

**SUBMISSION ON A PUBLICLY NOTIFIED PLAN CHANGE  
CLAUSE 6 OF FIRST SCHEDULE  
RESOURCE MANAGEMENT ACT 1991**

To: **Selwyn District Council  
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ROLLESTON**

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This is a submission on **PROPOSED PLAN CHANGE 32 – RURAL RESIDENTIAL ACTIVITIES**

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The Submitters **oppose** the amendments contained in Proposed Plan Change (PC32), especially as they relate to the Prebbleton Township, and make the following submission and comments.

**Requirement to not have access from an Arterial Road.**

- **Amendment 35** introduces an amendment to the explanation and reasons to Policy B2.1.9 that requires that rural-residential development. When combined with the requirements set out in Policy B3.4.3(b), this is considered to be overly onerous and restrict the ability for rural-residential development to occur, particularly around townships such as Prebbleton where most of the boundary roads are arterial roads.
- The main concern with access from arterial roads is ensuring that the efficiency and safety of the transport network is not compromised. It is considered that the statement requiring access to not be on arterial roads should be deleted, and replace with a reference that requires the efficiency and safety of the transport network to be maintained. The Submitters accept that access directly on the State Highway network is not appropriate.

**Restriction on Numbers**

- **Amendment 65** that introduces Objective B3.4.6 includes a limitation on the number of rural-residential allotments. The Submitters **oppose** the use of these numbers. Whilst the numbers have been taken from Chapter 12A of the RPS, these numbers have not been subject to adequate and careful scrutiny and have no justifiable basis.
- The review is necessary as the numbers for rural-residential development contained within the Chapter 12A do not make any sense when read together. Whilst the number of

allotments allocated to Selwyn District is 5% of the total growth predicted for Selwyn, when combined with those allocated to Waimakariri District, this jumps to 11% of the combined growth of both Districts, but falls to 3% of the total growth predicted for all of the Greater Christchurch Area. It was in this context that the Commissioners for Proposed Change 1 to the RPS, made the following comments within their Decision:

*322. The evidence and recommendation from report writers in relation to this rural residential issue highlighted a significant difference between the extent of detailed analysis and thought in the recommendations that were made in respect of intensification and Greenfields residential and business land provision in PC1, as contrasted with the consideration given to rural residential provision. And that is the most graphically demonstrated by the recommendation contained in the s. 42A report in the Explanation to Objective 1, arising from submissions from the territorial authorities and NZTA, which states as follows:*

*“A review of rural residential provisions will be done in 2010.”*

*323. When a statement of that nature indicating an intent to carry out an immediate review of an issue of significance appears in a proposed change to a policy statement which is intended to cover the next 35 year period, it rather highlights that right from the very start inadequate consideration and provision appear to have been made.*

- The provision for the review was included within the Commissioners Decisions because as they stated:

*334. The best that we can do it to stress that the review intended for 2010 (which by the time this decision is released will be literally only a month or so away), should be embarked upon forthwith. That review process will need to ensure the appropriate research, evaluation and consultation is undertaken with a view to recommending yet a further change to the Regional Policy Statement addressing in a full proper and adequate way the rural residential provisions proposed, and with general identification of localities proposed as a result of that research and consultation.*

- With the use by the Minister for Canterbury Earthquake Recovery of his powers under the CERA Act 2011 to revoke Proposed Change 1 and insert a new chapter within the Regional Policy Statement, this statement has disappeared from the Development of Greater Christchurch chapter for reasons known only to those parties who drafted it for the Minister. The version that has been included as Chapter 12A appears to reflect the position of only a few parties to the **stage 1** appeals that were before the Environment Court, none of related to rural-residential provisions. This review of the rural residential provisions should be started immediately.
- Given the concern that the Commissioners had with regards to the rural-residential provision within the Proposed Change 1 and our understanding, it is clear that insufficient analysis and research was undertaken to provide a robust and justifiable basis for the resulting inflexible and restrictive number of lots. The limitation of 200 households per time period would benefit from a full cost-benefit analysis as required under Section 32. For these reasons the restriction on the number of rural residential lots should be removed from Objective B3.4.6.

#### **Requirement that Rural-Residential be Zoned**

- The Submitters oppose the requirement to rezone that rural residential development can only be provided for by way of rezoning. Part of the character of rural residential development has been that it is not as uniform as development that occurs within a

traditional residential subdivision, and rather it is often developed in “pockets”. While it is accepted that there are advantages in locating rural residential development near towns, this development does not need to occur in large blocks to ensure integration and connectivity is achieved. These matters can also be achieved by some rural residential development proceeding by way of resource consent as long it meet a the criteria for location and design.

- There are plenty of options for development of rural-residential properties, where the objectives sought through Chapter 12A of the RPS and the in the wording of some of the Council’s proposed amendments can be just as easily sought through a resource consent process. We also query the whole concept of land which is being developed outside of the **Urban Limits** of a town, being provided for by way of rezoning to a **Living Zone**. Are urban or rural living environments intended to be created? The Submitters also consider that given the costs associated with a plan change (Council’s lodgement fee alone is \$10,000) the ability to develop rural-residential sites through the resource consent should be considered as a viable alternative for developments that propose a small number of allotments.

**With regards to the above comments, we seek the following decisions:**

- 1.1 That Amendment 35, which introduces a new paragraph to the Explanation and Reasons to Policy B2.1.9 be amended as follows:

*“All land zoned **developed** to rural-residential densities to have legal and physical access to a sealed road, but not directly to ~~a Strategic, Arterial Road or a State Highway~~. **All access points should ensure that the safety and efficiency of the transport network is maintained.**”*

- 1.2 That Objective B3.4.6 introduced through Amendment 65 be amended as follows:

*To ~~manage~~ **enable** rural residential **development** activities by facilitating a maximum of 200 households in each of the periods to 2016, 2017 to 2026 and 2027 to 2041 through the Living 3 Zone, which are to be located outside the Urban Limits but adjoining **in close proximity to** Townships in the Greater Christchurch Urban Development Strategy area to:*

- 1.3 That the Policy B3.4.3(b) and its Explanation and Reasons introduced through Amendment 68 is amended as follows:

*“To facilitate rural residential living environments **primarily** through the Living 3 Zone. Where new Living 3 Zone areas are proposed, such areas are to ~~adjoin~~ **be outside the** Urban Limits identified in the Regional Policy Statement ....”*

Add the following to the Explanation and Reasons for Policy B3.4.3(b)

*“Where a small number of rural residential lots are involved and where the criteria are satisfied, it may be appropriate to provide for this development through the resource consent process.  
Regional Policy Statement ....”*

1.4 That the seventh bullet point of Policy B3.4.3(b) introduced through Amendment 68 is amended as follows:

“- ~~are adjacent to the urban edge of Townships on at least one boundary, while avoiding~~ future urban growth areas identified in Township Structure Plans, areas currently zoned Living Z or the Regional Policy Statement”

**We wish to be heard** in support of our submission

If others make a similar submission **we would** be prepared to consider presenting a joint case with them at any hearing



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Signature of person making submission or authorized agent

Date 4 May 2012