

PRIVATE PLAN CHANGE TO THE SELWYN DISTRICT PLAN BANGOR ROAD, DARFIELD

For Mrs. Gill Logan

PURPOSE OF PLAN CHANGE REQUEST

Introduction

Under Section 73(2) of the Resource Management Act 1991 (RMA), Mrs Gillian Logan (the applicant) requests a change to the Selwyn District Plan.

This plan change request seeks to lift the deferred status over 130.39 hectares of land located on Bangor Road, Darfield, from Living 2A (deferred) to Living 2A, in order to enable utilisation of the land for rural residential development.

Section 73(1A) of the Resource Management Act 1991 (the Act) gives a territorial authority the ability to change its plan. In addition, the First Schedule of the Act makes provision for requests for changes to its District Plan, and Clause 21 provides that *'any person may request a change to a District Plan.'*

Section 74 of the RMA requires that the Council, when amending its plan, has regard to the provisions of Part 2 of the RMA, its functions under section 31 and its duties under section 32.

Accordingly, an assessment of the potential effects on the environment, along with a section 32 assessment has been completed as part of this plan change request. Together with the supporting documentation, this report provides the required information to enable Council to make a determination on this request, and validates the suitability of the site for rural residential zoning under the Selwyn District Plan. The site is currently deferred subject to the provision of a water supply and the insertion of an ODP into the District Plan. Water supply has now been provided, and this application merely seeks to add an ODP to the District Plan to meet the second deferral trigger.

Summary of applicant and the proposal details

Owner/Applicant

Mrs Gillian Marjorie Logan

Site Address	160 Bangor Road, Darfield
Legal Description	Section 2 Survey Office Plan 438759 & Lot 2 DP 81020
Certificate of Titles	548760 & CB 47A/153, attached in Appendix 1
Net Site Area	130.39 hectares
District Plan Zoning	Living 2A (deferred), District Planning Maps 64, 65, 67 & 68 attached in Appendix 2
Roading Hierarchy	Bangor Road – State Highway (SH 77) West Coast Road – State Highway (SH 73)
Proposal	Privately initiated plan change request to lift the deferred zone over the land contained within the proposed Bangor Road ODP area to Living 2A.

Table of Contents

1. Site and Surrounds	6
Table 1 – Current land parcels and owner.....	9
Surrounds.....	15
Darfield.....	16
2. Planning History	16
3. Description of Proposal.....	18
Staging.....	18
Outline Development Plan Features.....	18
Planning Framework	20
Overall Development Concept.....	21
Servicing Strategy.....	22
Potable Water Supply	22
Stormwater	23
Wastewater.....	23
Power Supply and Telecommunications.....	24
Power Supply	24
Telecommunications.....	24
Other Matters	24
Flooding.....	24
Earthworks	24
Geotechnical	25
4. Proposed Changes to Selwyn District Plan	25
Objectives and Policies	25
Reasons for rules.....	28
Planning Maps.....	28
Appendices.....	29
5. an evaluative assessment of the Legal framework	29

Part 11 – Resource Management Act Matters	29
Section 5 – Purpose	29
Section 6 – Matters of National Importance of the RMA	30
Section 7 – Other matters of the RMA	30
Section 8 – Treaty of Waitangi	31
Local and Regional Statutory Documents	32
Introduction	32
Canterbury Regional Policy Statement	32
NRRP and LWRP	36
Recovery Strategy of Greater Christchurch	37
Mahaanui Iwi Management Plan 2013	38
Canterbury Regional Land Transport Strategy 2012	39
6. Assessment of Effects	39
Rural Character	40
Reverse sensitivity effects	42
Traffic effects	43
Increase in availability of Living 2A land	44
Loss of versatile soils	44
Servicing strategy	45
Geotechnical effects	45
Environmental effects	46
Discharge of contaminants effects	46
Use of hazardous substances effects	46
Community services and facilities effects	47
Positive effects	47
Effects conclusion	48
7. Section 32 – Consideration of Alternatives, Benefits and Costs	48
Section 73 – Preparation and Change of District Plans	48
Section 74 and its relationship to Section 31	49
Section B1 – Natural Resources	52
Section B2 – Physical Resources	52

Transport Networks	53
Section B3 – People’s Health, Safety and Values.....	55
Section B4 – Growth of Townships	55
Subsection (iii) requires a summary of the reasons for deciding on the provisions.	65
8. Summary of Options, Benefits and Costs (For Section 32 Analysis)	65
Status Quo – Option 1.....	66
Resource Consent – Option 2	66
Initiate a plan change for the rezoning of the site to Living 2 and Business – Option 3	66
Initiate a plan change for the lifting of the deferred status over the site to Living 2A – Option 4.....	67
Initiate a plan change for the lifting of the deferred status over the entire Area 5 land to Living 2A – Option 5	67
Conclusion.....	70
Costs.....	71
Benefits	71
Alternative locations considered	72
Alternative Methods Considered.....	73
9. Consultation.....	73
Selwyn District Council.....	74
Other Parties	74
Adjoining property owners	75
Service Providers.....	75
10. Conclusion.....	76

1. SITE AND SURROUNDS

- 1.1. The site comprises of land owned by the applicant and is currently farmed with a mix of sheep and crop. The total area of the land contains 130.39 hectares and is contained in two titles. Copies of the titles are attached in **Appendix 1**. The land is zoned Living 2A (deferred) within the Selwyn District Plan as shown on District Planning Maps 64, 65, 67 & 68. Copies of the relevant Planning Maps are attached as **Appendix 2**. The site's location is shown in **Figure 1** below.

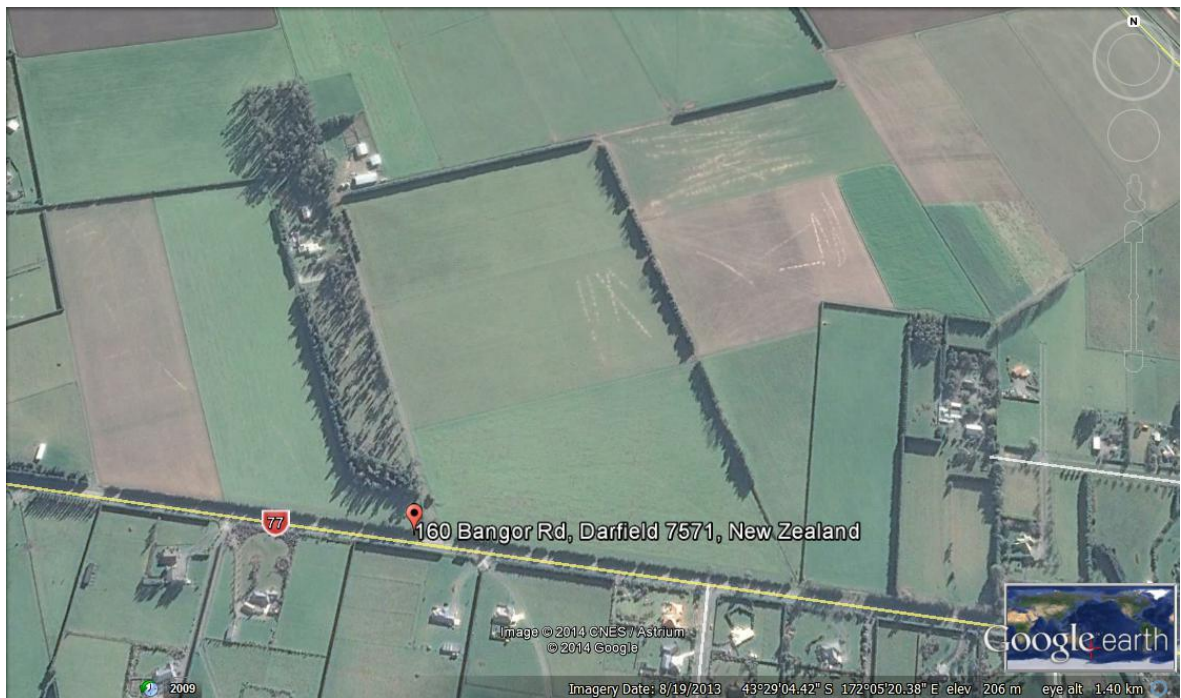
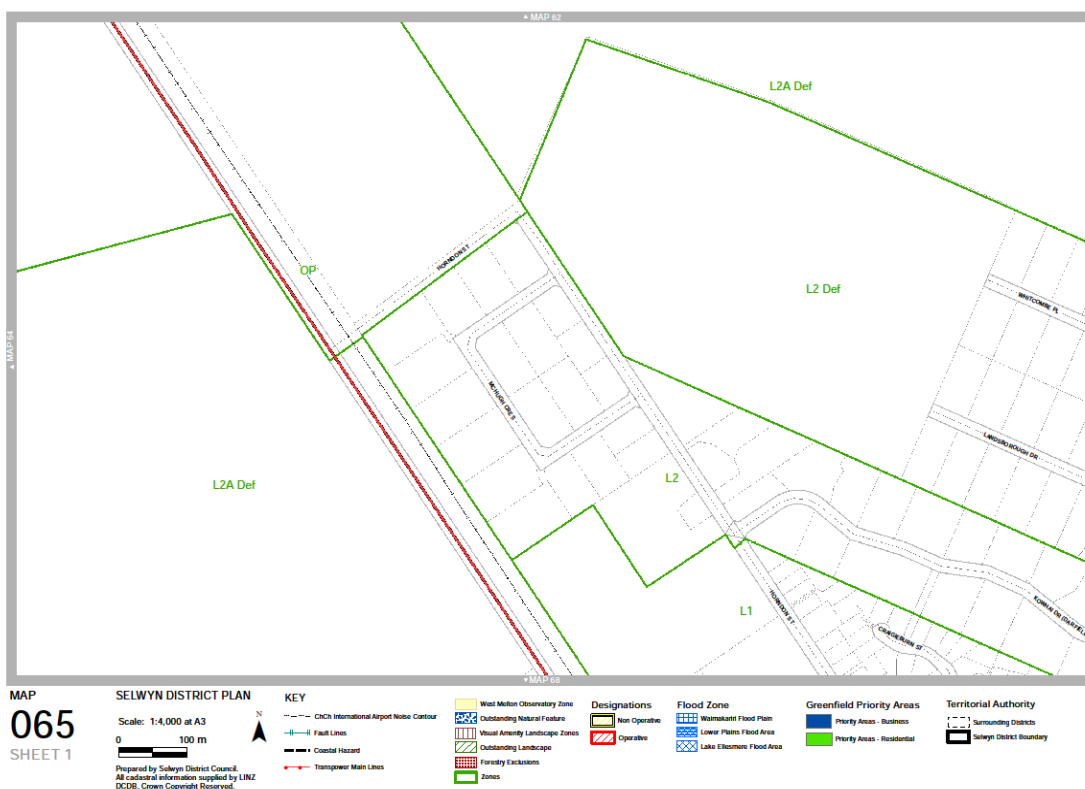
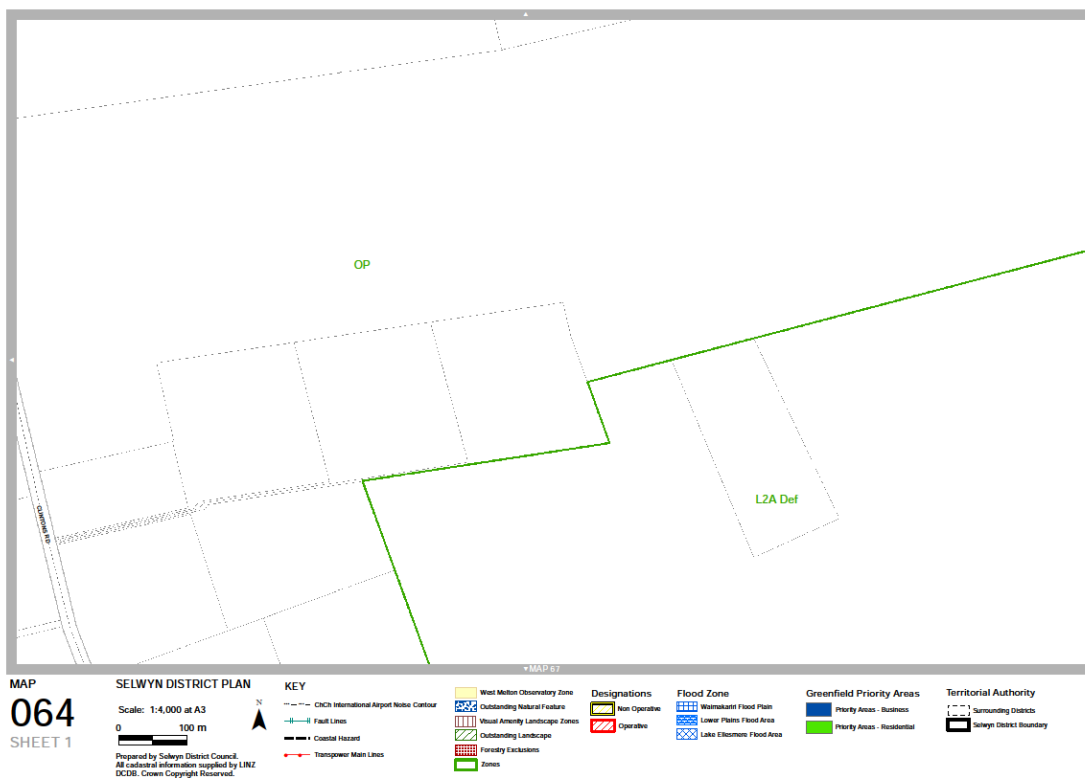
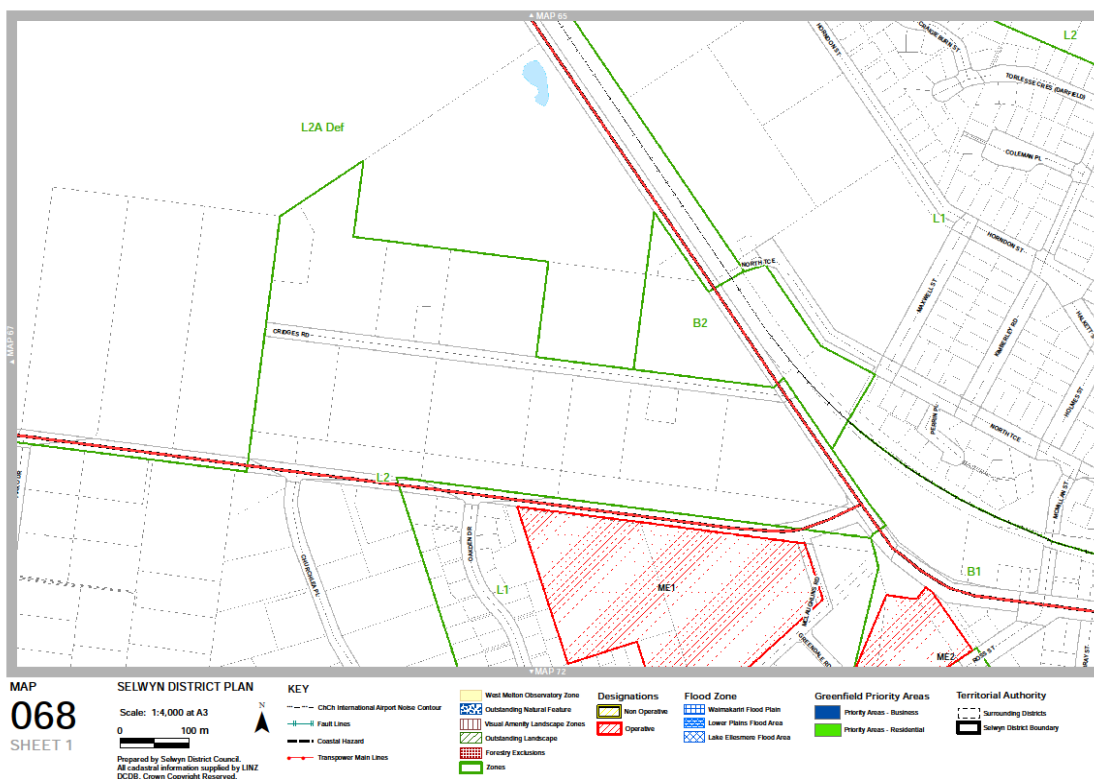
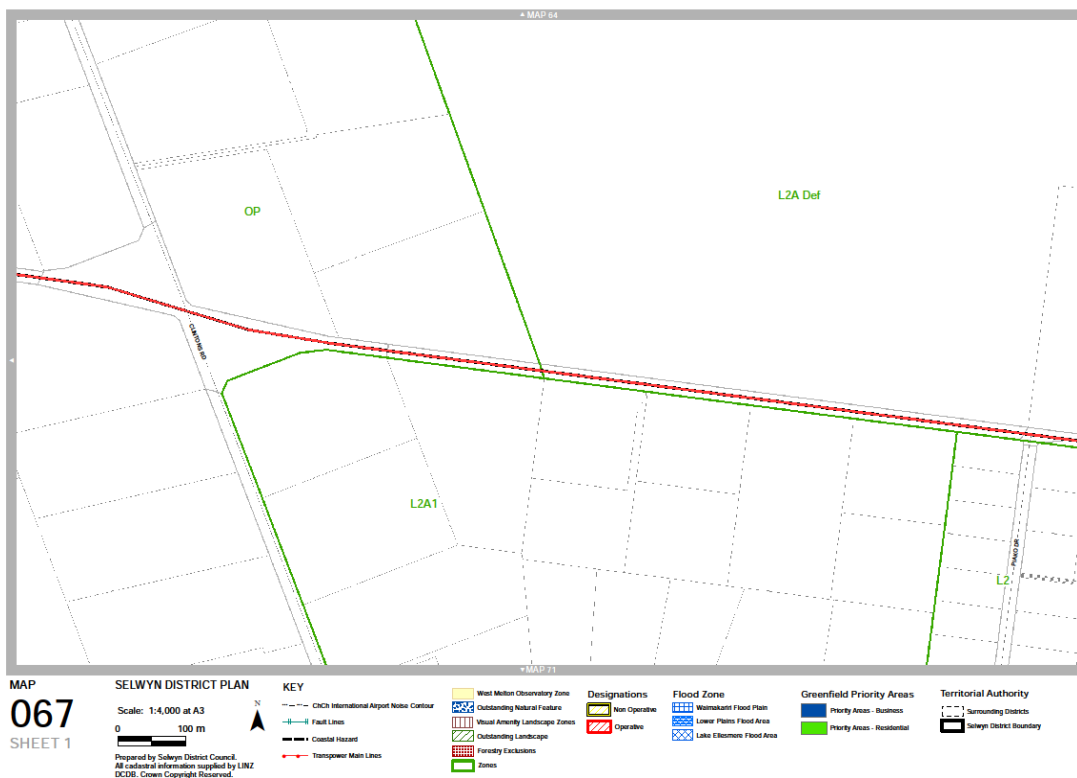


Figure 1 – Google Earth Image

The relevant planning maps 64, 65, 67 & 68 are shown in **Figures 2, 3, 4 & 5** below and are attached in **Appendix 2**.



Figures 2 & 3 – Planning Maps 64 & 65



Figures 4 & 5 – Planning Maps 67 & 68

The table below details the two parcels of land included in the plan change and the current owner of the land.

Table 1 – Current land parcels and owner

No.	Address	Legal Description	Title Reference	Owner	Area
1	160 Bangor Road, Darfield	Section 2 Survey Office Plan 438579	548760	Gillian Marjorie Logan	126.3900
2	160 Bangor Road, Darfield	Lot 2 DP 81020	CB47A/153	Gillian Marjorie Logan	4.0000

- 1.2. There are no interests registered on the Certificates of Title that restrict the proposed lifting of the deferred zone and subsequent rural residential development from taking place.
- 1.3. There is a bond registered on title CB47A/153 by the Selwyn District Council and this refers to the formation of an access way to Lot 2 DP 81020 upon the generation of an application for building consent.
- 1.4. There are rights (in gross) to convey electricity, telecommunications and computer media over parts marked A and B and a right of way and right to convey water over part marked B on SO 438579 in favour of Selwyn District Council on title 548760. There is a right (in gross) to convey electricity over part marked A on SO 438579 in favour of Orion New Zealand Limited.

Photos 1-10 below show general views of the site and surrounds.



Photo 1 – The site looking west towards the foothills and the Southern Alps.



Photo 2 – The site looking north west towards McHugh's Park.



Photo 3 – View of the site adjoining Bangor Road



Photo 4 – View of the homestead and established grounds to be retained



Photo 5 – View of the tree lined accessway to be retained



Photo 6 – View of the yards showing the large storage shed



Photo 7 – View of adjoining rural residential development

- 1.5. A¹ review of geological maps indicates that the property is predominantly underlain by a thick sequence of unweathered alluvial 'outwash' which was deposited during the last glaciation. In modern river/stream channels and associated floodplains, outwash gravels have been eroded by fluvial action, and are overlain by a veneer of Holocene river gravels, commonly in a series of degradation terraces. Site observations and aerial photos indicate that surficial sediments are predominantly a thin layer of topsoil overlying loess and alluvial gravels. No evidence of geological hazards were observed to have affected the property as referred to in the attached geo-environmental assessment in **Appendix 7**.
- 1.6. The site is located on the northern fringes of Darfield Township and is bound by two State Highways, SH 73, West Coast Road and SH 77, Bangor Road. The site adjoins SH 73 along the eastern boundary and the Midland Line rail corridor and the southern boundary adjoins SH 77 which is a direct route to Darfield township. The western and northern boundaries are adjacent to the Rural Outer Plains zone and the southern boundary is bound by Bangor Road. Both state highways currently have speed limits of 80 to 100 km/h as referred to in the attached transport assessment in **Appendix 5**.

¹ Refer to URS Geo-Environmental Report

- 1.7. The site can be seen from both the West Coast Road and Bangor Road and has panoramic views of the foothills and the Southern Alps in a north westerly direction.
- 1.8. The land is generally flat but falls slightly towards Bangor Road to the south. Most of the site is currently covered in pastoral grass however there are also areas planted in crop. There are numerous established shelterbelts located around the property which provide shelter to stock. There are two forestry blocks on the site consisting of eucalypts interspersed with pine trees; one block is located along the Bangor Road driveway and the second block is located behind the yard to the rear of the homestead. There are two water races originating from the Kowhai River which intersect the property. One bisects the site from north to south and the smaller race is located along part of the sites south-eastern boundary.
- 1.9. The applicant owns the larger water race and the smaller water race is owned by Council. Both water races are for stock water supply only and are not used for irrigation purposes. The larger water race is shown in photo 8 below.



Photo 8 – View of larger water race to be retained.

- 1.10. The site contains a 1920's villa which has been renovated and extended to provide a modernised family home. There is an attached double garage and a store room. Large established grounds surround the homestead including a fenced in-ground, concrete swimming pool and an asphalt tennis court. Other small ancillary sheds include a pool shed and a storage shed. Established trees and shrubs provide privacy and shelter to the homestead and grounds.

A small yard is located directly behind the homestead which contains a high stud storage shed and two wood sheds of varying size. A larger farm yard is located further north and contains a number of sheds that are utilised as part of the farming activity, including a large storage shed of approximately 600m², an open hayshed, a woolshed with attached yards and two silos. The site is well fenced with internal and external post and wire fencing. The property is accessed from a shingled driveway directly off Bangor Road as shown in photo 9 below.



Photo 9 – View of existing accessway to the site.

- 1.11. The northern boundary of the site skirts around a four hectare block of land owned by Council which protrudes into the site and contains the two Council wells, a water reservoir, a shed and a weather station. This land is accessed via a track running from West Coast Road (SH 73) along an easement on the subject property.
- 1.12. The site received no visible damage as a result of the September 4 2010, 7.1 magnitude earthquake. However the applicant commissioned an assessment carried out by a Geotechnical engineer to assess the suitability of the site for residential development. This assessment is attached as **Appendix 7** to this application.

Surrounds

- 1.13. The sites immediate surrounds include a mix of established lifestyle blocks to the west, large open farmland to the north and established living environments to the south and east. Wider

surrounds include the high density living areas of Darfield Township just south of the site. The site is located opposite the large forestry block known as McHugh's Park which will be developed into a multi-use recreational park offering mountain biking, walking, running and dog walking routes in 2015. Other properties within close proximity to the subject site include the recreation centre and Mitchell's timber mill which is a well-established local business that employs a large number of local people. There are two small reserves located within close proximity to the site, one on Bangor Road and one on West Coast Road. Darfield High School is located approximately 1 km south of the site and Trinity Church is located at the intersection SH (73) and SH (77). The Fonterra milk processing factory is located approximately 2 kilometres north of the site along SH 73.

Darfield

- 1.14. The township of Darfield is located 35 kilometres west of Christchurch on SH 73 and on the Midland railway line, route of the Tranz Alpine train service. The township of Darfield is reasonably compact, with its northern and southern edges transitioning abruptly from varying densities of residential living to farmland. Darfield is a service town to the surrounding rural community and is the main town between Christchurch and the West Coast. The township contains a mix of typically urban densities, commercial and business zones.
- 1.15. The Statistics New Zealand website provides census data relating to Darfield and it indicates that in 2013, 1,935 people lived in Darfield. Darfield has a higher rate of people aged over 65 than in the wider Canterbury area with 20.2% of people in Darfield being 65 years old or over, compared with 13.9% of the total Canterbury population.
- 1.16. The Darfield district contains a range of living styles, including high density living within the township, medium density living on the fringes of the township, a large number of lifestyle blocks located on the border of residential areas as well as small and large farming units.
- 1.17. Darfield provides a number of amenities including pre-schools, a primary school, a high school, local shops, restaurants, cafes, health and veterinary services and a large recreational centre and a number of smaller reserves. There are imminent plans for the development of McHugh's Park.

2. PLANNING HISTORY

- 2.1. Development of the site has been limited by the deferred status that currently overlies the Living 2A zoning of the site. The Selwyn District Plan states that the deferral shall be lifted once the following criteria are met:

- (a) A potable water supply is available, and
 - (b) The insertion of detailed Outline Development Plans for each of the identified six areas into the District Plan.
 - (c) The provision of mitigation measures to address potential reverse sensitivity issues.
- 2.2. The limiting factor of water has been resolved with the construction of two wells located on the Council owned site adjoining the subject area. There is adequate water to service a rural residential development as detailed in the servicing strategy report in **Appendix 4**. The second limitation will be resolved by the insertion of an ODP into the SDP as proposed by this plan change. Reverse Sensitivity effects have been addressed through the design of the ODP which includes a number of mitigation measures.
- 2.3. The applicant has been involved frequently over the past few years in community consultation with Council and has been waiting for PC 31 to be finalised. PC 31 further developed the Darfield Development Integration Plan which identified four key stages as outlined below:
- Identification and drafting of key elements of the Outline Development Plans including access, roading, cycle ways and pedestrian walkways;
 - Consultation with landowners to discuss land development options that meet individual as well as community aspirations;
 - Consultation with key stakeholders and the public; including holding a well-received Open Day at the Darfield Library;
 - A well-received open day at the Darfield Library.
- 2.4. The resulting final Darfield Integration Plan consists of six Outline Development Plans (one for each of the identified areas) and was formally adopted by Council. The stated aim was to then proceed to insert the ODP's into the District Plan by way of a Plan Change under PC 31.
- 2.5. However in 2014, PC 31 was withdrawn by Council in favour of a new document or planning framework known as, Selwyn 2031, which identifies that an area plan is required for Darfield, the preparation of which the Council has advised was to have commenced in January 2015.
- 2.6. 'Selwyn 2031' is considered necessary due to the fact that the Selwyn District has consistently been the fastest growing district in New Zealand over recent years. Population and development pressures are changing the environment in which decisions have to be made and are challenging the Council's ability to cater for its expanding urban environment. The Council has therefore initiated Selwyn 2031 to provide an overarching comprehensive spatial framework for managing urban growth in the district until at least 2031. Selwyn 2031 is therefore a key strategic document in planning for Selwyn's future and will be a point of reference for the community and the Council.

3. DESCRIPTION OF PROPOSAL

3.1 This plan change has been prepared for the following reasons:

- Due to the unknown time frame for an insertion of an ODP for Area 5.
- To remove the limitation of the deferred status of the zone to reflect the most efficient and most appropriate use of the land.
- To enhance the economic potential of the land.
- To enable the site to be developed without further delay.
- To design an ODP that provides a variety of densities and an integrated and coordinated development.
- To create opportunity for a high quality rural residential mixed density development to meet the needs of current and future inhabitants of Darfield.

3.2 The plan change proposes to lift the deferral to allow for subdivision down to an average of 1 ha subject to consistency with the Bangor Road ODP which will allow for the creation of approximately 125 sites. The Plan Change's purpose is to enable development of the subject land in a rural-residential manner, in accordance with the type of development indicated by the existing (albeit deferred) zoning of the land.

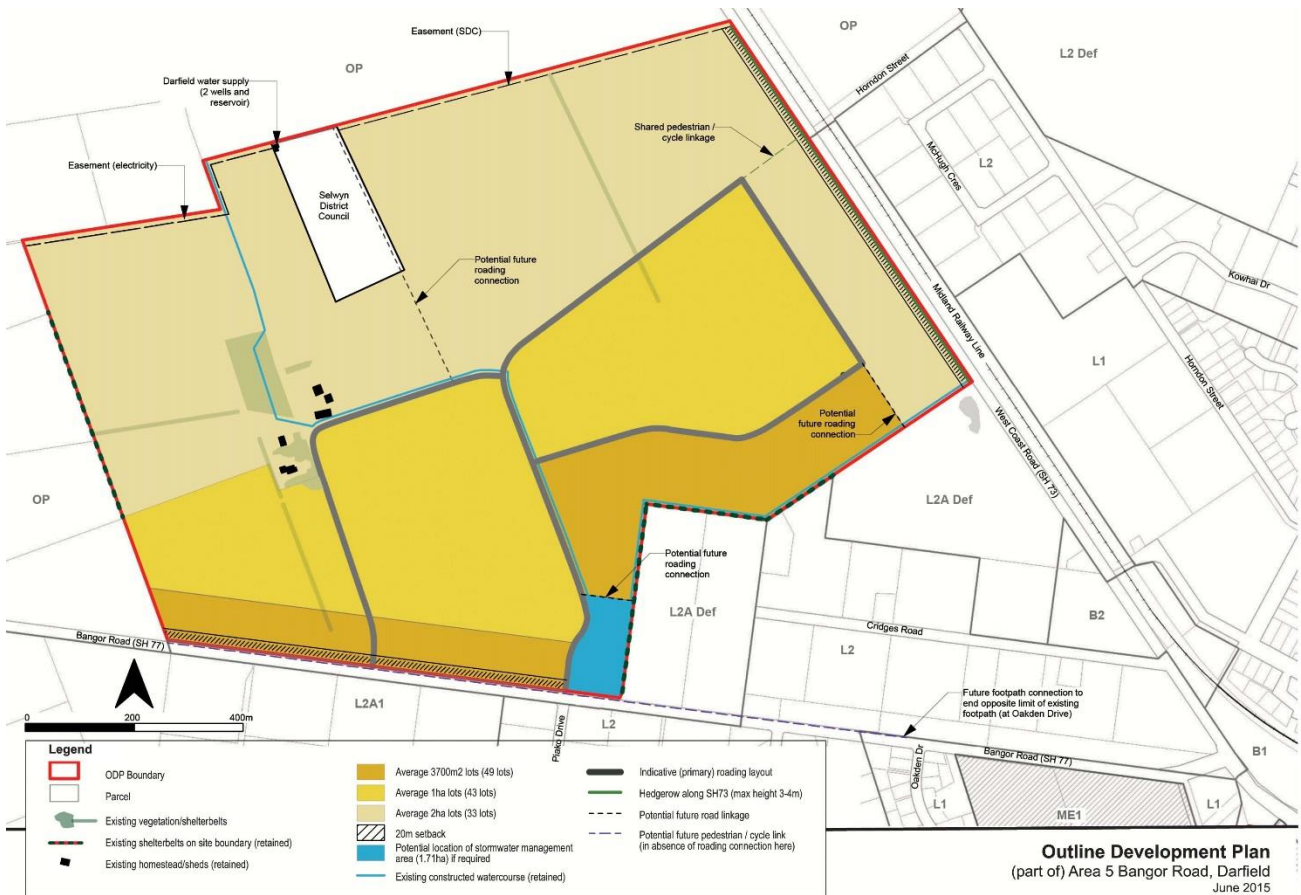
Staging

3.3 Any development resulting from the plan change is likely to occur in stages. This is inevitable in a large scale development. Staging will be determined at subdivision consent stage.

3.4 It is therefore considered that no detailed staging is necessary at plan change stage however a roading design has been established providing a direct link to the township. The key benefit of an ODP is that it ensures that the final layout of the development is anticipated.

Outline Development Plan Features

3.5 The ODP is attached in **Appendix 3** and provides the framework for the development of the site as Living 2A.



- 3.6 The ODP has been designed with consideration of the rules and guidelines in the June 2014 Rural Residential Strategy that responded to findings from the Land Use Recovery Plan (LURP) process. This includes matters such as building setbacks and location of the larger sized lots adjacent to the rural zone boundary with restrictions in the size of allotments along the western boundary and the location of smaller lots along Bangor Road and the south east boundary which is closest to existing Living 2 Zones. The intention of this is firstly to create a graduation in development intensity and built landscape change that reflects current dwelling density patterns in the contextual area and secondly to place the higher density living areas closest to key circulation linkages and Darfield High School.
- 3.7 Further details that explain how the proposed site will connect with Darfield and the surrounding established living areas are included within the Urban Design Assessment.
- 3.8 The following features are proposed in the proposed Bangor Road ODP and are referenced where necessary by the proposed rules within the plan:
- Two access points to the subject site directly off SH 77.
 - Individual driveways (access points) to sites located along SH 77.

- One possible access point for pedestrian and cycle access only to the subject site directly off SH 73.
- The retention of two existing water races within the site.
- The retention of the existing homestead, garage, sheds and rural buildings.
- Pedestrian/cycle link to SH 73.
- Building set-backs along SH 73 and SH 77.
- Potential future road linkages.
- Potential location of stormwater management area.
- Electricity easement.
- Easement in favour of SDC.
- The ODP includes the shows the existing shelterbelts, which have informed the layout of the ODP, and identifies both landscaping that will be retained, as well as landscaping that may be retained. As per the proposed rules to be inserted in the Plan, landscaping details will be confirmed at time of subdivision consent.

3.9 The ODP follows, urban design best practice as set out in in the Selwyn District Council Subdivision Design Guide 2009 and the New Zealand Urban Design Protocol 2005.

Planning Framework

3.10 Under subsection 2 of Section 73 (Preparation and Change of District Plans) of the Resource Management Act 1991 (RMA) and under Schedule 1, Clause 2, any person may request a Territory Authority to change a District Plan, and the plan may be changed in the manner set out in Schedule 1 of the RMA. 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 change, any 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 and potential environmental effects anticipated from the implementation of the change, policy statement or plan*

As this change is for the implementation of a deferred zoning, the applicant considers that the scale and significance of the actual and potential environmental effects anticipated is minor. Most have already been considered when the deferred zoning was put in place.

Overall Development Concept

- 3.11 Outline development plans (ODPs) are generally considered to be an illustration of the development concept and provide a framework by which development will occur in the future.
- 3.12 The proposed ODP incorporates the whole area of land owned by Mrs Logan and a copy is attached in **Appendix 3**. The ODP comprises the majority of the area that was identified as Area 4 of the Darfield Integration Plan. Copies of the initial ODP sketches containing more detail are also included in **Appendix 3** for your information
- 3.13 ODP's commonly include various infrastructure networks, particularly roading, to give a clear direction about the structure of future development on the site, and to indicate how development will progress.
- 3.14 The proposed ODP identifies the key transport networks, the location of the three densities, possible roading connection, pedestrian/cycling connection, linkage strips and mitigation measures such as buffer strips, set-back strips, the retention of existing landscaping and water courses and proposed landscaping. The ODP also identifies the location of a potential stormwater management area if required. It is anticipated as part of the plan change process, an ODP will be incorporated into the Plan, and will represent the blueprint for the development of the area. Any future development of the subject site will be required to occur in general accordance with the ODP, as reflected in the new rules within the Plan.
- 3.15 ²Context Urban Design Ltd has been involved in the master planning design in terms of provision of expert landscape architecture design issues and the preparation of the ODP has been prepared to incorporate the Urban Design assessment of the proposed ODP. This assessment is attached as **Appendix 6**.
- 3.16 The ODP is in keeping with the design qualities sought by the LURP and with the principles, objectives and policies of the Plan. It confirms the validity and suitability of the site for Living 2A rural residential style activity and provides a workable coordinated concept for the site of a practicable and useable rural residential environment whilst providing mechanisms to mitigate potential adverse effects.
- 3.17 The ODP contains access for pedestrian and cycles only to State Highway 73. While the applicant and Council had expressed a preference for vehicular access to State Highway 73, NZTA did not want this access and therefore it has been removed from the proposal.

² Refer to Urban Design Report

- 3.18 An assessment of effects on the environment likely to result from development under the Living 2A zone is provided in Section 5 of this application.

Servicing Strategy

- 3.19 The servicing strategy for the proposal has been prepared by Victor Mthamo of Reeftide Environmental Projects Ltd and a copy is attached as **Appendix 4**. The servicing strategy has been determined in accordance with SDC standards and strategies, and meets New Zealand construction standards. The subdivision standards for the Living 2A zone require that each allotment be provided with connections to water supply, reticulated sewage disposal, electricity and telecommunications supply³. The requirements for provision of services for rural residential subdivision are covered by the Plan's existing assessment matters, so this allows specific consideration to be given to these matters by the SDC at the time of subdivision. It is anticipated that subdivision of the site will secure the provision of these connections as a requirement of the conditions of subdivision consent.
- 3.20 A summary of the services to be provided to the site are outlined below with more details and options discussed in the servicing strategy report. Further detail of these services will be confirmed through final engineering design which will be undertaken as part of the subdivision consent process.

Potable Water Supply

- 3.21 Currently potable water supply to the site comes from the Council bores, L35/0980 and BX22/006 located on the Council owned site adjoining the site. The infrastructure supplying the water consists of two equipped wells, a reservoir and a booster pump station at the reservoir, power supply and a back-up generator.
- 3.22 The Council has confirmed that there is capacity to service the plan change area, based on a restricted water supply. If this option is pursued, the flow to the development will be 3 L/s over 24 hours in order to supply each property with 2,000 L/day. However the applicant, has noted that the average water demand in Darfield is 2,137 L/day and as the proposed lots are larger than the typical section in Darfield, the applicant requests an average allowance of 2,200L/day.
- 3.23 A common 45m³ storage tank will be required to meet the New Zealand Fire Services Firefighting Water Supplies Code of Practice. An alternative to this is for individual property owners to have on-property tanks to meet their own firefighting requirements. A restricted water supply could be achieved with pipe sizes of less than PN80 in diameter.

³ Refer to Reeftide Environmental Projects Servicing Strategy Report

Stormwater

- 3.24 The site is a greenfield site, therefore, there is no existing stormwater network. It is proposed to treat and dispose of stormwater onsite using Low Impact Design (LID) or Sustainable Urban Drainage (SUD) approaches. The design considerations for stormwater are preliminary at this stage, and will be subject to both ECAN and SDC approval during the resource consenting process. The basic concept of the proposed stormwater system was presented to Mr. Murray England of SDC on the 24 November 2014.
- 3.25 ⁴The primary stormwater system will be designed and constructed to handle at least the 2% AEP flows. Roof stormwater is considered to be 'clean' requiring no treatment and will therefore be discharged directly to ground via standard soak pits. Driveway runoff will be directed to the grassed/landscaped areas adjacent to the driveways and discharged to ground. Road runoff will be directed to the road side swales for treatment and discharged to ground via soak pits. Secondary flows from individual lots will flow towards the main roads where it will flow towards the roadside swales i.e. away from the building platforms to prevent flooding.
- 3.26 Stormwater discharge consents will be sought from Environment Canterbury at the subdivision stage.
- 3.27 The proposed system will be consistent with Selwyn District Council's current requirements and standards that apply to the discharge of stormwater.

Wastewater

- 3.28 The township of Darfield has no reticulated wastewater system. Individual properties are served by on-site wastewater treatment and discharge systems. Selwyn District Council was approached for its thoughts on a sewer system for the plan change area. They confirmed on the 24 November 2014 there are no plans to implement a reticulated system in the short to medium term and rather *"Council has established a working party to determine Darfields future sewer management strategy. For now assume septic tanks with the potential for a centralised system"*
- 3.29 The proposed wastewater treatment and disposal system will consist of Individual on-site Aerated Treatment and Discharge Systems to each Lot. This will consist of the following:
- Primary treatment of raw wastewater via individual at source sedimentation tanks and a coarse filter system;
 - Secondary treatment of wastewater via an aerated treatment system on each lot; and

⁴ Refer to Reefside Environmental Projects Servicing Strategy Report

- Land treatment via sub-surface drip irrigation at a maximum application rate of 5mm/day over an area of 390m² for each lot.

Power Supply and Telecommunications

Power Supply

- 3.30 A written request was sent to Orion New Zealand Limited seeking confirmation of the feasibility of providing power to the plan change area. Orion confirmed that the area could be supplied with infrastructure for power supply. Orion also stated the connection could be made available with the alteration to the Orion network. A copy of the letter is attached as **Appendix 9** to this application.

Telecommunications

- 3.31 It is important that contemporary homes are provided with telecommunications infrastructure capable of supporting a wide range of capabilities including multiple phone lines, broadband internet and the potential for future technologies such as cable television. Such infrastructure over recent years has become standard installation in subdivisions, and will be the case within the plan change area.
- 3.32 Written confirmation was sought from Chorus, Vodafone and Enable New Zealand. Vodafone and Enable confirmed that they did not cover the township of Darfield.
- 3.33 Chorus were able to confirm that the area can be serviced. A copy of their response is attached in **Appendix 9**.

Other Matters

Flooding

- 3.34 From a review of the SDP planning maps, the Darfield area is not identified as an area with specific flooding hazards. Nevertheless, a stormwater detention area is indicated on the ODP. This area will ensure that any future development of the site is designed in a manner which ensures appropriate stormwater treatment and disposal is undertaken and that new flooding hazards in the area do not occur as a result of rural residential development.

Earthworks

- 3.35 Earthworks for roading, stormwater treatment areas and accessways will be undertaken at the time of subdivision. Best practice engineering design and appropriate SDC approvals will ensure that earthworks are undertaken in an appropriate manner.

Geotechnical

- 3.36 A geo-environmental desk study and site inspection was undertaken by URS in October 2014 to support the plan change. A copy of the report is attached as **Appendix 7**. The report was prepared to assist in understanding from a geo-environmental perspective the potential implications of lifting the deferred status over the subject site. The conclusions in the report considered that the property had undergone only minor anthropogenic surface modification, most related to agricultural activity and that based on the observations of the ground conditions and proposed development, no more site investigations were required to support the plan change.
- 3.37 With regard to environmental considerations, URS identified three actual or potential HAIL activities at the property.
- Category A8 – Livestock dip or spray race operations (potential given extended agricultural history);
 - Category A17 – Storage tanks or drums for fuel, chemical or liquid waste; and,
 - Category G5 – Waste disposal to land (former and current pits)
- 3.38 URS considered that these activities are quite typical of agricultural properties and did not recommend any further site investigations were necessary to meet the plan change requirements. Additional investigation of specific HAIL activities will be required for subdivision and development.

4. PROPOSED CHANGES TO SELWYN DISTRICT PLAN

- 4.1. This plan change introduces the following changes to the District Plan and planning maps to enable the lifting of the deferred status of the zone from Living 2A (deferred) to Living 2A over the application site.
- 4.2. Any text proposed to be added by the plan change is shown as **bold and underlined** and text to be deleted as ~~**bold and strikethrough**~~.

Objectives and Policies

- 4.3. The plan change proposes the application site have the deferred status of the zone lifted and the site be zoned Living 2A. The existing objectives and policies are appropriate in their current form to enable the plan change.
- 4.4. The following amendments and additions are proposed:

Township Volume, Part C – Living Zone Rules – Subdivision

Amendment to Rule 12.1.3.9

Darfield

12.1.3.9 No subdivision of land in any of the areas labelled “Areas 1, 2, 4 and ~~5~~” as shown in Appendix 25, shall take place until:

- (a) A potable water supply is available which is capable of serving the lots within the subdivision; and
- (b) An Outline Development Plan addressing those matters identified in the explanation and reasons to Policy ~~B4.3.22~~, **B4.3.28** Darfield Specific Policies has been incorporated into the District Plan for the area as identified in Appendix 25 within which the subdivision is proposed.

Township Volume, Part C – Living Zone Rules – Subdivision

Insertion of new rules, following the rules for Darfield

Insertion of a new rule, Rule 12.1.3.16,

Darfield

12.1.3.16 Any subdivision of land within the area shown in Appendix 45 – Living 2A Darfield – Bangor Road Outline Development Plan, shall comply with the layout and contents of that Outline Development Plan and shall comply with any standards referred to in the Outline Development Plan.

Insertion of a new rule, Rule 12.1.3.17

12.1.3.17 For the subdivision of Living 2A zoned land shown in Appendix 45, - Living 2A Darfield –Bangor Road Outline Development Plan, any subdivision plans submitted to the Council shall be accompanied by a landscape plan and planting plan detailing plantings to be undertaken and reserve areas to be established. Any landscaping and planting of reserve areas shall be established generally in accordance with the Outline Development Plan.

Insertion of a new rule, Rule 12.1.3.18

12.1.3.18 For the subdivision of Living 2A zoned land shown in Appendix 45 – Living 2A Darfield- Bangor Road Outline Development Plan, whether any fencing achieves a high level of transparency, with a preference for designs that express a rural vernacular and accord with the typologies in Appendix 44.

Township Volume, Part C - Living Zone Rule – Building - 4.2 Buildings and Landscaping

Amend existing Rule 4.2.3 as follows:

Amendment to Rule 4.2.3

4.2.3 Any fencing in the Living 3 Zone, **and the Living 2A Zone in Darfield, as identified in Appendix 45,** shall be limited to a maximum height of 1.2m, be at least 50% open, and be post and rail, traditional sheep, or deer fencing, or solid post and rail or post and wire only;

Except that nothing in the above controls shall preclude:

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

Township Volume, Part C - Living Zone Rule – Building - 4.9 Buildings and Building Position

Amend existing Rules 4.9.3 and 4.9.4

Amendment to Rules 4.9.3 and 4.9.4

Setbacks from State Highways and internal noise levels

4.9.3 Except for the Living 3 Zone at Rolleston identified on the Outline Development Plan in Appendix 39 and 40, and ODP Area 3 and ODP Area 8 in Rolleston, **and the Living 2A Zone in Darfield, as identified in the Outline Development Plan in Appendix 45,** any dwelling, family flat, and any rooms within accessory buildings used for sleeping or living purposes shall be located no closer than 40m from the edge of the sealed carriageway of State Highways with a posted speed limit of 70km/hr. or greater.

- 4.9.4 Except for the Living 3 Zone at Rolleston identified on the Outline Development Plan in Appendix 39 and 40, and ODP Area 3 and ODP area 8 in Rolleston, **and the Living 2A Zone in Darfield, as identified in the Outline Development Plan in Appendix 45,** any dwelling, family flat, and any rooms within accessory buildings used for sleeping or living purposes within 100m from the edge of the sealed driveway of State Highways with posted speed limit of 70km/h or greater shall have internal noise levels from road traffic that do not exceed limits set out below with all windows and doors closed.

	24 hours
Within Bedrooms	35 dBA (Leq 24 hour)
Within Living Area Rooms	40 dBA (Leq 24 hour)

Insertion of new rules

Insertion of new rules, Rule 4.9.5 and Rule 4.9.6

4.9.5 In the Living 2A Zone at Darfield, as identified in Appendix 45, any dwelling, family flat and any rooms within accessory buildings used for sleeping or living purpose shall be located no closer than 20m from the edge of the sealed carriageway of State Highways.

4.9.6 In the Living 2A Zone at Darfield, as identified in Appendix 45, any dwelling, family flat, and any rooms within accessory buildings used for sleeping or living purposes within 40m from the edge of the sealed carriageway of State Highways shall be required to comply with the internal noise guidelines outlined in AS/NZS2107:2000.

Consequential amendment to Rules 4.9.42 and 4.9.46 to the extent necessary to give effect to the amendments noted above (i.e. new Rules 4.9.5 and 4.9.6).

Reasons for rules

- 4.5. The reasons for rules are considered appropriate in their current form as they provide an appropriate explanation of the reasons for the outline development plan.

Planning Maps

- 4.6. Amend Rural Township Planning Maps for Darfield, Planning Maps, 64,65, 67 and 68, (sheets 1 and 2) to reflect the Living 2A zone status across the site.

Appendices

- 4.7. Include the Bangor Road, Darfield Outline Development Plan as Appendix 45 to the Township Volume of the Selwyn District Plan.

5. AN EVALUATIVE ASSESSMENT OF THE LEGAL FRAMEWORK

- 5.1 The Resource Management Act (1991) (the Act) is the key 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 promulgated and assessed. This includes an evaluation under section 32 of the Act and the matters set in in Schedule 1 to the Act.
- 5.2 The following section sets out how the Plan Change meets the requirements of various sections of the Act, and is then followed by an assessment of the Plan Change in accordance with Section 32 and other relevant parts of the Act, of how the proposed private plan change is efficient and effective at promoting the relevant policies and objectives of other key statutory and other planning documents relevant to the subject site.
- 5.3 This assessment is followed by a close analysis of the key sections of Section 32 of the Act, and sets out how this private plan change application meets the requirements of those sections.

Part 11 – Resource Management Act Matters

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

Section 5 – Purpose

- 5.5 Section 5 identifies the purpose of the RMA as being the sustainable management of natural and physical resources.
- 5.6 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 or physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and

b) Safeguarding the life-supporting capacity of air, water and soil, and ecosystems; and

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

- 5.7 The plan change is able to satisfy the purpose and principles of the RMA, by lifting the deferral of land already zoned for rural residential development, located close to the centre of the township, and by utilising an ODP that reflects sustainable management principles. It allows for a sustainable extension of the township that can be fully serviced with existing and upgraded infrastructure and that is already recognised as a deferred living zone subject to addressing potable water supply and providing an acceptable ODP.

Section 6 – Matters of National Importance 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 recognise and provide for the following matters of national importance:

a) The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use and development:

b) The protection of outstanding natural features and landscapes from inappropriate subdivision, use and development:

c) The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:

d) The maintenance and enhancement of public access to and along the coastal marine areas, lakes and rivers.

e) The relationship of Maori and their culture and traditions with their ancestral lands, water sites, waahi tapu, and other taonga:

f) The protection of historic heritage from inappropriate subdivision, use and development.”

g) The protection of protected customary rights.”

- 5.8 Section 6 sets out the matters of national importance that shall be recognised and provided for, none of which are considered relevant to this proposal.

Section 7 – Other matters of the RMA

“In achieving the purpose of the 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*
- ba) *the efficiency of the end use of energy*
- 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*
- j) *The benefits to be derived from the use and development of renewable energy”.*

5.9 Section 7 requires particular regard to be given to certain matters. Of relevance to this Plan Change are the efficient use of natural and physical resources (b) the maintenance and enhancement of amenity values (c) and the maintenance and enhancement of the quality of the environment (f). The formulation of this Plan Change has had regard to these matters through the consultation process, and through the development of the ODP and the rules package.

5.10 The Plan Change represents an efficient use of 130 ha of land located on the fringes of Darfield that is already zoned for rural residential development. The proposal represents a logical extension of the urban rural interface. The residential amenity values of Darfield will be enhanced by the development of a high amenity rural residential development in accordance with the ODP for the site. The quality of the rural residential environment in this area will be enhanced by the appropriate landscaping and a design that allows for linkages where necessary while mitigating against possible reverse sensitivity effects on adjoining land.

Section 8 – Treaty of Waitangi

5.11 Section 8 of the Act requires that the Council take into account the 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).”

- 5.12 The Resource Management Act does not go so far as to define the principles of the Treaty that should be taken into account, but the Court of Appeal, the Waitangi Tribunal, and statements by Government, define the principles as including:
- Early consultation and acting in good faith;
 - The principle of partnership; and
 - The need for active protection.
- 5.13 Consultation with local Iwi has been undertaken and no response has been received to date.

Local and Regional Statutory Documents

Introduction

- 5.14 Section 75(3) of the RMA requires that a district plan must give effect to any regional policy statement, and must not be inconsistent with a regional plan. The operative Canterbury Regional Policy Statement (CRPS) and the relevant regional plans are considered below. The subject site is not located within any greenfield priority areas within Chapter 6, CRPS - Districts that are within the Greater Christchurch subregion.

Canterbury Regional Policy Statement

- 5.15 The CRPS, became operative on 15 January 2013. The CRPS provides an overview of the main resource management issues facing the region, and lists objectives, policies and methods that seek to achieve the integrated management of natural and physical resources of Canterbury.
- 5.16 Within the CRPS, Chapters 5, 6 and 15 are considered to be of most relevance to the Plan Change.
- 5.17 Chapter 5 relates to land use and infrastructure. The proposal has been designed to ensure that appropriate infrastructure can be in place to support the development. Policy 5.3.5 specifically requires development to be appropriately serviced for the collection, treatment and disposal of sewage and stormwater, and the provision of potable water.
- 5.18 Policy 5.3.8 seeks to promote the integration of land use and transport by encouraging the use of transport modes with low adverse effects, and the safe, efficient and effective use of transport infrastructure. It also requires the avoidance or mitigation of conflicts between incompatible activities.
- 5.19 The location of the site on the edge of the existing township makes this site a logical extension of Darfield, which can utilise infrastructure services and ensure a sustainable urban pattern and

coordination of development, which in itself helps to minimise the potential for conflict with productive uses in the surrounding area. Potential conflicts with incompatible activities are to be mitigated through the large sites adjacent to the rural zone, and the provision of a well thought out and coordinated roading and pedestrian network within and through the site

- 5.20 Policy 5.3.11 relates to the use of established community-scale irrigation, stock water and rural drainage infrastructure, and seeks to avoid development which constrains its operational ability. The proposed Plan Change has been designed in a way that allows for the management of infrastructure on the site in a way that will not impact on existing infrastructure in an adverse manner.
- 5.21 Policy 5.3.12 seeks to maintain and enhance natural and physical resources that are valued for existing or foreseeable primary production, in a manner which does not foreclose the ability to appropriately use that land for primary production. While the Plan Change site includes 130ha currently used for rural purposes, the proximity of the site to Darfield township and the Living 2A (deferred) zoning indicate that the sites best use is for rural residential development.

Policy 5.3.1 – Regional growth (Wider Region)

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

(1) ensure that any

(a) urban growth; and

(b) limited rural residential development occur 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.

- 5.22 The proposed Plan Change area is located on the northern fringes of Darfield township therefore the future rural residential development that the plan change will promote will be in a concentrated manner adjoining an existing urban area and therefore promotes a coordinated pattern of development.

- 5.23 The Overall Development Plan has been designed through a process of consultation with the Council and the local community so that it offers a range of housing choice and links with the surrounding urbanised areas to support urban consolidation. Upon Council's advice the ODP was designed to encourage future residents to utilise existing recreational facilities in the Darfield District which include a number of small reserves located within walking distance of the subject site, a large local domain and McHughs Park which is a large plantation with imminent plans to be developed as a multi-use recreational park.
- 5.24 The Plan Change application is supported by a number of specialist reports including an urban design report and assessment and a traffic report and assessment which promote efficient and appropriate urban design and logical and safe transport patterns.
- 5.25 The ODP has been designed so that the site retains some of its original character by the retention of the existing dwelling and rural sheds, along with the retention of some existing landscaping but at the same time it is designed to integrate into the existing environment and provide a high visual amenity to support Canterbury's urban areas.
- 5.26 The Plan Change is consistent with Policy 5.3.1.

Policy 5.3.2 – Development conditions (Wider Region)

To enable development including the regionally significant infrastructure which:

(1) ensure that adverse effects are avoided, remedied or mitigated, including where these would compromise or foreclosure:

(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.

5.27 The Plan Change proposal will not compromise the existing or consented to regionally significant infrastructure and it promotes the consolidated growth and development of the existing township. The site contained within the ODP has already been classified as appropriate for rural residential development by the nature of the deferred zoning status therefore the loss of soil for primary production was inevitable and expected. There is now ample water supply due to the drilling of a second well which is capable of supplying water to the Darfield District. The Plan Change will not result in any natural or other hazards or land uses that would result in the increase in frequency or severity of hazards.

5.28 As discussed in the assessment of effects there is limited potential for reverse sensitivity effects between incompatible activities due to the design of the ODP and the mitigation measures provided including screening, setbacks and landscaping.

5.29 The ODP has designed a roading hierarchy and provided linkages to ensure connectivity with existing roading networks and the sustainable and efficient movement of people with a logical and permeable and safe transport network.

5.30 The proposed Plan Change is consistent with Policy 5.3.2.

Policy 5.3.7 - Strategic land transport network and arterial roads

In relation to strategic land transport network and arterial roads, the avoidance of development which:

(1) adversely affects the safe and efficient and effective functioning of this network and these roads, including the ability of this infrastructure to support freight and passenger transport services; and

(2) in relation to the strategic land transport network and arterial roads, to avoid development which forecloses the opportunity for the development of this network and these roads to meet the future strategic transport requirements.

5.31 The Transportation Assessment has considered the potential transportation impacts of the proposed Plan Change request for 160 Bangor Road.

- 5.32 A review of the crash records for the adjoining State Highway network suggests there are no identifiable safety issues with the surrounding road network.
- 5.33 Analysis of the expected traffic effects associated with the development has determined that the existing road network has sufficient capacity to safely and efficiently accommodate the expected traffic volumes.
- 5.34 The ODP accompanying the Plan Change request has been assessed against the transportation related rules of the Selwyn District Plan and it is considered the proposed network can be fully compliant.
- 5.35 There are considered to be no transportation related issues that would prevent approval of the proposed Plan Change and furthermore the Plan Change does not foreclose the opportunity for the development of this network to meet the future strategic transport requirements.
- 5.36 The proposed Plan Change is consistent with Policy 5.3.7.
- 5.37 Overall, it is considered the Plan Change is consistent with the policy approach set out in Chapter 5 of the CRPS. The proposed development is a logical extension of the township and utilises existing infrastructure as far as practicable while also addressing any potential for reverse sensitivity effects that may arise with existing activities in the vicinity.
- 5.38 Chapter 6 Recovery and Rebuilding of Greater Christchurch provides a 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. Chapter 6 identifies an urban form and settlement pattern including for rural townships, but does not extend as far as Darfield. Policies 6.3.2 and 6.3.3 require ODP's to be used for greenfield priority areas. Darfield is not a greenfield priority area, however the ODP for the site is in accordance with NZ Urban Design Protocol as required by Policy 6.3.2.
- 5.39 Overall, it is considered the Plan Change is consistent with the CRPS and reflects the overall strategy for growth in the Canterbury region.

NRRP and LWRP

- 5.40 There are currently both operative and proposed regional plans for Canterbury; the operative Natural Resources Regional Plan (NRRP), and the Proposed Land and Water Regional Plan (LWRP).
- 5.41 The NRRP seeks to address matters relating to the management of natural resources in the Canterbury region. All chapters were made fully operative, along with a number of variations, in June 2011.

- 5.42 Hearings for the LWRP (replacing Chapters 4 to 8 of the NRRP) were held during 2013, with Council's decision on submissions to the LWRP being notified on 18 January 2014. Its purpose is to provide direction on the management of land and water in order to meet community aspirations for water quality in both rural and urban areas. Under section 52 of the Environment Canterbury (Temporary Commissioners and Improved Water Management) Act, the jurisdiction of the Environment Court is excluded from the plan formulation process, and therefore the recent decisions version on of the LWRP could only be appealed to the High Court on points of law. The appeals period closed on 17 February 2014 and a number of appeals have been lodged.
- 5.43 Pursuant to Section 75(4) of the RMA, the SDP must not with be inconsistent with the NRRP or PLWP
- 5.44 A full assessment of the Plan Change application against the relevant objectives and policies of the SDP is discussed in Section 8 below, and on the basis of that assessment it has been found that the plan change is consistent with the direction of both the NRRP and PLWP.
- 5.45 Development of the site will need to comply with the provisions of the regional plans at the time of subdivision and development or resource consents obtained from the Regional Council.

Recovery Strategy of Greater Christchurch

- 5.46 The Recovery Strategy for Greater Christchurch 2012 provides a vision, goals and a strategy for ensuring the success of Christchurch for recovery and future leadership in earthquake resilience. It was developed by the Canterbury Earthquake Authority (CERA) in consultation with the CRC, Christchurch City Council, Waimakariri District Council (WDC), SDC, and Te Runanga o Ngai Tahu (Ngai Tahu), and has guided the development of the Land Use Recovery Plan (LURP) and the National Environment Recovery Programme (NERP).
- 5.47 The Recovery Strategy coordinates the programmes of work, including Recovery Plans, prepared under the Canterbury Earthquake Recovery (CER) Act 2011. The CER Act contains several purposes, which fall into the following categories:
- The provision of appropriate institutions, powers and support to enable greater Christchurch to be rebuilt and otherwise recover as quickly and fully as possible.
 - The involvement of communities and the public in the decisions made about the rebuilding of their own area.
 - The restoration of the greater well-being of Christchurch communities.
- 5.48 Section 23 of the Canterbury Earthquake Recovery Act (CER Act) requires any person exercising functions and powers under the RMA to not make a decision or recommendation that is

inconsistent with the Recovery Plan. It was approved by the Minister for Canterbury Earthquake Recovery, and gazetted on 6 December 2013.

- 5.49 The LURP is a statutory document that directed the Regional Council to make changes to the CRPS which included inserting Chapter 6. The LURP looks at the impacts of the earthquakes on residential and business land use, and provides a pathway for the transition from rebuild to longer term planning.
- 5.50 The LURP does not cover rural townships such as Darfield in terms of determining location and mix of residential and business activities, however is it considered that the proposed Plan Change is consistent with the LURP in providing for a range of rural residential housing opportunities to meet the needs of the existing and future community of Darfield.

Mahaanui Iwi Management Plan 2013

- 5.51 The entire Canterbury region lies within the traditional boundaries of Ngai Tahu. It has also become the 'Iwi authority' for the purpose of the RMA; therefore Environment Canterbury is required to consult with Ngai Tahu in respect to the management of natural and physical resources of the Canterbury region.
- 5.52 The following policies are relevant to this proposal:

Urban and Township Planning

Nga Kaupapa Policy

P3.2 – To ensure early, appropriate and effective involvement of Papatipu Runanga in the development and implementation of urban and township development plans and strategies, including but not limited to:

(b) Plan Change and Outline Development Plans;

- 5.53 The local Iwi has been consulted and provided with a copy of the Overall Development Plan and a description of the purpose of the Plan Change to lift the deferred status of the Living 2A Zone over the subject site to enable future subdivision down to an average of 1 ha. However no response has been received from Iwi.
- 5.54 The Plan Change application is consistent with Policy P3.2.

Subdivision and Development

Nga Kaupapa Policy

P4.1 To work with local authorities to ensure a consistent approach to the identification and consideration of Ngai Tahu interests in subdivision and development activities, including:

(b) Ensuring engagement with Papatipu Runanga at the Plan Change stage, where plan changes are required to enable subdivision;

- 5.55 Local Iwi were consulted early on in the preparation of the Plan Change and were supplied with a copy of the Overall Development Plan and a description of the Plan Change proposal. However to date no response has been received from Ngai Tahu identifying any interests or concerns in relation to the Plan Change proposal. The Plan Change which proposes to remove the deferral status of the zone if granted will enable subdivision of the subject site to an average of 1 ha.
- 5.56 The Plan Change application is consistent with Policy P4.1.
- 5.57 The application is therefore consistent with the relevant policies under the Mahaanui Iwi Management Plan.

Canterbury Regional Land Transport Strategy 2012

- 5.58 The Canterbury Regional Land Transport Strategy is a document produced by the Canterbury Regional Transport Committee in 2012. It identifies issues and challenges that are needed to be addressed. Relevant matters include:
- (a) Maintaining and enhancing accessibility
 - (b) Providing transport options
 - (c) Managing the environmental impacts of transport
 - (d) Meeting the transport needs of dispersed communities
 - (e) Managing the transport impacts of anticipated population changes.
- 5.59 The proposed plan change assists with the goals of the Canterbury Regional Land Transport Strategy, and creates a transport environment is accessible, affordable, integrated, safe, resilient and sustainable for the subject site and local community

6. ASSESSMENT OF EFFECTS

- 6.1 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 effects shall be provided.

- 6.2 The Council has recognised that the best use of the site is for rural residential development by the nature of the zone, Living 2A (deferred), with the only limitations to the lifting of the deferral being the availability of a potable water supply, preparation of an ODP and provision of mitigation measures to limit reverse sensitivity effects. As mentioned above water is now available to the site, therefore the only limitations remaining being the preparation of an ODP indicating how the development of the site should occur and design of the ODP to ensure reverse sensitivity effects are mitigated.
- 6.3 Changes to the use of the site, in particular the development of the land for rural residential purposes, will be subject to the rules in the plan, to ensure that future development of the site will occur in a manner consistent with the relevant objectives and policies of the Plan.
- 6.4 The following is an assessment of the relevant potential environmental effects of the development associated with the proposed plan change and incorporation of the chosen ODP into the District Plan.
- Rural character
 - Reverse sensitivity effects
 - Traffic effects
 - Increase in availability of Living 2A land
 - Loss of versatile soils
 - Servicing strategy
 - Geotechnical effects
 - Environmental effects
 - Discharge of contaminants effects
 - Use of hazardous substances effects
 - Community services and facilities effects
 - Positive effects
 - Effects Conclusion

Rural Character

- 6.5 Within rural zones, the plan seeks to retain the rural character of an area. However in this case, the site is zoned Living 2A (deferred), which allows for rural residential style development subject to the removal of limitations.

- 6.6 In order to assess the potential effects the plan change will have on rural character and amenity, it is necessary to consider the existing environment. Darfield is a small rural township located in the Canterbury Plains and is surrounded by rural activities. In the last twenty years a number of lifestyle blocks have established in the rural zones that border the living zones of the township. The business and retail activities of Darfield are located on either side of SH 73 in the centre of the township. The higher density residential areas are located near the centre of the township with medium density residential areas located on the fringes of the township.
- 6.7 The existing character of the site is that of a traditional rural property, however the proximity to Darfield and the surrounding mixed land use provides a contrasting and more domesticated character. The site is located in a transitional area between the township and farmland. Sites to the north are characterised by moderately sized farm blocks and sites to the west are characterised by small holdings often referred to as 'lifestyle blocks'. These sites are essentially residential lifestyle options with limited farming activity. Sites to the south, west and east are characterised by residential sites which include a mix of Living Zones, including L1, L2, L2A1, and L2A (deferred) Zones.
- 6.8 The buffer strips have taken into account existing development but have also considered the future effect on passing traffic. The ODP proposes planting along SH 73 to screen the development from passing traffic and a rule is proposed that requires a landscaping plan to be submitted with every subdivision proposal to ensure that planting proposed is appropriate, particularly along road boundaries. It is noted that the Living 2A zone and the adjoining Living 2 and Living 1 zones noise standards are similar, and as such the noise from the surrounding rural zone on the subject site will be no different than the situation that currently exists
- 6.9 As discussed in Mr. Head's Landscape and Visual Effects Assessment, the Canterbury Regional Landscape Study, emphasis's that "because of the lack of landform variety, it is the landowner and land use patterns that dominate the character of the Plains, therefore the developed Plains are very important to the regions landscape image." Mr. Head discusses that the landscape change that would occur following implementation of the ODP would change the environment from several large open rural paddocks and a narrow tree block to a low density residential land use. The homestead, various sheds and woodlot are intended to be retained and incorporated into the development which anticipates the creation of 125 allotments with an average size of 1ha ranging in size from 3000m² to 1.8 hectares each.
- 6.10 The primary change to the landscape following the proposed plan change will be a transition from large open paddocks and shelterbelt planting, plus an area containing the homestead, various buildings and some associated amenity/shelter planting (all of which will remain) to a pattern of built development consistent with that indicated on the ODP's. The changes will affect the way in which the area is perceived and will alter the current levels of rural amenity and landscape character. There will be effects on observers from outside the site, such as neighbours, travellers passing by on Bangor Road/SH 77 and West Coast Road SH73, local

residents who pass through the contextual area in day to day activities, in particular those going to and from the several living zones surrounding part of the site, people travelling by rail and by the user's on the site itself. To reiterate, low density residential development typically exhibits high levels of amenity and this is expected to be the case following development of the ODP. A sense of openness and abundant greenery will prevail over built forms. Any additional planting along site boundaries will provide residents with a degree of visual buffering.

- 6.11 The outcome following development of the ODP would be a change in, rather than a decrease in amenity. Broad expansive rural views would change to a mixture of plantings, open space and built development.
- 6.12 ⁵Mr. Head has undertaken an expert analysis of the potential visual and amenity effects of the proposal. He concludes that few neighbours will appreciate any significant visual change to the site due to established and proposed planting as part of the ODP and the current high values of low residential development. The current high amenity values will therefore remain following implementation of the ODP but will change from one of openness to a pattern of built development and developing patterns of planting on private lots.
- 6.13 For completeness, it is noted that boundary fencing on and around the application if handled poorly, has the potential to introduce an overly 'urban character' to the site, reducing levels of openness and ruralness. Therefore a rule on fencing is provided restricting fencing to open 'rural' typologies. This rule will align with of the intent of Chapter 5 of the Rural Residential Strategy 2014. This rule, in conjunction with rules requiring landscape plans to be submitted with subdivision proposals, will ensure that amenity of the development will be of a high standard and will reflect the rural character of the wider area.
- 6.14 The ODP has been designed in a way that ensures a high amenity outcome and a logical extension of the township and therefore it is considered that any adverse effects on rural character will be no more than minor.

Reverse sensitivity effects

- 6.15 The District Plan identifies the potential for reverse sensitivity effects in situations where increased residential development is proposed adjoining rural, and other land use activities.
- 6.16 The site is currently zoned Rural Outer Plains with a Living 2A (Deferred) zone status due to the location of the site on the edge of Darfield township. The Outer Plains zone is one of the main rural zones in the district allowing for most forms of agricultural activity and can be used for cropping or grazing of animals. These rural activities have the potential to create adverse dust and airborne effects from associated spraying of crops or fertilising of soils and noise effects

⁵ Refer to Landscape Assessment

associated with the harvesting of crops. These are effects that are anticipated in a small rural township such as Darfield.

- 6.17 Potential for reverse sensitivity effects on the site are limited with the only boundary adjoining a farming activity being the northern boundary. Larger lots have been located along the northern boundary to minimise the potential for reverse sensitivity effects to rural activities. Along the western boundary of the site the new rural residential properties will interface with existing lifestyle blocks and although the new lots will be smaller there will not be an abrupt change in density. It is likely that new dwellings will be built towards the eastern side of their sections to gain the best outlook, and also providing a reasonable distance between dwellings. Some screening between existing and proposed properties will be provided through the retention of existing landscaping. The site adjoins other residentially zoned land along the south eastern boundary, hence no reverse sensitivity effects are anticipated along this boundary.
- 6.18 The site does not directly adjoin a business zone, however there is a small area of land zoned Business 2 within close proximity to the southern boundary of the block which is utilised as part of Mitchell Brothers Sawmill. However there is no real potential for reverse sensitivity issues due to the separation distance caused by the large block located between the saw mill and the application site.
- 6.19 Overall the potential for reverse sensitivity affects is limited, however as discussed above, mitigation measures have been incorporated into the design of the ODP to ensure any effects of reverse sensitivity are avoided.

Traffic effects

- 6.20 An assessment of the effects on the transport network generated as a result of the plan change has been undertaken by Antoni Facey of Avanzar Consulting Ltd (attached as **Appendix 5**) and has considered the effects of lifting the deferred status of the zone on the existing roading network.
- 6.21 The ODP that accompanies the plan change has been assessed against the transportation related rules of the Selwyn District Plan and it is considered that the proposed transport network within the plan change area is fully compliant with those rules (assuming additional anticipated traffic volumes onto the local network if the plan change is granted and is fully realised). The analysis of the expected traffic effects facilitated by the proposed plan change concludes that the existing road network has sufficient capacity to accommodate the expected traffic volumes to be generated by a rural residential development.
- 6.22 The proposed ODP provides a possible roading link from the site to SH 73 however a potential pedestrian and cycle linkage is retained. While the client was keen to establish a vehicular link to SH73, it has been decided to remove the vehicular link to SH73 from the ODP. NZTA did not

support such a linkage, and indicated that they considered it would have adverse effects on the safety and operation of the State Highway Network.

- 6.23 The ODP shows the new roads proposed for access within the plan change area. There will be two access points to the area from the existing State Highway network, both from SH 77. The cycle and pedestrian access from SH 73 has been proposed to provide an alternative non-vehicular access to Darfield and provides connectivity to surrounding living environments and provides more direct access to the walking and cycling tracks west of Darfield. It will allow for pedestrians and cyclists to be able to traverse the site and provide meaningful pathways for passive recreational walking and cycling. All of the roads will carry low volumes of traffic and will only be classified as local roads with their primary function being property access. Properties fronting SH77 will have direct access to SH77 which will increase the densities of accesses along this section and will enable the speed limit to be reduced to 70km/h.
- 6.24 It is considered that the increase in traffic that would be generated by rural residential development as a result of the plan change can be safely and efficiently accommodated within the local transportation environment. The evidence of Mr Facey is that potential adverse traffic effects will be minor.

Increase in availability of Living 2A land

- 6.25 The plan change results in the provision of 130 hectares of Living 2A (Deferred) zoned land to be released and available for development and uptake on the northern fringe of Darfield.
- 6.26 The availability of the applicant's land for Living 2A development was clearly foreshadowed by its status in the operative Selwyn District Plan as Living 2A (Deferred) zone. The focus of the application is to satisfy the Council as consent authority that the matters upon which the land was listed in the District Plan as "deferred zoning" have been satisfied. The application and supporting reports are directed at this issue. It is not considered that the increase in Living 2A zoned land will create more than minor adverse effects on the environment.
- 6.27 The proposal to lift the deferral covers the majority of the Living 2A zoned land in the vicinity of the Plan Change. However, the plan change does not cover the whole of the Living 2A zoned block. The plan change only covers that land owned by the applicant. Early discussion with Council's senior policy staff at the time of initial consultation with Council confirmed that the Council considered the approach taken to be appropriate and sensible. Indeed, there is no statutory need for a plan change or ODP to cover an entire zoned area.

Loss of versatile soils

- 6.28 The Darfield area, like much of the Canterbury Plains, contains high quality versatile soils due to the area being part of the alluvial fan created by the major rivers including Rakaia River. These

soils are historically known as ideal for cropping and pasture and more recently dairy farming when aided by irrigation.

- 6.29 The Plan Change will result in the loss of 130 ha of versatile soils within the Outer Plains Zone however given the extent of these soils and that rural residential development of the site has been anticipated by the Plan it is not considered that the loss of versatile soils will create more than minor adverse effects on the environment.

Servicing strategy

- 6.30 A servicing strategy prepared by Mr. Victor Mthamo of Reeftide Environmental & Projects Ltd is attached in **Appendix 4**. This servicing strategy has been prepared in order to provide certainty that the site can be efficiently and effectively serviced for the purposes of the Living 2A zone.
- 6.31 The Living 2A subdivision standards of the Plan require that each allotment can be provided with connections to water supply, sanitary sewage disposal, storm water disposal, telecommunications and electrical reticulations. The servicing strategy has been prepared in accordance with the appropriate New Zealand Construction Standards and Selwyn District Council standards.
- 6.32 The final engineering design of all services will be confirmed at the time of the Council engineering approval undertaken as part of the subdivision process.
- 6.33 The report concludes that the site can be fully serviced whilst ensuring there are no more than minor adverse effects on the environment.

Geotechnical effects

- 6.34 URS Limited has prepared a desktop investigation and carried out a physical inspection to investigate the implications for lifting the deferred status of the zone in respect of geotechnical concerns.
- 6.35 URS Limited concludes that the property is located within the “low geotechnical risk area” on the current SDC website, indicating that the area has already been broadly assessed as having an extremely low risk of liquefaction or other geo-hazards. It was considered that the property has undergone only minor anthropogenic surface modification, mostly related to agricultural activity. In general the site is underlain by a thick sequence of competent alluvial outwash gravels, with a veneer of loess and an overlying thin layer of topsoil.⁶ The alluvial gravels are unlikely to be susceptible to liquefaction or lateral spreading, and should provide adequate ground bearing pressure for residential building sites, providing that the overlying loess and topsoil are removed beneath building foundations.

⁶ Refer to URS Geo-environmental report

- 6.36 It is considered therefore that the plan change will not create more than minor adverse geotechnical effects on the environment.

Environmental effects

- 6.37 In regard to environmental investigations, URS carried out a site inspection, reviewed historical aerial photographs and interviewed the land owner to obtain a comprehensive history of land use over the last thirty years. It is thought the property has only ever been used for agricultural use which mainly includes sheep farming and mixed cropping. Mrs Logan confirmed that to her knowledge there were no sheep dip sites or spray races and in her ownership only drench treatment has been undertaken. Only small quantities of treatment chemicals, vehicle oils, cleaners etc., are stored in the farm storage sheds. A number of former and active offal pits are located on the property. URS observed one pit which was 3m deep and contained sheep carcasses. Former pits are understood to have been filled in with soil and covered.

- 6.38 From the information available URS identified three actual or potential HAIL activities at the property:

Category A8 – Livestock dip or spray race operations

Category A17 – Storage tanks or drums for fuel, chemical or liquid waste; and,

Category G5 – Waste disposal to land (former and current offal pits)

- 6.39 URS considers that these activities are quite typical of agricultural properties and does not recommend that any further site investigations are necessary to meet the plan change requirements.

- 6.40 It is considered therefore that the plan change will not create more than minor adverse environmental effects on the environment.

- 6.41 URS has reviewed their report in response to Council's comments on the matter, and advise that URS are confident that their report contains the necessary information and reflects a level of research that is appropriate for a plan change process.

Discharge of contaminants effects

- 6.42 Any future use of the site will be required to comply with the Environment Canterbury and Selwyn District Council requirements and bylaws relating to the discharge of contaminants.

Use of hazardous substances effects

- 6.43 The use of the subject site for rural residential purposes is unlikely to result in the need to use or store hazardous substances.

Community services and facilities effects

- 6.44 The Plan Change has the potential to have a positive effect on the Darfield community and its services and facilities, e.g. (schools, recreation facilities, medical, local shops and eateries) given the scale of rural residential activity that may occur as a result of the Plan Change.
- 6.45 There is a high school and a primary school currently located within Darfield Township. The high school currently caters for 750 year 7-13 students and covers a wide catchment area including Darfield, Glentunnel, Hororata, Kirwee, Sheffield, Springfield, West Melton and Windwhistle. However there is a trend towards a number of students travelling into Christchurch seeking alternative high schooling options. There are a number of primary schools within the wider district which easily cater for the educational needs of the district. The development may assist in maintaining the roles of local schools. This is more than likely. Even if it does not, it will introduce further permanent residents into the local Darfield community.
- 6.46 With regard to the provision of reserves and recreational facilities, there are two reserves within close proximity to the site and Darfield recreational centre is located within walking distance. A large forestry plantation is located directly opposite the site along SH 73 and plans have been approved to develop the plantation into a multi-use recreational in 2015. The park will serve the Selwyn District and is likely to attract daily commuters from Christchurch.
- 6.47 It is the Council's preference for future residents of the site to utilise the extensive existing and proposed recreational services of Darfield. However the ODP meets the needs of residents who are unable to access the local facilities.
- 6.48 It is considered that the additional demand on community services and facilities can be met without creating more than minor adverse effects on existing facilities.

Positive effects

- 6.49 The plan change will result in a number of positive effects for Darfield and the wider community. Additional residents will increase the number of people utilising local businesses and services as well as increasing the usage of community facilities such as schools, medical and Plunket services, the abundant reserves and recreation facilities and the swimming pool. This will contribute to the Darfield economy and will provide additional funding for the maintenance of these facilities.
- 6.50 The development will offer a variety of rural-residential type section sizes which are not currently widely available that allow people to enjoy a larger site with outstanding views without excessive maintenance stress. The additional supply of residential land will ensure a supply of affordable housing for residents and will attract new residents and workers to the township.

- 6.51 The land is located within close proximity to Darfield Township and is strategically located to provide a transitional living environment. The plan change ensures a coordinated and integrated development with the provision of future links for adjoining properties. Furthermore, the provision of pedestrian and cycle access to SH73 allows for the site to be traversed by foot or cycle and provides positive benefits for local people in terms of urban design and connectivity.

Effects conclusion

- 6.52 The subject land presents an opportunity to provide an attractive new neighbourhood of Darfield, with its own identity and a choice of lot size. It is capable of being well connected to the rest of Darfield Township with road and pedestrian/cyclist links. A range of community and commercial facilities is close by.
- 6.53 The ODP takes advantage of the existing site features and views of the foothills. It includes measures to ensure that new development is sensitive to its surrounding context and establishes a robust framework for subsequent high quality subdivision design.
- 6.54 General levels of amenity following the uplifting of the deferred status of the site enabling rezoning from rural to low density residential are anticipated to result in high levels of amenity and provide a high degree of compatibility within its local context.
- 6.55 Proposed dwellings as a result of the plan change will be compatible rather than dominate their setting.
- 6.56 The proffered rules will ensure that the proposal is not incompatible with its rural setting.
- 6.57 The effects of the proposal will be less than minor with regards to landscape matters.
- 6.58 Analysis of the expected effects associated with the development has determined that the existing road network has sufficient capacity to safely and efficiently accommodate the expected traffic volumes.
- 6.59 As demonstrated in the servicing strategy, the proposed water, stormwater and wastewater infrastructure is technically feasible and can be designed, installed and operated to meet the high standards envisaged by the applicant and Selwyn District Council.

7. SECTION 32 – CONSIDERATION OF ALTERNATIVES, BENEFITS AND COSTS

Section 73 – Preparation and Change of District Plans

- 7.1 Section 73 of the RMA deals with the preparation and change of district plans and section 73(2) allows any person to request a territorial authority to change a District Plan in the manner set out in Schedule 1 of the RMA. Clause 22 of Schedule 1 requires an application to explain the

purpose and reasons for the proposed plan change and to include an evaluation under section 32 of the methods proposed.

- 7.2 It also requires an assessment of the environmental effects of the proposed plan change, corresponding to scale and significance of effects anticipated by the proposal. An explanation of the purpose and reasons for the plan change is included in this report, along with an assessment of the environmental effects and an evaluation under section 32.

Section 74 and its relationship to Section 31

- 7.3 Section 74 of the Act requires that the District Plan must be changed in accordance with its functions under s31 of the Act and the provisions of Part 2 of the Act. Part 2 matters have been dealt with above.
- 7.4 Section 74 of the Act requires that a plan change request identifies relevant plans and policy statements where relevant. This plan change request provides a comprehensive assessment of the plan change against those relevant documents, to a level that is appropriate given the scale and character of the plan change request.

s31 Functions of territorial authorities under this Act

(1) Every territorial authority shall have the following functions for the purpose of giving effect to this Act in its district:

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

(b) the control of any actual or potential effects of the use, development, or protection of land, including for the purpose of—

(i) the avoidance or mitigation of natural hazards; and

(ii) the prevention or mitigation of any adverse effects of the storage, use, disposal, or transportation of hazardous substances; and

(iia) the prevention or mitigation of any adverse effects of the development, subdivision, or use of contaminated land:

(iii) the maintenance of indigenous biological diversity:

(c) [Repealed]

(d) the control of the emission of noise and the mitigation of the effects of noise:

(e) the control of any actual or potential effects of activities in relation to the surface of water in rivers and lakes:

(f) any other functions specified in this Act.

(2) The methods used to carry out any functions under subsection (1) may include the control of subdivision.

7.5 Section 31 of the Act identifies that the territorial authority must seek to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district. As concluded in the assessment of effects, and further discussed in the sections of this plan change application that relate to objectives and policies of the relevant statutory documents, the criteria of S31 of the Act have been met.

7.6 Section 32 of the RMA is integral to ensuring transparent, robust decision making on plan changes and policy statements. Section 32 requires that:

- New proposals must be examined for their appropriateness in achieving the purpose of the RMA
- The benefits, costs and risks of new policies and rules on the community, the economy and the environment need to be clearly identified and assessed
- The analysis must be documented, so stakeholders and decision makers can understand the rationale for policy choices

7.7 Section 32 has recently been changed to introduce new requirements. These new requirements do not change the purpose of the section. Instead, they encourage quantification of costs and benefits, including economic costs and benefits, and require an analysis that is proportionate to the type and scale of the proposal.

7.8 This private plan change application solely seeks to lift the deferral of the Living 2A zoning across the land. It does not seek any higher density than that already anticipated by the District Plan. Instead, this plan change application seeks to allow the type of development expected by the Plan, and merely provides the statutory mechanism for an ODP to be inserted into the Plan to allow development to occur in the future in an integrated and coherent manner.

7.9 Section 32 identifies that an evaluation report must accompany a plan change application. That evaluation report must:

1)(a) examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of the Act; and

(b) examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by-

(i) identifying other reasonably practicable options for achieving the objectives; and

(ii) assessing the efficiency and effectiveness of the provisions in achieving the objectives; and

(iii) summarising the reasons for deciding on the provisions.

7.10 Furthermore, the Act requires in 32(2) that the assessment under subsection (1)(b)(ii) must:

(a) Identify and assess the benefits and costs of the environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for-

(i) Economic growth that are anticipated to be provided or reduced; and

(ii) Employment that are anticipated to be provided or reduced; and

(b) if practicable , quantify the benefits and costs referred to in paragraph (a); and

(c) assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provision.

7.11 The following paragraphs consider these subsections in more detail:

‘1)(a) examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of the Act; and’

7.12 Section 32(1)(a) requires the plan change application to examine the objectives of the proposal and whether they are the most appropriate way to achieve the purpose of the Act. Earlier in this application, a full assessment of the relevant policies and objectives of the relevant plans has been carried out. Furthermore, it is important to recognise that no objectives are proposed to be changed as part of this plan change request.

7.13 Section 32(1)(a) of the Act requires an assessment of the objectives of the plan change. No new objectives are proposed as part of this plan change proposal, therefore the actual purpose of this plan change is required to be assessed. As described above, this plan change seeks to lift the deferral of the zone. The zoning was originally deferred until such time as an ODP was inserted in the Plan and until a water supply was available. Section 32 notes that existing objectives may not always be changed by a plan change. In this instance, the assessment should be undertaken against existing plan objectives and the purpose of the Plan Change. An assessment of the proposal against existing objectives and their relevant supporting policies is included below:

- 7.14 The objective of the proposed plan change is to provide for a coherent and logical extension to the Darfield residential community through the design of the ODP which provides for an efficient and sustainable use of the land resource.
- 7.15 An overview of the SDP's key issues, objectives and policies is included below along with the explanation of how they are provided for by the proposed Plan Change.

Section B1 – Natural Resources

- 7.16 The irreversible use of land for any activity that would largely preclude its use for other activities is recognised as an issue by the Plan under Section B1.1. The Plan recognises that this may or may not be an issue depending on the specific situational factors. The Plan refers to Chapter 7, Policy 6 of the CRPS 1998 (now replaced by the Operative CRPS 2013) regarding a decision needing to be made on the irreversible use of land. The lifting of the deferred status of the zone is consistent with rural residential densities anticipated for the township and when considered in the context of Policy B1.1.8, this site is considered to be an appropriate location for Living 2A development and forms a logical extension of Darfield on land that has previously been identified as being appropriate for rural residential use due to its Living 2A deferred zoning in the SDP.
- 7.17 Policy B1.1.8 relates to the permanent use of land for one activity. This policy seeks to 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's development which do not contain versatile soils.
- 7.18 The explanation and reasons for Policy B1.1.8 acknowledges that all townships in the Selwyn District should have an opportunity to expand their populations to support services and facilities within the town and increases the demand for transport.
- 7.19 The proposed Plan Change is consistent with the policy direction sought in B1.1 regarding permanent use of land for one activity, and allows for a logical compact expansion of Darfield.
- 7.20 The Plan Change is also consistent with the policy direction of the plan described in Section B1.2 regarding water supply, stormwater and wastewater disposal, by providing for reticulated services as required in Policies B1.2.2, B1.2.3 and B1.2.5.

Section B2 – Physical Resources

- 7.21 The physical resources identified in Section B2 of the SDP include transport, utilities, community facilities and waste disposal.

Transport Networks

Policy B2.1.1

Apply a road hierarchy classification in Selwyn District to recognise the different functions and roles of the Districts roads.

Policy B2.1.2

Manage effects of activities on the safe and efficient operation of the Districts existing and planned road network, considering the classification and function of each road in the hierarchy.

Policy B2.1.3

Recognise and protect the primary function of roads classified as State Highways and Arterial Roads in Part E, Appendix 7, to ensure the safe and efficient flow of “through” traffic en route to its destination.

Policy B2.1.4 (a)

Ensure all sites, allotments or properties have legal access to a legal road which is formed to the standard necessary to meet the needs of the activity considering:

- the number and type of vehicle movements generated by the activity;*
- the road classification and function; and*
- any pedestrian, cycle, public transportation or other access required by the activity.*

Policy B2.1.4 (b)

Avoid adverse effects on the safe flow of traffic along State Highways and Arterial Roads for new property access, where the speed limit is more than 70km/hr.

Policy B2.1.5

Ensure the development of new roads is:

- Integrated with existing and future transport networks and landuses; and*
- Is designed and located to maximise permeability and accessibility*

7.22 The proposed Plan Change site lies on the western fringe of Darfield. The site has frontage to both SH73 (West Coast Road) and SH 77 (Bangor Road).

7.23 The Selwyn District Plan lists both SH73 and 77 as State Highways in the roading hierarchy. The roading hierarchy is therefore taken from the NZTA roading hierarchy. The One Network Road Classification shows SH73 to be a Regional road while SH77 is a Primary Collector. This is a relatively recent classification and the Selwyn District Plan has not been updated to recognise it.

- 7.24 The surrounding road uses are typically rural residential to the west, south and east of the site and rural to the north.
- 7.25 State Highways provide a strategic roading link between districts and regions and help facilitate the safe and efficient movement of people and goods throughout the country. The link centres and play an important role in delivering public transport solutions.
- 7.26 SH73 along the frontage of the site is a two lane, two way rural road. SH77 (Bangor Road) is also a two lane, two way road.
- 7.27 Using the methods described in the Economic Evaluation Manual, Part 1, section A3.11, the capacity for SH73 and 77 was calculated. Both roads have a capacity in excess of 2,000 vph. The existing traffic volumes on both roads are well below these capacities.
- 7.28 The Outline Development Plan (ODP) for the plan change area shows the new roads proposed for access within the plan change area. There will be two access points to the area from the existing State Highway network
- 7.29 Primary access to the development will be from SH77. All of the roads will carry little traffic and will only be classified as local roads with their primary function being property access.
- 7.30 Those properties fronting SH77 will have direct access to SH77. This will increase the density of accesses along the section and will enable the speed limit to be reduced to 70 km/hr. It may be possible to allow all of the 3,000 m² lots direct access to SH77 which could potentially reduce the speed limit even further.
- 7.31 The ODP shows the main roading network that will service the proposed development. Other minor roads will be required to gain access to individual properties. All of the roads shown have low traffic volumes with the highest traffic volume (385 vpd) expected on the link opposite Piako Drive. This is a low volume and all roads within the proposed development will be minor local roads. The road reserve widths will be between 18 and 20 metres to accommodate the necessary infrastructure, particularly drainage infrastructure. Sealed carriageways will be between 6.0 and 6.5 metres wide.
- 7.32 The analysis of the expected traffic effects associated with the development that would be facilitated by the proposed Plan Change request has also determined that the existing road network has sufficient capacity to accommodate the expected traffic volumes to be generated by the proposed rural residential development. It is therefore considered that the proposed rural residential development that would be facilitated by the proposed Plan Change can be safely and efficiently accommodated within the local transportation environment.
- 7.33 Transport Policy B2.1.12 refers to the impact of new development on the district road network, while Policy B2.1.13 considered the effects of growth in Selwyn townships on transport

demand. Policy B2.1.14 encourages people to walk or cycle within townships. These matters are more fully discussed in the transport assessment attached in **Appendix 5**.

- 7.34 The traffic assessment concludes that while additional traffic volumes will be generated by development consequential to the rezoning, the safe and efficient operation of the transport will not be compromised by the proposed Plan Change.
- 7.35 Section B2.2 relates to utilities. The proposed Plan Change is consistent with all relevant objectives and policies that relate to utilities within and around the immediate plan change location. The proposal also gives effect to the direction sought in Section B2.3 Community Facilities and Section B2.4 Waste Disposal by locating the development so that it is able to maximize the future use of existing community facilities and waste collection services available to Darfield.

Section B3 – People’s Health, Safety and Values

- 7.36 This section includes issues related to natural hazards, hazardous substances, culture and heritage.
- 7.37 Section B3.4 relates to Quality of the Environment and sets out objectives requiring townships to be pleasant places to live, that a variety of activities are provided for, that character and amenity values are maintained, and that reverse sensitivity effects are avoided. The Plan Change is considered to be consistent with the relevant policies regarding various character and amenity issues.
- 7.38 Specifically, Policy B3.4.3 provides for living zones which are less busy and more spacious than residential areas in metropolitan centres. This plan change introduces an extension to the urban boundary of Darfield by providing rural residential development on the northern fringes of the township and spacious allotments which are less busy than in metropolitan centres. The Living 2A zone will ensure a low residential density in keeping with the existing Darfield character.
- 7.39 Policy B3.4.39 deals with the potential for adverse reverse sensitivity effects to arise from residential activities located near existing activities that are incompatible. The proposed Plan Change mitigates the potential for reverse sensitivity effects to occur between future residential activity on the site and the adjoining farmland located along the northern boundary by the location of the larger sites along the northern boundary.

Section B4 – Growth of Townships

- 7.40 Section B4 of the District Plan sets out the general issues, objectives and policies associated with the growth of townships. The policy direction within this chapter is separated into general policy applying to all township growth and specific policy applying to individual townships. In

the case of Darfield, the specific policy approach is set out on pages B4-092 and B4-093. There are also a wide range of general issues, objectives and policies set out in Section B4 relevant to the proposed Plan Change.

- 7.41 The Darfield specific policy of the SDP recognises that there may be more than one area for future expansion of Darfield that complies with all relevant provisions. The proposed Plan Change is within an area that has been specifically recognized for expansion and therefore is consistent with the relevant provisions in the SDP and also provides the most appropriate location for rural residential development in Darfield.
- 7.42 Policy B4.3.4 encourages “new residential or business areas to locate on sites in the existing Living and Business zones, if sites are available and appropriate for the proposed activity.”
- 7.43 The site is an existing Living zoned site, therefore this Plan Change is not seeking for additional new areas of land to be available for Living 2A development.
- 7.44 The general provisions set out in Section B4 seek to ensure a range of requirements that ensure development of living areas form a logical extension to an existing township so that townships expand in an integrated compact manner, and provides a range of allotment sizes that offer spacious living environments and at the same time maintain amenity values. Objectives and policies that warrant to particular consideration in respect to this Plan Change are set out below.

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.

Objective B4.12

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

Policy B41.1.

Provide for a variety of allotment sizes for erecting dwellings in Living 1 Zones, while maintaining average section size similar to that for existing townships residential areas in townships, except within Medium Density areas identified in an Outline Development Plan where a higher density of development is anticipated.

Policy B4.1.11

Encourage new residential areas to be designed to maintain or enhance the aesthetic values of the township, including (but not limited to):

- Retaining existing trees, bush, or other natural features on sites; and*
- Landscaping public places*

Policy 4.3.28

To provide for mixed densities in the Living X Zone, and rural residential development around the township in the Living 2A (Deferred) Zone to a minimum average area of 1ha, and in the Living 2A1 Zone to a minimum average area of 2ha, subject to the following:

Objective B4.3.1

The expansion of townships does not adversely affect:

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

Objective B4.3.2

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

Policy B4.3.2

In areas outside the Greater Christchurch area, require any land rezoned for new residential or business development to adjoin, along at least one boundary, an existing Living or Business zoned in a township, except that low density living environments need not adjoin a boundary provided they are location in a manner that achieves a compact township shape.

Policy B4.3.6

Encourage townships to expand in a compact shape where practical.

7.45 The proposed Plan Change gives effect to the above objectives and policies in that:

- It provides a large area of Living 2A land available for development on the fringes of Darfield.
- It allows for the development of the site in a coordinated and integrated manner with the provision of linkages to surrounding properties, and transport networks.
- It promotes the development of Darfield and subsequent development of the site will increase the population of Darfield which results in economic and social benefits to the Darfield community.
- It allows for the full utilisation of the site as anticipated by the SDP.
- The Plan change provides for a range of rural residential densities whilst providing a high amenity development with the retention of some existing landscaping and both of the water races.
- The Plan change area is outside the Greater Christchurch area and provides an appropriate Living environment that adjoins an existing township along at least one existing Living Zone boundary.
- The Plan change has been anticipated by the Plan and supports the direction of the SDP and Selwyn 2031.

7.46 Section 32 (b) seeks to:

examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by-

(i) identifying other reasonably practicable options for achieving the objectives; and

(ii) assessing the efficiency and effectiveness of the provisions in achieving the objectives; and

(iii) summarising the reasons for deciding on the provisions.

7.47 Having now assessed the proposal and confirmed that the purpose of the plan change reflects the policy direction of the Selwyn District Plan, it is now important to consider subsections (i), (ii) and (iii).

7.48 Subsection (i) requires the identification of other reasonably practicable options for achieving the objectives (or in this case 'purpose'. Given that this plan change application is merely for the lifting of the deferral, it is considered that the simple set of rules proposed, that enable this lifting of the deferral are sufficient to achieve the purpose of the plan change. Other options may include more complicated rules packages, which are considered unnecessary given the scale and type of plan change proposed.

7.49 Subsection (ii) requires that the efficiency and effectiveness of the provisions in achieving the objectives is considered. This assessment has been carried out within the table below. This table also considered costs and benefits to ensure a complete and thorough evaluation in order to meet the criteria of the Act.

7.50 For the purpose of this report, the term “appropriateness,” “efficiency”, and “effectiveness” are addressed in the following way:



Rule Number	Effectiveness	Efficiency	Benefits	Costs	Appropriateness
Selwyn District Plan, Township Volume, Part C, Living Zone Rules, Subdivision – Amend Rule 12.1.3.9					
12.1.3.9 Amend rule to delete Area 5 as one of the labelled areas where subdivision cannot take place until: a) A potable water supply is available which is capable of serving the lots within the subdivision; and b) An ODP addressing those matters identified in the explanation	The overall effectiveness of this plan change is considered to be high. The amendment of this rule recognises that the Proposed ODP relates to Area 5 of the Darfield Strategy Plan and will allow development of the site in line with Living 2A	The overall efficiency of this rule amendment is considered to be high.	That Area 5 of the Darfield Strategy Plan relates to the proposed ODP and the site can be developed in accordance with the ODP.	No costs.	This rule amendment recognises that the limitations for subdivision of land contained in Area 5 of the Darfield Strategy Plan have been resolved.

and reasons to Policy B4.3.22 , B.4.3.28 Darfield Specific Policies has been incorporated into the District Plan for the area as identified in Appendix 25 within which the subdivision is proposed.	requirements as all limitations for subdivision have been resolved. Policy B.4.3.28 relates to Darfield Specific Policies.				
Selwyn District Plan, Township Volume, Part C, Living Zone Rules, Subdivision – Insert Rules 12.1.3.16 12.1.3.17 and 12.1.3.18					
12.1.3.16 Any Subdivision of land within the area shown in Appendix 45, - Living 2A Darfield - Bangor Road Outline Development Plan, shall comply with the layout and contents of that Outline Development Plan and shall comply with any standards referred to in the Outline Development Plan.	The overall effectiveness of this plan change is considered to be high. The insertion of this rule ensures any subdivision within Appendix 45 will comply with the standards referred to in the Outline Development Plan.	The overall efficiency of this rule is considered to be high. This rule is considered to be workable.	The insertion of this rule ensures subdivisions are in accordance with the Bangor Road ODP which ensures a high amenity outcome.	No costs.	The use of an ODP to control subdivision design is recognised as a key planning tool.
12.1.3.17 For the subdivision of Living 2A zoned land shown in Appendix 45, - Living 2A Darfield - Bangor Road Outline Development Plan, any subdivision plans submitted to the Council shall be	The overall effectiveness of this rule is considered to be high. The rule provides for any subdivision plans to be accompanied by a landscape plan which is to be generally in accordance with	The overall efficiency of this rule is considered to be high. This rule provides certainty that future development will adhere to the retention of existing landscaping and	The rule ensures that that existing landscaping will be retained and that new landscaping will be appropriate.	Costs in terms of establishing landscaping for the developer.	This rule is appropriate and important as it is a measure to ensure effects of the proposal are mitigated.

accompanied by a landscape plan and planting plan detailing plantings to be undertaken and reserve areas to be established. Any landscaping and planting of reserve areas shall be established generally in accordance with the ODP.	the ODP.	detail proposed landscaping.			
12.1.3.18 For the subdivision of Living 2A zoned land shown in Appendix 45 – Living 2A Darfield – Bangor Road Outline Development Plan, whether any fencing achieves a high level of transparency, with a preference for designs that express a rural vernacular and accord with the typologies in Appendix 44.	The overall effectiveness of this rule is considered to be high. The rule ensures transparency of fencing design in accordance with Appendix 44.	The overall efficiency of this rule is considered to be high. This rule provides certainty that future development will provide appropriate fencing to avoid poor fencing outcomes.	The rule ensures that any fencing will be appropriate.	Costs in terms of establishing fencing to the developer.	This rule is appropriate and important as it is a measure to ensure effects of the proposal are mitigated.
Selwyn District Plan, Township Volume, Part C, Living Zone Rules, Building – 4.2 Buildings and Landscaping - Amend Rule 4.2.3					
4.2.3 Any fencing in the Living 3 Zone, and the Living 2A Zone in Darfield, as identified in Appendix 45, shall be limited to a maximum height of 1.2m, be at least 50% open, and be post and	The overall effectiveness of amending this rule is considered to be high. The site has a site specific rule in regard to fencing so does not need to be included in this rule.	The overall efficiency of this rule amendment is considered to be high. Fencing requirements for the Living 2A zoned land shown in Appendix 45 are contained within Rule 12.1.3.18.	The amendment ensures fencing is controlled by Rule 12.1.3.18 which is more appropriate.	No costs.	This rule amendment is appropriate and ensures effects of the proposal are mitigated.

<p>rail, traditional sheep, or deer fencing, or solid post and rail or post and wire only;</p> <p>Except that nothing in the above controls shall preclude:</p> <p>(i) The use of other fencing types when located 10m of the site or rear of the principle building. Such fence types shall not project forward of the line of the front of the building.</p> <p>(ii) Fencing required by an Outline Development Plan and/or rule in this Plan as a noise barrier.</p>					
Selwyn District Plan, Township Volume, Part C, Living Zone Rules, Buildings and Building Position – Amend existing Rules 4.9.3 and 4.9.4 – Setbacks from State Highways and Internal noise levels.					
<p>4.9.3 Except for the Living 3 Zone at Rolleston identified on the Outline Development Plan in Appendix 39 and 40, and ODP Area 3 and ODP Area 8 in Rolleston, and the Living 2A Zone in Darfield, as identified in the Outline Development Plan in Appendix 45, any <u>dwelling</u>, <u>family flat</u>, and</p>	<p>The overall effectiveness of this rule amendment is considered to be high.</p>	<p>The overall efficiency of this rule amendment is considered to be high. The setback of buildings from State Highways is controlled within the Bangor Road, Outline Development Plan.</p>	<p>This rule ensures any buildings must comply with setback standards from State Highways specified in the Bangor Road, Outline Development Plan.</p>	<p>No costs.</p>	<p>The ODP is an appropriate method of implementation of a setback from a State Highway.</p>

any rooms within <u>accessory buildings</u> used for sleeping or living purposes shall be located no closer than 40m from the edge of the sealed carriageway of State Highways with a posted speed limit of 70km/h or greater.					
4.9.4 Except for the Living 3 Zone at Rolleston identified on the Outline Development Plan in Appendix 39 and 40, and ODP Area 3 and ODP Area 8 in Rolleston, and the Living 2A Zone in Darfield, as identified in the Outline Development Plan in Appendix 45, any <u>dwelling, family flat</u> , and any rooms within <u>accessory buildings</u> used for sleeping or living purposes within 100m from the edge of the sealed driveway of State Highways with posted speed limit of 70km/h or greater shall have internal noise levels from road traffic that do not exceed limits set	The overall effectiveness of this rule amendment is considered to be high.	The overall efficiency of this rule amendment is considered to be high. The noise levels from the State Highways is controlled within the Bangor Road, Outline Development Plan.	This rule ensures noise levels must comply with standards specified in the Bangor Road, Outline Development Plan.	No costs.	The ODP is an appropriate method of implementation of noise levels adjoining a State Highway.

<p>out below with all windows and doors closed.</p> <p>24 hours</p> <p>Within Bedrooms – 35 dBA (Leq 24 hour)</p> <p>Within Living Area Rooms – 40 dBA (Leq 24 hour)</p>					
<p>Selwyn District Plan, Township Volume, Part C, Living Zone Rules, Buildings and Building Position – Insertion of new rules, Rule 4.9.5 and Rule 4.9.6</p>					
<p>Rule 4.9.5 In the Living 2A Zone at Darfield, as identified in Appendix 45, any dwelling, family flat and any rooms with accessory building used for sleeping or living purposes shall be located no closer than 20m from the edge of the sealed carriageway of State Highways.</p>	<p>The overall effectiveness of this rule is considered high.</p>	<p>The overall efficiency of this rule is considered to be high. This rule is considered to be workable.</p>	<p>This rule ensures buildings are set-back 20m from State Highways.</p>	<p>No costs.</p>	<p>The use of an ODP to control set-backs from State Highways is considered appropriate.</p>
<p>4.9.6 In the Living 2A Zone at Darfield, as identified in Appendix 45, any dwelling, family flat, and any rooms within accessory buildings for sleeping or living purposes within 40m from the edge of the sealed carriageway of State Highways shall be required to comply with the internal noise</p>	<p>The overall effectiveness of this rule is considered high.</p>	<p>The overall efficiency of this rule is considered to be high. This rule is considered to be workable.</p>	<p>This rule ensures any development within the site complies with the internal noise guidelines outlined in AS/NZS2107: 2000.</p>	<p>No costs.</p>	<p>The use of an ODP to control noise is considered to be appropriate.</p>

guidelines outlined in AS/NZS2107:2000					
--	--	--	--	--	--

Subsection (iii) requires a summary of the reasons for deciding on the provisions.

7.51 The reasons for deciding on the provisions are:

- The proposed provisions provide a simple and easy to understand framework to enable the future development of the site
- The proposed provisions do not add additional onerous requirements on future landowners
- The proposed provisions will ensure that the eventual rural residential living environment that will exist on the site will have high amenity values
- The proposed provisions reflect the goals and policy direction indicated by the current deferred Living 2A zoning of the land.
- The proposed provisions have an appropriate level of risk, costs and benefits attached
- The proposed provisions allow for economic growth of Darfield in such a way that environmental outcomes are not adversely affected.

7.52 Section 32(1)(b) of the Act requires an assessment of the provisions of the proposal, including the Outline Development Plan. Sections 32(1)(b)(i) and s32(1)(b)ii require an examination of whether the provisions in the proposal are the most appropriate way to achieve the objectives (or in this case the purpose) of the proposal, by identifying reasonably practicable options for achieving the objectives, and assessing the efficiency and effectiveness of achieving those objectives.

8. SUMMARY OF OPTIONS, BENEFITS AND COSTS (FOR SECTION 32 ANALYSIS)

8.1. Five different options, and the benefits and costs associated with these reasonably practicable options, have been considered as part of the Section 32 analysis for the lifting of this deferred zone and are discussed below. The options have also been detailed in Table 3 below.

- Continue with the status quo;
- Apply for resource consent;

- Initiate a plan change to rezone the site for mixed use;
 - Initiate a plan change to lift the deferred status of the site.
 - Initiate a plan change across the whole of Area 5 of Appendix 25
- 8.2. The costs and benefits of these methods, in regards to achieving the purpose of the Act are summarised as follows, with a more detailed analysis outlined in Table 3 below.

Status Quo – Option 1

- 8.3. To retain the status quo would mean retention of the Living 2A (deferred) status over all of the site. As the deferral would remain, the site reverts to its Rural (Outer Plains) zoning, and as such only limited development could occur as of right.
- 8.4. The benefits of retaining the status quo include the savings in costs to the applicant in the preparation of the private plan change and the retention of productive land on the fringes of a township.

Resource Consent – Option 2

- 8.5. Another alternative that has been considered is to seek resource consent for a subdivision as a controlled activity in line with Outer Plain requirements with a minimum density of 20 ha or apply for a subdivision as a discretionary activity with a minimum density of 4ha. However any subdivision consent sought under the underlying zone would limit the potential of the site ever being developed for rural residential use which is the long term objective of the Plan.
- 8.6. If subdivision on an ad hoc basis was to occur this would be contrary to the Living 2A (deferred) status and to the objectives of the SDP and the direction of Selwyn 2031.

Initiate a plan change for the rezoning of the site to Living 2 and Business – Option 3

- 8.7. The third option is for the applicant to seek a plan change to rezone the site to allow for mixed use including higher density residential development in line with Living 2 requirements which requires a minimum site density of 5000m² and business development for which there is no minimum site density.
- 8.8. This would maximise business land available for Darfield and increase the supply of large residential sites and provide for a wider range of use on the site. However this type of plan change would result in greater potential for adverse reverse sensitivity effects to arise with adjoining neighbours in the outer plains zone and deferred Living 2A zones.

Initiate a plan change for the lifting of the deferred status over the site to Living 2A – Option 4

8.9. The fourth option is that of the proposed private plan change to lift the deferred status over the site. This option has been determined as the most appropriate way in which to proceed in this instance. It is a logical step to develop the site for rural residential development as the location of the site on the edge of the township provides an ideal site for the transition between high density residential and the outer plains zone. It is also the option which the Plan has anticipated by the deferred nature of the zone.

Initiate a plan change for the lifting of the deferred status over the entire Area 5 land to Living 2A – Option 5

8.10. The plan change as proposed only seeks to uplift the deferral from a part of the Living 2A deferred zone that is identified as Area 5 in Appendix 25 of the District Plan. However, option 5 is to lift to the deferral across the whole of the area identified as Area 5 in Appendix 25 of the District Plan. The applicant does not wish to include other owners land in the plan change, and indeed, on initial consultation with the Council, staff indicated that they were comfortable with this approach.

8.11. A table that contains an assessment of the options, costs and benefits is included below:

Table 3: Reasonably practicable options, benefits and costs

Options	Benefits	Costs
Option 1: Maintain the status quo, retain the Living 2A (Deferred) zone.	<p>Use of the land for productive activities will be retained.</p> <p>No change to the physical or visual amenity of the site.</p> <p>No adverse effects arising from rural residential activity.</p> <p>No time and money spent on the plan change process.</p> <p>Retains the lease of the site and potential to utilise the site for sheep and crop farming.</p>	<p>The deferred status over the site remains until it is lifted by a Council driven ODP.</p> <p>Creates uncertainty for the owner and fails to appropriately release the value of the land for rural residential development.</p> <p>Fails to provide for the development and growth of Darfield.</p> <p>Fails to provide a supply of sites with varying densities which are in short supply.</p> <p>May result, in other less desirable sites being developed in an ad hoc fashion with limited integration with Darfield or surrounding properties.</p> <p>May affect the townships compact form through a lack of rural residential living opportunities.</p>

Options	Benefits	Costs
		<p>Lost opportunity for sales</p> <p>Reduced property values</p>
Option 2: Apply for a resource consent	<p>Can apply for consent without further delay.</p> <p>Specific subdivision design determined.</p> <p>Provides employment at the site during construction of subdivision works, as well as the development of housing.</p> <p>Provides for the development of Darfield.</p> <p>Cheaper than a plan change process.</p> <p>Resource consents are usually quicker than a plan change process.</p> <p>Possibility for global consents to be utilised.</p> <p>Variations to consents can be sought.</p>	<p>Inappropriate method of developing the site and maybe contrary to policies and objectives of the Selwyn District Plan and Selwyn 2031.</p> <p>Demand for large rural blocks is much less than the demand for rural residential sections.</p> <p>May limit the potential of the site ever being developed for its anticipated rural residential use.</p> <p>Inability to control roading layout, retention of existing landscaping, water races, and design controls which can be achieved in the insertion of an ODP.</p> <p>May result in inappropriate siting of houses and reticulation of services. Potential for reverse sensitivity effects.</p> <p>Potential for adverse effects of individual stormwater discharges.</p> <p>Loss of growth to Darfield and the economic and social benefits growth brings.</p> <p>Loss of an integrated development providing connectivity, future roading linkages, screening and reduction of speed limit along Bangor Road.</p> <p>May not lead from a master planning process.</p> <p>Potential higher monitoring costs</p> <p>Restriction of flexibility</p>
Option 3: Initiate a plan change to rezone the site for mixed use.	<p>Extend business opportunities for Darfield.</p> <p>Provide for a wider range of uses on the site.</p> <p>Provides for employment on the site during construction and on-going through further business opportunities.</p> <p>Contributes to economic growth of Darfield through increased business and</p>	<p>Greater potential for reverse sensitivity effects to arise with adjoining living zone neighbours.</p> <p>May generate a higher level of dust, noise, glare, heavy traffic.</p> <p>Loss of productive land.</p> <p>Surplus business land may mean relocation of existing businesses away from the established business area</p>

Options	Benefits	Costs
	<p>residential development and through the realisation of the business and residential value of the land.</p> <p>Provide potential economic benefits to the landowner and future tenants and landowners.</p>	<p>within the township.</p> <p>Potential for lower level of amenity from business and higher density residential zoning.</p> <p>Limited demand for additional business zoned land.</p> <p>Could result in surplus residential sites of 5000m2.</p> <p>Loss of potential rural residential land</p> <p>Impact on future sales of adjoining land</p>
Option 4: Initiate a plan change to lift the deferred status of the zone.	<p>Provides immediate options for the owner/applicant.</p> <p>Provides for a high value development of the site.</p> <p>Provides for the best use of the site to be realised.</p> <p>Provides living opportunities for the community.</p> <p>Supports the objectives and policies of the plan and the direction of Selwyn 2031.</p> <p>Promotes the growth of Darfield which will result in economic and social benefits in the community.</p> <p>Provides for a high level of amenity, integration, coordination and future proofing in a compact form, along with the retention of the spacious character of a rural residential development.</p> <p>Provides for employment at the site during construction of subdivision works, as well as the development of housing.</p> <p>Promotes a reduced speed limit along Bangor Road.</p> <p>Creates a logical transition from high density living areas of Darfield to the outer plains zone.</p>	<p>Loss of productive land.</p> <p>Loss of current tenants being able to extend their lease to run their farming operation.</p>
Option 5: Uplift the deferral from the whole of Area 5 in	<p>May promote integrated and cohesive development</p> <p>Deal with future development</p>	<p>Has implications for landowners who are not directly involved in the plan change and who may not want their</p>

Options	Benefits	Costs
Appendix 25 of the District Plan.	<p>aspirations of adjoining landowners</p> <p>Provide greater options in terms of access to adjoining roads</p> <p>Increase amount of Living 2A zoned land to be released for development</p> <p>Potentially provide for a greater variety of rural residential locations and section sizes</p>	<p>land rezoned</p> <p>Implements changes to landowners with differing future goals for their land</p> <p>May put pressure on adjoining landowners to assist in a financial manner with the private plan change</p> <p>Difficulties may arise in gaining consensus between landowners within the land identified in Appendix 25 as Area 5</p> <p>Potential implications for servicing</p> <p>Potential implications for the State Highway network</p> <p>Greater costs for consulting to prepare an application for plan change</p> <p>Potential for complications to arise if a larger area of land is included, such as contamination issues etc.</p> <p>Potential for conflict as people may have different aspirations for their land</p>

- 8.12. In accordance with section 32(2), the assessment must consider the costs and benefits of effects anticipated by the implementation of the proposal. This assessment must now include a consideration of economic growth and employment, and how these may be provided or reduced by the proposal. As identified above, the township will benefit economically from increased population that could reasonably be expected to patronize businesses in the township and wider rural area. While some rural productivity will be lost as a result of this plan change, the economic benefit in terms of employment and patronage of existing businesses will be a positive impact of this plan change.

Conclusion

- 8.13. There are five main options available to the applicant. The applicant could do nothing and wait for Council to insert an ODP as part of Selwyn 2031 which includes the development of a revised area plan. The consultation process to develop this area plan is to start in 2015 however it could be two or more years to finalise the area plan which is relevant to the subject site.
- 8.14. The owner of the site is retired and needs to make some choices as soon as possible with regard to her land. The uncertain timeframe along with the uncertainty of future zoning means the applicant is left with the option of either selling her property with the Living 2A (deferred)

zoning status or choosing one of the other three options previously discussed which the applicant considers will not result in the best outcome for the site or for the community.

- 8.15. The detailed analysis undertaken as shown in **the table** above, shows it is clear that the proposed plan change, Option 4, is the most effective and efficient way of achieving the objectives of the SDP and the plan change itself, and providing for the purposes of the RMA. The plan change provides a supply of new densities that the community are looking for and will expand the township in a compact and coordinated manner, with the ability to provide necessary servicing and will create a changed but high amenity environment for Darfield and its community. The plan change is consistent with the policy direction of the SDP and Selwyn 2031.
- 8.16. There is sufficient information available to fully understand the effects associated with the plan change so there is negligible risk in respect of the sufficiency of information needed to understand the effects of the plan change.

Costs

- Costs and time associated with the preparation and processing of the private plan change application.
- Recognising limited cost to Council.
- Reduction in area of rural land.
- Short term development impacts on neighbouring zones until development is completed.

Benefits

- Lifting the deferred status of the land which allows present and future owners to develop the land in accordance with the relevant rules in the plan.
- Allows for development in accordance with the ODP that has been designed to integrate with the existing environment and link with the township at a scale appropriate for the location whilst achieving a high level of amenity.
- Maximising the most efficient use of the land resource.
- The creation of a variety of densities that are in short supply but which the market demands.
- Growth of the township which creates economic and social benefits for Darfield and the wider community.
- An opportunity to reduce the speed limit along SH 77 which the public are in favour of.

- Detailed study of infrastructure requirements has been carried out, and evidence is provided that the site can be serviced without adverse effect on the environment.
 - Integrity of Selwyn District Plan maintained.
- 8.17. The following table is a detailed analysis of the efficiency, effectiveness, costs, benefits and appropriateness of the proposed new rules and should be read in conjunction with the detailed analysis of the objectives and policies of the plan and their suitability.
- 8.18. The plan change proposal seeks a form of development over the site that is already anticipated by the plan, given that the land is already zoned Living 2A (deferred). The plan change proposal provides a framework for the future development of the site, and confirms an approach that will ensure that development will occur in an integrated and coordinated manner. The development of the site does not preclude future development of surrounding sites, and will complement the existing layout of Darfield.
- 8.19. In summary, it is considered that having regard to their efficiency, the existing objectives, policies, new rules associated with the lifting of the deferred status, and the proposed inclusion of an ODP in the Plan, are the most appropriate means of achieving the objectives of the Plan and the purpose of the Act.

Alternative locations considered

- 8.20. Despite this, it is important to consider why this land is the most appropriate for the form of development proposed.
- 8.21. The deferred status of the zone indicates that Council has already completed a thorough study of the most appropriate locations for rural residential development adjoining the township. There is a large area of Living 2A (deferred) land located around the fringes of the township that has been unable to be developed due to the deferred status. PC 31 has been withdrawn and Selwyn 2031 is taking over the development of area plans for land located adjoining the township. Consultation was to start in January 2015 for an updated post-earthquake area plan for this land, however the completion of this will be some years away.
- 8.22. The subject land is considered to be the most appropriate for Living 2A development in the form proposed.
- 8.23. The proposed plan change area is located in an area bound by roads, on the western side of Darfield. This side of Darfield is preferable for living environments as inhabitants do not have to cross the railway line to get to the township or schools of Darfield. It is easily accessed, and has a direct linkage into the centre of Darfield, as well an enabling access to and from the site from other key directions.

- 8.24. Detailed assessment has been carried on the ability to service the land and is contained within the Servicing strategy report enclosed in **Appendix 4**.
- 8.25. Recent subdivisions and developments in Darfield have not provided the roading linkage or the connectivity that this plan change proposes and the community has suffered from a lack of cross connective roads, therefore the proposed development improves the current situation foreseeing links rather than proposing an isolated development.
- 8.26. The land is already deemed appropriate for Living 2A development by its deferral status and development of this block in line with Living 2A requirements is welcomed by locals and the wider community so that Darfield can expand. The expansion of Darfield will have a positive effect on Darfield and the surrounding district.
- 8.27. The subject site is owned by one land owner who is keen for the potential of the block to be realised. Other land surrounding Darfield has also been recognised for development in the future and has many owners which may lead to development occurring in a fragmented manner. The opportunity to lift the deferred status of the Living 2A zone by one owner is not only of benefit to the community but also a benefit to Council as the cost is being met by a private individual.

Alternative Methods Considered

- 8.28. The alternative methods for the future development of the site involve developing the site into either 20 or 4 hectare blocks which surveys have shown are too large for many people wanting to live in a semi-rural environment. Development of the site into 20 or 4 hectare blocks will limit the potential of the site of ever realising its best use as rural residential development. This method would involve the use of numerous resource consents and as discussed earlier the use of resource consents to allow for rural development of the scale proposed by the ODP is neither cost efficient or cost effective.

9. CONSULTATION

- 9.1. Clause 1(h) of the Fourth Schedule of the Act requires that persons affected by the proposal are to be identified, along with consultation undertaken, if any, and any response to the views of any person consulted.
- 9.2. It is noted that Clause 1AA of the Fourth Schedule to the Act 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 other person; or

(b) Create any ground for expecting that the applicant will consult with any other person

- 9.3. Clause 25 of Part 2 of the First Schedule to the Act requires that should Council agree to accept a 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.
- 9.4. Consultation and information exchange has been undertaken with the following parties.

Selwyn District Council

- 9.5. Early consultation was undertaken with Council with regard to this plan change in September 2014 where a meeting was held at the Council's offices with Senior Planning Staff and Avanzar Consulting. The advice received was positive in that Council were generally supportive of the plan change and did not outline any conditions as long as the plan change was designed in consultation with Council's Urban Designer and that it was generally in accordance with Living 2A requirements. A meeting was held with Council's Urban Designer, Gabi Wolfer, in November 2014 and any suggestions from Gabi were considered in the design of the ODP.
- 9.6. The draft rules package was sent to Council on the 9th February 2015 and a reply received on the 19th February 2015 from Andrew Mactier, Strategy and Policy Planner, SDC, including an outline of fees, comments and suggested amendments to the draft rules package. Council's comments and suggested amendment were considered and some amendments were made to the ODP.
- 9.7. Consultation with Council Engineering staff was also undertaken by Victor Mthamo, of Reeftide Environmental & Projects who had an initial meeting with Council in November 2014 and thereafter ongoing email correspondence with SDC outlining servicing options in an email received by Victor on the 11 December 2014.
- 9.8. Council provided comments in the form of a request for further information (RFI). This plan change proposal has been updated to now address all the matters raised in the RFI.

Other Parties

- 9.9. The applicant's traffic consultant has attended two meetings with NZTA to discuss roading linkages and the effects of the increased traffic volumes on surrounding roads. The advice from NZTA was that the plan change will provide an opportunity for the speed limit along Bangor Road to be reduced which is a positive outcome and that they did not have any concerns with the proposed entranceways onto SH 77. However they suggested that there should be only one connection onto SH 73 and this should be as close to Darfield Township as possible and that their preference was to remove any road access to SH73. The second meeting was to discuss

the initial ODP design. The outcome of this meeting was that NZTA required minor modification of the internal roading design which has been completed and the removal of the roading connection to SH 73.

Adjoining property owners

9.10. An informal drop in meeting was held at the applicant's home which is located on the subject site on the 10th December from 4-6pm. Approximately 50 invitations to the drop in meeting were hand delivered to adjoining and surrounding neighbours. Approximately 24 invited people attended the meeting. There were a number of comments made, and a few minor concerns which were discussed and resolved, but there were no out right objectors, and out of the 24 attendees, approximately 20 attendees voiced their overall support of the plan change and wished the applicant well and advised they had attended the meeting more out of interest.

9.11. A summary of the comments are listed below:

- A number of people felt that development of Darfield has been overlooked as Council concentrated on Rolleston.
- Adjoining owners did not express a wish for their land to become part of the plan change were interested as to how the plan change would affect their land.
- There was a large amount of interest in traffic and roading with support for a reduced speed limit along Bangor Road and for a roading link from the site to SH 73.
- There were comments regarding the lack of screening around the Council water reservoir.
- The likely number of houses to be erected along road boundaries.
- Landscaping and whether the large trees along Bangor Road were to be retained, some people wanted this, some didn't but most people keen on some sort of replacement landscaping for screening and privacy.
- Questions on why there is no reticulated sewer system in Darfield and the type of sewer system to be implemented.
- A number of people mentioned their disappointment of the Silverstream development not going ahead.

Service Providers

9.12. A written request was sent to Orion New Zealand Limited seeking confirmation of the feasibility of providing power to the plan change area. Orion confirmed that the area could be supplied with infrastructure for power supply. A copy of the letter is attached as **Appendix 9** to this application.

- 9.13. Written confirmation was sought from Chorus, Vodafone and Enable New Zealand. Vodafone and Enable confirmed that they did not cover the township of Darfield.
- 9.14. Chorus were able to confirm that the area can be serviced. A copy of their response is attached in **Appendix 9**.

10. CONCLUSION

- 10.1. This proposal seeks to lift the deferred status of the land from Living 2A (Deferred) to Living 2A, to enable rural residential development of the site. Based on the assessment undertaken above, and in accordance with Section 73(2) and Section 32 of the Resource Management Act 1991, the proposal will achieve the policy direction of the Selwyn District Council.
- 10.2. The plan change will achieve the principles and purpose of the Act for the following reasons:
- Any adverse effects of the plan change can be effectively mitigated.
 - The proposed plan change enables the best use of the site.
 - The proposed plan change is appropriate and sustainable.
 - The design of the ODP's provide linkages to adjoining properties and encourage connectivity with the township and existing living environments.
 - The proposed plan change will not result in any conflict with existing objectives and policies of the District Plan and will not be inconsistent with any other relevant objectives and policies of the Plan.
 - The proposed plan change is in line with the direction of Selwyn 2031.
- 10.3. For the reasons provided in this report, and in the supporting technical assessments, it is considered that the proposed plan change is the most effective and efficient method of achieving the purpose of the Resource Management Act 1991.