



## Application for Privately Initiated Plan Change

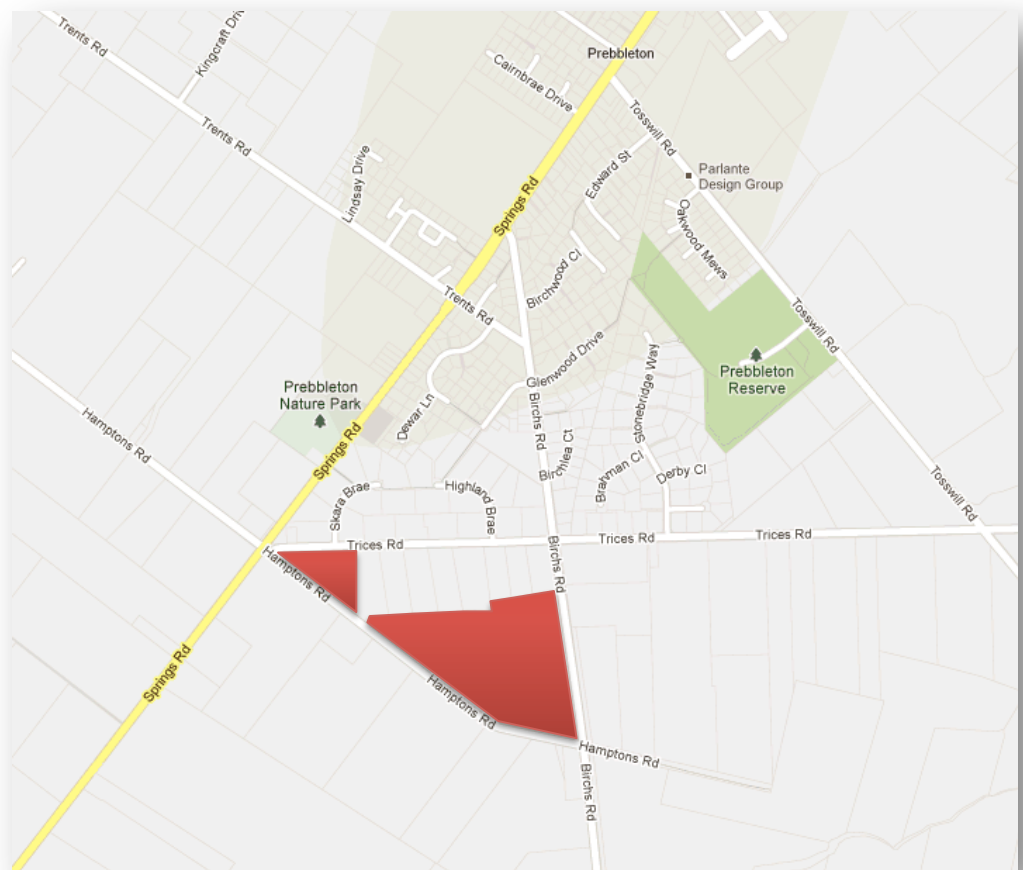
### Conifer Grove Trustees Ltd

### Birchs and Hamptons Roads, Prebbleton

July 2013

Selwyn District Council

Reference: 504001 Rev. 2



## QUALITY ASSURANCE

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## 1.0 EXECUTIVE SUMMARY

Under section 73(2) of the Resource Management Act 1991, Conifer Grove Trustees Ltd (“Conifer Grove”, or “the applicant”) requests a change to the Selwyn District Plan.

This plan change application proposes to rezone approximately 12.4 hectares (ha) between Birchs Road and Hamptons Road, south of Trices Road, from Rural (Inner Plains) to Living 3 zone. This will provide for a new rural residential zone in an appropriate location adjacent to the existing residential area and Metropolitan Urban Limit of Prebbleton.

Once rezoned, the site can be developed in accordance with the various statutory requirements of the Land Use Recovery Plan, Proposed Change 1 to the Canterbury Regional Policy Statement and the Living 3 zone subdivision standards of the Selwyn District Plan. An Outline Development Plan (ODP) has been developed for the site observing the principles of the Urban Design Protocol (Ministry for the Environment, 2005).

The assessment under section 32 of the Resource Management Act and the appended reports validate the suitability of the site residential zoning and activity.

## 2.0 SUMMARY OF APPLICANT AND PROPOSAL DETAILS

Applicant: Conifer Grove Trustees Ltd (Incorporation Number 1822157)

Property Information:

Address	Owner	Appellation	CT	Area (ha)
100 Birchs Rd	Conifer Grove Trustees Ltd	Lot 9 DP 301739	7140	7.4352
132 Hamptons Rd	R.W. & P.I. Telfer	Pt. RS 3967	CB15F/711	1.5921
132 Birchs Rd	Orion NZ Ltd	Lot 1 DP 22302	CB1D/75	3.3210
399 Trices Rd	Smith & Sissons	Lot 8 DP 301739	7139	1.1268

Proposal Area: 12.3483 ha + approximately 250 m<sup>2</sup> of CT 7139

District Plan Zoning: Rural (Inner Plains)

Proposal: Privately Initiated Plan Change for the rezoning of approximately 12.4 hectares of land from Rural (Inner Plains) into Living 3. The Living 3 zone allows for an average dwelling density of 7,500 m<sup>2</sup>.

### 3.0 INTRODUCTION AND PLANNING BACKGROUND

Prebbleton is one of the oldest settlements on the Canterbury Plains, established in 1862. The village has fertile land surrounding it, which is generally utilised for market gardening and cropping. Prebbleton has a range of local services and community facilities within the township, and the wider area has a well-established equine industry.

The general area has a high amenity and this, coupled with its close proximity to Christchurch City, makes Prebbleton a sought after location within the Selwyn District. There has been a high demand for residential sections, particularly at low-densities, in Prebbleton in recent years. Because of this demand, the township has experienced significant population growth in the past 12 years, going from a 2001 population of approximately 1,835 to a 2006 population of 3,024<sup>1</sup>.

Due to the Christchurch Earthquake on 22 February 2011, the 2011 census was not undertaken and therefore more recent population information is not currently known<sup>2</sup>. Since the 2006 census the Prebbleton population is anticipated to have experienced a substantive increase due to several new residential developments in the area, as well as the connection of Prebbleton to the East Selwyn Sewage Scheme (ESSS), which removed a significant and prohibitive servicing constraint to land development. However this population estimate is purely speculative until it can be proven (or disproven) in the results of the recent census in March 2013.

This application for a privately initiated change to the Selwyn District Plan (the Plan) is made under section 73(2) of the Resource Management Act 1991 (the “RMA” or the “Act”). The area subject to the application is 12.3483 hectares of land (the “proposal site” or the “land”), as shown in Figure 1 below.

The application site consists of three allotments and a fraction of a fourth, each of which has separate owners (see 2.0 above). The purple parcel is Pt. RS 3967, henceforth referred to as the “Telfer block”. The red parcel is Lot 9 DP 301739, referred to as the “Conifer Grove block”, and the blue parcel is Lot 1 DP 22302, referred to as the “Orion block”.

It is also noted that this application seeks to rezone a small area of the Rural (Inner Plains) zone that is located on Lot 8 DP 301739, held in CT 7139. The landowner of Lot 8 DP 301739 is not a party to this application, but this area is not suitable to be left as an “island” of rural land as its area

<sup>1</sup> QuickStats About Prebbleton (<http://www.stats.govt.nz>) accessed 07/01/2013

<sup>2</sup> Census (<http://www.stats.govt.nz/Census.aspx>) accessed 07/01/2013

<sup>3</sup> <http://www.stats.govt.nz/Census.aspx> accessed 07/01/2013

is in the order of 250 m<sup>2</sup>.



Figure 1. Location of the application site –from Google Maps

### 3.1 Purpose of and Reasons for the Plan Change

The reasons for and purpose of this plan change is to enable rural residential activities in an area of Prebbleton that has been shown to be easily serviced by connections to road infrastructure, potable water, sewage, stormwater, telecommunications and electricity.

This application proposes to rezone the proposal site from its current Rural Inner Plains Zone into Living 3 zoned land. The new zone provides a low-density living environment in this area, adjacent to the existing low-density rural-residential land along Trices Rd.

As shown by the section 32 analysis in 10.0 below, this application proposes to make the best use of the site. For all of these reasons, it is considered appropriate to request the rezoning of the land by Privately Initiated Plan Change.

The proposal site and the general area are affected by various statutory and non-statutory



documents, which are discussed in greater detail in 9.0 below. An overview of these documents follows.

### **3.2 The Greater Christchurch Urban Development Strategy**

The Greater Christchurch Urban Development Strategy (UDS) was prepared over three years from 2004 – 2007, and provides the primary strategic direction for the Greater Christchurch area including the location of future housing, development of social and retail activity centres, areas for new employment and integration with transport networks.

By itself, the UDS carries no statutory weight, and therefore it was a primary objective of the UDS partners (Environment Canterbury, the Christchurch City Council, Selwyn and Waimakariri District Councils and the New Zealand Transport Agency) to amend the Canterbury Regional Policy Statement (CRPS) to include a new chapter outlining the settlement pattern agreed in the UDS. This new chapter (12A) was to be part of an integrated implementation package designed to give effect to the UDS with other actions mandated under the Local Government Act 2002 and Land Transport Management Act 2003.

### **3.3 Proposed Change 1 to the Canterbury Regional Policy Statement (Chapter 12A)**

PC1 is a statutory document, which aims to provide direction for the growth, development and enhancement of the urban and rural areas of the Greater Christchurch sub-region for the period to 2041. Specifically, Policy 14 of PC1 states that rural residential development may be provided for by territorial authorities, if it does not exceed the maximum quantities for the periods set out in Table 1, Policy 6, and if it accords with the methods described in Policy 14. This will be discussed further in 9.1 below.

The Council decisions on PC1 to the CRPS were notified on 19 December 2009 and they resulted in the recommendation to insert PC1 into the CRPS as Chapter 12A, Development of Greater Christchurch. A different version of the PC1 document was made operative by the Minister for Earthquake Recovery earlier in 2012 and this was inserted into the CRPS as Chapter 12A, however that decision was the subject of Court appeals, overturning the Minister's directive and reverting PC1 to the previous version.

As will be discussed shortly, it now appears that less and less weight is being given to PC1, as the Land Use Recovery Plan becomes a more dominant document. Accordingly, this application assumes that PC1 carries some weight, but the chapter is not an operative part of the CRPS.

PC1 has implemented the following for Prebbleton:

1. Identified an urban limit around Prebbleton (see Figure 2 below).
2. Assigned three Outline Development Plan (ODP) Areas to accommodate growth and coordinate development within the urban limit.
3. Prescribed the sequencing of residential development within the urban limit. PC1 provides for 1,195 additional households in Prebbleton up to 2041. This breaks down to 700 households in the period 2007 – 2016 and a further 495 households in the period 2017 – 2026.
4. Prescribed the sequencing of rural residential development outside the urban limit within the entire Selwyn District. PC1 provides for 600 additional rural residential households in Selwyn up to 2041.

The following image shows the extent of the urban limit from PC1.

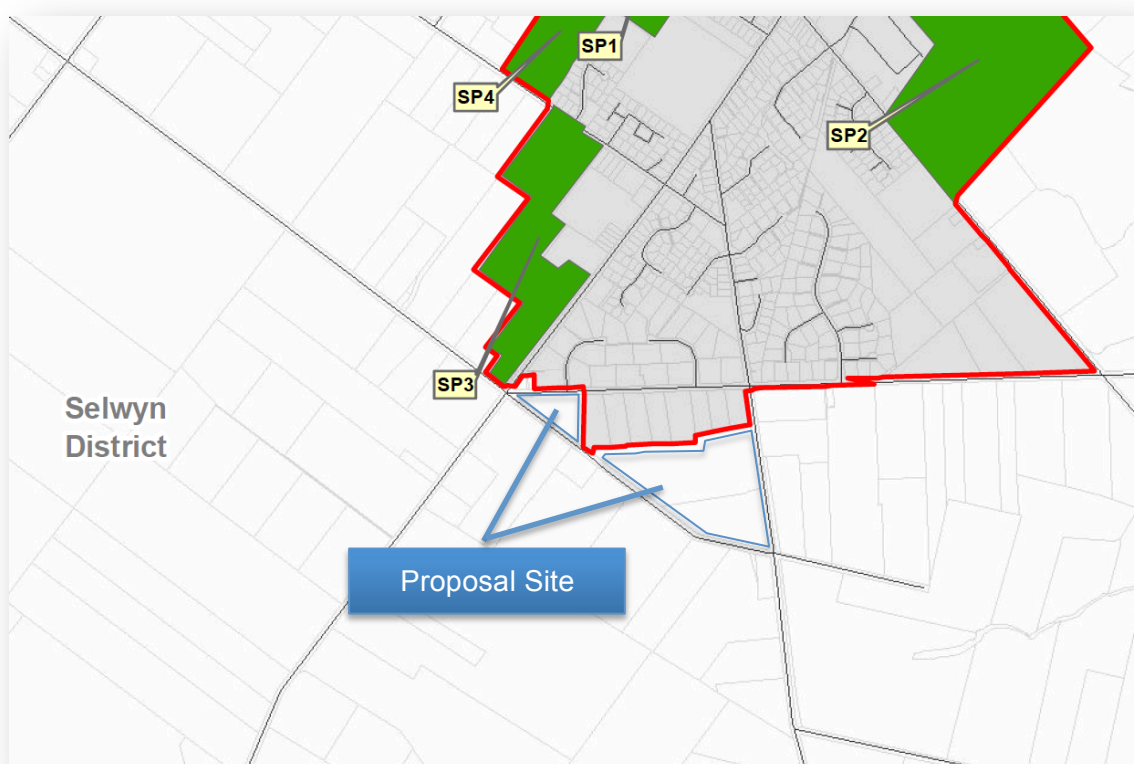


Figure 2. Excerpt from PC1 Map1 (H5) showing Prebbleton's urban limit, demarcated by the red line.

PC1 defines Rural Residential Activities as *Residential units outside the Urban Limits at an average density of between 1 and 2 households per hectare*. In areas outside the urban limit, Council is required by PC1 to manage the growth and development of Rural Residential activities,

by identifying suitable areas within the District that meet the following requirements (excerpt from Policy 14, PC1).

- (i) *The location must be outside the Urban Limits;*
- (ii) *All subdivision and development must be located so as to be able to be economically provided with a reticulated sewer and water supply integrated with a publicly owned system, and appropriate stormwater treatment and disposal;*
- (iii) *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 Roothing Powers Act;*
- (iv) *The location of any proposed Rural Residential development shall:*
  - *avoid the groundwater recharge zone for Christchurch City's drinking water;*
  - *avoid land where the potential for liquefaction and lateral displacement is such as to be uneconomic for urban development to safely proceed;*
  - *support existing or upgraded community infrastructure and provide for good access to emergency services;*
  - *not give rise to significant reverse sensitivity effects with adjacent rural activities, including quarrying and agricultural research farms, or strategic infrastructure;*
  - *avoid significant natural hazard areas including steep or unstable land;*
  - *avoid significant adverse ecological effects;*
  - *not adversely affect ancestral land, water sites, wahi tapu and wahi taonga of Ngāi Tahu;*
  - *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*
  - *avoid adverse effects on existing surface water quality.*
- (v) *An Outline Development Plan is prepared which sets out an integrated design for subdivision and land use, and provides for the long-term maintenance of rural residential character.*
- (vi) *A Rural Residential development area shall not be regarded as in transition to full urban development.*

As this site is outside the urban limits and can be economically provided with a reticulated sewer, water supply, appropriate stormwater treatment, then this application considers that the proposal site satisfies the foremost requirements of PC1. Table 1 in Policy 6a contains the projected Rural Residential growth over the various Districts within the Greater Christchurch Area. Councils are required by Policy 14 to provide for increases over time in household numbers as set out in Policy 6a, Table 1. These are 200 houses in the period 2007 – 2016; 200 in the period 2016 – 2026; and 200 in the period 2027 – 2041.

Council has allocated 148 of the rural residential households through Chapter 12A up to 2016. Council can therefore only allocate 52 households within this first development timeframe, with any additional households sought through plan change requests having to be deferred until the second

sequence (post-2017). It is understood that Council has received a request for 90 rural residential households, which uses the remaining 52 households within the first sequence and defers the balance of the development until 2017.

It is accepted that this proposed plan change, combined with other rural residential plan changes in the Selwyn District, might generate more sections than identified by the sequencing in PC1. If it eventuates that other plan changes are made operative before this application and have utilised the 2007 – 2016 allocation, then the applicant requests that controls are also imposed to address the staging requirements of PC1.

However, as the Land Use Recovery Plan (LURP) does away with allocations set by PC1, then it is considered likely that the number of rural residential allotments in the Selwyn District will not be subject to strict allocations. It is this application's foremost position that no allocation restriction be placed on the future subdivision of this land, in accordance with the LURP. This can be dealt with at the hearing phase, as PC1 may have lost all weighting to the LURP by that stage.

### **3.4 The Land Use Recovery Plan (LURP)**

The Minister for the Environment has ordered ECan to prepare a new plan which identifies the extent of land available for rebuilding and identifies priority areas for development within the area that includes Christchurch City and extends southwards to include Prebbleton, Lincoln and Rolleston.

ECan has been given a time frame of June to provide the draft plan for adoption. It must include a report on the community consultation undertaken when developing the plan, and at least 5 public community consultation sessions in the greater Christchurch area have to be undertaken.

ECan states that:

*The Land Use Recovery Plan will consider residential and business land use prioritisation and changes to respond to the effects of the earthquakes – with a focus on ensuring there is provision for a diverse range of housing types, infrastructure and transport is integrated and connected to land use, centres of activity are rebuilt and consideration of natural hazards underpins the land use decision-making.*

Once operative, the LURP will have the power to direct changes to Regional and District Plans to enable for the prioritisation of areas for residential or business development.

The policy framework of the LURP encourages Rural Residential development further to the areas already zoned in district plans (as at 1<sup>st</sup> January 2013). The LURP prefers with the following

attributes:

- (1) The location must be outside the priority areas for development and existing urban areas;*
- (2) 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;*
- (3) 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 Roding Powers Act;*
- (4) The location 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 recharge 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 the Burnham Military Camp, West Melton Military Training Area or Rangiora Airfield;*
  - (f) support existing or upgraded community infrastructure and provide for good access to emergency services;*
  - (g) not give rise to 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;*
  - (j) not significantly adversely affect ancestral land, water sites, wāhi tapu and wāhi taonga of Ngāi 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.*
- (5) An outline development plan is prepared which sets out an integrated design for subdivision and land use, and provides for the long-term maintenance of rural residential character.*
- (6) A rural residential development area shall not be regarded as in transition to full urban development.*

This application will show that that the proposal site meets all of these requisites. However, at the time of preparing this application, the LURP was only at the public consultation stage and it cannot be afforded a significant weight. Notwithstanding, the policy direction of this document is largely

consistent with PC1 and it is anticipated that the LURP will supersede PC1 prior to the hearing for this application.

### **3.5 The Rural Residential Zone**

Within the Greater Christchurch Urban Development Strategy area of the Selwyn District, the CRPS provides for Rural Residential growth. Accordingly, the District Plan specifically provides for rural residential opportunities, which are generally supported in locations adjoining established townships. This encourages energy conservation, cost effective provision of infrastructure and convenient access to the amenity, services, employment and social opportunities provided in townships.

Selwyn District Council expects that the intensification of rural land to Living 3 Zone densities is carried out with a comprehensive plan change process to avoid unconsolidated urban sprawl, inefficiencies in the provision of infrastructure and services, loss of rural character and adverse reverse sensitivity effects. As previously discussed, PC32 seeks to amend the objectives, policies and rules of the District Plan to manage rural residential activities within the Greater Christchurch Urban Development Strategy area of the District. PC32 provides a framework to give effect to PC1, and facilitate applications for privately initiated plan changes to Living 3.

The land uses anticipated for the Living 3 Zone are predominantly residential in nature, with there being sufficient open space and land available to support large gardens, wood lots, orchards, small scale cropping and/or horticulture, the keeping of animals as pets and other semi-rural activities.

### **3.6 Plan Change 32 to the Selwyn District Plan**

To give effect to PC1, Council prepared a Rural Residential Background Report (see 3.8 below), followed by Plan Changes 17 (now withdrawn) and 32. Plan Change (PC) 32 was prepared in direct response to the changing legislative and planning environment that took place following the notification and close of submissions on PC17. PC32 proposes to incorporate more detailed and prescriptive Living 3 Zone objectives and policies to assist with the assessment of privately requested plan changes seeking a Living 3 Zone. At the time of preparing this application, PC32 had progressed to the hearings stage of the process, and is not yet operative. It is noted that the LURP has placed more emphasis on territorial authorities to pick “winners and losers” for Rural Residential zoning, which could necessitate a further plan change in place of PC32. However, for now, PC32 is accorded a high level of weight, as the basic principles behind it are not anticipated to change even if Council is required to select preferred sites for rezoning.



PC32 does not propose the rezoning of any sites to Living 3 Zone densities and its scope is restricted to amending and proposing new objectives, policies and rules of the District Plan to manage rural residential activities within the Greater Christchurch Urban Development Strategy area of the District. PC32 provides a framework to give effect to PC1, and facilitate applications for privately initiated plan changes to Living 3.

Several proposed objectives and policies within PC32 were highlighted, including the following:

- *Zone description* - Identifies the anticipated form, function and character of the Living 3 Zone;
- *Objective B3.4. 6* - Reinforces the preference for peri-urban consolidated growth, the need to achieve efficiencies in the provision of infrastructure servicing and identify methods to achieve sustainable outcomes through in-depth analysis of the sites context;
- *Policy B3.4.3 (b)* - Sets out the various requirements for any given development proposal (ODPs, servicing, amenity outcomes, density, layout and connectivity);
- *Policy 84.3.63* - Incorporates the Living 3 Zone into the Preferred Growth Option for the Township, including specifically the need to avoid further elongation to the north and south;
- *Subdivision assessment matters* - Identifies the various assessment matters required to be addressed at subdivision stage.

### 3.7 Living 3 Zone Description

The Living 3 zone already exists in the Selwyn District Plan and it is likely that the zone will be amended by PC32. The zone already contains specific controls and design elements to ensure that the development of the land is reflective of and retains elements of rural character expected in a rural residential zone. These controls intend to visually set the development apart from neighbouring urban areas.

The zone anticipates larger sections (with a lower building density than Living 2 – 5,000 m<sup>2</sup>), more space between dwellings, panoramic views and rural outlook.

PC32 adds other provisions to the purpose of the zone, by seeking to locate Living 3 zoned land next to existing townships. This proximity is considered by PC32 to promote the integrated and cost effective provision of infrastructure, while reducing the adverse effects associated with energy consumption and transportation. In addition, the zone's location should enable its residents to take advantage of nearby community facilities, employment opportunities, social interaction and public services.

### 3.8 The Rural Residential Background Report

The Rural Residential Background Report (RRBR) was adopted by Council in February 2011 and it reflects Council's policy of promoting rural residential development to be focused in peri-urban locations adjoining townships to achieve infrastructure efficiencies, preserve rural productivity and amenity, promote positive urban design outcomes and achieve sustainable outcomes.

The RRBR establishes that allotments in the range of 0.3 to 2 ha are able to best demonstrate the form, function and character anticipated for rural residential activities. The RRBR<sup>3</sup> goes on to note that *there has been a high demand for parcels between 2,000 m<sup>2</sup> to 5,000 m<sup>2</sup> in size for lifestyle living with a rural outlook in Selwyn District. This is particularly true for locations in close proximity to existing settlements and within 30 km of the boundary with Christchurch City* (emphasis added).

The RRBR identifies that Living 2 zones provide considerably lower densities than what are provided in Living 1 zones and are anticipated to reflect rural character elements. Living 2 zoned land has historically been in high demand as it offers a number of benefits to standard residential section sizes, including:

- (a) Generally higher levels of outlook and amenity;
- (b) Close to urban services, community facilities and social networks;
- (c) Relatively affordable land prices that have been assisted by availability and the relatively recent preference for larger outdoor living areas; and
- (d) More flexible land use options that are more cost effective and manageable on a smaller rural land holding.

These factors are considered common to both the Living 2 and Living 3 zones and are often what attract residents to Selwyn District in preference to Christchurch City<sup>4</sup>.

### 3.9 Prebbleton Structure Plan

A Structure Plan was created for Prebbleton in 2009, with the intention of retaining the 'village' character, community pride and sense of community. It was considered that in order to achieve these goals, a structure plan needed to focus on such matters as:

1. The layout of new subdivisions and the connections between them.
2. The attractiveness of streets and buildings.

<sup>3</sup> RRBR Paragraph 2.64, page 12

<sup>4</sup> RRBR Paragraph 2.71, page 13



3. The provision of community services.
4. The balance of open space and planting with built form; and
5. The distinction between the rural and urban environment.

The Prebbleton Structure Plan was made operative in 2011 and it provides a framework to guide the development of Prebbleton in a sustainable way by:

1. Defining future development and land use patterns.
2. Identifying areas of open space.
3. Confirming the location and nature of infrastructure that will be required to service the future growth pattern; and
4. Establishing what characteristics of Prebbleton are important and how they might be incorporated into new developments.

The Structure Plan excludes the proposal area because it concentrates only on the land within the Urban Limits as defined by PC1. Irrespective of its exclusion, the site is able to fit into these guiding principles and will be shown to be a sustainable addition to the Prebbleton township.

### **3.10 Mahaanui Iwi Management Plan 2013**

The Mahaanui Iwi Management Plan (IMP) 2013 was released on 1 March 2013. It was prepared by the six Papatipu Rūnanga of the takiwā that extends from the Hurunui River in the north, to the Hakatere/Ashburton River in the south, inland to Kā Tiritiri o Te Moana (the Southern Alps), and including Te Pātaka o Rākaihautū (Banks Peninsula), and the coast. These parties are:

- Ngāi Tūāhuriri Rūnanga
- Te Hapū o Ngāti Wheke (Rāpaki) Rūnanga
- Te Rūnanga o Koukourārata
- Ōnuku Rūnanga
- Wairewa Rūnanga
- Te Taumutu Rūnanga

The IMP is a tool for tangata whenua to express their identity as manawhenua and their objectives as kaitiaki, to protect their taonga and resources, and their relationships with these. The IMP seeks to ensure that these taonga and resources are recognised and protected in the decision-making of agencies with statutory responsibilities to tangata whenua. Importantly it will also be a tool that will

assist Papatipu Rūnanga representatives to articulate their values, issues and policy into statutory processes.

There are no known areas or items of cultural value on this site, and a site specific Cultural Impact Assessment has not yet been undertaken. However, the application has been submitted to Mahaanui Kurataiao Limited in order to allow Te Taumutu Rūnanga to provide their comments on the proposed plan change. All comments are anticipated to be made as a submission on the application.

### **3.11 Suitability of the Proposal Area**

This application for a privately initiated change to the Selwyn District Plan shows that the Living 3 zone is the most suitable zone for the Outline Development Plan (ODP) Area. The proposal is consistent with the LURP and Policy 14 of PC1 to the CRPS, as well as with the suitability criteria in the RRBR and the requirement of PC32 to the Selwyn District Plan. As it is consistent with the CRPS, the plan change application also enables Council to give effect to sections 73(4) and 74(2)(a)(i) of the Resource Management Act 1991.

An assessment of effects on the environment from the proposed plan change is included as Section 7 of this application. Similarly, a Section 32 analysis outlining the alternatives considered and the associated costs and benefits, is included as Section 10 of this application.

## 4.0 THE PROPOSAL SITE AND SURROUNDING AREA

Prebbleton was established as a township in 1862 and has grown to a current population in excess of 3,000 (see 3.0 above). The township has continued to have a village feel through the years, due to the retention of its relatively compact urban form, its historic buildings, the use of shelter plantings and distinct pattern of land development.

The Selwyn District Growth Model developed as part of the Greater Christchurch Urban Development Strategy (UDS) projects the population in the town to increase to approximately 5,000 people by 2041.

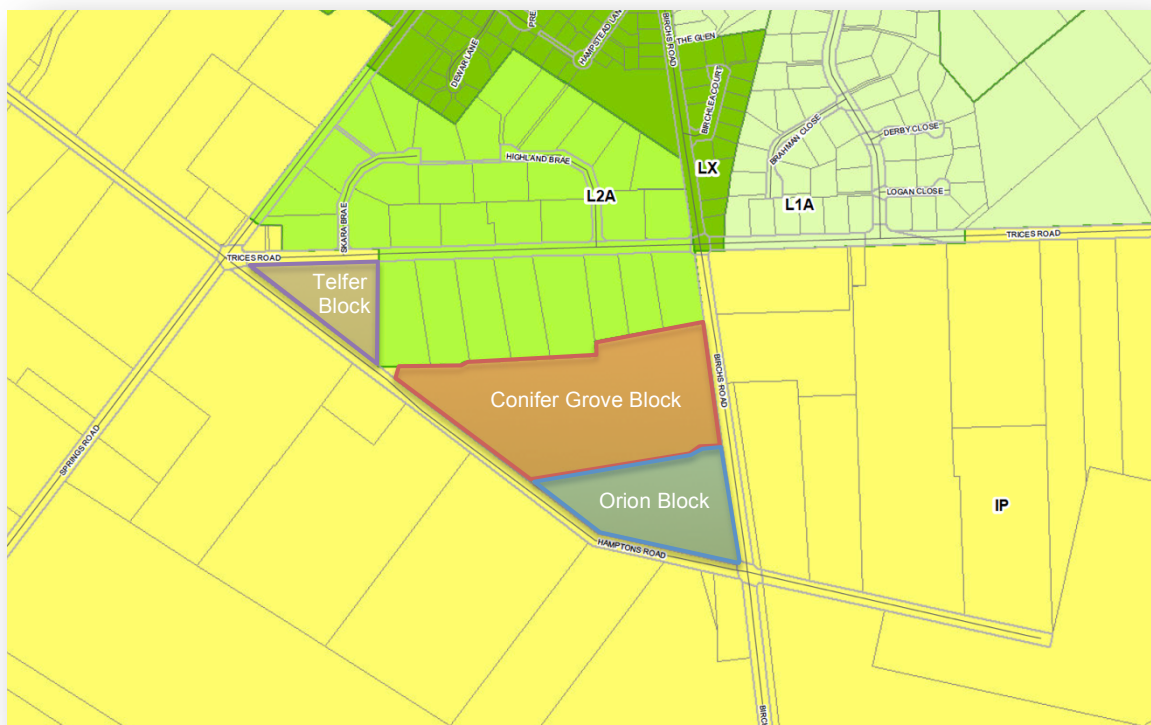


Figure 3. Excerpt from Selwyn District Planning Map showing the zoning of Prebbleton and the proposal site

The proposal site is at the southern end of Prebbleton (see Figures 2 and 3 above), between Birchs and Hamptons Roads. It is south of Trices Road, adjacent to an existing Living 2A zone. The proposal site is open farmland that has a long history of being utilised for grazing and cropping purposes. This same purpose continues today. There are three dwellings on the site, one on each of the Telfer, Conifer Grove and Orion blocks. In addition to a dwelling, the Orion block also contains the Prebbleton Substation, which is subject to a designation identified as OR11 in the District Plan. The purpose of the designation is for the reception, transformation from transmission

voltage to distribution voltage, and distribution of electrical power and energy. The substation has several conditions on its operation, including the following:

1. Limited hours of operation if specific noise standards cannot be complied with;
2. Construction noise;
3. Management of dust and sediment during construction;
4. Management of hazardous substances during construction;
5. Electric and magnetic fields – compliance with New Zealand Standards;
6. Radio frequency levels – compliance with the New Zealand Standards.

The proposal site adjoins rural residential properties on the northern boundary, with rural property on the other sides of Birchs and Hamptons Roads, to the East, South and West. The current land uses are shown in the aerial photographs below, taken on 24 February 2011<sup>5</sup>.



Figure 4. Aerial image showing the sites within the proposal area

<sup>5</sup> 10cm colour orthophotography of the area affected by the 22 February 2011 Christchurch earthquake. Flown on 24 February 2011 by NZ Aerial Mapping for the Christchurch Response Centre (CRC) (<http://koordinates.com/layer/3185-christchurch-post-earthquake-aerial-photos-24-feb-2011>) accessed 15/01/2013





Figure 5. Aerial image of the buildings on the Telfer block



Figure 6. Aerial image of the dwelling on the Conifer Grove block





Figure 7. Aerial image of the sheds on the Conifer Grove block and dwelling on the Orion block



Figure 8. Aerial image of the substation on the Orion block

#### 4.1 Topography

The site is predominately flat, with very minor topographic relief. An un-named drain runs along the western and southern boundary of the site. The attached plan in Appendix 2 shows the topographic relief within the proposal site.

#### 4.2 Geology

A geotechnical report has been carried out over the site, to determine if the land is suitable for development, specifically post-earthquakes in September 2010 and February 2011. The report, prepared by Geoscience Consulting Ltd (Geoscience) on 4 March 2013 entitled *Geotechnical Investigation – 100 Birchs Road, Prebbleton* is attached as Appendix 7.

The Geoscience report identifies the subsurface geology on the site as being grey river alluvium. ECan documents identify the site as consisting of a mixed surficial soil deposits across the site; classified as series “Eyre shallow and stony sandy loam” on the northern parts of the site, “Eyre shallow silt loam” on the western and central parts of the site and “Templeton deep silt loam and fine sandy loam” on the southern part of the site. The ECan database has also classified the soil erosion risk at the site as category LH1 “*Low and moderate soil erosion risk*”.

Geoscience visited the site on the 31<sup>st</sup> of January 2013 to supervise and log 12 test pits at the site to assess the subsurface material types. Their investigations found the geology to be consistent with published mapping and ECan boreholes. The following variations in the ground conditions were encountered in the test pits:

- The tests undertaken on proposed Lots 5 – 7 did not encounter a silt layer below the topsoil, and in TP05 and 06 silty gravel was encountered between 0.2 – 1.1 m depth.
- A sand layer up to 0.4 m thick and overlying gravel was encountered in TP07, TP09 and TP13 above the gravel layer. A second sand layer up to 0.5 m thick was encountered within in the gravel in TP02 and TP09.
- Poorly sorted gravel with minor organic material was encountered between 2.0 – 2.4 m depth in TP10.

Geoscience did not encounter groundwater in our test pit excavations. Full logs are presented in Appendix 3 of their report and are written in accordance with the New Zealand Geotechnical Society ‘Guideline for the Field Classification and Description of Soil and Rock for Engineering Purposes’.

Geoscience also undertook four Scala Penetrometer tests on each of the tested lots with one of the tests conducted adjacent to a test pit on that lot. The scala tests were attributed a test number relating to the test pit number, i.e. TP01-1 to TP01-4. The scala tests were undertaken to assess the subsurface strength profile and to help determine if ground beneath the site meets the requirements of static “good ground”, defined in NZS 3604:2011 as follows:

*“Where the number of blows per 100 mm depth of penetration below the underside of the proposed footing at each test site exceeds:*

- *5 down to a depth equal to twice the width of the widest footing; and*
- *3 at greater depths.*

*Furthermore, the definition of “good ground” also excludes organic topsoil, soft or very soft peat, soft or very soft clay and / or uncertified fill below the depth of footing at any test site. Sites prone to liquefaction also do not meet under the definition of “good ground”.*

The tests were terminated between 0.3 – 1.5 m depth due to practical refusal, or due to the equipment bouncing on the underlying gravel. The test results indicated that below the topsoil the silt or gravel layers typically meet the requirements of “good ground”. However, a single test on proposed Lot 9 encountered some weaker alluvium between 0.8 – 1.0 m depths.

Geoscience concluded in their report that the site is geotechnically suitable for residential subdivision.

#### **4.3 Potential for Liquefaction and Lateral Spread**

As outlined above, Geoscience undertook Scala Penetrometer Testing (CPT) over the site on 32st January.

The Geoscience report concludes that:

*The site is located outside the “potentially liquefiable ground zone” and “lateral spread zone” identified by the Selwyn District Council. Residential properties in Prebbleton Township have been classified as TC1. However, residential properties within 50 m east and 130 m south of the site have a TC2 or TC3 classification.*

*Based on our investigation, ECan boreholes, the depth to groundwater and the performance of the land during the Canterbury earthquake sequence we consider that for the purposes of foundation*



design, the site can be considered to be Technical Category 1 (TC1). The future land performance for a TC1 site is:

*“Negligible land deformations expected in a future small to medium sized earthquake, and up to minor land deformations in a future moderate to large earthquake.”*

#### 4.4 Traffic Environment

Abley Transportation Consultants have carried out an Integrated Transport Assessment (ITA) for the proposal, which is included as Appendix 6. The ITA addresses issues associated with the potential effects of the rezoning on the operation of the road network as well as discuss consistency with relevant transport related District Plan objectives and policies. The following information is from the ITA.

As discussed above, the site is bordered by Hamptons and Birchs Roads, to the south of Trices Road. North of the site, Birchs Road forms a T-intersection with Springs Road, and there is a separated shared path for cyclists and pedestrians on the eastern side of Birchs Road. The ITA describes the road formation as follows:

*The section of road that is adjacent to the site has a chip sealed surface and a typical carriageway width of 7.4 m allowing for a two way, two way road. There is a 7.0m wide grass verge between the site boundary and the Hampton Road carriageway.*

*The speed limit changes twice on Birchs Road along the boundary to the site. The first change heading south from the Prebbleton Township is from 50 km/h to 70 km/h near the northern part of the site around 110 m south of Trices Road. Further south the speed limit changes to 100 km/h near the southern end of the site around 60 m north of Hamptons Road. The road is generally marked with a centre line and two edge lines however there is a painted flush median and hatched sealed shoulders at the speed limit change from 70 km/h to 50 km/h. The markings in this location narrow the driving lanes from 3.3 m to 3.0 m to encourage motorists to slow down by providing a visual cue of the change from a rural to urban road environment.*

Trices and Hamptons Roads are described as follows:

*[H]eading to the west, Trices Road forms the northern boundary road to the site. The western section of the site has direct access to Trices Road whereas a block of land containing L2A zoned land with residential units sits between the eastern section of the site and Trices Road.*

*Trices Road has an 8.0 m wide carriageway with a single traffic lane in each direction marked with a centre line only and has a 70 km/h speed limit.*

*Trices Road forms the stop controlled approach to a T-intersection with Hamptons Road just*

*25 m east of the Springs Road / Hamptons Road intersection.*

*Hamptons Road forms the south-western boundary of the Plan Change site and generally runs in a south-easterly alignment with a slight bend in the road around 200 m west of Birchs Road. Adjacent to the site, Hamptons Road has a carriageway width of 5.8 m and has a 100 km/h speed limit. There is a 10.0 m wide grass verge between the site boundary and the Hampton Road carriageway. The only delineation is a centre line around the slight bend in the road.*

The ITA also includes photographs of the road scene and important features.

The ITA concludes the following:

- The existing road network operates safely and efficiently. The development facilitated by the proposed Plan Change can be accommodated on the adjacent roading network without any capacity, efficiency or road safety issues arising.
- The proposed Plan Change is in accordance with the transportation aspects of relevant overarching strategic planning documents. It is also likely to comply with the District Plan Rules.
- Overall the proposed Plan Change can be supported from a traffic and transportation perspective and it is considered that there are no traffic and transportation reasons why the Plan Change could not be recommended for approval.

#### **4.5 Existing Servicing**

An engineering servicing report (Appendix 5) has been completed by E2 Environmental Consulting Engineers (dated 14 March 2013) to investigate the servicing requirements for the proposed plan change and subsequent subdivisions. The engineering servicing report outlines the following:

- The existing water supply network extends to Trices Road; however, there is no reticulated water in Hamptons Road and Birchs Road. Existing reticulation adjacent to the site consists of a 150 mm diameter water main running along Trices Road then north from Trices Road along Birchs Road and Springs Road.
- There is currently no wastewater reticulation servicing the subject site. The existing dwellings are connected to septic tanks. The Prebbleton town network exists as far south as Trices Road but because it is relatively shallow, it cannot be extended to service the block without significant filling.

- There is currently no stormwater management on the site. Soils in the area are generally free draining and the majority of stormwater soaks to ground. Once the site is developed the water race will still receive overland flow in extreme events as it currently does.

Despite these limitations, the proposed Plan Change can be supported from a water supply, storm water and sewer disposal perspective if the recommendations by E2 Environmental Consulting Engineers are put in place. From an engineering point of view, it is therefore considered that there are no reasons why the Plan Change could not be recommended for approval.

## 5.0 PROPOSED PLAN CHANGE

Under subsection 2 of Section 73, and under Clause 21 of Schedule 1 of the RMA, any person may request a territorial authority to change a District Plan, and the Plan may be changed in the manner set out in Schedule 1 of the Act. Clause 22 of Schedule 1 states that:

- (1) *A request made under clause 21 shall be made to the appropriate local authority in writing and shall explain the purpose of, and reasons for, the proposed plan or change to a policy statement or plan and contain an evaluation under section 32 for any objectives, policies, rules, or other methods proposed.*
- (2) *Where environmental effects are anticipated, the request shall describe those effects, taking into account the provisions of Schedule 4, in such detail as corresponds with the scale and significance of the actual or potential environmental effects anticipated from the implementation of the change, policy statement, or plan.*

This plan change application has been prepared in response to an identified need for rural residential land in the Selwyn District, and particularly in the Prebbleton area, which has been identified as both well serviced and in high demand. The demand was identified during the Rural Residential Background report, the Prebbleton Structure Plan process and PC32, all of which involved extensive consultation with the Prebbleton community. The Prebbleton Structure Plan enabled PC1 to the CRPS to give specific consideration to the urban limits of Prebbleton, but it did not prescribe areas for Rural Residential development. PC1 places the onus of siting Rural Residential areas on the Territorial Authority, and also on an applicant to prove that their land meets the various criteria set for the identification of possible Rural Residential areas, while also allowing Council to be consistent with the objectives and policies of the CRPS.

It is noted that now that the LURP is ready for public consultation, further public input into the growth of the area is likely. In addition, it provides more impetus to the original idea in PC1 that Council should have a say in which land they consider is the most desirable to be rezoned to Rural Residential.

This plan change application seeks to show that the application site meets all of the criteria over all of the statutory and non-statutory documents for a Rural Residential zoning and also allows Council to be consistent with the desired outcomes of the Regional Policy Statement. This application does not seek to introduce any new objectives or policies to the District Plan; rather it introduces changes to land zoning, inserts an Outline Development Plan (ODP) into the Plan and makes minor amendments to require adherence to the ODP.

The key mechanism proposed for managing land use and activity on a site is compliance with the ODP (see sections 5.1 and 8.0 below, and Appendix 3), which covers the matters required by Policy 8 of PC1 to the CRPS, discussed in 9.1 below. The ODP has been prepared as a result of a considered master planning process, which enables a high quality peri-urban environment to be produced. Both the ODP and the servicing strategy included in this plan change application support the suitability of the site for residential zoning and activities, and provide a coordinated concept for future development.

As shown by the ODP, the site does not contain an internal road structure, but is instead accessed primarily from Hamptons Road. The main ROW access into the Conifer Grove block has a pedestrian/cyclist access strip at its termination point to give the Conifer Grove residents the ability to access Birchs Road through the plan change area. It is also possible, if it is desirable to Council, that the ROW is covered by an easement in gross to the Council, enabling pedestrian or cycle access through the subdivision area to create a connection between Hamptons Rd and Birches Rd.

The ODP also defines procedures for supply adequate water supply to the subject site, a sewage pumping station, and stormwater systems via sock holes enabling stormwater to discharge to ground, and other key features of the site. The preferred locations of these areas have been determined by the servicing report and this is discussed further in 6.0 below.

The ODP also shows an indicative allotment layout to assist with an understanding of the proposed rezoning. As is normally the case, the final design of the development including the precise layout of the lots will be determined at the time of subdivision. It is intended that the future subdivision and development of the site would be generally in accordance with the ODP, but the allotment layout on this plan should not be subject to a rule in the District Plan if the plan change is adopted.

Controls are imposed through the use of an ODP, together with the associated rules within the Living 3 zone and the provisions in the District Plan that will be inserted by PC32 and will apply to Rural Residential development areas.

It is considered that rezoning this land to rural residential (Living 3) will enable efficient and sustainable residential activities to be established in this area without significant loss of the rural land resource. This will meet the growing needs of the community and will also enable sustainable growth of Prebbleton and the Selwyn District.

## 5.1 Proposed Changes to the District Plan

All proposed changes to the Selwyn District Plan are shown as **bold and underlined**. Deletions are shown as ~~**bold with a strikethrough**~~.

1. **Add Appendix X to Township Volume**
2. **Add Rule 4.9.XX Any building in the Hamptons Rd Living 3 Zone at Prebbleton (as shown on the Outline Development Plan in Appendix X) shall be set back at least:**
  - (i) **20 metres from any road boundary except on corner lots a minimum setback of 15m applies to one boundary**
  - (ii) **15 metres from any other boundary**
3. **Amend Planning Maps 129 and 130 to rezone the proposal site from Rural (Inner Plains) to Living 3.**
4. **Add a new Planning Map X to rezone the southern part of the proposal site from Rural (Inner Plains) to Living 3.**
5. **Add Rule 12.1.3.X**

**In the Living 3 zone (Hamptons Rd) at Prebbleton, any subdivision is in general accordance with the respective concept and/or Outline Development Plan in Appendix X.**
6. **Add Rule 12.1.3.Y**

**Any subdivision of land within the area shown in Appendix X (Hamptons Road Living 3 Zone) 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; and**
  - d) **where any conflict occurs with Rule E13.2 the vehicles accessway in Appendix X shall take precedence.**
5. **Add Rule 12.1.3.XX Any allotment created within the Hamptons Road Living 3 zone shall**

be supplied with reticulated effluent treatment and disposal facilities.

6. **Add Rule 12.1.3.YY Any allotment created within the Hamptons Road Living 3 zone shall be in substantial accordance with the respective concept and/or Outline Development Plan in Appendix X.**

7. **Amend Table C12.1 – Allotment Sizes**

Township	Zone	Average Allotment Size Not Less Than
Prebbleton	Living 1	800 m <sup>2</sup>
	Living 1A	2,000 m <sup>2</sup>
	Living 1A1	800 m <sup>2</sup>
	Living 1A2	800 m <sup>2</sup> and no more than 10% at less than 700 m <sup>2</sup>
	Living 1A3	800 m <sup>2</sup> and no more than 10% at less than 700 m <sup>2</sup>
	Living 1A4	800 m <sup>2</sup> and no more than 10% at less than 700 m <sup>2</sup>
	Living 1A5	800 m <sup>2</sup> and no more than 10% at less than 700 m <sup>2</sup> . For comprehensive residential development, the minimum average area shall be 350 m <sup>2</sup> .
	Living 1A6	Area A: 1000 m <sup>2</sup> minimum net allotment area; Area B: 600 m <sup>2</sup> minimum net allotment area and 900 m <sup>2</sup> maximum net allotment area; Area C: 550 m <sup>2</sup> minimum average allotment area and 450 m <sup>2</sup> minimum net allotment area; and in all cases development shall proceed in accordance with the ODP and shall achieve a minimum density of 10 lots/ha once the entire site has been developed.
	Living 2	5,000 m <sup>2</sup>
	Living 2A	5,000 m <sup>2</sup> Maximum number of allotments is 32, and on the south side of Trices Road the maximum number of allotments is 8
	Living 2A (Blakes Road)	5,000 m <sup>2</sup> Subdivision shall proceed in substantial accordance with the development plan in Appendix 19

Living 2A (The Paddocks)	1.5 ha minimum allotment size
Living X	What the subdivider nominates, but not less than the average for the Living 1 Zone in the township (800 m <sup>2</sup> )
<b>Living 3 (Hamptons Road)</b>	<b>5,000 m<sup>2</sup> minimum allotment size.</b>

## 6. Add Rule X

Within the Living 3 Zone (Hamptons Road) shown on District Plan Map X the maximum number of rural-residential allotments for each sub-area shall be as shown in Figure X.

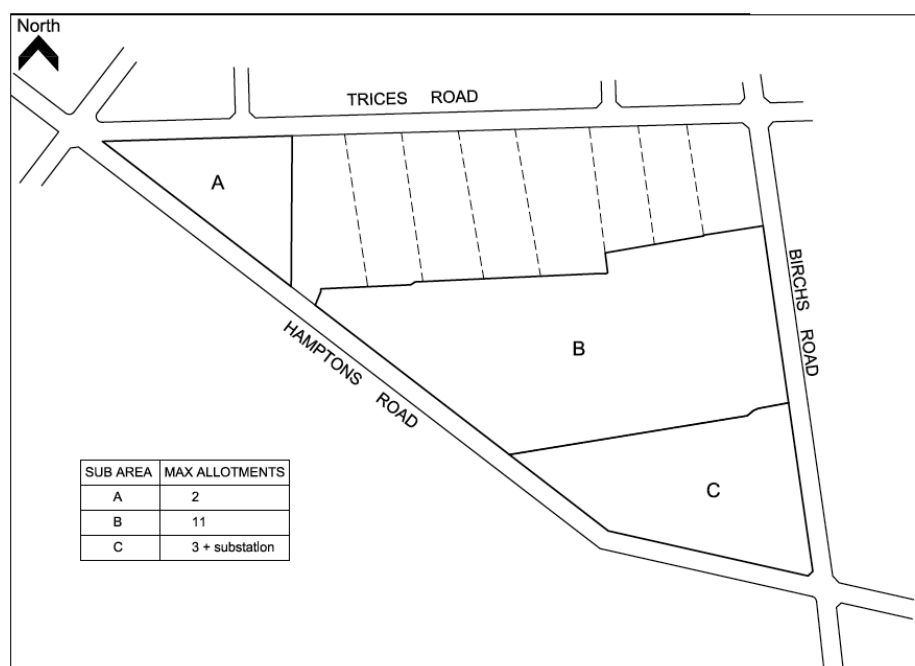
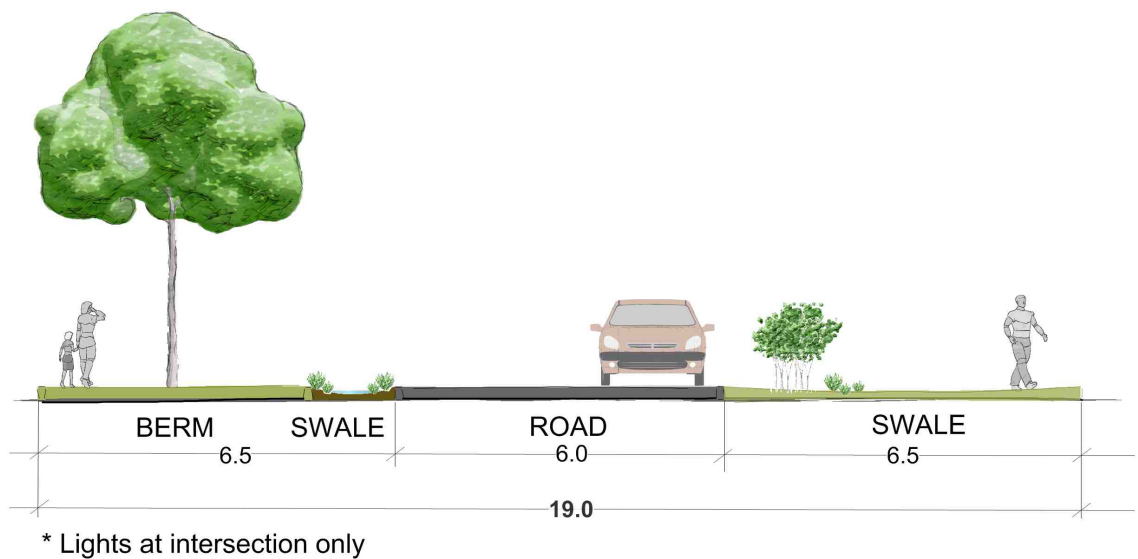


Figure X. Maximum number of Rural Residential allotments to be created.

## 7. Add Rule Y

Within the Living 3 Zone (Hamptons Road) shown on District Plan Map X, the access shown on the Outline Development Plan at Appendix X shall be constructed in accordance with Figure Y.





**Figure Y. Access standards for the Hamptons Road ODP Area .**

**8. Add Rule 12.1 Subdivision – General Restricted Discretionary Rules – Assessment matters for Hamptons Road ODP Area (Living 3 Zoning)**

**Rule 12.1.4.82 The extent to which significant open space has been maintained and features that contribute to rural character have been retained;**

**Rule 12.1.4.83 How any areas and/or natural and physical features of cultural, historical, landscape or ecological value have been protected or enhanced;**

**Rule 12.1.4.84 Whether fencing achieves a high level of transparency, with a preference for designs that promote rural character, accord with the typologies outlined in Appendix 41, and formulating mechanisms to ensure this fencing remains on an ongoing basis (such as consent notices);**

**Rule 12.1.4.85 The extent to which any identified natural hazards and/or constraints, including flood and liquefaction hazard areas have been addressed;**

**Rule 12.1.4.86 Whether overall densities based on the level of development and open space anticipated for rural residential living environments have been achieved;**

**Rule 12.1.4.87 Principal through roads, connections and integration with the surrounding road network and strategic infrastructure are provided, including the**

extent to which the proposal accords with the road cross sections and typologies provided within Appendix 41 and reflect the semi-rural nature and level of service an appropriate for rural residential areas;

Rule 12.1.4.88 The extent to which site analysis using a comprehensive design process and rationale has been undertaken to recognise, and where appropriate, protect, maintain and enhance the following elements:

- existing water courses, water bodies and springs
- existing vegetation, such as shelter belts, hedgerows and habitats for indigenous fauna
- protect, enhance and maintain heritage values and any sites of archaeological significance
- protect, enhance and maintain ancestral land, rivers, wetlands, groundwater, springs, Lake Ellesmere/Te Waihora and mahinga kai sites and the Wāhi Tapu and Wāhi Taonga of Te Rūnunga o Ngāi Tahu and Te Taumutu Rūnunga.
- preserve 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
- any other physical features that link the site to the wider context of the area
- 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 and the provision of measures to retain rural landscape elements, including views to rural and landscape reference points

Rule 12.1.4.89 Whether subdivision design;

- encourages dwellings and ancillary buildings to be well integrated into the surrounding context of the site
- 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 visual effects and potentially adverse reverse sensitivity effects with adjoining land use activities

**Rule 12.1.4.90 How provision has been made for safe connections and linkages between the subdivision and adjoining Townships to ensure access to public transport, community facilities, schools, health care providers and commercial centers is available to all residents**

**Rule 12.1.4.91 Ensure that connections to reticulated water and wastewater services are available at all property boundaries and appropriate measures are available to effectively treat and dispose of stormwater**

**Rule 12.1.4.92 How an appropriate net density of households has been achieved that delivers the anticipated rural residential character, form and function. In particular, whether the subdivision plan includes the entire Outline Development Plan area so that net densities across the entire area encompassed within the Outline Development Plan can be calculated**

**Note: The consent authority shall consider any relevant provisions in the District Plan and Engineering Code of Practice appropriate, in using its discretion under Rule 12.1.4**

## 6.0 ABILITY TO SERVICE THE PROPOSAL SITE

An engineering servicing report (ESR) has been developed by E2 Environmental Engineering and is attached as Appendix 5. The ESR identifies the primary servicing requirements and constraints with respect to sewer, water and stormwater, which are summarised and discussed as follows. In addition, other servicing matters are also discussed.

### 6.1 Yield

As shown on the ODP, the final yield of rural residential sites from this application site will be 16. There will also be a 17<sup>th</sup> allotment that will contain the Orion Substation. For the purposes of servicing, the substation allotment has been included in the site calculations, as it will be serviced.

### 6.2 Water

Water supply in the Prebbleton Township is supplied from local community groundwater sources, which are owned and maintained by SDC (ECan consent CRC051478). The existing water supply network extends to Trices Road; however, there is no reticulated water in Hamptons Road and Birchs Road.

Existing reticulation adjacent to the site consists of a 150 mm diameter water main running along Trices Road then north from Trices Road along Birchs Road and Springs Road. The existing two houses on Birchs Road are supplied by their own wells while the existing house on Trices Road is connected to the town supply.

SDC have confirmed that there is sufficient capacity within its existing network to service the proposed subdivision for both water supply and fire fighting. This can be undertaken by creating a new ring main which will connect to the existing water main in Trices Road, then run along Birchs Road and Hamptons Road and reconnect to the Trices Road main at Springs Road.

### 6.3 Sewage Disposal

There is currently no wastewater reticulation servicing the subject site and the existing dwellings are connected to septic tanks. The Prebbleton town network exists as far south as Trices Road but because it is relatively shallow, it cannot be extended to service the block without significant filling. E2 Environmental Consulting Engineers have proposed two options to service the subject site.

#### Option 1: Low-pressure on-site systems pumping to communal pressure mains

Option one involves the development of a low-pressure system that would require individual pump

stations on each proposed allotment. Each of the individual pump stations would pump sewage to the town network via a small diameter, shallow pressure pipe network. The applicant understands that SDC will not accept an option in which Council fully owns and operates pressure sewer systems in the Selwyn area; however, public/private schemes are common throughout the district.

A public/private scheme would see the Council owning and maintaining the pressure pipe within the road reserve with the pump station and any infrastructure on ROWs and private property would be the responsibility of the property owners.

#### Option 2: Discharging to a communal pump station utilising gravity

Option two involves each allotment discharging wastewater via gravity to a common pump station. A gravity network would be considerably more expensive than a low-pressure system as the pipes required are larger in diameter and must be laid to grade at greater depths (compared to pressure systems). Given the plan area of the allotments, a gravity network and pump station would need to be very deep to accommodate the long laterals.

#### Alternative Options

The engineers did not consider vacuum sewer, because it is difficult to economically justify in developments of fewer than 400 lots.

#### Option Summary

Given the above, it is considered that Option 1 is the preferred method of wastewater treatment and discharge. Specifically, it is preferred because the pressure mains are shallow, easier and cheaper to repair; the pump stations are owned and maintained by the property owner so no Council input is required; the pumps provide 24 hours of storage if there is power failure; and there is no potential for flooding. Discharges may possibly require discharge consents under the relevant rules of the Regional Plans.

### **6.4 Stormwater Disposal**

There is currently no stormwater management on the site. Soils in the area are generally free draining and the majority of stormwater soaks to ground.

The drain which runs along Hamptons Road adjacent to the site is classified by Council as a 'water race'. The SDC Water Race Bylaw 2008 does not permit any activity that may increase or decrease the supply of water within a water race, so discharge of stormwater into a water race is not permitted. The water race changes its classification to an 'open drain' on the south side of the

intersection of Birchs Road and Hamptons Road. The District Plan permits Stormwater discharge to an open drain. Once the site is developed the water race will still receive overland flow in extreme events as it currently does.

E2 Environmental Consulting Engineers undertook a groundwater level investigation in the area to determine the likely highest groundwater levels. They concluded that groundwater levels in the area vary significantly; however, the test pit tests confirmed that the site is underlain with free draining gravel with a soakage rate of 13,000 mm/hr at a depth of 2.8 m below ground level. Therefore, the underlying soils are suitable for soakage to ground.

## **6.5 Road Upgrading**

Abley Transportation Consultants Limited has undertaken an Integrated Transport Assessment (ITA) to evaluate the effects of the development that would be facilitated by the proposed Plan Change on the adjacent transportation networks.

The ITA determined that in the most part, the traffic volumes in the area are light and do not require a formal assessment. Rather, in the majority of cases, any delay will be due to the intersection geometry (that is the driver slowing down, negotiating the turn and then accelerating to the desired speed).

Although the proposed plan change will increase the number of vehicle movements onto and off Birchs Road, Abley Transportation Consultants Limited confirm that there is significant capacity for the proposed subdivision within the existing roading network, and Birchs Road can accommodate the additional vehicle movements without significant adverse efficiency or safety-related issues. Therefore, the proposed Plan Change will not require any upgrades to the existing roading network.

## **6.6 Electricity and Telecommunications**

Orion has confirmed that the proposed development area can be serviced for reticulated power from the existing network. Additionally, Chorus has also confirmed that the proposed development area can be serviced for reticulated telecommunications from the existing network.

## **6.7 Earthworks**

The subject site has a relatively constant grade from west to east; therefore, minimal earthworks will be required. The earthworks that will be undertaken are as follows:

- Cut from the excavation to ROW subgrade and to form roadside swales and soak holes.
- Filling and shaping to grade the lots toward the ROW or existing roads.

A balanced cut/fill operation will be achieved and all earthworks will be undertaken in accordance with NZS4431 – Earth fill for Residential Development. Additionally, an erosion and sediment control plan will be prepared in accordance with ECan guidance documents and engineering drawings. This will outline the types of controls to be put in place in order to minimise the discharge of contaminants to the environment during construction.

## 6.8 Natural Hazards

There are three potential natural hazards to be given consideration with the development of this site, which are earthquake risk, erosion risk and flooding risk. These are discussed as follows.

### Earthquakes and Subsidence

Canterbury is located in a wide zone of active earth deformation associated with the oblique collision between the Australian and Pacific plates in the area east of the Alpine Fault. There are active faults that cross the central and western parts of the Selwyn District as well as many other active faults that are within 50 – 100 km of the District that represent a significant earthquake hazard<sup>6</sup>. The Alpine Fault, located approximately 30 km from the edge of the District boundary, is the most capable active fault with the highest probability of generating a large earthquake.

Since the Canterbury earthquakes of September 2010 and February 2011, the potential for liquefaction has been thrust to the forefront of hazard assessment. Liquefaction is the loss of soil strength during earthquake shaking and it occurs in saturated soil (as exists when the soil is below the ground water table or sea level), with water filling the soil's pore spaces. In response to the soil compressing (by ground shaking for example), this water increases in pressure and attempts to flow out from the soil to zones of low pressure (which are usually found in the material above the liquefaction).

Liquefaction is more likely to occur in loose to moderately saturated granular soils with poor drainage, such as silty sands or sands and gravels capped or containing seams of impermeable sediments. These types of deposits are usually geologically young (less than 10,000 years).

Geoscience has stated the site is located outside the “potentially liquefiable ground zone” and “lateral spread zone” identified by the Selwyn District Council and there is no evidence that

<sup>6</sup> Geotech Consulting Ltd. (2001). Selwyn District Engineering Lifelines Project; Earthquake Hazard Assessment. Christchurch: Environment Canterbury

liquefiable soils are present to any significant extent in the area. Additionally, their investigations have found the effects on the land during the Canterbury earthquake sequence was negligible and land deformations in a future small to medium sized earthquake will be minor and only moderate in a large earthquake.

Based on this information, it is evident that the risk of liquefaction is less than minor. However, this is a matter that can be addressed through building controls and through assessment of s106 RMA risks during a future subdivision. Therefore, the likelihood of liquefaction or ground subsidence through lateral spread does not prohibit this land being used for residential purposes.

#### Erosion

Geotechnical investigations carried out by Geoscience revealed that soils within the site generally comprise 300 mm topsoil over 400 mm silt over sandy gravels to a depth of 3.0 m. This is consistent with the soil profile outlined in ECan's database and that observed by E2 Environmental Ltd. As a consequence of the soils profile found on the subject site, the soil erosion risk is categorised as LH1 "Low soil erosion risk".

#### Flooding

A Flood Risk Report has been obtained from ECan. ECan have no flood information relating to this site as it is outside of floodplains of major rivers and areas monitored for flooding. The only thing E2 Environmental Consulting Engineers can conclude from this is to note that, as it is not within ECan's priority floodplain monitoring area it presumably is not in a high-risk flood area from river breakouts.

### **6.9 Reserves**

No reserves are proposed by this plan change application, as the proposed yield is not considered to be sufficient to necessitate the development of a reserve. It is noted that there is an existing reserve (Prebbleton Nature Park) less than one kilometre away from the centre of the Conifer Grove block.



## 7.0 ASSESSMENT OF ENVIRONMENTAL EFFECTS

The site is currently typical of rural properties in this general area, with areas of pasture interspersed with fences, lines of trees and a small number of houses. Rezoning the site will ultimately generate a significantly more intensive residential land use over the site, which will alter the visual characteristics of the site as well as the productivity of the land. However, the use of the land for low density residential development in close proximity to an existing township will also help provide living areas for current and future generations and has been shown by past planning exercises to be sustainable a use of the land.

Clause 22(2) of the First Schedule to the Act requires that where environmental effects are anticipated from the implementation of a Plan Change, an assessment of those effects shall be provided. As the rezoning of the land will have environmental effects that differ from those anticipated from the existing rural land use, an assessment of effects is considered to be necessary.

The actual and potential effects arising from this Plan Change are discussed as follows:

### 7.1 Effects on the Form and Function of Prebbleton

The various planning documents place emphasis on the ability of rural residential areas to be adjacent to and integrated into the neighbouring centre. A potential effect of attaching a rural residential to the edge of the existing Prebbleton township is the elongation of the township, particularly down Springs Road.

The proposed plan change area can easily be incorporated into the big picture view of Prebbleton, which includes significant additions to the residential areas to provide a more logical pattern of development for Prebbleton. Two additional areas on Tosswill Rd and the incorporation of an Existing Development Area on Trents Rd mean that the Prebbleton form is now wider than it was previously. It is considered that this allows for development to occur at the southern end without unduly lengthening the township down Springs Road towards Lincoln.

### 7.2 Effects on Neighbourhood and Community

#### Character and Amenity

Prebbleton is a rural township that experienced a significant population increase in the 4 years to 2006. This population growth has undergone an additional upsurge due to the September 2010 and February 2011 earthquakes, which has resulted in displaced Christchurch City residents

seeking residential properties and lifestyle blocks in which they can construct new dwellings. As a result, the character and amenity is changing from an outlying small rural township to more of an outlying suburb, although it is acknowledged that it remains a relatively small town surrounded by rural land. Many areas in Prebbleton provide view shafts to the Southern Alps or the southern hills of Banks Peninsula, which reinforce the rural amenity of the area, despite its close proximity to Christchurch City.

The use of Living 3 zoning across the site will ensure that the sense of open space and rural character established in the existing township is continued. The large section requirements of the Living 3 zone will enable the development of the site while still ensuring the sense of open space and rural amenity is maintained.

The proposed plan change will enable the expansion to continue in accordance with the principles of PC1 to the CRPS. It is considered that there will be a minor effect on character and amenity, brought about because of the increase in density.

It is also noted that the Prebbleton Community Association (PCA) made a submission on PC32, following similar submission(s) on PC17 prior to its withdrawal. The PCA expressed their desire to have the rural residential land available on the south and east of the village boundary to meet demands post-earthquake. The application site meets this criterion, as it is at the southern end of Prebbleton.

#### Visual

The proposed plan change will enable development of the site into rural-residential sections of a minimum of 5,000 m<sup>2</sup> with an average density of 7,135 m<sup>2</sup> (net area), which will significantly change the current appearance of the site from open farmland surrounded by shelterbelts, to low density residential activities. The visual effects on immediately surrounding landowners will be altered, as the neighbouring land will become a built environment, essentially shifting the rural boundary of the township south beyond Hamptons Road. However, due to the minimum allotment size proposed (5,000 m<sup>2</sup>) and the average overall density of 7,135 m<sup>2</sup>, it is considered that there will be a degree of “ruralness” in this area that will prevent it from being considered a residential zone. The neighbouring rural land use further adds to this rural feel, as does the green-belt between Christchurch and Prebbleton, which means that many people in and around the township are likely to consider that they live rurally.

Given the acknowledgement by the LURP, the CRPS and the District Plan for the sustainable

expansion of townships in the Selwyn District, it is considered that the visual changes as a result of the proposed plan change are expected within such areas surrounding small townships. The use of the Living 3 zone will ensure that any future development on the site remains low density, mitigating the visual impact on immediately adjoining neighbours.

There is likely to be a temporary visual impact arising at the time of development of the site through the construction phase, however given current building regulations, existing District Plan requirements relating to building, and the temporary nature of such development, it is considered the effects from this will be insignificant.

It is considered reasonable to suggest that the visual effects of increased residential activity in Prebbleton is now largely anticipated by the surrounding landowners and the wider community as discussed above. Therefore the visual change of additional development on the plan change site will not have a significant adverse effect on the neighbourhood and wider community.

#### Recreation

Given the low yield from the proposal area, coupled with the existence of a reserve one kilometre away on Springs Rd (Prebbleton Nature Park), there is no need to provide additional reserve area as part of the proposed rezoning. The site is adequately serviced by existing and well-established recreation facilities in Prebbleton and nearby Hornby; therefore, there are no effects on the environment as a result of not providing additional area under this proposal.

#### Traffic

The nature and volume of traffic generated from the site is likely to change as a result of this plan change due to an increase in the number of residential dwellings on the site. Much of this traffic will directly onto either Birches Road or Hamptons Road from a shared driveway, or via direct driveways to the road.

The Integrated Transport Assessment (ITA) in Appendix 6 shows that development as a result of the rezoning will create additional vehicle movements on the road network. However, this report highlights that the current road network is operating significantly below its capacity and the additional movements created by development of this site would have very little effect on the functioning of the network.

The ITA indicates that the linkages provided by the site for pedestrian and cycle access to the networks currently provided by the Council on Birches Road, and the access to the public bus

network which runs through Prebbleton will provide for alternative forms of transport as prioritised by the CRPS, and by the objectives and policies of the District Plan.

The ITA also indicates that given the good visibility on both Hamptons Road and Birches Road, it is unlikely that the additional movements created by development on the site will reduce the safety or efficient functioning of these roads. This means that no transport network enhancements are required to accommodate the increased travel demands generated by the plan change proposal. In addition, the ITA concludes that the proposal site is very suitable for rezoning from Inner Plains to Living 3 – Rural Residential.

### Socio-economic

This rezoning is likely to create social and economic interest within the neighbourhood and wider Selwyn area. After the Canterbury earthquakes on 04 September 2010 and 22 February 2011 (in particular), there are large tracts of land within Christchurch that are currently undevelopable and some areas that are now considered by the Crown to be unlivable. This is having a significant socio-economic effect, as residents are moving away from these areas and looking for new areas to live. It is considered that the socio-economic effects arising from this Plan Change will be very positive, as this will make additional residential sites for displaced Christchurch residents available.

The development of residential activities on the site will increase the number of saleable serviced residential lots in the Selwyn area. The zone provisions, the topography of the site, and the design of the ODP will enable a variety of design styles, choice and creativity in relation to the location and position of dwellings and landscaping.

It is likely that the population of these lots will broaden Prebbleton's economic and social base. This additional population may increase the choice in terms of lifestyle and transportation, as well as the support for local facilities, businesses and services. It is considered that any actual or potential socio-economic effects arising from this Plan Change on the neighbourhood and community will be positive.

## **7.3 Effects on Ecosystems**

There are no known ecosystems of any significance on this site given its historical use for open pastoral land. Given that the surrounding area is predominantly either residential to the north of the site or rural farmland to the south of the site, it is considered that there are no significant ecosystems in the surrounding area.

The development of the site into low density residential land is likely to result in a greater density and variety of trees in the area as people develop large gardens or plant trees to provide for shelter and privacy. Additional trees may support additional bird life in the area for those birds that thrive in urban and peri-urban environments. Therefore it is considered that the proposal will not have any significant adverse effects on ecosystems, and may present some positive effects for encouraging and supporting bird life.

#### **7.4 Effects on Natural and Physical Resources**

The soils in this area are suited to cropping and grazing and, once rezoned, the land will be no longer be available for production. However, it is accepted that despite this environmental effect, the land is well suited for residential development. This has been evidenced in part by the various planning processes that have been undertaken to identify land like this as suitable for residential use over the last few years.

The location of the site in the immediate vicinity of Prebbleton and its proximity and ability to connect to existing services, together with the increased demand for safe land in proximity to Christchurch, are considered to mitigate any argument for the retention of soils for productive purposes in this case.

It is considered that any potential effects on the productivity and versatility of the soil arising from future residential development of the site as a result of this Plan Change will be no more than minor.

The effects on the natural and physical resources are assessed as follows:

##### Rural land

The proposed plan change will enable the development of the site from farmland into low-density residential activities. This change in activities on the site will have an effect on the overall physical farmland resource of the entire district. It is well known that as residential development occurs in the Canterbury Plains, there is a threat to the amount of economically viable farmland remaining. Such farmland is considered to be an important physical resource for the region as a whole, providing meat, milk and fibre for national and international consumption.

It is for this reason that regional and district policies and strategies have been established to ensure development occurs in a manner that retains the farmland resource. The focus of many of these documents is to promote sustainable development within or adjoining existing settlements. The

proposed plan change is located adjoining the existing township of Prebbleton, and while there will be a loss of productive rural farmland as a result of the proposed rezoning, it is considered that the location of this site, and its adherence to the policies and strategies designed to protect rural farmland, this loss of rural farmland will not have a significant adverse effect on the overall quality and area of rural farmland in the Selwyn District, but rather will provide for the demand for housing, without compromising larger more viable farming enterprises.

### Infrastructure

Any actual effects on infrastructure, either on the site or in the local vicinity, are likely to arise from preparation of the site for future development. Such work will be subject to Council approval and the provisions of the District Plan as part of a subdivision proposal. There will be no effect generated as an immediate result of the Plan Change application.

The Servicing Strategy confirms that the residential activities on the site can be accommodated within the wider Selwyn service network. The final engineering design will confirm the nature of the new infrastructure and any upgrades to existing infrastructure that are required.

It is considered that any actual and potential effects on infrastructure arising from this Plan Change will be negligible. However it is noted that the Plan Change will enable future development, which may generate potential effects. These potential effects will be assessed at the development stage.

### Energy

The development of residential activities on the site will change the nature and rate of energy consumption in the area. However, given modern house design codes and best practices, it is considered that the overall ODP area will be more energy efficient than older parts of the Selwyn District.

The use of non-motorised transport is promoted by walkway and cycling tracks, which will provide a connection to other parts of Prebbleton and their respective services and activities. By being able to choose readily available walking and cycling routes, overall energy consumption will be reduced when compared to the sole use of motorised transport.

## **7.5 Effects of the Discharge of Contaminants**

As outlined in section 6.3 above, there is no public wastewater reticulation servicing the site with the existing dwellings connected to septic tanks. E2 Environmental Consultants Ltd has proposed two discharge options that a future subdivision application can adopt. These include either a low

pressure on-site system pumping to a communal pressure main; or gravity reticulation discharging to a communal pump station.

The Prebbleton sewer pump station is located approximately 500 m north of the site at the intersection with Birchs Road and Glenwood Drive. There are currently 27 lots discharging into the 150 mm diameter main, giving a calculated maximum flow of 0.93 l/s. With the addition of the 17 proposed lots the maximum flow will be approximately 1.5 l/s. E2 Environmental Consultants Ltd have concluded that if a 150 mm diameter pipe is installed in accordance with the SDC Engineering Code of Practice, the existing main has capacity to take up to 10 l/s. Therefore, the existing waste water discharge system has sufficiently capacity to service the proposed subdivision and the effects on the environment as a result of the discharge will be insignificant.

## **7.6 Effects of Natural Hazards or the Use of Hazardous Substances**

The potential effects of natural hazards have been discussed in 6.8 above. While it is acknowledged that the potential for effects exists, there is no imminent natural hazard identified that precludes the rezoning of the site to Living 3, Rural Residential.

The effects of natural hazards on the site will need to be addressed through future development, in accordance with section 106 of the RMA, as well as the building code and best practices.

It should be noted that the proposed rezoning of this site to enable residential development will not create an additional flooding or liquefaction risk.

In addition, no effects relating to the use of hazardous substances will arise from this plan change.

## **7.7 Reverse Sensitivity**

Reverse sensitivity arises where a new incompatible activity is introduced into an environment, which has the potential to limit the operation of existing activities.

There is a possibility of new residential development could create a reverse sensitivity effect with existing adjoining rural activities. Commonly reverse sensitivity effects occur because of odour or noise generated from normal farming activities, creating a disturbance for residents of newly developed sites, particularly if new residence are not familiar with normal farming practices.

Currently there are no known farming practices occurring on farmland to the south or east of the site that create objectionable noise or odour that any new residents might consider to be unreasonable. Any future land use that creates objectionable noise or odour would be likely to be

subject to land use consents from the Council, and then the effects on existing residents will be assessed.

It is considered that it is unlikely that there will be any reverse sensitivity effects arising from the proposed plan change.

## **7.8 Cumulative Effects**

This plan change provides for the change of land currently used as farmland to be developed into residential activities. It is noted that this will add to the total area in the Selwyn district being converted from farmland into residential dwellings in a cumulative manner, however such growth is anticipated by the provisions of the CRPS, the LURP, the District Plan and the Greater Christchurch Urban Development Strategy. These documents seek to ensure that such development occurs in a sustainable and manageable fashion.

Given that the proposed plan change will enable development that is anticipated by the relevant statutory documents, and generally considered appropriate by submitters to Plan Change 32, it is considered that the cumulative effect of this plan change will not have significant cumulative effects.

## **7.9 Effects Conclusion**

Given the assessment above, it is considered that the overall effects on the environment will be minor.



## 8.0 URBAN DESIGN AND THE OUTLINE DEVELOPMENT PLAN

Urban design is a process used to provide designed direction for growth, conservation and change. The Outline Development Plan (ODP), which can be used as a framework for new development on a long-term basis, is the instrument to display such design directions.

The District Plan provides a definition of an Outline Development Plan as being:

*A plan of a specified area, included in the District plan, which identifies, in a general manner, the road layout, any storm water facilities, reserve areas or other matters required to be provided for, or included in any subdivision or development within the area of the Outline Development Plan.*

The attached ODP in Appendix 3 simplifies the master planned layout of the site. It indicates levels of service provided by the various roads and access ways, the proposed zoning for the entire area, existing features of importance and also matters such as relevant servicing infrastructure, stormwater treatment areas and pedestrian ways and cycle ways.

It is anticipated that as part of the plan change process, the ODP will be incorporated into the Selwyn District Plan. Any future development of the site will be undertaken in general accordance with the ODP, as reflected in the new rules proposed by the plan change, which refer specifically to the ODP.

The ODP is in keeping with the design qualities of the Ministry for the Environment's Urban Design Protocol and the principles, objectives, policies and rules of the Selwyn District Plan. It provides a coordinated concept for the development of the site while also providing mechanisms to mitigate adverse environmental effects.

### 8.1 Objectives of the Outline Development Plan

The Canterbury Regional Policy Statement requires that development of greenfields residential growth shall occur in accordance with an outline development plan. In order to effectively co-ordinate and integrate a number of separate but interrelated structural and design elements, separate network layers are required to be developed. When overlaid, the individual network layers are required to demonstrate a high level of alignment and cohesion that both support and complement each respective function and aim.

The ODP that accompanies this application has the following basic objectives:

- To provide an attractive living environment for future residents.

- To provide a safe living environment for displaced Christchurch residents.
- To provide efficient and safe movement of people throughout the area, utilising both motorised and non-motorised forms of transport.
- To provide effective and efficient servicing for the area.
- To maintain or enhance the visual character of the area by increasing the amount of landscaping and adding specific design elements.

Proposed Change 1 to the CRPS requires ODPs to consider more specific objectives, which are discussed as follows.

#### Green Network Objectives

The Green Network refers to the system of public open space provision throughout the site. These spaces offer a wide range of amenity and recreational experiences, and their location and alignments are often intrinsically linked to both the underlying land use and the Blue Network in respect of stormwater management and public access. The objectives of the green network are:

- i. Conveniently accessible, appropriately sized recreation reserve and safe public areas having a high degree of co-ordination and integration with existing open space areas.
- ii. Retention, utilisation and enhancement of existing natural ground features.
- iii. Provision of public open space within walking distance of residential dwellings.

#### Blue Network Objectives

The Blue Network refers to the 'above ground' system designed to meet the future anticipated stormwater quality and quantity requirements for greenfields residential growth. It includes swales and other surface drainage paths as well as treatment and detention facilities within existing surface drainage paths and natural basins and depressions. It is important for the Blue Network to recognise the local or physical conditions of a site.

Design of the Blue Network should incorporate and utilise these features appropriately. Engineering solutions that ignore local conditions in order to maximise residential yields are to be avoided. The objectives of the blue network are:

- i. A complementary approach whereby surface stormwater treatment areas are located nearby green network spaces.
- ii. An outline development plan with integrated stormwater management that utilises best

practice low impact techniques, which will result in sensitive stormwater quality and quantity requirements except where local conditions make engineered stormwater management techniques a necessity.

- iii. Utilisation of the land/water edge potential to enhance amenity and natural values, including habitat values, particularly along any existing and future waterways and surface drainage paths.

### Movement Network Objectives

The Movement Network refers to the system of public roads, cycle ways, pedestrian pathways, public transportation and linkages throughout any Greenfield residential growth. This system often has a strong correlation with the Green and Blue Networks in respect of providing for essential pedestrian and cycle way linkages. The distribution of land uses and residential densities across a greenfield residential growth site has a strong association with this network. The objectives of the movement network are:

- i. A transportation network that integrates greenfield residential growth into the surrounding transportation network and makes available to that area maximum multi modal transport opportunities.
- ii. A well connected, comprehensive Movement Network to, through and from greenfield residential growth which provides public transport routes and safe vehicle, pedestrian and cycle movements that is highly accessible through the formation of a network that:
  - Integrates with the strategic transportation infrastructure.
  - Is legible, well connected and clearly demarcated in a hierarchy that incorporates as many movement modes as possible.
  - Efficiently and effectively disperses traffic throughout greenfield residential growth and minimises adverse traffic effects of new growth on surrounding existing urban developments.

## **8.2 Assessment against the Seven Cs**

The New Zealand Urban Design Protocol (2005) identifies seven essential design qualities that can act as guiding considerations in the structure planning process. These are referred to as the seven Cs and are as follows.

- **Context:** seeing buildings, places and spaces as part of whole towns and cities

- **Character:** reflecting and enhancing the distinctive character, heritage and identity of our urban environment
- **Choice:** ensuring diversity and choice for people
- **Connections:** enhancing how different networks link together for people
- **Creativity:** encouraging innovative and imaginative solutions
- **Custodianship:** ensuring design is environmentally sustainable, safe and healthy
- **Collaboration:** communicating and sharing knowledge across sectors, professions and with communities.

The proposal is assessed against the seven Cs as follows:

<b>Context</b>	The ODP shows that the development of south Prebbleton will be a coherent development, which provides a natural extension of the township. Development within the ODP area will be of sufficient size and orientation to be recognised as an appropriate neighbourhood within Prebbleton
<b>Character</b>	<p>The ODP area is able to fit in with the existing urban character of Prebbleton. However, as a result of a relatively low-density subdivision, it will create its own distinctive character due to the establishment of open sites with extensive space for garden.</p> <p>As it adjoins existing low-density rural-residential and rural land, the likely character of the established development will not detract from the rural amenity of the general area.</p>
<b>Choice</b>	<p>Choice in residential development is limited by the zoning in the District Plan, which generally does not encourage dwelling densities higher than those provided by the zone. It is also limited by the provisions of PC1 to the CRPS which does not promote densities lower than those provided for the area.</p> <p>The ODP provides for greater choice in within the Prebbleton Township for the residential market to uptake slightly larger sections in this proposed Living 3 zone on the southern extent of the township.</p> <p>There is good access to open spaces for all future residents, and these areas are complimented by rural land to provide additional amenity options for future landowners.</p> <p>The development will also provide choice to the residential market, as it is likely that without this proposal, future developments will be limited to north Prebbleton, where the other plan changes are taking place.</p>

<b>Connections</b>	<p>The main connections for motor vehicles will be via shared access ways from either Birches Road or Hamptons Road. These are anticipated by the ITA to adequately service the population in the area.</p> <p>Pedestrians and cyclists have the same options as motor vehicles, but are also able to use the alternative linkages through to Birches Road, which connects with existing cycle ways, pedestrian ways and public transport in the area.</p>
<b>Creativity</b>	<p>A range of designers, including architectural professionals as well as housing companies, will inevitably design dwellings. It is anticipated that the future landowners will express their creativity through their individual requirements of house design.</p>
<b>Custodianship</b>	<p>The development will enhance the built environment by integrating with the existing pattern of development on Trices Road and providing enhanced amenity through the use of the subject site, which is in close proximity to Prebbleton.</p>
<b>Collaboration</b>	<p>There have been several discussions between the applicant, their consultants and the Selwyn District Council.</p> <p>Public consultation with the Prebbleton Community Association and Orion prior to lodgment of the application was undertaken. Wider consultation was not undertaken as there was ample opportunity for public involvement through the notification and hearings associated with PC1 to the CRPS and through Plan Change 32 to the District Plan.</p>

### 8.3 Conclusion

The proposed Plan Change inserts an Outline Development Plan into the Selwyn District Plan. The ODP is consistent with the design standards within the New Zealand Urban Design Protocol. It is also consistent with the seven C's of Urban Design, which have been assessed against the proposal.

## 9.0 COMPATIBILITY WITH STATUTORY DOCUMENTS

### 9.1 Canterbury Regional Policy Statement and Proposed Change 1

Under section 75(3)(c) of the RMA, district plans are required to give effect to regional policy statements, therefore an application to change a district plan must also enable the plan, once changed, to give effect to the regional policy statement. Canterbury Regional Policy Statement (CRPS) became operative on the 15<sup>th</sup> January 2013. The objectives and policies of Chapter 5 – Land use and Infrastructure, provide the direction for the development of residential activities. The relevant objectives and policies are discussed below.

#### **Objective 5.2.1 – Location, design and function of development (Entire Region)**

*Development is located and designed so that it functions in a way that:*

- 1. achieves consolidated, well designed and sustainable growth in and around existing urban areas as the primary focus for accommodating the region's growth; and*
- 2. enables people and communities, including future generations, to provide for their social, economic and cultural well-being and health and safety; and which:*
  - a. maintains, and where appropriate, enhances the overall quality of the natural environment of the Canterbury region, including its coastal environment, outstanding natural features and landscapes, and natural values;*
  - b. provides sufficient housing choice to meet the region's housing needs;*
  - c. encourages sustainable economic development by enabling business activities in appropriate locations;*
  - d. minimises energy use and/or improves energy efficiency;*
  - e. enables rural activities that support the rural environment including primary production;*
  - f. is compatible with, and will result in the continued safe, efficient and effective use of regionally significant infrastructure;*
  - g. avoids adverse effects on significant natural and physical resources including regionally significant infrastructure, and where avoidance is impracticable, remedies or mitigates those effects on those resources and infrastructure;*
  - h. facilitates the establishment of papakāinga and marae; and*
  - i. avoids conflicts between incompatible activities.*

The proposed plan change seeks to enable Living 3 zone sections to be developed adjoining an existing township. This will provide for the future growth needs for the region. It is proposed to locate the site in such a manner that good linkages can be made by future residents on the site to existing community facilities, recreational facilities and transport networks including pedestrian and cycle way facilities. The provision of larger sections on the edge of the township will mitigate any

potential conflict with rural land uses to the south of the site, and will enable a range of housing choices within Prebbleton and the Selwyn District. Given the site of the proposed plan change and given its already close proximity to the township, the change in activity on the site from rural activities to residential activities will not significantly reduce the rural productivity of the wider area.

Given the above, it is considered that the proposed plan change is consistent with Objective 5.2.1.

**Policy 5.3.1 – Regional growth (Wider Region)**

*To provide, as the primary focus for meeting the wider region's growth needs, sustainable development patterns that:*

1. *ensure that any*
  - a. *urban growth; and*
  - b. *limited rural residential development**occurs in a form that concentrates, or is attached to, existing urban areas and promotes a coordinated pattern of development;*
2. *encourage within urban areas, housing choice recreation and community facilities, and business opportunities of a character and form that supports urban consolidation;*
3. *promote energy efficiency in urban forms, transport patterns, site location and subdivision layout;*
4. *maintain and enhance the sense of identity and character of the region's urban areas; and*
5. *encourage high quality urban design, including the maintenance and enhancement of amenity values.*

The proposed plan change is located adjoining the southern edge of Prebbleton township, and seeks to provide an area rural residential living space that has clear links to the township, and wider community. By developing this area, there will be greater choice for housing types within the township, and the development will provide for the future growth of the area while promoting energy efficiency through links to transport networks and appropriate urban form. The use of Living 3 zoning will ensure that the existing open space character of the township is maintained. It is considered that the proposal is consistent with Policy 5.3.1 by providing a sustainable pattern of development.

**Policy 5.3.2 – Development conditions (Wider Region)**

*To enable development including regionally significant infrastructure which:*

1. *ensure that adverse effects are avoided, remedied or mitigated, including where these would compromise or foreclose:*
  - a. *existing or consented regionally significant infrastructure;*
  - b. *options for accommodating the consolidated growth and development of existing urban*

- areas;*
- c. the productivity of the region's soil resources, without regard to the need to make appropriate use of soil which is valued for existing or foreseeable future primary production, or through further fragmentation of rural land;*
- d. the protection of sources of water for community supplies;*
- e. significant natural and physical resources;*
- 2. *avoid or mitigate:*
  - a. natural and other hazards, or land uses that would likely result in increases in the frequency and / or severity of hazards;*
  - b. reverse sensitivity effects and conflicts between incompatible activities, including identified mineral extraction areas; and*
- 3. *integrate with:*
  - a. the efficient and effective provision, maintenance or upgrade of infrastructure; and*
  - b. transport networks, connections and modes so as to provide for the sustainable and efficient movement of people, goods and services, and a logical, permeable and safe transport system.*

This policy seeks that new developments do not further fragment rural land, adversely affect water supplies, create or exacerbate natural hazards or reverse sensitivity effects, and can integrate with existing and future infrastructure, and efficient transport networks.

The proposal is located adjoining an existing township, thus not fragmenting rural land. It is proposed to supply the site with a suitable potable water supply, and appropriate stormwater and sewage disposal systems to ensure there is no adverse effect on community water supply. The site is located outside any identified natural hazard areas, and the larger residential sections will mitigate potential reverse sensitivity effects. The proposal includes opportunity for linkages to existing infrastructure and current transport networks.

Given the above it is considered that the proposal gives effect to Policy 5.3.2.

***Policy 5.3.5 – Servicing development for potable water, and sewage and stormwater disposal (Wider Region)***

*Within the wider region, ensure development is appropriately and efficiently served for the collection, treatment, disposal or re-use of sewage and stormwater, and the provision of potable water, by:*

- 1. avoiding development which will not be served in a timely manner to avoid or mitigate adverse effects on the environment and human health; and*
- 2. requiring these services to be designed, built, managed or upgraded to maximise their ongoing effectiveness.*



The proposed servicing for the site is discussed above and it is considered that the proposed plan change gives effect to Policy 5.3.5.

**Policy 5.3.6 – Sewerage, stormwater and potable water infrastructure (Wider Region)**

*Within the wider region:*

1. *Avoid development, which constrains the ongoing ability of the existing sewerage, stormwater and potable water supply infrastructure to be developed and used.*
2. *Enable sewerage, stormwater and potable water infrastructure to be developed and used, provided that, as a result of its location and design:*
  - a. *the adverse effects on significant natural and physical resources are avoided, or where this is not practicable, mitigated; and*
  - b. *other adverse effects on the environment are appropriately controlled.*
3. *Discourage sewerage, stormwater and potable water supply infrastructure which will promote development in locations which do not meet Policy 5.3.1*

The proposed servicing for the site is discussed in section 4 of this application and it is considered that the proposed plan change gives effect to Policy 5.3.6.

**Policy 5.3.8 – Land use and transport integration (Wider Region)**

*Integrate land use and transport planning in a way:*

1. *that promotes:*
  - a. *the use of transport modes which have low adverse effects;*
  - b. *the safe, efficient and effective use of transport infrastructure, and reduces where appropriate the demand for transport;*
2. *that avoids or mitigates conflicts with incompatible activities; and*
3. *where the adverse effects from the development, operation and expansion of the transport system:*
  - a. *on significant natural and physical resources and cultural values are avoided, or where this is not practicable, remedied or mitigated; and*
  - b. *are otherwise appropriately controlled*

The proposal has been designed to provide appropriate linkages to existing pedestrian and cycle ways and provides access to the local public transport system. As discussed above there will be negligible effect on the safe and efficient operating of the local road network as a result of the proposed plan change. It is therefore considered that the proposal gives effect to Policy 5.3.8.

**Policy 5.3.12 – Rural production (Wider Region)**

*Maintain and enhance natural and physical resources contributing to Canterbury's overall rural productive economy in areas which are valued for existing or foreseeable future primary production, by:*

1. *avoiding development, and / or fragmentation which;*

- a. forecloses the ability to make appropriate use of that land for primary production; and / or*
  - b. results in reverse sensitivity effects that limit or precludes primary production.*
- 2. enabling tourism, employment and recreational development in rural areas, provided that it:*
  - a. is consistent and compatible with rural character, activities, and an open rural environment;*
  - b. has a direct relationship with or is dependent upon rural activities, rural resources or raw material inputs sourced from within the rural area;*
  - c. is not likely to result in proliferation of employment (including that associated with industrial activities) that is not linked to activities or raw material inputs sourced from within the rural area; and*
  - d. is of a scale that would not compromise the primary focus for accommodating growth in consolidated, well designed and more sustainable development patterns. and;*
- 3. ensuring that rural land use intensification does not contribute to significant cumulative adverse effects on water quality and quantity.*

Only part one of this policy related to the proposed plan change, as the plan change seeks to provide for residential growth in a manner which does not further fragment rural land. However this change will prevent the use of the site for primary production. It is considered however that when read in conjunction with all of the policies in the CRPS, it is considered that the loss of a small area of land on the edge of existing development is more appropriate than alternative locations which may create rural land fragmentation issues and/or infrastructure and servicing issues.

On balance it is considered that the inclusion of the proposed plan change into the District Plan gives effect to this policy when considered in balance with other policies in the CRPS.

## **9.2 Land Use Recovery Plan**

The LURP proposes to insert a new Chapter 6 into the CRPS that provides statutory provisions for enabling rebuilding and redevelopment, including priority areas. This Chapter (6) is called *Recovery and Rebuilding of Greater Christchurch – Land Use and Infrastructure Framework*.

The insertion of Chapter 6 into the CRPS was directed by the Minister for Earthquake Recovery in the Land Use Recovery Plan for greater Christchurch. Chapter 6 provides a resource management framework for the recovery of greater Christchurch, to enable and support earthquake recovery and rebuilding, including restoration and enhancement, for the area through to 2028 – the period considered to be the key recovery period. It is noted that the LURP states that the provisions in the remainder of the Canterbury Regional Policy Statement (CRPS) also apply.

As directed by the Land Use Recovery Plan, Chapter 6 sets the objectives to be achieved for greater Christchurch during the recovery period, which includes the intended land use distribution

for Greater Christchurch for the planning period through to 2028. As the objectives and policies of the LURP are in their infancy (although it is accepted that they have been well considered), then they will not be addressed by this application other than to make comment that the proposed plan change is entirely consistent with them and therefore will not undermine the integrity of the LURP.

As this application reaches the hearing phase, it is assumed that the LURP will have progressed further through the legal process and weight will be accorded to it as necessary.

### 9.3 Selwyn District Plan

The following sets out the relevant objectives and policies of the townships volume of the Selwyn District Plan, and indicates how the proposed plan change is consistent with them and therefore will not undermine the integrity of the Plan. The relevant objectives and policies are as follows:

**Objective B1.1.2**

*New residential or business activities do not create shortages of land or soil resources for other activities in the future.*

**Policy B1.1.8**

*Avoid rezoning land which contains versatile soils for new residential or business development if:*

- *the land is appropriate for other activities; and*
- *there are other areas adjoining the township which are appropriate for new residential or business development which do not contain versatile soils.*

As has been discussed previously, most of the land around Prebbleton Township is reasonably versatile by nature of being located on the Canterbury Plains, and therefore arguably may not meet the first limb of the test in Policy B1.1.8. However, given the location of the proposed plan change adjoining the existing development of the township, and given that this area is not more or less versatile than other areas adjoining the township, it is considered that the proposal site is an appropriate location for the expansion of this township, and is therefore consistent with the second limb of the test in Policy B1.1.8.

While this proposal does constitute a minor loss in versatile soil, it is considered to be an appropriate area for the development of Prebbleton due to its location, because it is outside any hazard zones and because of its ability to be serviced. Therefore the application is considered to be consistent with Objective B1.1.2 and Policy B1.1.8.

**Objective B1.2.1**

*Expansion of townships in Selwyn District maintains or enhances the quality of ground or surface water*

resources.

**Policy B1.2.2**

*Ensure land rezoned to a Living or Business zone can be serviced with a water supply and effluent and stormwater disposal without adversely affecting groundwater or surface waterbodies.*

As has been discussed in the servicing section of this application, the proposal site can be fully serviced with appropriate reticulated services, which avoid adverse effects on groundwater or surface water bodies. Therefore the proposed plan change is consistent with Objective B1.2.1 and Policy B1.2.2.

**Policy B1.2.3**

*Require the water supply to any allotment or building in any township, and the Living 3 Zone, to comply with the current New Zealand Drinking Water Standards and to be reticulated in all townships, except for sites in the existing Living 1 Zone at Doyleston.*

The proposed Living 3 zone can fully be serviced with reticulated water from Prebbleton township supply, which is to an appropriate New Zealand Drinking Water Standard. The proposal is therefore consistent with Policy B1.2.3.

**Policy B1.2.5**

*Require any sewage treatment and disposal to be reticulated in the townships of Castle Hill, Doyleston, Lake Coleridge Village, Leeston, Lincoln, Prebbleton, Rolleston, Southbridge, Springston, Tai Tapu and West Melton.*

Servicing information above indicates the proposed servicing for reticulated sewage treatment and disposal from the Prebbleton system. The proposal is therefore consistent with Policy B1.2.5.

**Objective B1.3.1**

*Areas of “significant indigenous vegetation and significant habitats of indigenous fauna” are recognised and protected as townships expand.*

**Objective B1.3.2**

*The natural character of wetlands and rivers and their margins, are recognised, protected and enhanced, where appropriate, in townships.*

**Policy B1.3.1**

*Ensure any wetland or area containing indigenous vegetation on a site is assessed to establish its ecological values, before the land is rezoned for new residential or business development.*

As has been discussed previously, this site has been cleared and used for farmland for some time. It does not contain any significant flora or fauna, and has not been identified on any of the Planning Maps as being an area of significance. The site does not contain any wetland, or any lake or river. The proposal is therefore consistent with Objectives B1.3.1 and B1.3.2 and Policy B1.3.1.

**Objective B1.4.1**

*The expansion of townships does not adversely affect the values of outstanding natural features and landscapes.*

The proposal site is not within any identified area of outstanding natural landscape, and does not contain any identified outstanding natural features. It is considered that the proposal is consistent with Objective B1.4.1.

**Objective B1.4.4**

*The distinction between the landscapes of the rural area and townships on the Canterbury Plains is maintained.*

The proposed plan change will enable the development of rural residential allotments adjoining an existing township, and will be bounded by a road on the edge adjoining the remaining Inner Plains area. It is considered that this will provide distinction between the edge of the township as created by the proposal and the adjoining rural landscape, thus remaining consistent with Objective B1.4.4.

**Objective B2.1.1**

*An integrated approach to land use and transport planning to ensure the safe and efficient operation of the District's roads, pathways, railway lines and airfields is not compromised by adverse effects from activities on surrounding land or by residential growth.*

**Policy B2.1.12**

*Address the impact of new residential or business activities on both the local roads around the site and the District's road network, particularly Arterial Road links with Christchurch City.*

**Policy B2.1.13**

*Minimise the effects of increasing transport demand associated with areas identified for urban growth by promoting efficient and consolidated land use patterns that will reduce the demand for transport.*

Both Regional and District Councils have identified Prebbleton as a township suitable for growth. However it is also noted that appropriate transport infrastructure to service any growth is also important. The proposal has been designed to ensure the site is coherent with existing transport networks including pedestrian and cycle networks, and provides efficient and safe access to

current public transport networks. The location of the site adjoining the township ensures that the site is suitably linked into the existing transport network, and the orientation of the site ensures that access is made to the most appropriate roads within the township. It is considered that the proposal is consistent with Objective B2.1.1 and Policies B2.1.12 and B2.1.13.

**Policy B2.1.14**

*Encourage people to walk or cycle within and between townships by providing a choice of routes for active transport modes and ensuring there is supporting infrastructure such as parking for cycles, at destinations.*

**Policy B2.1.15**

*Require pedestrian and cycle links in new and redeveloped residential or business areas, where such links are likely to provide a safe, attractive and accessible alternative route for pedestrians and cyclists, to surrounding residential areas, business or community facilities.*

The proposal includes appropriate links to existing pedestrian and cycle ways, which will encourage greater use of these modes of transport. It is considered that the proposals is consistent with Policies B2.1.14 and B2.1.15

**Policy B2.1.23**

*Where a township is already largely developed on both sides of a State Highway or railway line:*

- Discourage new residential or business development from extending the township further along the State Highway or railway line if there are alternative, suitable sites; or, if not,*
- Restrict new residential or business areas to extending further along one side of the State Highway or railway line only.*

The proposal site adjoins an arterial road at the northwestern corner of the site but does not facilitate access onto a state highway. The proposal is consistent with Policy B2.1.23.

**Objective B2.2.3**

*The provision of utilities where any adverse effects on the receiving environment and on people's health, safety and wellbeing is managed having regard to the scale, appearance, location and operational requirements of the facilities.*

**Policy B2.2.1**

*Require that the need to supply utilities and the feasibility of undertaking is identified at the time a plan change request is made to rezone land for residential or business development.*

**Policy B2.2.5**

*Avoid potential 'reverse sensitivity' effects of activities on the efficient development, use and maintenance of utilities.*

The ODP shows a utility section for the existing Orion substation on the site. Future development of the Orion block will ensure that there is sufficient land around this station to avoid any reverse sensitivity effects. This proposal includes a full servicing plan to ensure all utilities can be provided to future residential activities on this site. It is considered that the proposal is consistent with Objective B2.2.3 and Policies B2.2.1 and B2.2.5.

**Objective B2.3.1**

*Residents have access to adequate community facilities.*

**Objective B2.3.2**

*Community facilities do not adversely affect residential amenity values or other parts of the environment.*

**Policy B2.3.1**

*Encourage co-ordination between the provision of community facilities, and new residential and business development.*

The proposal includes suitable access networks to ensure residents are able to access existing community facilities in Prebbleton. The proposal is consistent with this policy.

**Objective B2.4.2**

*Adverse effects on the environment from the collection, treatment, storage or disposal of waste are reduced.*

**Policy B2.4.4**

*Ensure land rezoned for new residential or business development has a regular solid waste collection and disposal service available to residents.*

The proposal site adjoins Prebbleton, which has a regular solid waste collection and disposal service available. It is very likely that future residents on this site will be serviced by this system and therefore the proposal is consistent with Objective B2.4.2 and Policy B2.4.4.

**Objective B3.1.1**

*Ensure activities do not lead to or intensify the effects of natural hazards.*

**Objective B3.1.2**

*Ensure potential loss of life or damage to property from natural hazards is mitigated.*

**Objective B3.1.3**

*Ensure methods to mitigate natural hazards do not create or exacerbate adverse effects on other people or the environment.*

**Policy B3.1.2**

*Avoid allowing new residential or business development in areas known to be vulnerable to a natural hazard, unless any potential risk of loss of life or damage to property is adequately mitigated.*

**Policy B3.1.7**

*Ensure any new residential or business development does not adversely affect the efficiency of the District's land drainage system or the risk of flooding from waterbodies.*

The proposal site does not contain any identified natural hazards, nor does it contain any of the District's land drainage system. The site is not located in an area at risk from flooding from any waterbodies.

A geotechnical report indicating the impact of earthquakes on this site has been included as part of this application. It is considered that there is a very low risk of natural hazards occurring on this site, or that the development of this site might exacerbate adverse effects from natural hazards on other people or the environment. Therefore it is considered that the proposal is consistent with Objectives B3.1.1, B3.1.2 and B3.1.3, and Policies B3.1.2 and B3.1.7.

**Objective B3.4.1**

*The District's townships are pleasant places to live and work in.*

**Objective B3.4.2**

*A variety of activities are provided for in townships, while maintaining the character and amenity values of each zone.*

It is considered that the development of Living 3 zone residential activities on this southern edge of Prebbleton will provide for a variety of section sizes within Prebbleton, and ensure that the character and amenity of the area is maintained or enhanced. This will ensure that the township is a pleasant place to work and live. It is considered that the proposal is consistent with Objectives B3.4.1 and B3.4.2.

**Objective B3.4.3**

*"Reverse sensitivity" effects between activities are avoided.*

It is considered that given the large section sizes and the likelihood that future residents will be understanding of the nature of rural activities, there is unlikely to be any reverse sensitivity effects with adjoining rural activities. The proposal is therefore consistent with Objective B3.4.3

**Objective B3.4.4**

*Growth of existing townships has a compact urban form and provides a variety of living environments and*



*housing choices for residents, including medium density housing typologies located within areas identified in an Outline Development Plan.*

#### **Objective B3.4.5**

*Urban growth within and adjoining townships will provide a high level of connectivity both within the development and with adjoining land areas (where these have been or are likely to be developed for urban activities or public reserves) and will provide suitable access to a variety of forms of transport.*

#### **Policy B3.4.3**

*To provide Living zones which:*

- are pleasant places to live in and provide for the health and safety of people and their communities;*
- are less busy and more spacious than residential areas in metropolitan centres;*
- have safe and easy access for residents to associated services and facilities;*
- provide for a variety of living environments and housing choices for residents, including medium density areas identified in Outline Development Plans;*
- ensure medium density residential areas identified in Outline Development Plans are located within close proximity to open spaces and/or community facilities and*
- ensure that new medium density residential developments identified in Outline Development Plans are designed in accordance with the following design principles:*
  - access and connections to surrounding residential areas and community facilities*
  - and neighbourhood centres are provided for through a range of transport modes;*
  - block proportions are small, easily navigable and convenient to encourage cycle and pedestrian movement;*
  - streets are aligned to take advantage of views and landscape elements;*
  - section proportions are designed to allow for private open space and sunlight admission;*
  - a subdivision layout that minimises the number of rear lots;*
  - layout and design of dwellings encourage high levels of interface with roads, reserves and other dwellings;*
  - a diversity of living environments and housing types are provided to reflect different lifestyle choices and needs of the community;*
  - a balance between built form and open spaces complements the existing character and amenity of the surrounding environment and;*
  - any existing natural, cultural, historical and other unique features of the area are incorporated where possible to provide a sense of place, identity and community.*

The proposal is designed to provide spacious, open section sizes to enable for rural residential style residential activities. Key pedestrian and cycle links will ensure safe access to facilities and services. By nature of being larger allotments, this area will be less busy than metropolitan areas, and the use of a Right of Way to provide access to rear sections will enable appropriate access to

transport networks for all residents, and minimise the number of access points for rear lots. It is considered that the proposal is consistent with Objectives B3.4.4 and B3.4.5 and Policy B3.4.3.

**Policy B3.4.38**

*Avoid rezoning land for new residential development adjoining or near to existing activities which are likely to be incompatible with residential activities, unless any potential 'reverse sensitivity' effects will be avoided, remedied or mitigated.*

It is unlikely to be any reverse sensitivity effects with adjoining rural activities. The proposal is consistent with Policy B3.4.38.

**Objective B4.1.1**

*A range of living environments is provided for in townships, while maintaining the overall 'spacious' character of Living zones, except within Medium Density areas identified in an Outline Development Plan where a high quality, medium density of development is anticipated.*

The provision of larger sections anticipated by the Living 3 zone will ensure that the overall spacious character of the township is maintained. The proposal is consistent with Objective B4.1.1.

**Objective B4.1.2**

*New residential areas are pleasant places to live and add to the character and amenity values of townships.*

**Policy B4.1.3**

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

The proposal site is located beyond the urban limit of Prebbleton; however, it can be economically provided with reticulated services. This area provides a natural visual transition between the urban area to the north and the rural area to the south beyond the township. Larger section sizes and appropriate access points to the existing transport network achieve this. The proposal is consistent with Objective B4.1.2 and Policy B4.1.3.

**Policy B4.2.10**

*Ensure that new residential blocks are small in scale, easily navigable and convenient to public transport services and community infrastructure such as schools, shops, sports fields and medical facilities, particularly for pedestrians and cyclists.*

The proposal site is of a scale that it is easily navigable by residents. Links to the existing pedestrian, cycle ways and public transport services are readily available from the site. The proposal is consistent with Policy B4.2.10.

**Objective B4.3.1**

*The expansion of townships does not adversely affect:*

- Natural or physical resources;*
- Other activities;*
- Amenity values of the township or the rural area; or*
- Sites with special ecological, cultural, heritage or landscape values.*

As has been discussed in the assessment of effects (section 7 of this application) the proposal to rezone the site to rural residential, subsequently expanding Prebbleton township, will not adversely affect any of the matters outlined in Objective B4.3.1. Hence the proposal is considered to be consistent with this Objective.

**Objective B4.3.3**

*For townships within the Greater Christchurch area, new residential or business development is to be provided within the Urban Limits identified in the Regional Policy Statement and such development is to occur in general accordance with an operative Outline Development Plan.*

The proposal includes an outline development plan, and is therefore consistent with Objective B4.3.3.

**Objective B4.3.4**

*New areas for residential or business development support the timely, efficient and integrated provision of infrastructure, including appropriate transport and movement networks through a coordinated and phased development approach.*

Given that most of the infrastructure required for this site already exists it is considered that the proposal is consistent with Objective B4.3.4.

**Objective B4.3.5**

*Ensure that sufficient land is made available in the District Plan to accommodate an additional 11,040 households in the Selwyn District portion of the Greater Christchurch area between 2007-2041 through both*

*Greenfield growth areas and consolidation within existing townships.*

**Policy B4.3.1**

*Ensure new residential, rural residential or business development either:*

- Complies with the Plan policies for the Rural Zone; or*
- The land is rezoned to an appropriate Living Zone that provides for rural-residential development (as defined within the Regional Policy Statement) in accordance with an Outline Development Plan incorporated into the District Plan; or*
- The land is rezoned to an appropriate Living or Business zone and, where within the Greater Christchurch area, is contained within the Urban Limit identified in the Regional Policy Statement and developed in accordance with an Outline Development Plan incorporated into the District Plan.*

It is considered that given the location of this site adjoining and existing township, and the fact that it is able to be fully and efficiently serviced, that this site is an ideal site to provide some of the additional households required by this policy. It is considered that this proposal is consistent with Objective B4.3.5 and Policy B4.3.1.

**Policy B4.3.6**

*Encourage townships to expand in a compact shape where practical.*

The proposal provides for the compact expansion of Prebbleton Township. The proposal is therefore consistent with Policy B4.3.6.

**Policy B4.3.8**

*Each Outline Development Plan shall include:*

- Principal through roads, connection and integration with the surrounding road network and strategic infrastructure;*
- Any land to be set aside for*
  - community facilities or schools;*
  - parks and land required for recreation or reserves;*
  - any land to be set aside for business activities;*
  - the distribution of different residential densities;*
  - land required for the integrated management of water systems, including stormwater treatment, secondary flow paths, retention and drainage paths; and*
  - land reserved or otherwise set aside from development for any other reason, and the reasons for its protection.*
- Demonstrate how each ODP area will achieve a minimum net density of at least 10 lots or household units per hectare*
- Identify any cultural (including tangata whenua values), natural, and historic or heritage features and*

- values and show how they are to be enhanced or maintained;*
- Indicate how required infrastructure will be provided;*
  - Set out the phasing and co-ordination of subdivision and development in line with the phasing shown on the Planning Maps and Appendices;*
  - Demonstrate how effective provision is made for a range of transport options, including public transport systems, pedestrian walkways and cycle ways, both within and adjoining the ODP area;*
  - Include any other information which is relevant to an understanding of the development and its proposed zoning;*
  - Demonstrate that the design will minimise any reverse sensitivity effects.*

The information provided within the outline development plan and this application provides all of the information set out in this policy. It is considered that the proposal is consistent with Policy B4.3.8.

#### Prebbleton Specific Growth Policies

##### **Policy B4.3.64**

*Encourage land located to the east and west of the existing Living and Business zones, being those Living and Business zones that adjoin Springs Road, which is located as close as possible to the existing township centre as the first preferred areas to be rezoned for new residential development at Prebbleton, provided sites are available and appropriate for the proposed activity.*

The proposal is located to the south of the township; however, it is an appropriate location for rural residential expansion of Prebbleton and does not preclude development in the east or west of the township. The proposal is consistent with Policy B4.3.64.

##### **Policy B4.3.65**

*Discourage further expansion of Prebbleton township north or south of the existing Living zone boundaries adjoining Springs Road.*

The proposal adjoins Springs Road on the western side for a very short distance. It does not expand the township along Springs Road creating ribbon development, but rather provides for a compact township design. The proposal is consistent with Policy B4.3.65.

## **9.4 Plan Change 32 to the Selwyn District Plan**

PC32 is intrinsically linked to the background research and reporting carried out and used for the initial progression of PC17. The result of the research is the RBRR, discussed in 3.8 above. The RBRR studies various areas within the District and identifies criteria to assist with the identification of suitable rural residential land. The criteria from Table 8 of the RBRR and the proposal's

compliance with this table is summarised as follows:

Criteria	Prebbleton	Complies?
<b>UDS and C1</b>		
Located outside the Urban Limits;	Critical	Y
Able to be economically provided with reticulated sewer and water connections, and appropriate provision is made for the treatment and disposal of stormwater;	Critical	Y
Access provided to a sealed road but not directly to Strategic and Arterial Roads (as identified in the District Plan), and State Highways;	Site Specific	Y
Not compromise the operation of the Christchurch International Airport & the health and well-being of people is not compromised by aircraft noise (50dBA noise contour);	Lower Priority	Y
Avoid adversely affecting the groundwater recharge zone for Christchurch City's drinking water;	Lower Priority	Y
Support existing or upgraded community infrastructure and provide for good access to emergency services;	Critical	Y
Not compromise the operational capacity of the West Melton Military Training Area and Burnham Military Camp;	Lower Priority	N/A
Avoid significant natural hazard areas, including steep & unstable land;	Lower Priority	Y
Not adversely affect ancestral land, water, sites, Waahi Tapu and Waahi Taonga to Ngāi Tahu;	Site Specific	Y
Avoid significant adverse ecological effects;	Site Specific	Y
Able to be integrated into, or consolidated with, existing settlements where adjacent to, or in close proximity to, existing urban or rural residential areas;	Critical	Y
Avoid adverse effects on existing surface water quality.	Site Specific	Y
Developed in accordance with an approved ODP and is not seen as a transition to full residential forms of development;	Critical	Y
<b>Rural residential form, function and character</b>		
Provide measures to reduce the impacts of peri-urban development on the compact urban form of existing townships and Urban Limits identified in C1 or the amenity, character and productivity of surrounding rural land holdings;	Critical	Y
Avoid, remedy or mitigate adverse effects associated with 'ribbon' development along primary roads entering townships and the alignment of reticulated water and wastewater services;	Critical	Y
Preserve residential growth paths and retain an appropriate urban/rural edge on the boundaries of settlements;	Critical	Y
Avoid, remedy or mitigate significant reverse sensitivity effects with adjacent established rural and residential activities where located in peri-urban areas;	Critical	Y
Aligns with Council's demand and asset management process;	Critical	Y
Provide sufficient rural residential households to meet the market demand and to provide for the economic wellbeing of land owners;	Lower Priority	Y
Preclude rural residential areas that are isolated from urban areas unless: (i) Along Council's 'Active Road Network'; (ii) In areas that display high amenity or natural values; and (iii) That are able to be preserved and/or created for the benefit of the wider community;	Site Specific	Y
Located in relatively close proximity to urban areas (i.e. within 1-2 km from the C1 Urban Limits) to enable coordinated and economically viable infrastructure and to promote social cohesion, connectivity, recreational opportunities and interaction between urban areas and the rural hinterland;	Critical	Y
Utilise road layouts and physical features as buffers between urban and rural residential activities to limit peri-urban sprawl;	Site Specific	Y

Criteria	Prebbleton	Complies?
Provide for a mixture of housing densities ranging from 0.3 ha to 2 ha in size whilst achieving an overall density of one to two households per hectare. Rural residential nodes need to ensure the demand for 4 ha land holdings for living purposes is reduced whilst ensuring a clear distinction is provided between residential and rural residential forms of development. The specific layout should be based upon comprehensive contextual analysis of the site and wider geographic location;	Site Specific	Y
Distribute a large proportion of the rural residential households to the rural land on the periphery of the C1 Key Activity Centres that will have the necessary services and infrastructure to support the anticipated population growth. Large numbers of rural residential households should be precluded from the periphery of the smaller towns in the UDS area, as they are not anticipated to have the services and infrastructure to support a larger population base. Rural residential activities could also undermine the existing amenity and character of these smaller towns and discrete villages.	Critical	Y
Protect, enhance and maintain ecological ecosystems and indigenous biodiversity and ensure that rural residential activities do not adversely affect ancestral land, water, and the Wāhi Tapu and Wāhi Taonga of Te Rūnunga o Ngāi Tahu and Te Taumutu Rūnunga. These include the protection, enhancement and maintenance of rivers, streams, groundwater, wetlands, Te Waihora, springs and mahinga kai sites.	Site Specific	Y
<b>Landscape values</b>		
Discernibly logical boundaries determined by strong natural or physical features;	Site Specific	Y
Protection of natural features, significant trees and vegetation;	Critical	Y
Limit the amount of households within single locations to avoid the collective visual effects of intensified land use;	Site Specific	Y
Address the constraints to development identified in the Landscape Constraints Map prepared by Andrew Craig Landscape Architect (see Appendix 4);	Site Specific	Y
Maintenance of the visual attributes that are representative of rural residential character that could be utilised in future layouts and built forms; and	Site Specific	Y
Provide design solutions and mitigation measures that achieve rural residential character and preserve the openness that is characteristic of the Plains landscape.	Critical	Y
<b>Selwyn District Plan</b>		
Minimise the loss of the character and amenity anticipated in the Rural Zones of the District and provide measures to reduce potential effects associated with adverse 'reverse sensitivity' effects;	Critical	Y
Does not preclude the residential growth paths, ensures residential expansion beyond 2041 is not compromised and compact urban forms are promoted where possible;	Critical	Y
Provide measures to maintain the distinction between rural areas and townships and avoids the coalescence of townships with each other;	Critical	Y
Protect and enhance 'Significant Natural Areas' of indigenous biodiversity and other areas of indigenous biodiversity;	Site Specific	N/A
Avoid, remedy or mitigate any potentially adverse reverse sensitivity effects with the Intensive Farming Activities identified in Appendix 6;	Site Specific	Y
Avoid, remedy or mitigate adverse effects associated with activities that may compromise sites registered in the Appendices of the District Plan and identified utility services, such as electricity transmission lines;	Site Specific	Y
Preclude rural residential locations that may restrict activities either currently being undertaken or may take place in the future on land that is either Designated in the Appendices of the District Plan or subject to Notices of Requirement.	Site Specific	Y



Prebbleton Study Area Criteria	Priority	Complies?
<b>Prebbleton Structure Plan</b>		
Development aligns with the timing and availability of wastewater and water infrastructure services, as determined by the staging and sequencing of residential activities within the Urban Limit of Prebbleton;	Critical	Y
Preclude rural residential locations in close proximity to the wider Halswell River catchment, springs and flood hazard to the north-east unless all potentially adverse effects can be avoided, remedied or mitigated;	Site Specific	Y
Does not undermine the existing character of Prebbleton and links into the green space corridors and reserves outlined in the Prebbleton Structure Plan;	Critical	Y
Promotes the expansion of Prebbleton's urban form to achieve a compact concentric shape in accordance with the 'Preferred Growth of Township' provisions in the District Plan and the Prebbleton Structure Plan.	Critical	Y
<b>Specific Development Constraints</b>		
Promote the maintenance of the life supporting capacity of Class I and II LUC Versatile Soils on the periphery of Prebbleton;	Site Specific	Y
Restrict intensive forms of development within the greenbelt buffer between Prebbleton and the Christchurch City Council territorial authority boundary to the north;	Critical	Y
Preclude rural residential locations in close proximity to the final confirmed alignment of the CSM2 to avoid conflict between arterial and local access functions and potentially adverse reverse sensitivity effects;	Site Specific	N/A
Preclude intensive development within close proximity to Transpower's national grid located to the north, west, south and east;	Site Specific	Y
Avoid, remedy or mitigate any potentially adverse effects associated with land that may be potentially susceptible to liquefaction resulting from significant earthquake events	Site Specific	Y

Table 1. Excerpt from RBRR, Table 8: Criteria to guide the selection of 'preferred locations' and policy formulation

## 9.5 Resource Management Act

The Resource Management Act ("RMA" or "the Act") is the principal legislation for the management of the natural and physical resources of New Zealand. The Act provides a framework within which a privately initiated plan change may be exercised.

The proposed plan change is subject to the provisions of Part 2 of the Act, which sets out the purpose and principles that guide this legislation.

### Section 5 – Purpose

The term "*sustainable management*" is defined in the RMA as meaning:

*...managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while*

- (a) *Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) *Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*

- (c) *Avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

Section 5 of the Act identifies the purpose of the Act as being the sustainable management of natural and physical resources. The proposed plan change is able to satisfy the purpose and principles of the Act, by providing for rural residential land in an appropriate location. The proposed plan change will promote the integrated development of the land with any environmental effects able to be adequately controlled and mitigated through the use of new and existing District Plan rules.

The Act also seeks control over that the development of land occurs in a way that ensures that any adverse effects on natural and physical resources can be mitigated whilst safeguarding the life supporting capacity of air, water, soil and ecosystems will be protected. The servicing report (ESR) for the proposal site envisages the future use of best practice stormwater treatment and disposal systems and as such the life supporting capacity of the surrounding and wider environment will not be compromised.

#### Section 6 – Matters of National Importance, of the RMA

Section 6 of the Act requires certain matters to be recognised and provide for in relation to managing the use, development and protection of natural and physical resources. No matters of national importance are considered to be relevant to this proposal.

#### Section 7 – Other Matters of the RMA

*In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to*

- a) *Kaitiakitanga:*
  - aa) *The ethic of stewardship:*
- b) *The efficient use and development of natural and physical resources:*
- c) *The maintenance and enhancement of amenity values:*
- d) *Intrinsic values of ecosystems:*
- e) *repealed*
- f) *Maintenance and enhancement of the quality of the environment:*
- g) *Any finite characteristics of natural and physical resources:*
- h) *The protection of the habitat of trout and salmon.*

Subsections (b), (c) and (f) are considered to be relevant to the assessment of the plan change and the following comments are made:

The proposal to utilise the land for rural residential purposes is considered to be an efficient use and development of a natural and physical resource. It has been determined through the assessment of effects that the maintenance and enhancement of amenity values will be assured via this plan change.

It is accepted that the rezoning of the land will have some effect on the amenity values of the site and adjoining sites. Although the amenity of the existing environment will change, the proposal represents sustainable rural residential development in an area that has been shown to satisfy the requirements of various statutory and non-statutory documents.

#### Section 8 – Treaty of Waitangi

Section 8 requires the Council to take into account principles of the Treaty of Waitangi. It states:

*In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).*

Local iwi have been consulted over this plan change through dialogue with Mahaanui Kurataiao Limited. There have been no indications to date that would suggest that the proposal is inconsistent with section 8 RMA.

## 10.0 SECTION 32 ANALYSIS

This section provides an assessment of the various options that the applicant has considered for managing the land subject to this plan change application. This assessment is required under Section 32 of the RMA 1991 and must examine:

- (a) *the extent to which each objective is the most appropriate way to achieve the purpose of this Act; and*
- (b) *whether, having regard to their efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives.*

The assessment is required to take into account:

- (c) *The benefits and costs of policies, rules or other methods.*
- (a) *The risk of acting, or not acting, if there is uncertain or insufficient information about the subject matter of the policies, rules or other methods.*

A report prepared under section 32 is part of an evolving process of understanding the costs and benefits associated with a proposed plan change. A further evaluation is required to be made by Council before making a decision under clause 10 or clause 29(4) of Schedule 1.

This assessment is required to evaluate the proposed plan change in terms of the potential costs and benefits to the community. In order to provide for the sustainable use and management of the site, the following methods have been considered:

- Continue with the status quo (i.e. do nothing);
- Apply for a resource consent; or
- Initiate a plan change.

The costs and benefits of these methods, in regards to achieving the purpose of the Act, are as follows:

### 10.1 Status Quo

Retaining the status quo means that the site remains zoned Inner Plains. Any increase in residential activity on the site would require resource consent.

The benefits and costs of retaining the status quo are assessed as follows:

<b>Implications:</b>	Site remains zoned Rural Inner Plains.
<b>Benefits:</b>	Avoids the costs of the plan change process.
	There is no loss of rural land.
<b>Costs:</b>	There is a continued demand for low density housing in the area, which may be filled by inappropriate development elsewhere in the District.
	Rural residential growth to the south of Prebbleton is unduly restricted.

Under the rules for the Inner Plains zone there is little possibility of establishing rural residential activity as of right. The result of this option would be that future rural residential development would proceed by way of individual consents with a non-complying activity status. This has the potential to create un-cohesive and costly developments to the south of the township, which will not adequately provide linkages to the township. Alternatively, growth will occur in other parts of the District, which are less suitable than the proposal site.

## 10.2 Resource Consent

An alternative approach is to seek resource consents for the implementation of the entire site as residential sections. However given the non-complying status under the current district planning provisions, and the extensive amount of information required to undertake such a resource consent, it is considered that there are both legal and practical difficulties with this option. These difficulties are likely to be prohibitive to future residential development.

The benefits and costs of applying for resource consent are assessed as follows:

<b>Implications:</b>	The site remains zoned Rural Inner Plains.
	Application for residential subdivision and development will need to be very specific in detail and provide an assessment of objectives and policies of the District Plan and the CRPS.
<b>Benefits:</b>	Possible reduced time scale and cost for obtaining consent.
	Probable efficient use of land once consent is granted.

<b>Costs:</b>	It is likely that an application may be declined due to a conflict with existing Rural Inner Plains zone objectives and policies.
	An area ideal for development outlined by the objectives in the CRPS and the District Plan is unable to be developed, constraining the southern extent of the township.

Because of the number of conflicts with the District Plan rules it is considered that any application for a larger scale residential development would be considered as a non-complying activity. Therefore the proposal would have to pass one of the threshold tests in Section 104(D) of the Act, and it is possible that it would fail both of these tests when considered against the underlying zoning. Furthermore, since *Operation Homer Ltd v Selwyn District Council [C100/2007]*, the Court and Council both accept that significantly out-of-zone development should be subject to a rezoning proposal rather than a non-complying resource consent.

If consents were granted on the site, this would also give rise to implementation problems, as are being faced by the landowners nowadays. Any consent enabling a specific design and layout of development on this site would be subject to a number of conditions based on the information available at the time of approval including the specific boundaries of the allotments. Future alternations to residential activities not covered by the consent may require additional consents, such as minor changes to property boundaries, or the specific layout of sites within the proposal area. As a result the site owners would have very little flexibility to alter allotment size and shape until the most efficient design can be achieved.

It is considered that this approach is not appropriate for this proposal.

### 10.3 Plan Change

The third approach to the redevelopment of the site is by changing to the District Plan. This can be done one of two ways, namely waiting for the Council's next District Plan review, or by initiating a private plan change. Given the pressure that is currently on the land resource and the low likelihood of Council choosing to rezone this block ahead of other privately initiated plan changes, waiting for the District Plan review was discarded as unsuitable.

A privately initiated plan change has the following benefits and costs.

<b>Implications:</b>	The zoning changes will allow a development to proceed as a controlled subdivision with most of the future rural residential dwellings built as permitted activities.
<b>Benefits:</b>	<p>Uses a natural resource (land) in a way that will enable people to provide for their economic needs.</p> <p>Precludes unplanned ad hoc rural residential development.</p> <p>Provides for a coherent development which has strong linkages with the existing township.</p> <p>Results in a development that is able to enhance the character of the Prebbleton area in a manner anticipated by the Council.</p> <p>Allows for development that is designed to integrate with the existing environment.</p> <p>The site is already perfectly located to take advantage of the township's roading network, including cycle and pedestrian forms of transport.</p> <p>Preserves the integrity of the Selwyn District Plan.</p> <p>Is consistent with PC32.</p> <p>Is consistent with the LURP and PC1.</p> <p>Limits cost to Council, as the greater cost of plan change preparation and processing will be met by the applicant.</p>
<b>Costs:</b>	<p>Applicant meets all costs associated with the preparation and processing of the private plan change application.</p> <p>Small reduction in area of rural land in Selwyn.</p>

The privately initiated plan change option has been determined by section 32 analysis to be the most appropriate way to achieve the outcome of providing safe and efficient housing in Prebbleton.

#### 10.4 The Risk of Acting or Not Acting

The Resource Management Act requires the Council to evaluate the risk of acting or not acting if there is uncertain or insufficient information.



The potential risk of not acting is that it will delay the establishment of housing to meet the demands of the housing market; and there is the risk that demand will be met through development of land less suitable than the proposal site in terms of proximity to an existing township, its existing services, and existing motorised and non-motorised transport networks.

There is a risk associated with approving a plan change if Council has been provided with uncertain or insufficient information during the application process. This plan change application aims to provide sufficient and correct information to Council; however it is acknowledged that the exact details of the future development of the site are not known and some parts cannot be determined at this stage, such as the final servicing detail. That information is not considered to be necessary for the plan change; rather it is information that will be considered by Council as part of the engineering design at subdivision and/or development stage.

It is considered that all of the information presented with the application will enable Council to process the application with all of the correct information necessary to make a decision.

## **10.5 Section 32 Assessment Conclusions**

The private plan change option has been determined as the most appropriate way to proceed in this instance. The plan change enables a form of development not currently anticipated by the Plan, however areas such as this are considered appropriate for this type of development by the District and Regional Councils and are identified through strategic planning processes. The plan change provides evidence, including an Outline Development Plan to reassure the Council that development can occur in an integrated and coordinated manner through the existing and proposed provisions of the District Plan.

In summary, it is considered that the proposed plan change is the most appropriate means for achieving the objectives of the Selwyn District Plan and the purpose of the Act.

## **10.6 Alternative Locations and Methods Considered**

In *Brown v Dunedin CC*, [AP32/02], the High Court found that s32(1) does not contemplate that determination of a site specific proposed plan change will involve a comparison with alternative sites. The Court stated that “...it would be unrealistic and unfair to expect those supporting a site specific plan change to undertake the mammoth task of eliminating all other potential alternative sites within the district”.

This plan change is a site-specific plan change request, and is proposed in response to the demand for low density housing in close proximity to Christchurch City. As such, no detailed evaluation of alternative sites has been undertaken as part of the plan change preparation process.

The alternative methods for the future development of the site involved the use of resource consents to allow development. As discussed in the s32 analysis above, the use of resource consents to allow development of this site is not considered to be efficient or cost-effective.

## 11.0 CONSULTATION

Clause 1(h) of the Fourth Schedule of the Act requires that persons affected by the proposal are to be identified, along with the “*consultation undertaken, if any and any response to the views of any person consulted*”.

It is noted that Clause 1AA of the Fourth Schedule states that:

*To avoid doubt, clause 1(h) [of the Fourth Schedule] obliges an applicant to report as to the persons identified as being affected by the proposal, but does not*

- a) Oblige the applicant to consult with any person; or*
- b) Create any ground for expecting that the applicant will consult with any person*

Clause 25 of Part 2 of the First Schedule of the Act requires that should the Council agree to accept the plan change request, the proposal must be publicly notified for submissions. Public notification is a form of consultation and it is important to recognise that a greater number of persons may be notified than may have been involved in the initial consultation process.

There have been several discussions between the applicant, their consultants and the Selwyn District Council. In addition, discussions have been held with representatives of Te Taumutu Rūnanga, whose comments are likely to be provided during the notification periods.

Limited consultation was also carried out with the Prebbleton Community Association and Orion prior to lodgment of the application.

Wider consultation was not undertaken as there was ample opportunity for public involvement through the notification and hearings associated with PC1 to the CRPS and through PC32 to the District Plan. It is therefore considered that the Council's notification process will adequately provide the community with an opportunity to discuss any additional issues that may arise.

## 12.0 CONCLUSION

This plan change application proposes to rezone some 12.4 hectares south of Prebbleton Township, in order to provide for future rural residential development. Once rezoned, the site can be developed in accordance with the requirements of the Living 3 zone standards of the Selwyn District Plan.

Based on the assessment undertaken above, in accordance with the requirements of Section 73(2) and Section 32 of the Act, the application concludes that the proposed rezoning of the site from Rural Inner Plains to Living 3 zone will achieve the objectives and policies of the Selwyn District Plan. It also concludes that the benefits of undertaking a privately initiated plan change outweigh the costs of not doing so.

The plan change will achieve the principles and purpose of the Act as the proposal will be in keeping with the character of the existing environment and it represents an appropriate way to provide for the future growth of Prebbleton

It is considered that the proposed plan change will be consistent with the objectives and policies of the Plan, and will also be consistent with the objectives and policies of the Regional Policy Statement and all other statutory and non-statutory planning framework.

The assessment under section 32 of the Resource Management Act and the various appended reports validate the suitability of the site for residential zoning and activity. In addition, an assessment of effects contained within the application shows that the actual and potential effects on the environment as a result of this plan change will be no more than minor.

## Appendix 1: Certificates of Title



# COMPUTER FREEHOLD REGISTER UNDER LAND TRANSFER ACT 1952



  
R. W. Muir  
Registrar-General  
of Land

## Search Copy

**Identifier** 7140  
**Land Registration District** Canterbury  
**Date Issued** 03 October 2001

### Prior References

CB1D/121

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**Estate** Fee Simple  
**Area** 7.4352 hectares more or less  
**Legal Description** Lot 9 Deposited Plan 301739

### Proprietors

Conifer Grove Trustees Limited

---

### Interests

Land Covenant in Transfer 5089933.6 - 3.10.2001 at 11:58 am

Appurtenant hereto is a Right to drain sewage and a Right to convey water electric power and telecommunications as specified in Easement Certificate 5089933.7 - 3.10.2001 at 11:58 am

7485694.1 Mortgage to (now) Anne Kathleen Taylor, George Alexander Garden and Ross Edward Taylor - 3.8.2007 at 12:21 pm

8353546.1 Mortgage to ASB Bank Limited - 23.12.2009 at 3:18 pm

8385677.1 Mortgage Priority Instrument making Mortgage 8353546.1 first priority and Mortgage 7485694.1 second priority - 23.12.2009 at 3:35 pm

Trices Road Legal Road

Hamptons Road Legal Road

Birchs Road Legal Road

PT R53967 TP83955

8 1.1268ha

7 9517m<sup>2</sup>

6 9767m<sup>2</sup>

5 9361m<sup>2</sup>

4 1.1571ha

3 6746m<sup>2</sup>

2 6354m<sup>2</sup>

1 1202m<sup>2</sup>

9 1.4352ha

DP22302

Diagram (distorted)

DocID: 210224668

CERTIFICATE OF TITLE ALLOCATED

LOT 1 7132	LOT 6 7137
LOT 2 7133	LOT 7 7138
LOT 3 7134	LOT 8 7139
LOT 4 7135	LOT 9 7140
LOT 5 7136	

**APPROVALS**

Approved *P. S. Bromahan*

*P. S. Bromahan* Registered Proprietor

I hereby certify that this plan was approved by the Selwyn District Council pursuant to Section 223 of the Resource Management Act 1991 on the 21 day of *APRIL* 2001

*[Signature]* Principal Administrative Officer / Authorised Officer

**PROPOSED EASEMENT**

NATURE	SECTION / TEN	DOM TEN
RIGHT TO DRAIN	LOT 1 (N SHOWN)	0
WATER ELECTRIC	A	0
TELECOMMUNICATIONS		

This is a class 1 survey

Total Area 14.6218ha

Comprised in CT127121

**ANDREW DARREN FRY**  
(being a person entitled to practice as a registered surveyor under the Survey Act 1998 and the Survey Regulations 1998)  
(I) the surveys in which this classifies are accurate, and were undertaken by me or under my direction in accordance with the Survey Act 1998 and the Survey Regulations 1998  
(2) this classifies is accurate and has been created in accordance with that Act and those Regulations

Signed *[Signature]* Date 30 / 3 / 2001

Field Book *123* Inverse Book *6*

Reference Plans DP25 30119, 22302, 15780

Examined *SOS, T10, FB112/30, TP83955* Correct

Approved as to Survey *[Signature]* 28 / 05 / 2001 for Chief Surveyor

Deposited this 3rd day of October, 2001

*[Signature]* for Registrar General of Land

File No. 17 - 5 - 2001

DP 30 1739

LAND DISTRICT Canterbury  
 Survey Blk. & Dist. 1 Halswell  
 NZMS 261 Sheet Record Map No.

Lots 1 - 4 Being Subdivision of Lot 2 DP22302

TERRITORIAL AUTHORITY Selwyn District  
 Surveyed by **Davis Ogilvie** 1989  
 Scale 1:2000 Date OCT - DEC 2000

1:2000 SURVEY OF GENERAL LAND INFORMATION NEW ZEALAND

4044310 2406012





# COMPUTER FREEHOLD REGISTER UNDER LAND TRANSFER ACT 1952



  
R. W. Muir  
Registrar-General  
of Land

## Search Copy

**Identifier** CB15F/711  
**Land Registration District** Canterbury  
**Date Issued** 10 September 1975

### Prior References

CB253/69

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<b>Estate</b>	Fee Simple
<b>Area</b>	1.5921 hectares more or less
<b>Legal Description</b>	Part Rural Section 3967

### Proprietors

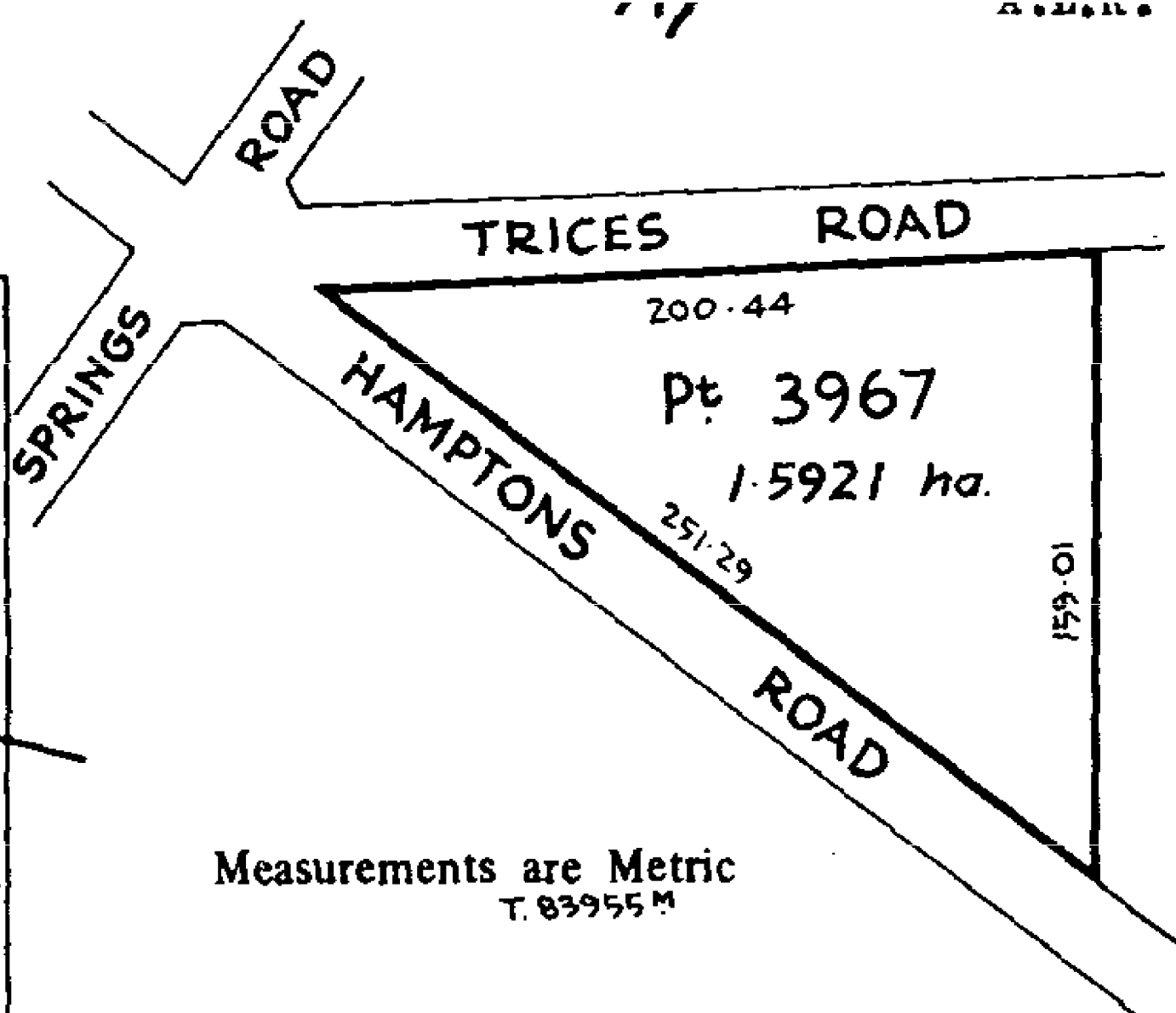
Ross William Telfer and Patricia Imelda Telfer

---

### Interests

7899816.3 Mortgage to Westpac New Zealand Limited - 12.8.2008 at 9:57 am

10. 175 / 111



Measurements are Metric  
T. 83955 M



# COMPUTER FREEHOLD REGISTER UNDER LAND TRANSFER ACT 1952



  
R. W. Muir  
Registrar-General  
of Land

## Search Copy

**Identifier** CB1D/75  
**Land Registration District** Canterbury  
**Date Issued** 31 July 1962

### Prior References

CB253/70

---

<b>Estate</b>	Fee Simple
<b>Area</b>	3.3210 hectares more or less
<b>Legal Description</b>	Lot 1 Deposited Plan 22302

### Proprietors

Orion New Zealand Limited

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### Interests

## U.S. Form 9131

[illegible]



# COMPUTER FREEHOLD REGISTER UNDER LAND TRANSFER ACT 1952



  
R.W. Muir  
Registrar-General  
of Land

## Search Copy

**Identifier** 7139  
**Land Registration District** Canterbury  
**Date Issued** 03 October 2001

### Prior References

CB1D/121

---

<b>Estate</b>	Fee Simple
<b>Area</b>	1.1268 hectares more or less
<b>Legal Description</b>	Lot 8 Deposited Plan 301739

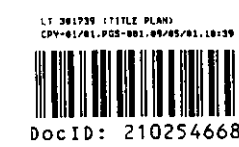
### Proprietors

Gillian Gabrielle Smith and Richard John Sissons as to a 1/2 share  
Ernest John Smith and Richard John Sissons as to a 1/2 share

---

### Interests

5089933.4 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 3.10.2001 at 11:58 am  
Land Covenant in Transfer 5089933.6 - 3.10.2001 at 11:58 am  
Fencing Covenant in Transfer 5089933.6 - 3.10.2001 at 11:58 am



Approvals Approved  
P.S. Bromahan.  
Registered Proprietor

I hereby certify that this plan was approved by the Selwyn District Council pursuant to Section 223 of the Resource Management Act 1991 on the 24<sup>th</sup> day of APRIL 2001

[Signature]  
Principal Administrative Officer/  
Authorised Officer

CERTIFICATE OF TITLE ALLOCATED			
LOT 1	7132	LOT 6	7137
LOT 2	7133	LOT 7	7138
LOT 3	7134	LOT 8	7139
LOT 4	7135	LOT 9	7140
LOT 5	7136		

PROPOSED EASEMENT			
NATURE	SERVIENT TEN LOT NO SHOWN	DOM TEN	
RIGHT TO DRAIN SEWAGE, RIGHT TO CONVEY WATER, ELECTRIC POWER & TELECOMMUNICATIONS	4	A	9

This is a class 1 survey

Total Area 14.6218ha

Comprised in CTID/121

I, Andrew Darren Fry, being a person entitled to practise as a registered surveyor certify that:

(a) The surveys to which this dataset relates are accurate, and were undertaken by me or under my direction in accordance with the Survey Act 1986 and the Survey Regulations 1998.

(b) This dataset is accurate and has been created in accordance with that Act and those Regulations.

Signed [Signature] Date 30/3/2001

Field Book 1 p. Traverse Book 1 p.

Reference Plans DP's 301115, 22302, 18780

505.798 FB1173/30 TP83955

Examined Correct

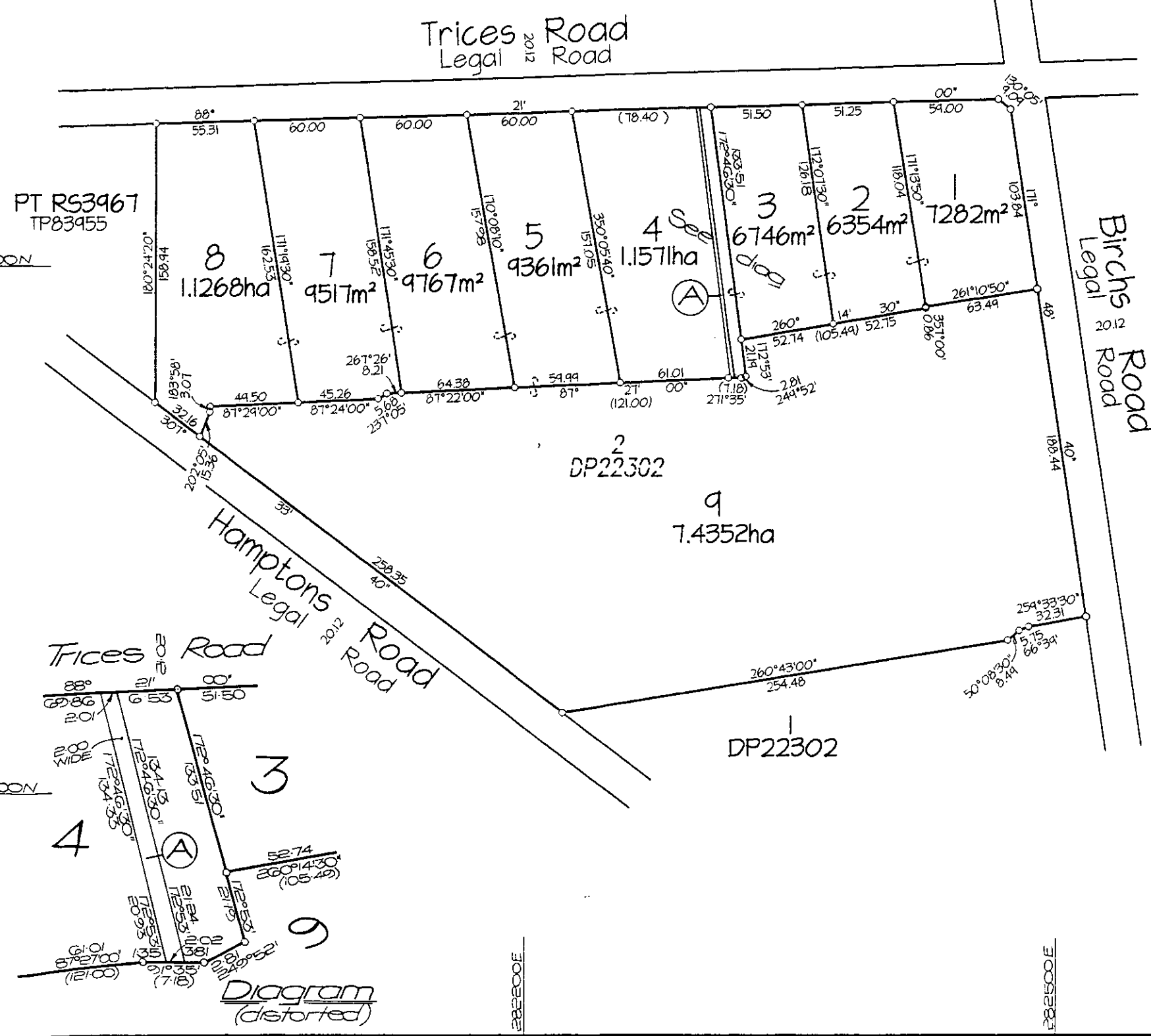
Approved as to Survey

23/05/2001 [Signature] Chief Surveyor

Deposited this 3rd day of October 2001

[Signature] for Registrar General of Land

File Received Instructions 9-5-2001 DP 30 1739



LAND DISTRICT Canterbury  
Survey Blk. & Dist. 1 Halswell  
NZMS 261 Sheet Record Map No.

Lots 1 - 9 Being Subdivision of Lot 2 DP22302

TERRITORIAL AUTHORITY Selwyn District  
Surveyed by Davis Ogilvie 1993  
Scale 1-2000 Date OCT - DEC 2000