

**Before the Independent Commissioner
Appointed by Selwyn District Council**

IN THE MATTER OF

The Resource Management Act 1991

AND

IN THE MATTER OF

Proposed Plan Change 60, being an application to change the Selwyn District Plan to rezone from land from Living 2A to Living 1, by Kirwee Central Properties Ltd

Statement of Evidence of Julie Anne Comfort

on Behalf of

Bealey Developments Ltd

Dated 23 July 2020

1 Introduction

- 1.1 My name is Julie Anne Comfort. I am a planner with Davie Lovell Smith where I have worked for the last 24 years.
- 1.2 I have a Masters of Arts in Geography from the University of Canterbury. I have practised in the field of resource management for over 24 years. During this time I have assisted private, public and corporate sector clients on a wide range of planning and resource management issues and projects. I am an Associate Member of the New Zealand Planning Institute.
- 1.3 My experience consists of the preparation of a private plan change to the Selwyn District Plan, and preparation of submissions and evidence in relation to District Plan reviews and various Plan Changes to the Selwyn and Christchurch District Plans. I have assisted in the analysis and consideration of submissions on several District Plans, as well assisting in the latest review of the Waimate District Plan. I have also over the years prepared numerous resource consent applications and associated assessments for infrastructure projects and residential, rural, and commercial developments for private clients and territorial authorities.

2 Scope

- 2.1 My evidence relates to submission lodged by Bealey Developments Ltd in support of Plan Change 60 (PC60). In preparing this evidence I have read the Plan Change request documents, the submissions received on the request, Selwyn District Council's Section 42A report and the Applicant's evidence.

3 Code Of Conduct

- 3.1 Whilst this hearing is not before the Environment Court, I can confirm that I have read the Code of Conduct for expert witnesses contained in the Environment Court Practice Note 2014. I confirm that I have considered all material facts that I am aware of that might alter or detract from the opinions I express, and that this evidence is within my area of expertise, except where I state that I am relying on evidence of another person.

4 Bealey Developments Ltd Submission

- 4.1 Bealey Developments Ltd (BDL) owns the adjoining land to the east (Lots 46 & 1002 DP 489829). This land is also zoned Living 2A within the Selwyn District Plan. As discussed within the Plan Change document and the Council's S42A, the BDL land was utilised as part of the density calculation to enable the initial subdivision undertaken by Kirwee Central Properties Ltd. As result of this the BDL land is subject to a consent notice which currently prevents further development of their property. This current situation ensures that the overall density anticipated by the existing Living 2A zone is maintained within this location.
- 4.2 BDL submitted in support of the rezoning the land adjoining their property. I agree with the Council's conclusion that all the land sought to be rezoned by Pc60 to Living 1 should be. With this rezoning confirmed, there is no longer a need for the consent notice on the BDL property. This is confirmed within the PC60 document and Council's s42A report.
- 4.3 Whilst the removal of the consent notice will need to occur as part of separate RMA process, it worthwhile noting at this stage once that occurs, this will enable the BDL to be developed in accordance with its existing Living 2A zoning.
- 4.4 BDL's submission sought clarification of the "Potential Transport Network" plan (PTN) that was included with the Outline Development Plan (ODP) that was contained within Appendix 6 of the PC 60 as notified. As set out within their submission, BDL does not necessarily

object to the inclusion of the PTN plan as they understood the Council's RFI query with regards to the "cul-de-sac" created by the PC60 ODP. Their concerns related to the status of the indicative network that was shown, including the connection to the State Highway 73 (SH73). BDL's submission raised a question as to whether the connection had been confirmed with the NZTA, and they were also concerned that they could be held to the internal roading network shown within their land, which could hinder the design of any future subdivision.

- 4.5 With the ability to develop the BDL site (unencumbered) restored as a result of this plan change, I note that any future subdivision will most likely connect into the PC60 land at the points identified in the main PC60 ODP. In addition, the future development of the BDL land should be able to provide the connectivity to the wider roading network, including SH73, in a manner similar to that shown on the PTN plan. Although as noted above the internal roading layout may be different to that shown on the PTN plan. However, I note that such connections would ultimately address the initial concerns raised by the Council in their RFI.
- 4.6 In addition, I note that in the NZTA's submission on PC60 they have indicated that they are not opposed to an additional appropriately formed connection to SH73. I note that it is recommended at para 7.44 in Council's s42A report that the PTN plan is not included in the Selwyn District Plan at this stage, however BDL does not have any concerns if was to be retained with the PC60 ODP, provided the internal layout was acknowledged as being indicative. BDL believes the PTN plan provides clarity of the future roading connections possible for when they explore development options on their site. This approach is consistent with other ODPs in Selwyn that consist of multiple ownerships.

5 Conclusion

- 5.1 In conclusion, I agree with the Council's s42A's recommendation to approve PC60.

Julie Comfort
23 July 2020