

SELWYN DISTRICT COUNCIL

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of Private Plan Change 36

Report on submissions relating to Plan Change 36

**Conifer Grove Trustees Ltd request to amend the rezoning
Rural (Inner Plains) zone land to Living 3 zone at
1472 Springs Road, Prebbleton**

To:

From:

Hearing Date:

Hearing Commissioner – D Mountfort

Consultant Planner – J Clease

26th September 2014

This report analyses the submissions received on Plan Change 36 (PC36) to the Selwyn District Plan ('the Plan') and has been prepared under s42A of the RMA. The purpose of the report is to assist the Hearing Commissioner in evaluating and deciding on submissions made on PC36 and to assist submitters in understanding how their submission affects the planning process. The report includes recommendations to accept or reject points made in submissions and to make amendments to the Plan. These recommendations are the opinions of the Reporting Officer(s) only. The Hearing Commissioner will decide on each submission after hearing and considering all relevant submissions, the Officer's Report(s) and the Council's functions and duties under the RMA.

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| Attachment C | Landscape and visual assessment – Andrew Craig, Andrew Craig Landscape Architect Ltd |
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1. INTRODUCTION

Qualifications and experience

- 1.1 My full name is Jonathan Guy Cleese. I am employed by a planning and resource management consulting firm Planz Consultants Limited as a senior planner and urban designer. I have seventeen years experience working as a planner, with this work including policy development, providing s.42a evidence on plan changes, the development of plan changes and the preparation of s.32 assessments, and the preparation and processing of resource consent applications. I have worked in both the private and public sectors, in both the United Kingdom and New Zealand.
- 1.2 I have a B.Sc. in geography, a Master of Regional and Resource Planning, a Master of Urban Design and am a full member of the New Zealand Planning Institute.

Evidence Scope

- 1.3 I have been asked by Selwyn District Council to assess Plan Change 36, the relief sought by submitters, and to prepare a report making recommendations to the Hearing Commissioner. In this regard it is important to emphasise that the Commissioner is in no way bound by my recommendations and will be forming their own view on the merit of the plan change and any amendments or relief sought by submitters having considered all the evidence before them.
- 1.4 In preparing this report I have:
 - (a) Visited the site and surrounding neighbourhood during August 2014;
 - (b) Reviewed the plan change request as notified;
 - (c) Read and assessed all the submissions received on the plan change request;
 - (d) Considered the statutory framework and other relevant planning documents, including the recently developed Rural Residential Strategy 2014; and
 - (e) Relied where necessary on the evidence and peer reviews provided by other experts on this plan change.

2. BACKGROUND

Application and site context

- 2.1 The application site is zoned Rural (Inner Plains) zone, which provides for rural activities and requires a minimum site area of 4 hectares per household. The site is located on the southern side of Prebbleton's urban area and is bounded by Trices, Birchs, and

Hamptons Roads with a Living 2A large lot residential area¹ immediately to the north. The site has a total area of approximately 12.4 hectares, and is made up of three landholdings referred to as the Telfer, Conifer Grove, and Orion Blocks² as well as a small 250m² portion of a large Living 2A zoned site at 399 Trices Road. It is important to note that whilst the Orion Block is included within PC 36, Orion is not a party to the application. They are however a submitter, with their relief sought discussed in more detail below.

2.2 The site is comprised of the following parcels:

| Address | Owner | Legal Description | Area (ha) |
|-----------------|----------------------------|-------------------|---------------------|
| 100 Birches Rd | Conifer Grove Trustees Ltd | Lot 9 DP 301739 | 7.4352 |
| 132 Hamptons Rd | R & P Telfer | Pt RS 3967 | 1.5921 |
| 132 Birches Rd | Orion NZ Ltd | Lot 1 DP 22302 | 3.3210 |
| 399 Trices Rd | Smith & Sissions | Lot 8 DP 301739 | 1.1268 ³ |

- 2.3 There is one existing dwelling along with associated accessory buildings on each of the three large blocks within the plan change site, with the Orion Block also containing a designated electricity substation adjacent to the intersection of Birchs and Hamptons Roads. Apart from these structures, the site consists of open grassed paddocks with standard rural stock fencing around the road and internal boundaries.
- 2.4 Beyond the site, the Plan Change area is bounded by Rural (Inner Plains) zoned land to the west, south, and east on the far side of Hamptons and Birchs Roads. This surrounding farmland is typical of the inner plains environment with individual landholdings generally around 4ha in size and comprised of scattered dwellings, farm accessory buildings, shelterbelts and amenity planting, and fenced paddocks used for stock grazing. To the north of Trices Road is a large Living 2A zone that contains large family homes in landscaped grounds in a manner that is consistent with the outcomes sought through the L2A zone provisions.
- 2.5 The site is approximately 1.5km south of the Prebbleton town centre and is connected to both the town centre and to Lincoln along Birchs Road which is bordered by a rail trail cycle and walking route. Birchs Road is categorised as a collector road. Hamptons Road has a local road classification and carries relatively low volumes of traffic. There are no formed footpaths or kerb and channel along Hamptons Road, although there is a stockwater race located adjacent to the Plan Change site within the road reserve. Trices Road has arterial status, although it currently carries traffic volumes that are well below what would typically be anticipated on an arterial road.
- 2.6 PC 36 facilitates the rezoning of the site to a Living 3 zone to accommodate up to 16 rural residential households (plus a substation lot), with lot sizes generally between 0.5-1ha. The Plan Change allocates a fixed number of lots to each of the three blocks and also includes a rule requiring a minimum lot size of 5,000m². PC 36 otherwise generally

¹ District Plan Table C12.1 has a minimum site size of 5,000m² for the Prebbleton L2A zone, with a restriction of no more than 8 lots south of Trices Road

² PC 36 Application, Baseline Planning Report Page 4

³ The application seeks to rezone only 250m² of this lot adjacent to the Hamptons Rd Frontage

relies on the existing Living 3 zone rule framework, subject to several minor amendments to make specific reference to the PC 36 site where appropriate. The Plan Change also includes an Outline Development plan ('ODP') to guide future development, and seeks amendments to planning maps 14, 129 and 130 (Sheets 1 & 2) to reflect a change in zone from Rural (Inner Plains) to Living 3. It is important to emphasise that PC 36 does not seek to amend any of the Plan's existing objectives and policies.

- 2.7 The application was lodged with Council on the 6th May, 2013. After lodgement the application was reviewed in terms of the adequacy of the information provided, with peer review feedback received on contamination and geotechnical matters. Correspondence was also received from Mahaanui Kurataiao ('MKT') on behalf of Ngai Tahu, as required under the first schedule RMA. Several minor amendments were made to the application in response to the above peer reviews, with the application then publicly notified for submissions.

3. SUBMISSIONS

Submissions received

- 3.1 The submission period closed on 18th October 2013, with the further submission period closing on the 29th November 2013. A total of 6 submissions were received, of which three were in support, two opposed in part, and one opposed. No further submissions were received. All submissions were received within the prescribed statutory timeframes.
- 3.2 It is important to note that following the close of the further submission period, the applicant, at Council's request, agreed to place PC 36 on hold pending the outcome of the Land Use Recovery Plan ('LURP') Action 18 (viii) processes and the development of a Rural Residential Strategy ('RRS14'). The need to wait until after the RRS14 had been developed became necessary following the Gazetting of the LURP in December 2013 and the associated Chapter 6 of the Canterbury Regional Policy Statement ('CRPS') being made operative. The strategic planning framework established through the LURP and RRS14 processes is discussed in more detail below.
- 3.3 None of the submitters raised concerns about the appropriateness of rezoning the site in principle, with submitter concerns instead focussing on resolving site-specific details and design aspects of the proposal. As such, the higher level assessment of the proposal against the strategic planning framework is undertaken in Section 3 below, with site-specific issues raised by submitters considered in Section 4.

4. STATUTORY FRAMEWORK

Statutory principles

- 4.1 The general approach for the consideration of changes to district plans was summarised in the Environment Court's decision in Long Bay⁴, the relevant components of which are set out in the following paragraphs.
- 4.2 The matters that must be considered in preparing a change to the Plan are set out in s74 of the RMA. Amongst other things, s74 requires the local authority to:
- comply with its functions under s31
 - consider alternatives, benefits and costs under s32

⁴ Long Bay – Okura Great Park Society Inc v North Shore City Council A 078/08

- ensure the necessary matters are stated in the contents of the district plan under s75
 - have regard to the overall purpose and principles set out in Part II, including the Matters of National Importance (s6), the Other Matters (s7) that require particular regard to be had in achieving the purpose, and the Treaty of Waitangi (s8)
- 4.3 It is noted that in a general sense, the purpose of the 'Act' is already reflected in the operative District Plan's objectives and policies as they have already been through the above statutory tests and are now unchallenged. PC 36 does not seek to amend these objectives and policies.
- 4.4 When preparing a plan or considering a plan change the Council:
- must give effect to the operative Canterbury Regional Policy Statement (s75 (3)(c))
 - shall have regard to any proposed changes to the Canterbury Regional Policy Statement (s74 (2)(a)(i)) and any management plans and strategies prepared under other Acts (s74 (2)(b)(i))
 - must not take into account trade competition (s74(3))
 - must take account of Mahaanui: Iwi Management Plan 2013 (s74 (2A))
 - shall have regard to the extent to which the plan is consistent with the plans of adjacent territorial authorities (s74 (2)(c))
- 4.5 Consideration of the appropriateness of rezoning the subject land and the associated Plan amendments must therefore give effect to the operative Canterbury Regional Policy Statement ('CRPS') and be consistent with the Land Use Recovery Plan ('LURP') and the Recovery Strategy for Greater Christchurch⁵. Regard must also be had to the adopted Rural Residential Strategy 2014 which was recently prepared under the Local Government Act.
- 4.6 There are not considered to be any directly relevant provisions in the District Plans of neighbouring territorial authorities that are affected by PC 36. Matters of cross-boundary interest are limited to managing the co-ordinated urban growth of Greater Christchurch through the CRPS and the statutory directions contained in the LURP.
- 4.7 PC36 does not seek to make any changes to the settled objectives and policies of the District Plan. The Council is therefore required to simply consider whether the proposed changes to the Plan's rules and zoning better achieve the objectives, and thereby Part II, than the operative provisions.
- 4.8 In undertaking an assessment of PC 36 against the provisions of s32, it is important to note that the further submission period closed on 29th November 2013. The amendments to s32 introduced in the 2013 amendments to the RMA only apply to proposals where the further submission period closed after 4th December 2013. The assessment of PC 36 under s32 is therefore against s32 as it stood prior to the 2013 amendments to the RMA.
- 4.9 The process for making a plan change request and how this is to be processed is set out in the 1st Schedule of the RMA. PC36 has reached the point where the request has been accepted for notification, and submissions and further submissions have closed. A hearing is now required (Clause 8B) and a decision be made on the plan change and the associated submissions (Clause 10).

⁵ s15 (2) - Canterbury Earthquake Recovery Act 2011

5. STATUTORY ANALYSIS

- 5.1 In considering the contents of District Plans, Council's must have regard to any proposed regional policy statement (s74(2)(a)) and any management plan or strategy prepared under other Acts, including the Local Government Act (s74 (2)(b)(i)), and give effect to any operative regional policy statement (s75 (3) (c)).

Land Use Recovery Plan/Te Mahere Whakahouman Tāone and Chapter 6 to the Canterbury Regional Policy Statement

- 5.2 The PC 36 site is within the geographic area that is subject to the LURP and any development of land is therefore subject to the statutory directions contained within it.
- 5.3 The LURP was prepared to provide for the recovery process in the Greater Christchurch sub-region. The LURP provides the framework to rebuild communities, develop new communities, meet the land use needs for commercial and industrial developments, and to take account of natural hazards and environmental constraints that may affect the rebuild and recovery.
- 5.4 The LURP identifies 50 critical Actions to be initiated in the short to medium term to coordinate and advance decision making about land use, as well as identifying which agency is responsible for delivering these Actions and associated timeframes.
- 5.5 Guidance on the role of rural residential development in the rebuild is provided within Appendix 2 of the LURP, where the statutory direction to insert Chapter 6 of the CRPS is contained. Chapter 6 is based on the work undertaken pre-earthquake to implement the Greater Christchurch Urban Development Strategy through Change 1 to the CRPS. A key difference between Change 1 and Chapter 6 is that Change 1 sought to place a numeric limit on the number of rural residential dwellings that could be built in the District, with these numbers being allocated on a 'first in-first served' basis. Chapter 6 no longer contains an approach of specifying limits on household numbers.
- 5.6 Chapter 6 sets out the role of rural residential housing in the recovery through Issues, Objectives and Policies that District Plans must implement, or 'give effect' to⁶. Chapter 6 of the CRPS supports some rural residential development during the recovery period to allow a range of choices of housing types for those needing to relocate. Provision is however limited to avoid the inefficient use of land and infrastructure, to protect future urban expansion options, and to manage potential conflict with rural character and rural activities. The supply and uptake of rural residential activity must also be monitored.
- 5.7 **Issue 6.1.5** of Chapter 6 to the CRPS references rural residential development in the context of the recovery, establishing that the western rural areas of Greater Christchurch remained undamaged during the earthquakes and are also located out of the area identified as being prone to liquefaction. It confirms that these factors make such areas desirable locations to live. The Issue statement goes on to identify that rural residential development is a typology that, if unconstrained, can change the character of rural areas and create adverse effects, both through adverse reverse sensitivity effects that may undermine legitimate farming activities and strategic infrastructure, and through dispersed settlement patterns that will contribute to inefficient development and uneconomic infrastructure service provision.
- 5.8 **Objective 6.2.2** outlines the urban form and settlement pattern outcomes and their role in restoring and enhancing Greater Christchurch. It specifically identifies the need for territorial authorities to manage rural residential development outside existing urban

⁶ Pursuant to s75 (3)(c) of the RMA

boundaries and the urban greenfield priority areas identified in the LURP, and to ensure it does not compromise the overall intent of managing growth through the consolidation of existing townships.

5.9 **Policy 6.3.3** requires rural residential areas to be developed in accordance with an operative outline development plan (“ODP”) and prescribes what matters should be contained in these plans.

5.10 The key policy prescribed to manage rural residential development in the CRPS is **Policy 6.3.9**. As such it is set out in full below:

Policy 6.3.9 – Rural residential development

In Greater Christchurch, rural residential development further to areas already zoned in district plans as at 1st January 2013 can only be provided for by territorial authorities in accordance with an adopted rural residential development strategy prepared in accordance with the Local Government Act 2002, subject to the following:

- (1) In the case of Christchurch City, no further rural residential development is to be provided for within the Christchurch City Plan area;*
- (2) The location must be outside the greenfield priority areas for development and existing urban areas;*
- (3) All subdivision and development must be located so that it can be economically provided with a reticulated sewer and water supply integrated with a publicly owned system, and appropriate stormwater treatment and disposal;*
- (4) Legal and physical access is provided to a sealed road, but not directly to a road defined in the relevant district plan as a Strategic or Arterial Road, or as a State Highway under the Government Roading Powers Act 1989;*
- (5) The location and design of any proposed rural residential development shall:*
 - (a) Avoid noise sensitive activities occurring within the 50 dBA Ldn air noise contour surrounding Christchurch International Airport so as not to compromise the future efficient operation of Christchurch International Airport or the health, well-being and amenity of people;*
 - (b) Avoid the groundwater protection zone for Christchurch City’s drinking water;*
 - (c) Avoid land between the primary and secondary stop banks south of the Waimakariri River;*
 - (d) Avoid land required to protect the landscape character of the Port Hills;*
 - (e) Not compromise the operational capacity of Burnham Military Camp, West Melton Military Training Area or Rangiora Airfield;*
 - (f) Support existing or upgraded community infrastructure and provide good access to emergency services;*
 - (g) Avoid significant reverse sensitivity effects with adjacent rural activities, including quarrying and agricultural research farms, or strategic infrastructure;*
 - (h) Avoid significant natural hazard areas including steep or unstable land;*
 - (i) Avoid significant adverse ecological effects, and support the protection and enhancement of ecological values;*
 - (j) Support the protection and enhancement of ancestral land, water sites, wahi tapu and wahi taonga of Ngai Tahu;*
 - (k) Where adjacent to or in close proximity to an existing urban or rural residential area, be able to be integrated into or consolidated with the existing settlement; and*
 - (l) Avoid adverse effects on existing surface water quality.*

- (6) *An outline development plan is prepared which sets out an integrated design for subdivision and landuse, and provides for the long-term maintenance of rural residential character.*
- (7) *A rural residential development area shall not be regarded as in transition to full urban development.*
- 5.11 This policy required the Council to develop the Rural Residential Strategy 2014 to identify appropriate locations for rural residential development, in accordance with the extensive list of locational criteria set out in Policy 6.3.9. Of particular importance is the policy direction that rural residential development can only occur in areas that have been identified for such in the RRS14. At a strategic level, in order for rural residential proposals to 'give effect to' the CRPS (and specifically Policy 6.3.9), it is necessary for such areas to have first been identified in a Rural Residential Strategy.
- 5.12 'Rural residential activities' are defined in Chapter 6 of the CRPS, with this definition placing a determinative direction as to the size of individual lots as follows⁷:
- "Means: residential units outside the identified Greenfield Priority Areas at an average density of between 1 and 2 households per hectare"***
- 5.13 'Rural Residential Strategies' are defined in Chapter 6 of the CRPS as follows⁸:
- "Means: a strategy or plan developed for the purpose of identifying a territorial authority's approach to the management of rural residential development in its district, using the special consultative procedure under the Local Government Act 2002"***
- 5.14 Chapter 6 of the CRPS effectively devolves responsibility for establishing the number of households and locations of rural residential development to territorial authorities, who are tasked with preparing a Strategy. A strong reliance is therefore placed upon Rural Residential Strategies to ensure that this form of development does not undermine the primary outcomes of the LURP, Chapter 6 of the CRPS or the District Plan.
- 5.15 Following the gazetting of the LURP in December 2013, Selwyn Council prepared and subsequently adopted the Rural Residential Strategy 2014 (RRS14). This strategy was prepared under the Local Government Act and was the subject of a special consultative procedure under the LGA, given the significance of the strategy. The PC 36 site was identified in the RRS14, as notified, with the site being confirmed by the hearings panel following the consideration of evidence presented through the RRS14 submission process. Inclusion of the PC 36 site in the adopted RRS14 signals that the locational criteria and high level outcomes identified in Policy 6.3.9 have been satisfied in a general sense. In particular, the RRS14 identifies that the PC 36 location is adjacent to the existing urban edge of Prebbleton, is not in an identified future growth path for full suburban development, is not in the sensitive area to the northeast of Prebbleton where it is desirable to maintain a rural separation between Prebbleton and Christchurch, and is a sufficiently small node that a sense of 'ruralness' rather than suburban outcomes will be achieved. Whilst inclusion in the RRS14 satisfies the initial policy test of the CRPS, it does not pre-empt or override consideration of the substantive merits of the proposal, detailed site-specific constraints, or matters raised by submitters under the 1st Schedule through this private plan change process.
- 5.16 At a strategic level, PC 36 is therefore able to 'give effect' to Chapter 6 of the CRPS and in doing so will be consistent with the LURP. To this end it is noted that none of the LURP partner organisations (the Christchurch and Waimakariri Councils, Canterbury

⁷ LURP: Appendix 1 – Amendments to the CRPS, Definitions, 6Dec13 [P28]

⁸ LURP: Appendix 1 – Amendments to the CRPS, Definitions, 6Dec13 [P28]

Regional Council, and the New Zealand Transport Agency) have submitted on the application or raised concerns about its consistency with the strategic post-earthquake urban growth framework.

Recovery Strategy for Greater Christchurch/*Mahere Haumanutanga o Waitaha*

- 5.17 The Canterbury Earthquake Recovery Authority has also prepared a Recovery Strategy for Greater Christchurch ('Recovery Strategy'), that sets out the overarching long-term vision and objectives for recovery, including the identification of the priorities and responses. The Recovery Strategy was approved on the 31st May 2012 and is a high level plan containing the strategic responses that CERA, assisted by a number of agencies and organisations, will undertake to guide the recovery efforts
- 5.18 The following five areas have been identified to assist in developing the Recovery Strategy:
- community wellbeing
 - culture and heritage
 - built environment
 - economy
 - natural environment
- 5.19 Importantly, the Recovery Strategy sets out the minimum requirements for establishing the stability of land and identifying the risk of liquefaction and lateral displacement to assist in the consideration of the appropriateness of rezoning land⁹. The geotechnical assessment undertaken as part of the PC 36 application has confirmed that the site is not subject to an unacceptable risk of liquefaction and is not at risk of lateral displacement or flooding. Given the high level strategic nature of the Recovery Strategy, there are no matters arising from the proposed rezoning and the associated amendments to the District Plan that would be inconsistent with the Recovery Strategy. Conversely, the provision of a small number of additional dwellings in an appropriate location as proposed through PC 36 is considered to be consistent with the outcomes sought in the Recovery Strategy.

Canterbury Natural Resources Regional Plan ('NRRP') and the proposed Land and Water Regional Plan ('LWRP')

- 5.20 The NRRP was made operative on the 11th June 2011 and establishes a framework to assist in ensuring the integrated management of the region's natural and physical resources, and to control the use of land, with a particular focus on the implications of land use on water quality and quantity. The proposed Canterbury Land and Water Regional Plan was publicly notified on the 11th August 2012. Decisions on submissions have been made, with the LWRP not yet operative due to a number of outstanding Environment Court appeals. The purpose of the LWRP is to identify the resource management outcomes for managing land and water in the Canterbury region, with the LWRP largely superseding the NRRP's role in managing water quantity and quality.
- 5.21 The ability of PC 36 to be efficiently serviced in terms of water, waste water, and stormwater has been considered by engineering firm E2 Environmental Ltd as part of the application and peer reviewed by Liam Foster of Opus International Consultants Ltd, with his findings appended as Attachment D. The PC 36 site is able to be provided with a reticulated sewer system and will not have to rely on septic tanks. Water supply is

⁹ RSGC: Section 05 Priorities; Resource consent applications and plan change proposals must demonstrate that the minimum geotechnical investigations prescribed by the Department of Building and Housing have been undertaken, P12, May 2012

likewise able to be provided via an extension to the existing Prebbleton township piped network, pending planned upgrades to the wider Prebbleton water supply infrastructure. The site does not contain any springs or other natural water features, although a water race runs along the Hamptons Road frontage of the site within the road reserve. Stormwater is able to be disposed of to ground, given the low site coverage and discharge rates of rural residential properties. The detailed design of the stormwater system will form part of the subsequent subdivision process and will be assessed via any associated resource consents from the Canterbury Regional Council as needed under the NRRP and LWRP provisions. Overall it is considered that the proposal can be efficiently and effectively serviced in a manner that maintains water quality and quantity and is consistent with the outcomes sought by the NRRP and LWRP.

Mahaanui Iwi Management Plan 2013

- 5.22 Councils must take into account any relevant planning document recognised by an iwi authority and lodged with the Council (s74 (2A) (a)). The relevant document for the Selwyn District is the Mahaanui iwi Management Plan 2013. This document sets out the aspirations of local iwi and in particular seeks the maintenance and enhancement of water quantity and quality, the promotion of indigenous biodiversity and mahinga kai species, and the protection of sites with identified waahi tapu or waahi taonga value. The District Plan amendments proposed through LURP Action 18 were developed with reference to this management plan and in response to comments received on the draft text from MKT. The submission received from MKT on behalf of Te Taumutu Runanga also draws on the key matters set out in the Iwi Management Plan. The consistency of the plan change in relation to these key matters of concern is discussed in more detail below.

Selwyn District Plan

- 5.23 The District Plan is divided into two volumes – Rural and Townships. Rural residential typologies have always fallen into something of a gap between the two volumes in that they are neither wholly rural nor wholly urban.
- 5.24 The Council has been proactively seeking to update the Plan to more fully address rural residential development, first through PC 17 which sought to introduce an amended objective, policy and rule framework and rezone specific blocks of land for rural residential development. PC 17 was then superseded by PC 32 which also sought to introduce an amended objective, policy and rule framework, however it left rezoning of specific blocks to later private plan change applications. PC 32 has recently lapsed due to two years having passed since the submission period closed without a hearing being held. The reason for the delay in progressing to a hearing was the fluid nature of the higher level policy framework contained in the CRPS, with this framework having only recently been settled through the Gazetting of the LURP, confirmation of Chapter 6 to the CRPS, and the subsequent development of the RRS14.
- 5.25 The LURP requires the Council, through Action 18 (viii), to update the Plan to ensure that the Plan actively manages rural residential development. The policy framework originally proposed in PC 32 has therefore been further updated to reflect the operative CRPS Chapter 6 provisions and the findings that resulted from hearing submissions on the RRS14. This revised policy and rule framework was released to all submitters on the RRS14 for comment, including the applicant for PC 36. Feedback was primarily focussed on seeking the rezoning of specific blocks of land (including the PC 36 site) through the LURP/ Action 18 process. No substantive amendments were sought by any respondents to the proposed objective, policy and rule framework. The Action 18 (viii) response was confirmed by Council, and was lodged with the Minister for Canterbury Earthquake Recovery on the 27th June 2014. The changes sought through LURP Action 18 are

appended as Attachment F. At the time of writing the Minister had yet to make a decision on whether or not to accept the proposed amendments. As PC 32 has been withdrawn, and the policy framework currently proposed has been progressed via the LURP rather than the first schedule RMA process, it is questionable how much weight can be placed on the proposed policy framework.

- 5.26 The PC 36 application contains a thorough assessment of the proposal against the relevant operative objectives and policies set out in the District Plan¹⁰ and concludes that the proposed plan change is consistent with the operative Plan framework. The amendments to the Plan provisions sought through the LURP reflect the operative CRPS policy direction and the outcomes sought through the RRS14, with PC 36 assessed above as being consistent with these directions.
- 5.27 Overall, I agree with the assessment included in the application and consider that PC 36 is consistent with the relevant operative objectives and policies, albeit that the existing policy framework is focussed on providing guidance for urban growth proposals generally rather than having a specific focus on the special nature of rural residential typologies.
- 5.28 In summary, the objectives and policies of the Rural Volume of the Plan aim to maintain a very low density of dwellings, set amongst a productive rural landscape (**Objective B4.1.1-B4.1.3**). In essence the rural objectives and policies support the outcomes anticipated in the status quo zoning of Rural Inner Plains. Given that the PC 36 application is for a plan change, rather than a resource consent, the rural objectives and policies are only of limited assistance in determining whether the Rural Inner Plains or proposed Living 3 zoning better meets the Plan's objectives and policies. PC 36 (and indeed the LURP Action 18 amendments) promote a Living, rather than Rural, zone to facilitate rural residential development. Given that this typology is at its heart an urban growth issue, I consider that the Plan provisions dealing with urban growth are of most relevance. These provisions are contained primarily within the 'growth of townships' section of the Township Volume of the District Plan.
- 5.29 **Objective B4.1.1** seeks that "*a range of living environments is provided for in townships, while maintaining the overall 'spacious' character of Living zones*". **Objective B3.4.1** seeks that "*the District's townships are pleasant places to live and work in*", and **Objective B3.4.2** seeks that "*a variety of activities are provided for in townships, while maintaining the character and amenity values of each zone*". These objectives are all rather high level, and are supported by similar high level **Policies B3.4.1-B3.4.3**. The proposed Plan Change sits reasonably comfortably against these provisions in that it will assist in providing a diversity and choice of living environments, with the Living 3 rule package delivering a Living environment that is spacious and of high amenity.
- 5.30 The provision of new urban growth areas is guided by **Policy B4.1.3** which aims:
- "To allow, where appropriate, the development of low density living environments in locations in and around the edge of townships where they will achieve the following:*
- *A compact township shape;*
 - *Consistent with preferred growth options for townships;*
 - *Maintains the distinction between rural areas and townships;*
 - *Maintains a separation between townships and Christchurch City boundary;*
 - *Avoid the coalescence of townships with each other;*
 - *Reduce the exposure to reverse sensitivity effects;*

¹⁰ PC 36 request – Baseline Planning s.32 report, pages 52-62, May 2013

- *Maintain the sustainability of the land, soil and water resource;*
- *Efficient and cost-effective operation and provision of infrastructure*

5.31 Similar outcomes are sought through **Objective B4.3.2** which requires that:

“new residential or business development adjoins existing townships at compatible urban densities or at a low density around townships to achieve a compact township shape which is consistent with the preferred growth direction for townships and other provisions in the Plan”.

Policy B4.3.2 *“requires any land rezoned for new residential or business development to adjoin, along at least one boundary, an existing Living or business zone in a township, except that low density living environments need not adjoin a boundary provided they are located in a manner that achieves a compact township shape”.*

Policy B4.3.3 seeks to *“avoid zoning patterns that leave land zoned Rural surrounded on three or more boundaries with land zoned Living or Business”.*

Policy B4.3.5 seeks to *“encourage townships to expand in a compact shape where practical”.*

5.32 As set out in the discussion above, I consider that PC 36 achieves a compact township shape through the strong ‘edges’ available to this Plan Change with road boundaries on two sides and its location immediately adjacent to the existing L2A zone fronting onto Trices Road. The inclusion of the site in the RRS14 also confirms that at a strategic level the site is an appropriate location for rural residential development. Servicing of PC 36 is technically feasible, and connection to reticulated water and wastewater networks is possible pending planned upgrades to the wider township network.

5.33 **Policy B4.1.10** seeks to ensure that an appropriate balance between buildings and open space is achieved to maintain the spacious character of the District, and **Policy B4.1.12** seeks to discourage high fences in Living zones that have frontage but no access to strategic or arterial roads. The proposed rule package, subject to recommended amendments, will achieve both these policies.

5.34 Provided that site-specific detail matters can be resolved (discussed below), it is considered that the zoning request represents an efficient and effective method for achieving the Plan’s operative objective and policy framework and is also consistent with the outcomes sought through the Plan amendments proposed via the LURP Action 18 process.

6. ASSESSMENT

Submissions received

6.1 As set out above, submissions closed on 18th October 2013, with further submissions closing on the 29th November 2013. A total of 6 submissions were received, of which three were in support, two opposed in part, and one opposed. No further submissions were received. All submissions and further submissions were received within the prescribed statutory timeframes.

Submission summary

6.2 Attachment A provides a summary of my recommendations to the Commissioner on each submission.

- 6.3 The submissions in opposition request the plan change to be declined, but only if certain points of relief are not granted or additional assessments are not carried out to address a range of potentially adverse effects referred to within the submissions. This section provides an assessment of the submission points received and a summary of the expert evidence commissioned to inform this Officer's report that addresses the points raised by submitters.
- 6.4 The key matters either raised by submitters, or necessary to be considered in ensuring that the Council's statutory functions and responsibilities are fulfilled are:
- Rural residential form, function and character, including lot sizes
 - Potential adverse reverse sensitivity effects
 - Landscape values and visual effects
 - Infrastructure servicing and stormwater management
 - Transport safety and efficiency
 - Land stability and geotechnical risk
 - Soil contamination risk
 - Cultural values
- 6.5 This assessment incorporates the conclusions of several expert assessments commissioned to inform the overall recommendations of this report and to make a determination on the relief sought by submitters.

Rural residential form, layout, and lot sizes

- 6.6 Submissions from MG & BI Claxton (**S02**), Mr Sweney (**S04**), and Mr & Mrs George (**S05**), all support the Plan Change and associated rezoning. The submitters put forward a range of reasons as to why the application should be supported, including its location adjacent to the existing urban edge of Prebbleton and associated parks and facilities, its ability to be easily serviced, that the proposed Living 3 Zone will deliver an appropriate level of residential amenity for this part of the township, and that the proposed range of section sizes will meet market demand and the needs of a growing community.
- 6.7 The submission from Mr Sinclair (**S01**) seeks that the proposed section sizes be at least as restrictive as the existing eight Living 2A zoned sections that front onto Trices Road, with a minimum size of 7247m² and an average size of at least 7890m².
- 6.8 As set out above, the CRPS directs that rural residential development should, by definition, have an average density of between 0.5 - 1ha. For a 12.3 ha site this provides a range of 12-24 lots if the development is to give effect to the CRPS definition i.e. a minimum of 12 lots at an average of 1ha each up to a maximum of 22 lots at an average of 0.5ha each). It is important to note that the CRPS requires the average across the development to be between 0.5-1ha, so it is quite possible for developments to theoretically include individual lots that are below 0.5ha in size and likewise that are over 1ha, provided the overall average falls within the required range.
- 6.9 The plan change proposes 16 rural residential lots plus a substation lot that will result in an average size of approximately 7,200m², with individual lots ranging in size from approximately 5,000m² up to 1.25 ha. The exact section sizes are a matter to be settled through the subdivision consent process. The Plan Change contains a proposed rule limiting the number of lots to a maximum of 16 (plus substation), with no lot to be less than 5,000m². Any future subdivision consent also needs to be in general accordance with the Outline Development Plan ('ODP'), with the ODP showing internal access links and indicative (but not definitive) lot boundaries.

- 6.10 It is considered that the Living 3 Zone requirements, consistent with the CRPS definition, will result in a rural residential living environment that has a good balance between open space and buildings. The resultant lot sizes will also be broadly compatible with the existing Living 2A strip along Trices Road, given that this strip also averages between 0.5 and 1 ha, and has a range of lot sizes from 7,283m² to 1.13 hectares. Some variation in lot sizes will enable a range of market needs to be met and will provide some variety in layout and outlook whilst remaining consistent with a rural residential environment. Specifying minimum and average individual lot sizes that are different from the established Living 3 Zone definition is not therefore considered to be necessary.
- 6.11 The submission from Orion New Zealand Limited ('Orion') (**S03**) is in general support of the Plan Change, subject to amendments to the proposed ODP and associated rule package. In particular, Orion seeks that the ODP be amended to remove the indicative lot boundaries, and also that the cap of 3 lots (plus a large substation lot) be removed, so as to enable additional lots on the Orion land.
- 6.12 The PC 36 application is somewhat unusual in that the proposed plan change covers land not under the applicant's control. That said, the inclusion of the Orion block is logical in terms of creating a coherent Living 3 Zone with clear edges, and to this end it is noted that the principle of the rezoning is not opposed by the submitter.
- 6.13 The split ownership does mean that there is an increased risk that the site could be developed in different stages, and to different designs, which makes it difficult to ensure that development will give effect to the CRPS average (unless each stage hits the average in and of itself). With rural residential development, the layout and size range of lots is more critical to the overall appearance and character of the zone than typical suburban subdivision where indicative lot boundaries are seldom shown on ODPs. Within the Selwyn rural residential context, ODPs for rural residential development are showing indicative lot sizes, density mix, and layout e.g. the ODPs for the operative PC 8 & 9 on the western edge of Rolleston, and proposed PC 28 in Lincoln. It is acknowledged that showing individual lot boundaries on ODPs is not generally necessary for small blocks under single ownership where a coherent subdivision for the entire block can be produced and compliance with the CRPS and RRS14 average densities confirmed. This is not the case with PC 36, as whilst small, it is not in single ownership or control. The plan change approach of specifying an overall total of lots across the plan change area and specific caps on the number of lots in each of the three sub-blocks is therefore supported. The inclusion of indicative lots layouts is also supported, especially as this indicative layout assists in providing certainty as to the number of access points to external roads and the use and trip generation arising from the proposed internal accessway.
- 6.14 The general approach in the Plan Change application of specifying the number of lots and showing an indicative lot layout is therefore supported as being appropriate for the specific context of this plan change. It is nonetheless acknowledged that Orion is to some extent being 'undersold' in terms of lot yield from their block and are also potentially being locked in to a subdivision pattern that they may not wish to implement (and apparently had little input into developing).
- 6.15 The proposed ODP shows four lots on the Orion block (including one large lot for the substation). Given that the Orion site is some 3.3ha, this equates to approximately 8,000m² per lot. The CRPS permits an average as low as 0.5 ha per lot. It is therefore possible for the Orion Block to contain up to 6 lots, plus a small balance area around the substation. Increasing the number of permitted lots on the Orion Block to six (plus the substation) will still enable an average density to be achieved that is over 0.5ha, both within the Orion site and also across the Plan Change area as a whole, i.e. 12.3 ha

divided by 19 lots equals an average density of 6,473m², which provides sufficient leeway to accommodate accessways and the substation and still readily come within the CRPS and RRS14 definition of rural residential development.

6.16 In response to the Orion submission it is therefore recommended that the following amendments be made:

- 1) **Amend the ODP key** to show the internal lot boundary 'dotted line' and label it '**indicative lot boundaries**'. The word 'indicative', along with the requirement that subdivision is in *general* accordance with the ODP, provides a degree of flexibility to enable minor amendments to the individual lot boundaries through the subdivision consent process;
- 2) **Amend the ODP** to show the designated substation at the corner of Birches and Hamptons Roads as an important existing site feature;
- 3) **Amend the ODP** to show six lots on the Orion Block in addition to the substation. Orion has the ability at the hearing to provide their preferred indicative lot boundaries if they so wish, otherwise it is recommended that the two large lots accessed from Hamptons Road are split in half;
- 4) **Amend 'Figure X'** diagram and table that shows the maximum number of rural residential lots by increasing the allowance for 'Area C' to '**3 6** + substation'.

Landscape values and visual effects

6.17 The application does not include a specific landscape assessment, however the main planning report does discuss landscape and site context matters. The application has been reviewed by Mr Craig, an experienced landscape architect, with Mr Craig's findings appended as Attachment C. Mr Craig agrees with the landscape conclusions contained in the application that the site does not contain any notable natural features, ecological areas or tree planting that would warrant protection or that would preclude the site from being rezoned to Living 3. The proposed minimum lots sizes and overall site density is consistent with the proportion of buildings to open space anticipated by the CRPS and the RRS14.

6.18 Mr Sinclair seeks in his submission that the Plan Change ensures that the existing shelterbelts between the rear of the Trices Road Living 2A properties and the application site be maintained. The Plan Change ODP shows these shelterbelts as an existing feature, but does not explicitly require their retention. Subdivision is required to be in general accordance with the ODP, however it is arguable as to whether the retention of the shelterbelts is necessary for development to be 'in general accordance'.

6.19 The maintenance or retention of shelterbelts is generally addressed as a civil law matter between neighbours. Maintenance of shelterbelts can be problematic once large rural landholdings are subdivided into smaller sections, as it can become difficult to provide access to hedge-trimming machinery, and different owners will have differing expectations as to an acceptable height at which shelterbelts are to be maintained. Given the large lot sizes inherent with rural residential developments, and the separation that this provides between neighbouring dwellings, it is common for such developments to not have substantial boundary planting but rather to have a more open, pastoral outlook. As such, a specific rule requiring the retention of shelterbelts is not considered to be appropriate. If owners wish to have certainty over screening then they are free to establish boundary planting within their own sites. There is also the option of any future subdivision resource consents to include consent notices on the title requiring the

retention of existing planting, should such a mechanism be considered necessary at the time the subdivision consent is processed.

- 6.20 It is therefore recommended that the ODP key be made explicit as to whether or not the existing shelterbelts are to be retained. It is the officer conclusion that such retention is not necessary, and that the ODP key could be amended by adding '**retention optional**' after the phrase 'existing shelterbelt/ vegetation' to make it explicit that the retention of the shelterbelts is not required through the subdivision consent process. Alternatively, if the applicant at the hearing expresses a desire to see the shelterbelts retained through development, or the Commissioner agrees with Mr Sinclair that the shelterbelts should be retained, then the ODP key should be amended by adding '**to be retained**' after the phrase 'existing shelterbelt/ vegetation'.
- 6.21 Te Taumutu Runanga (**S06**) have sought greater use of indigenous tree and plant species to be incorporated into the development of the site. I agree with Mr Craig that controlling species choice on private land is difficult to monitor and enforce over time. It is however appropriate to express a preference for the use of native species within publicly vested areas such as local parks, stormwater basins or road reserves. Given the relatively small size of the application site and the low density of dwellings proposed as an inherent part of a rural residential development, no local parks or publicly vested stormwater basins/ networks are necessary. The proposed access and public walkway link between Hamptons and Birches Roads should contain vegetation in the form of street trees and vegetated swales, in accordance with the road cross-section proposed as part of the application¹¹. It is recommended that the subdivision assessment matters be amended so that the amount of native planting in public reserve areas can be considered at the time of subdivision (discussed in more detail below).

Potential reverse sensitivity effects and amenity conflicts

- 6.22 The viability of legitimately established rural activities can be reduced where they adjoin rural residential nodes through amenity conflicts, where new land owners moving into an established environment have differing expectations of what land use activities are appropriate. The site does not directly adjoin any rural zones, being bounded on two sides by roads and to the north by the Living 2A Zone. There are no established intensive farming operations within 300m of the site, such that odour from established businesses could cause a problem for the proposed residential activity. The site's location on the edge of Prebbleton Township also assists in managing reverse sensitivity issues as intensive farming activities that are likely to create nuisance effects to urban residents are unlikely to establish on the edge of one of the District's larger townships.
- 6.23 The submission from Orion New Zealand raises concerns that reverse sensitivity issues might arise in relation to the electricity substation located in the southern corner of the site. In response, Orion seek a 'flexible subdivision design to ensure that any reverse sensitivity issues are able to be addressed if they arise'. Electricity substations are common utility structures in urban environments and do not generally give rise to complaints due to the generally benign nature of such utilities. Given that Orion control the land surrounding the substation, it is considered that they are themselves able to mitigate such risk through choosing not to develop their block for rural residential purposes should reverse sensitivity be an issue. Likewise as developer it is within their control to include covenants or a similar mechanism on new titles requiring building setbacks from the substation. The concern regarding reverse sensitivity is somewhat at odds with the balance of their submission supporting rural residential zoning and seeking

¹¹ The cross-section sought on page 28 of the Baseline s32 report is identical to the cross-section proposed by Council to apply to all Living 3 local roads through Appendix 43 to the LURP Action 18(viii)

further allocation of households for their block. It is also noted that the substation is covered by a designation and therefore its ongoing operation has an additional degree of statutory protection.

- 6.24 It is therefore considered that the potential for the plan change to give rise to reverse sensitivity issues is limited and is generally less than the interface issues typically encountered by urban growth proposals where there is a directly adjoining boundary with a rural zone.

Infrastructure servicing & Stormwater management

- 6.25 The application includes an assessment of infrastructure and servicing prepared by engineering consulting firm E2 Environmental Ltd. This assessment has been peer reviewed by Mr Liam Foster from Opus International Consultants Ltd in discussion with Selwyn Council's infrastructure asset engineers, with his report appended as Attachment D.
- 6.26 Mr Foster has concluded that stormwater can be disposed of to ground given the porous nature of the soils and the low density of development (and therefore runoff) proposed. There is therefore no need for a publicly vested retention basin or reticulated stormwater network. It is also noted that runoff will primarily be from roofs and domestic patios and paved areas and therefore the potential for contaminants to enter stormwater are low. The majority of lots will gain access directly from existing roads, therefore new roads (and associated runoff) are limited to a short accessway off Hamptons Road. Stormwater runoff from the proposed access will be to a vegetated swale that is appropriately designed to intercept contaminants. The detailed design of the stormwater system will be assessed through the subdivision consent process and any necessary resource consents from the Canterbury Regional Council. The design of such systems and their associated consenting is well established, and is the appropriate process to fully examine whether the detailed design will be effective in managing water quality.
- 6.27 The site is able to connect to a reticulated wastewater network via additional piping from the corner of Trices and Birches Roads. Individual lots will need their own low pressure pump systems (which would remain the responsibility of individual lot owners) to lift discharges to a reticulated pipe network that would be vested in Council and located within the road reserve. There is adequate capacity in the wider wastewater conveyance and community treatment infrastructure, although the timing of the proposed connections and planned upgrades to the wider Prebbleton network should be discussed with Council's asset team as part of the subdivision consent process. Mr Sinclair in submission has raised concerns about the capacity of on-site sewage systems in the event that a power failure prevents pumping to the reticulated network. He suggests that the on-site systems should have sufficient capacity for at least a 48 hour period. The capacity of individual systems is a matter that is more appropriately resolved through the subdivision consent process. It is understood from Mr Foster that the low pressure systems proposed by the applicant are standard 'off the shelf' products that are being installed throughout parts of Christchurch. The standard design capacity is for a 24 hour period. In the event that power is out for longer than 24 hours then residents need to make alternative arrangements. These design parameters are considered to be acceptable for much more intense suburban contexts and as such the likely system design, combined with the large lot sizes and low risk of power outages occurring for extended periods of time mean that the proposed wastewater system is considered to be an acceptable design solution for the site context.
- 6.28 Mr Foster has noted that the reticulated water supply in the south of Prebbleton is currently constrained due to a combination of the rapid growth that has been occurring in

the Township and the relatively high volumes of water use per property experienced on large lot developments due to extensive irrigation of lawns and amenity planting. Mr Foster considers that as part of securing long-term access to a reticulated water supply, it is likely that such access will be on the basis of a restricted water supply so as to manage capacity throughout the network. Upgrades to the capacity of the water supply infrastructure for development to the south of Prebbleton (including this Plan Change) is currently identified to take place between 2021 and 2026.

- 6.29 There are however options for servicing the water requirements for this Plan Change that can be further explored during the subdivision consenting process. Mr Foster identifies such opportunities as including, but not being limited to, an interim delivery of a 'restricted' supply connection to the township water supply, use of existing private bores on site (provided they are secure and meet the Drinking Water Standard 2005 (revised 2008)) or via specific developer contributions to accelerate the infrastructure provision to suit preferred timescales. Mr Sinclair has raised concerns in his submission regarding the future use of these existing bores, with the ongoing management of these bores a matter that is appropriately resolved through the subdivision process. In general when rural land is developed for more urban purposes, private bores that were historically used for household water supply are capped if no longer required (if for example the dwelling connects to a reticulated supply), or alternatively are retained for garden irrigation purposes, subject to holding water take consents from the Canterbury Regional Council if such consents are needed.
- 6.30 In conclusion, stormwater can be readily managed on-site and without the need to access wider Council-held network infrastructure. Waste water can likewise be provided for through a combination of individual on-site low pressure pumps and then connecting to the reticulated conveyance and treatment network which has sufficient capacity to accommodate discharges from the site. The local reticulated water supply network is experiencing capacity constraints, with these constraints planned to be addressed in the medium term. In the interim there are sufficient options that can be explored through the subdivision process that servicing is not considered to present a sufficient hurdle that would prevent the Plan Change from being approved.

Transport safety and efficiency

- 6.31 The application included a comprehensive transport assessment prepared by Abley Transportation. The proposal has also been assessed by Mr Carr, an experienced transport engineer, with Mr Carr's assessment appended as Attachment E. Mr Carr has concluded that whilst aspects of the transport assessment could be improved through changes to the date at which traffic counts were taken and in terms of assessing the performance of the road network in ten years time given predicted growth levels, that even without such information he is confident that the proposal will not give rise to any unacceptable effects on the safety or efficiency of the road network. It is noted that no submissions were received that raised concerns about transport matters, and likewise no submission was received from the New Zealand Transport Agency.
- 6.32 The majority of lots will gain access to Hamptons Road which is a low volume local road with good sight lines adjacent to the site. Several lots will have access to Birchs Road which is a collector road and therefore whilst busier, individual site access is still anticipated. The proposed ODP provides pedestrian and cycle access through the site, with an established cycle trail in place on the far side of Birchs Road that provides easy access to the Prebbleton village centre and connections to Lincoln township and university.

- 6.33 Provided any future subdivision is in accordance with the ODP, then six lots will have their access from the internal accessway (assuming the two lots with frontage to Hamptons Road have their access directly from that road). Where an access connects with six or fewer lots, the accessway is generally privately held rather than vested with Council. It is important that public pedestrian and cycle connection is provided through the site to provide ready access to the cycle and walking route alongside Birchs Road. This can either be achieved by the access and adjacent walkway being vested in Council as road reserve, or alternatively retained in private ownership, with an easement in favour of the Council to enable cycle and pedestrian access by the general public. It is recommended that the ODP key be amended to make explicit that a public walkway be provided between Hamptons and Birchs Roads.
- 6.34 It is noted that Mr Carr raises a concern that the proposed access, as shown on the ODP, joins Hamptons Road at a 45 degree angle rather than the intersection being at right angles. Mr Carr notes that provided the access is formed in accordance with the cross-section proposed in the plan change (and also sought through the proposed LURP Action 18 amendments as Appendix 43), that within a 19m wide road reserve there is sufficient room for the actual formed carriageway to join Hamptons Road at right angles. The detailed intersection geometry is a matter that can be more fully resolved through the subdivision consent process.
- 6.35 Mr Carr also identifies that PC 36 seeks to add a new rule 12.1.3.34. This rule is located in the subdivision section of the Plan and is part of a series of similar provisions that require subdivision of site-specific areas to be in general accordance with their respective ODPs. These provisions also highlight any site-specific matters arising from the ODPs that should be taken into account when assessing subdivision applications. PC 36 proposes to add a new site-specific matter as follows: "(d) where any conflict occurs with Rule E13.2 the vehicle accessway in Appendix X [the ODP] shall take precedence". Rule E13.2 is in effect the title of an extensive section of provisions that address all aspects of site and road access. There are five separate rules and associated tables that fall under E13.2. It is unclear from the application first whether the exemption sought is intended to apply only to the main access as shown on the ODP or all individual site accesses, and secondly if the intention is that the access be exempt from all of the provisions under E13.2. It is assumed that the proposed clause seeks to ensure that none of the indicative lots shown on the ODP run the risk of being 'landlocked' due to consent not being approved for individual access points in non-compliant locations. I believe the risk of such occurring is low as first the majority of lots appear to be able to provide compliant access points and secondly as Mr Carr has observed, the surrounding road network is relatively straight and unobstructed, with relatively low volumes of traffic and therefore the design of safe, functional access points should be readily achievable.
- 6.36 It is therefore recommended that the proposed exemption sought to rule E13.2 be rejected as the various rules under E13.2 address important safety and access geometry matters that are appropriately examined under the subdivision process. Alternatively, the applicant may wish to clarify at the hearing the purpose of seeking the exemption, whether it is intended to apply to just the main internal accessway shown on the ODP, and whether exemption of all clauses under E13.2 is necessary or whether there is just one specific clause under E13.2 that is causing concern.

Land stability and geotechnical risk

- 6.37 The site is not located within a flood hazard area. The application includes the findings of geotechnical investigations undertaken by Geoscience Consulting NZ. This geotechnical report has been peer reviewed by Mr Ian McCahon of Geotech Consulting Ltd (attached as part of the notified plan change). It is noted for completeness that the peer review was

undertaken to ensure compliance with CERA guidelines for the geotechnical assessment of new subdivisions. applicant was required to undertake additional investigations to satisfy the minimum site investigations prescribed in the Recovery Strategy.

- 6.38 Mr. McCahon makes the following conclusions:

“...We agree that there is minimal to no liquefaction potential at the site and an equivalent TC1 category is appropriate. The extent of work reported complies with the intent of the CERA requirements at plan change stage, with a suitable number of tests and relevant deep bores to determine the ground profile as required.

- 6.39 On this basis, it is considered that the risk of liquefaction and lateral displacement associated with future earthquake events is low and that there are no geotechnical reasons that prevent the Plan Change from being granted.

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES)

- 6.40 As this is an application for a zone change and not the actual use of the site, the NES does not strictly apply. The land owner will be required to address the NES requirements at subsequent subdivision or building consent stages, depending upon the nature of any future proposed activity and whether this would either satisfy the permitted activity requirements or require resource consent under the NES.
- 6.41 The application included a Preliminary Site Investigation ('PSI'), prepared by Geoscience Consulting NZ, dated March 2013. This PSI report was then peer reviewed by Tonkin & Taylor in May 2013 (attached as part of the notified plan change). The PSI and peer review did not identify any known sources of contamination. The peer review identifies several matters that will require further investigation, including confirmation that the PSI has been undertaken by 'suitably qualified and experienced practitioner', as required by the NES. The presence of farm utility buildings is also identified as a potential location where agrichemicals may have been stored, along with the need for an additional review of historic aerial photos (if such can be sourced). The Orion Block contains a large electricity substation that may contain hazardous substances, however in the unlikely event that the substation is decommissioned and that portion of the Orion Block redeveloped for rural residential purposes, then the substation would need to be demolished, and any contamination remediated, in accordance with accepted industry standards.
- 6.42 There is currently therefore no evidence that would suggest that the land is contaminated to such an extent that remediation would not be plausible or would pose a risk to human health. The PSI and peer review do not identify any specific matters of concern or known contamination. Given the matters raised in the peer review, an updated PSI, and potentially a consequential Detailed Site Investigation, is likely to be necessary as part of the subdivision consent process.

Cultural values

- 6.43 The submission from MKT on behalf of Te Taumutu Rununga identifies that the plan change area does not contain any wahi tapu or wahi taonga sites. The submission identifies concerns regarding stormwater quality, water supply and overabstraction, riparian planting of waterways, and the effects of earthworks on waterways. Te Taumutu Rununga also seek increased use of native plant species in landscaped areas.

- 6.44 Concerns relating to water supply, waste water, and stormwater have been discussed above and in the associated servicing report prepared by Mr Foster. The design and consenting of these systems will necessarily need to take into account effects on water quality and quantity and ensure that the specific design delivers an acceptable outcome in this regard. Mr Foster has identified that in terms of stormwater there is no need for a community-owned ponding basin to be identified on the site given the low site coverage of rural residential properties and the relatively free draining nature of the underlying soils which make such a basin unnecessary. Water supply will likewise be available through planned upgrades to the wider Prebbleton Township network, however this supply is likely to be restricted to ensure efficient water use. If a restricted supply system is needed, then this may encourage the use of roofwater storage tanks for garden irrigation and water-efficient appliances. Such matters cannot however be mandated through the plan change process but rather are matters that are more appropriately resolved through the subdivision process once specific infrastructure solutions have been designed. Any water take or water discharge elements will also need to be assessed in terms of the Regional Council resource consent framework.
- 6.45 The water race adjacent to the site is located within the Hamptons Road reserve, and therefore is beyond the application site. Informal public access alongside the water race is already available within the road reserve corridor. The rule package proposed through LURP Action 18 requires buildings to be set back a minimum of 20m from the road boundary, so structures will be some distance from the water race. Significant earthworks are not required to facilitate rural residential development given the site's flat contour and the large size of the lots proposed. The management of construction phase stormwater and erosion and sediment control is a routine part of the Canterbury Regional Council resource consents necessary as part of subdivision development, with a well-established suite of management and mitigation techniques available to control sediment runoff into waterways.
- 6.46 The LURP Action 18 text proposes to add the following assessment matters to the subdivision section of the Plan, where all Living 3 subdivision is a restricted discretionary activity and where, amongst other matters, the Council is to assess:

The extent to which site analysis using a comprehensive design process and rationale has been undertaken to recognise, and where appropriate, protect, maintain or enhance the following elements:

- *Existing water courses, water bodies, wetlands, groundwater, and springs;*
- *Existing vegetation, such as shelter belts, hedgerows and habitats for indigenous fauna and flora;*
- *Heritage values and any sites of archaeological significance;*
- *Ancestral land, rivers, wetlands, groundwater, springs, Te Waihora/ Lake Ellesmere and mahinga kai sites and the Wāhi Tapu and Wāhi Taonga of Te Rūnunga o Ngāi Tahu and Te Taumutu Rūnunga;*
- *View shafts to the Port Hills;*
- *Provision of green linkages, ecological corridors and interface treatments on boundaries with rural or urban forms of development where appropriate;*
- *Indicate how the form and layout of the subdivision fits into the wider setting and is able to be integrated into these surrounds, including in particular the provision of measures to retain rural landscape elements, including views to rural and landscape reference points.*

- *Avoids urban elements, such as street lights (except at intersections), formed kerb and channel, sealed footpaths, or prominent entrance features;*
- *Maintains rural residential character through the retention of a low ratio of built form to open space;*
- *Reduces any potentially adverse reverse sensitivity effects with adjoining land use activities, in particular strategic infrastructure and education and research facilities.*

6.47 The proposed LURP Action 18 assessment matters are considered to address a number of the matters raised by MKT in their submission. Given that the LURP Action 18 amendments are not certain, it is recognised that there is a gap in the regulatory framework should development of the site occur in advance of the LURP Action being confirmed. It is therefore recommended that the following additional matter be added to the list of site-specific issues to be considered under the PC 36 proposed rule **12.1.3.34X** when assessing subdivision proposals against the ODP:

e) The extent to which native species are used as street tree plantings and within vegetated stormwater swales

Proposed Living 3 rule package and District Plan text

- 6.48 The rule package for the Living 3 Zone in the operative District Plan was the result of private Plan Changes 8 & 9 for two blocks of land on the western outskirts of Rolleston. The rule package introduced into the Plan by these earlier plan changes includes rules that are specific to Rolleston, and also rules that more generically apply to the Living 3 zone in general.
- 6.49 The Council has been seeking to develop a single coherent Living 3 zone rule package that can apply to all new Living 3 areas, avoiding the need for a series of site-specific provisions in the Plan. This overarching rule package builds on that developed through PC 8 & 9 and was to be introduced into the Plan through first PC 17 and then PC 32, both of which have since been withdrawn or have lapsed. The rule package is now proposed to be introduced into the Plan through LURP Action 18 which is currently with the Minister of Earthquake Recovery. As the Minister has yet to confirm the overarching rule package for the Living 3 zones, it means that PC 36 is being heard in an inconvenient hiatus between the operative (but Rolleston-specific) rules and the more comprehensive Living 3 zone package proposed under the LURP.
- 6.50 Plan Change 36 has been drafted to largely rely on and be consistent with the operative rule package, and in the knowledge of the wider framework that was at the time proposed via PC 32.
- 6.51 Concurrent with the development of PC36, a separate private Plan Change 41 has also been developed for a block of land at the northwestern edge of Prebbleton to the west of the Kingcraft Drive Existing Development Area on the corner of Trents and Shands Roads. PC 41 is also to be heard in mid-September. This separate plan change application is mentioned here as it also seeks to make amendments to the same operative Living 3 zone rule package. The same Commissioner is to hear and make decisions on both plan changes so as to better facilitate the development of a coherent rule framework.
- 6.52 The coverage of the operative Living 3 zone rule package and the proposed amendments to it through LURP Action 18, PC 41 and PC 36 are summarised in Attachment B.

- 6.53 In endeavouring to chart a route through the multiple changes that are being concurrently sought to the same provisions, and being mindful of the issues raised by both submitters and technical experts, the following approach is recommended:
- 6.54 **Building Height (C-4.8.1):** Rely on the Operative Plan rule which applies to all Living 3 Zones – no amendments sought or needed.
- 6.55 **Building size and site coverage (C-4.7.1 & Table C4.1):** Rely on the Operative Plan rule which applies to all Living 3 Zones – no amendments sought or needed.
- 6.56 **Fencing (C-4.2.3 and Appendix 43):** This operative rule will apply as the Plan currently stands. PC 41 seeks to replace the operative wording of this rule that is considered to be complex and ambiguous as follows:

4.2.3 Any Fencing in the Living 3 Zone shall be limited to a maximum height of 1.2m, be at least 50% open, and be post and rail, traditional sheep, deer fencing, solid post and rail or post and wire only;

Except that nothing in the above controls shall preclude:

- i) **the use of other fencing types when located within 10m of the side or rear of the principal building. Such fence types shall not project forward of the line of the front of the building.**
- ii) **fencing required by an Outline Development Plan and/or rule in this Plan as a noise barrier**

- 6.57 The wording proposed in PC 41, if accepted in through that separate hearing process, will apply to all Living 3 zones. The proposed rule in PC 41 is considered to be easier to understand and administer and more effective in delivering the open, visually permeable fencing outcomes sought in the RRS14 across the Living 3 zones than the operative provision. PC 41 also seeks to include Appendix 43 (refer Attachment F) into the Plan, with this Appendix also forming part of the package of amendments proposed through the LURP Action.
- 6.58 **Road and internal boundary setbacks (C-4.9):** The operative Plan rule controlling boundary setbacks only applies to L3 zones in Rolleston. PC 36 does not seek to amend the operative rule so that it is included. The LURP Action seeks to insert a generic boundary setback rule across all of the L3 zone that requires buildings to be set back a minimum of 20m from road boundaries and 15m from internal boundaries. There will therefore be a regulatory gap should PC 36 be approved, with no boundary setback rules applying until and if the LURP Action is confirmed.
- 6.59 PC 41 sought to overcome this issue by adding a new clause into C-4.9 for Prebbleton as follows:

Prebbleton

4.9.XX Any building in the Living 3 zone Trents Road, Prebbleton (as shown on the Outline Development Plan in Appendix 19) shall be set back at least:

(i) 15 metres from any road boundary except on corner lots a minimum setback of 10m applies to one road boundary

(ii) 5 metres from any other boundary

The wording sought by PC 41 could be readily modified by deleting the reference to Trents Road. The rule would then apply to all Living 3 Zones in Prebbleton i.e. both PC 41 and PC 36. Should the LURP generic rule be confirmed by the Minister then a minor amendment under clause 16 will be needed to the LURP rule to state ‘unless otherwise specified in the Plan...’ to clarify that the site-specific setbacks introduced through PC 8 & 9, 41, and 36 continue to apply, or alternatively a minor plan change undertaken to

remove these site-specific references and instead rely on the generic L3 rule introduced through the LURP.

In identifying this text as a possible solution, I am mindful that there is limited scope for seeking such a change. Te Taumutu Runanga have sought that there be building setbacks from waterways, including the existing water race along Hamptons Road. Mr Sinclair has likewise sought certainty regarding the retention of shelterbelts, with the inclusion of a boundary setback requirement a potential partial mitigation in not granting that relief. In imposing setbacks, the only party considered to be potentially affected is the applicant, and therefore no submitters are considered to be prejudiced through not being able to submit on this rule.

6.60 **Outline Development Plan (C-12.1.3) and associated rules:**

- **Amend the ODP key** to show the internal lot boundary 'dotted line' and label it 'indicative lot boundaries'. The word 'indicative', along with the requirement that subdivision is in general accordance with the ODP, provides a degree of flexibility to enable minor amendments to the individual lot boundaries through the subdivision consent process;
- **Amend the ODP key** 'Existing shelter belt/ vegetation (retention optional)'.
- **Amend the ODP** to show the designated substation at the corner of Birches and Hamptons Roads as an important existing site feature;
- **Amend the ODP** to show six lots on the Orion Block in addition to the substation. Orion has the ability at the hearing to provide their preferred indicative lot boundaries if they so wish, otherwise it is recommended that the two large lots accessed from Hamptons Road are split in half;
- **Amend the ODP key** to read 'Public walkway reserve to be provided between Hamptons and Birches Roads'
- PC 41 sought to Amend Part C, Living Zone Rules – Subdivision, Standards and Terms, Prebbleton 12.1.3.28 as follows:

In the Living 1A, 1A1, 1A2, 1A3, 1A6, LX ~~and 2A~~ **and 3** zones in Prebbleton, any subdivision is in general accordance with the respective concept and/or Outline Development Plans in Appendix 19.

This proposed wording captures the need for development in the PC 36 site to be in general accordance with the ODP.

- **Amend** the wording proposed in PC 36 to **rule 12.1.3.34X** to add site-specific considerations when considering the ODP, with the deletion of the proposed exemption to E13.2 and with the addition of an extra matter as follows:

Add Rule 12.1.3.3X

Any subdivision of land within the area shown in Appendix X (Living 3 Zone at Prebbleton) complies with:

- a) The subdivision layout of the Outline Development Plan at Appendix X;**
- b) The density of allotments as shown on the Outline Development Plan at Appendix X;**
- c) The access layout of the Outline Development Plan at Appendix X;**

~~d) where any conflict occurs with Rule E13.2 the vehicles accessway in Appendix X shall take precedence; and~~

d) The extent to which native species are used as street tree plantings and within vegetated stormwater swales; and

- 6.61 **Road cross-section (C-5.1.1.7 and Appendix 43):** The roading cross section proposed in PC 36 is the same as that proposed in PC 41 and as proposed in the LURP Action as Appendix 43. The inclusion of the wording proposed by PC 41 will apply across all Living 3 Zones (apart from the PC 8 & 9 blocks in Rolleston). In effect this wording will pre-empt the equivalent rule proposed through LURP Action 18 and the site-specific wording proposed in PC 36, whilst ensuring that the road cross-section is applied consistently.
- 6.62 **Effluent disposal (C-12.1.3.4):** Both the wording proposed in PC 41 and LURP Action 18 will require all L3 zones to connect to a reticulated network. This wording is consistent with the direction in the CRPS and RRS14 that rural residential development needs to be reticulated, with PC 36 subject to this rule. It is noted that the PC 36 application is explicit that connection to a reticulated sewer network is proposed as part of the Plan Change, and therefore the applicant is not considered to be prejudiced by being included in this rule.
- 6.63 **Average Lot sizes (Table C-12.1):** Accept the wording proposed in PC 36 for a site-specific minimum lot size of 5,000m² and requiring the layout to be in general accordance with the ODP.

Amend the proposed 'Figure X' diagram and table that shows the maximum number of rural residential lots by increasing the allowance for 'Area C' to '**3 6** + substation'.

7. CONCLUSION

Matters to be considered

- 7.1 S74 of the RMA sets out the matters that must be considered in preparing a change to the Plan. Amongst other things, s74 requires the local authority to:
- comply with its functions under s31
 - consider alternatives, benefits and costs under s32
 - ensure the necessary matters are stated in the contents of the district plan under s75
 - have regard to the overall purpose and principles set out in Part II, including the Matters of National Importance (s6), the Other Matters (s7) that require particular regard to be had in achieving the purpose, and the Treaty of Waitangi (s8)
- 7.2 It is noted that in a general sense, the purpose of the 'Act' is reflected in the current District Plan objectives and policies as they have already been through the statutory tests and are now unchallenged. The operative provisions can likewise be deemed to be 'giving effect to' the higher order objectives and policies sought in the CRPS, albeit that the rural residential provisions are proposed to be amended through LURP Action 18 to ensure that the Plan continues to give effect to the CRPS following the recent amendments to the CRPS.

Functions of territorial authorities and matters to be included in a district plan - s31 and s75 assessment

- 7.3 Council's functions under s31 include the following:

“(a) the establishment, implementation and review of objectives, policies and methods to achieve integrated management of the effects of the use, development or protection of land and associated natural and physical resources of the district...”

- 7.4 The assessment and conclusions of this report establish that the PC 36 framework incorporates appropriate methods to ensure any future land uses are appropriate and will result in a number of positive social, economic and environmental outcomes.
- 7.5 The matters proposed in PC 36 are all matters that fall within the ambit of the content of a district plan under s75.

Consideration of alternatives, benefits and costs - s32 assessment

- 7.6 The Council has a duty under s32 of the RMA to consider alternatives, benefits and costs of the proposed change. The s32 analysis is a process whereby initial investigations, followed by the consideration of submissions at a hearing, all contribute to Council's analysis of the costs and benefits of the amended provisions in its final decision making.
- 7.7 In assessing the proposed plan change under s32 it is noted that this evaluation is against s32 as it existed prior to the recent RMA amendments as these amendments only apply to applications where further submissions have closed after the 4th December 2013.
- 7.8 The proposal does not seek to amend any of the operative objectives or policies of the Plan. The s32 consideration therefore turns on the Council being satisfied that PC 36 is a more efficient and effective method of achieving the Plan's objectives, and thereby Part 2 of the RMA, than the existing Rural (Inner Plains) Zone and associated rule package as it relates to the specific site in question. On the evidence presented as part of the plan change application and from the findings of the various experts who have reviewed the application and the matters raised by submitters, I am satisfied that proposed Plan Change 36 does better achieve the Plans' objectives than the existing provisions, it does give effect to the CRPS, and it is in accordance with the adopted Rural Residential Strategy 2014.
- 7.9 It is therefore recommended that the Plan Change be accepted, subject to the minor amendments recommended above. It is recommended that all the submissions be accepted, or accepted in part, as set out in Attachment A.

ATTACHMENT A – RECOMMENDATIONS ON SUBMISSIONS

| | | |
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| | | |
| Murray Sinclair | Accept in Part | <p>It is recommended that this submission be accepted insofar as the concerns raised regarding servicing and water quality have been investigated and the adequacy of the detailed design of such systems is able to be confirmed through the subdivision and resource consent processes.</p> <p>It is recommended that clarity is provided regarding the retention of shelterbelts along the internal boundary with the Trices Road L2A zone by making it clear that such retention is optional.</p> <p>It is recommended that the relief sought regarding a minimum lot size of 7,890m² and a minimum average of 7247m² be rejected.</p> |
| MG & BI Claxton | Accept | |
| Orion New Zealand Ltd | Accept in Part | <p>It is recommended that this submission be accepted in part to the extent that it is recommended that provision be made for up to 6 lots on the Orion block. The relief sought by Orion to remove the indicative lot boundaries from the ODP or the cap on the number of lots from each block is recommended to be rejected.</p> |
| Mark Sweeney | Accept | |
| A & B George | Accept | |
| Te Taumutu Rununga | Accept in Part | <p>The majority of the matters raised by the submitter are more appropriately considered through later subdivision and resource consent processes once the detailed design of infrastructure has been developed.</p> <p>It is recommended that the subdivision assessment matters be amended to include the ability of Council to consider the extent to which native species are proposed to be used in the road reserve and vegetated swales.</p> |

ATTACHMENT B – LIVING 3 SUMMARY OF RULES

| Township Volume - Part C | |
|---|--|
| Landscaping - Rule 4.2.2 | <ul style="list-style-type: none"> Operative Plan – Rolleston specific LURP does not amend or extend this rule so will <u>not</u> apply to other L3 areas i.e. proposed to remain Rolleston-specific PC 41 proposed to be included in this rule by adding ‘and Prebbleton’ PC36 (Conifer Grove) does not seek to be included in this rule <p>Landscaping controls will therefore be in place for the PC 8 & 9 blocks in Rolleston and the PC 41 site, but not the PC36 site and not in L3 generally</p> |
| Fencing – Rule 4.2.3 | <ul style="list-style-type: none"> Operative Plan – rule applies to all L3 Zones LURP – relies on operative rule. LURP does add ‘Appendix 43’ which illustrates fencing typologies PC 41 seeks to amend the operative rule, with the proposed amendments having universal effect i.e. they will change the rules as it applies to all L3 zones, not just the PC 41 block PC 36 does not amend this rule, but will be subject to it as it applies to all L3 Zoned areas |
| Building setbacks – 4.9.31 | <ul style="list-style-type: none"> Operative Plan – Rolleston Specific. Requires buildings to be set back 15m from roads and 10m from internal boundaries LURP – Proposes new rule for all L3 requiring 20m road setbacks and 15m internal boundary setbacks PC 41 Proposes new rule in the Prebbleton section of 4.9, consistent with the Operative Plan/ Rolleston provision ie. 15m road setback and 10m internal boundary setback PC 36 does not amend this rule and therefore will not be subject to any building setback controls until the LURP is made operative |
| Building setbacks (acoustic treatment) -4.9 | <ul style="list-style-type: none"> Operative Plan - Rolleston Specific (rule 4.9.29-30) LURP – does not propose any L3 rules for acoustic treatment, so the need for such controls will need to be introduced on a site-specific basis PC 41 – adds new rule requiring 25m building setback from Shands Road and the provision of an acoustic bund and fence PC 36 – does not propose an acoustic rule but is not adjacent to a high speed arterial road and therefore such control is not necessary for the PC 36 area |
| Site Coverage & Building size – 4.7.1 & Table C4.1 | <ul style="list-style-type: none"> Operative Plan- rule covers all L3 Zones (lesser of 10% or 500m²) LURP – relies on operative rule PC 41 - relies on operative rule PC 36 - relies on operative rule |
| Building height – 4.8.1 | <ul style="list-style-type: none"> Operative Plan- rule covers all Living zones, (including 3 Zones) – 8m LURP – relies on operative rule PC 41 - relies on operative rule PC 36 - relies on operative rule |
| Road cross-section 5.1.1.7 | <ul style="list-style-type: none"> Operative Plan – Rolleston Specific (rule 5.1.1.6) LURP adds new rule 5.1.1.7 requiring consistency with cross-sections shown in proposed ‘Appendix 43’ PC 41 does not propose a new rule but does seek that the Appendix |

| | |
|--------------------------------------|---|
| | <p>proposed in the LURP (previously Appendix 41 in PC 32) be included in the Plan</p> <ul style="list-style-type: none"> PC 36 proposes a new rule and cross-section specific to PC 36, albeit that the cross section diagram is the same as that proposed in LURP Appendix 43 <p>Acceptance of PC 41 will therefore have the effect of including Appendix 43 in the District Plan in advance of the LURP, and negating the need for a PC 36-specific diagram.</p> |
| Sewage connection – 12.1.3.4 | <ul style="list-style-type: none"> Operative Plan is silent on the need for reticulated sewage connection for L3 in the subdivision section. In the Land Use section operative rule 4.5.1 requires all dwellings in the Living Zones (which will include L3) in a range of townships (including Prebbleton, Rolleston, and Lincoln) to connect to a reticulated sewage system LURP seeks to amend rule 12.1.3.4 in the subdivision section to include reference to Living 3 so it is explicit that reticulated connection is necessary PC 41 seeks the same amendment to the subdivision rule as proposed in the LURP PC 36 does not amend the rule (but the servicing report confirms that sewage connection is readily available and would be required through the subdivision consent process) <p>Acceptance of PC 41 will therefore have the effect of including the 12.1.3.4 amendment in the District Plan in advance of the LURP. Acceptance of the PC 41 wording will therefore also apply to PC 36</p> |
| ODP – 12.1.3 | <ul style="list-style-type: none"> Operative Plan – Rolleston specific – requires subdivision to be in general accordance with the ODP (12.1.3.39-41) LURP – adds a new rule 12.1.3.47 that requires all L3 subdivision to be in general accordance with their respective ODPs PC 41 – Adds an equivalent rule PC 36 – Adds an equivalent rule, with specific reference to subdivision layout and access matters |
| Allotment sizes – Table C12.1 | <ul style="list-style-type: none"> Operative Plan - Rolleston specific LURP – does not amend the table, but does include a definition of ‘rural residential’ that specifies an average density of between one and two households/ ha PC 41 – adds a new reference to average allotment size between 5,000m² – 1 ha PC 36 adds a new reference to minimum lot size of 5,000m² and a new rule specifying the maximum number of lots per sub-block |