generated shall be partially offset by the planting of permanent indigenous vegetation along the bypass where practicable, and the expansion of the wetland at the end of Stage 4 by the developer which directly ties into the bypass.

8. FUNDING IMPLICATIONS

The project to acquire land and Occupation rights and to construct Stage 4 of the stormwater bypass is funded and provided for in the 2021/31 Long Term Plan through GL 44449005. At this stage it is expected that sufficient budget exists to cover these works, however this remains TBC until the construction works are tendered out.



Rob Allen
HEAD OF ACQUISITIONS DISPOSALS AND LEASING

PUBLIC EXCLUDED



Julien Gutknecht
WATER SERVICES PROJECT MANAGER

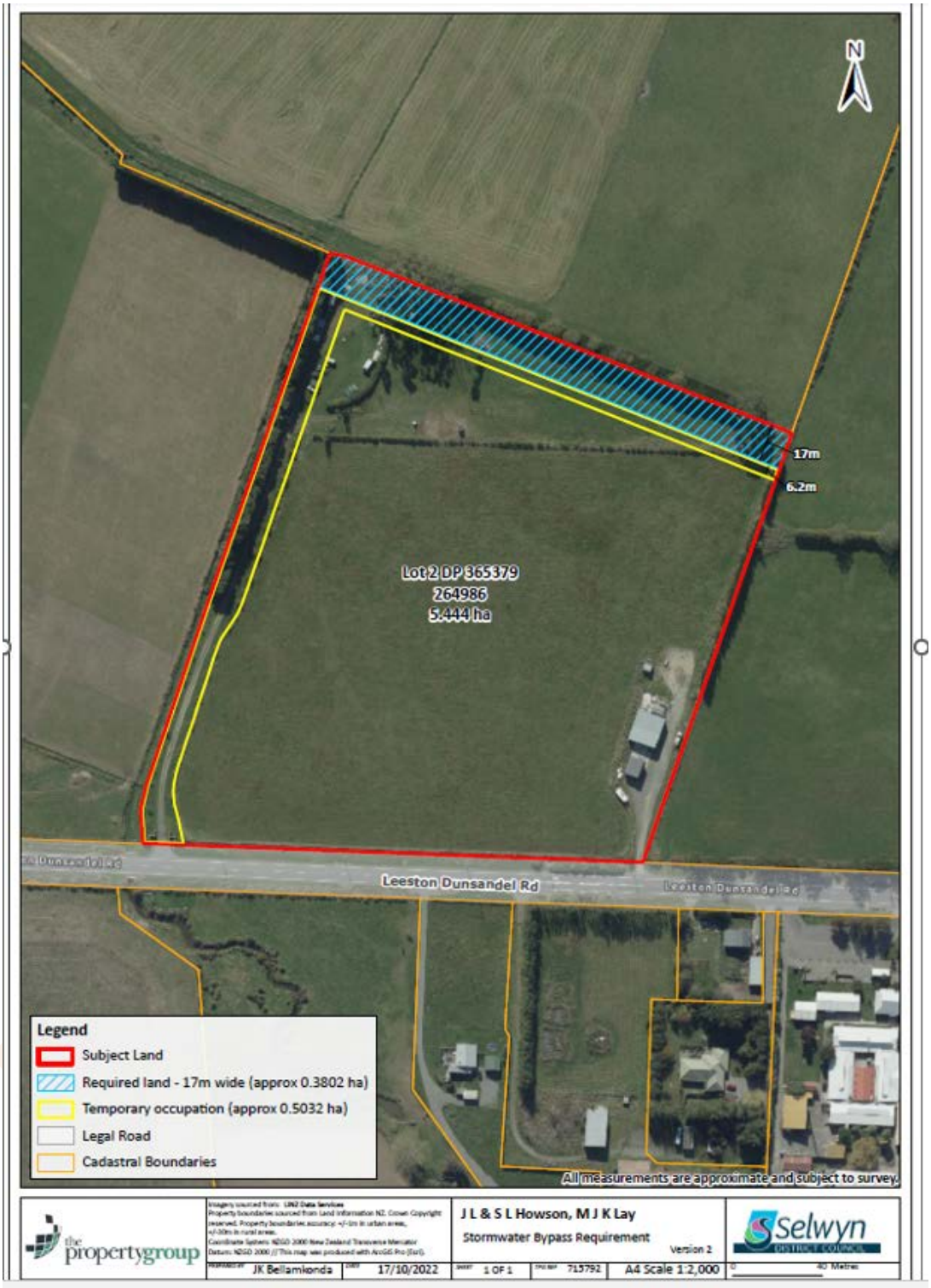
Endorsed For Agenda



Murray Washington
GROUP MANAGER PROPERTY AND INFRASTRUCTURE

PUBLIC EXCLUDED

APPENDIX A


N
17m
6.2m
Lot 2 DP 365379
264986
5.444 ha
Leeston Dunsandel Rd
Leeston Dunsandel Rd
Legend
Subject Land
Required land - 17m wide (approx 0.3802 ha)
Temporary occupation (approx 0.5032 ha)
Legal Road
Cadastral Boundaries
All measurements are approximate and subject to survey.
the propertygroup
J L & S L Howson, M J K Lay
Stormwater Bypass Requirement
Version 2
JK Bellamkonda
17/10/2022
1 OF 1
715792
A4 Scale 1:2,000
Selwyn
DISTRICT COUNCIL