

# Application for Private Plan Change

Hoskyns Road, Kirwee



**CLIENT**

Kirwee Central Properties Limited

**ADDRESS**

Hoskyns Road, Kirwee

**REFERENCE**

6178

## Report Information

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Reference: 6178

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Title: Application for Private Plan Change,  
Hoskyns Road, Kirwee

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Client: Kirwee Central Properties Ltd  
Murray Boyes

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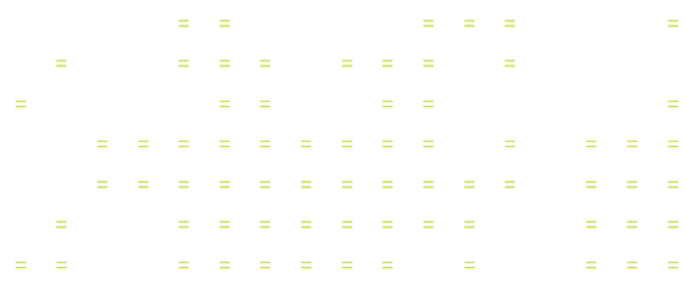
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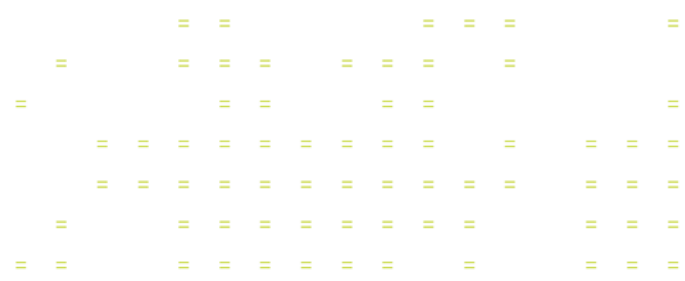
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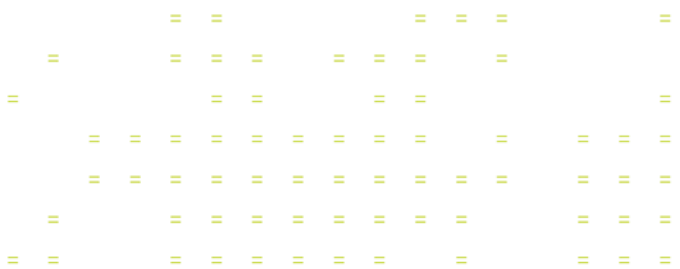
Appendix 8: MKT Consultation Report

Appendix 9: Assessment of CRPS Objectives and Policies

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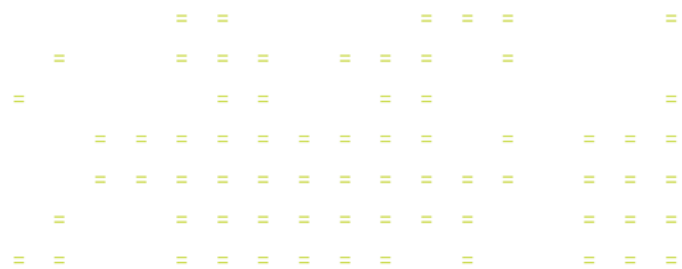
Appendix 11: Assessment of Mahaanui Iwi Management Plan (MIMP)

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# 1 Applicant and Property Details

Applicant:	Kirwee Central Properties Ltd
Site Address:	Hoskyns Road, Kirwee
Legal Description:	Lot 1 Deposited Plan 532846, Lot 12 Deposited Plan 489829, Lots 2-9 and 45 Deposited Plan 527459, Lot 1000 Deposited Plan 489829, Lot 500 Deposited Plan 534334, Lots 10-16 Deposited Plan 528758, Lot 400 Deposited Plan 528758, Lot 401 Deposited Plan 528758, Lots 17-30 and 42-44 Deposited Plan 534334, and Lot 501 Deposited Plan 534334.
Records of Title:	Refer to Appendix 1.
Land Owners:	Refer to Appendix 1
Address for Service:	Baseline Group CLS Limited P.O. Box 8177, Riccarton, Christchurch 8440
District Plan Zoning:	Selwyn District Plan Living Zone 2A
Proposal:	This application seeks a privately initiated plan change under s72 (1) of the Resource Management Act 1991 to rezone the application site from Living Zone 2A to Living Zone 1.



## 2 Executive Summary

Under s73(2) of the Resource Management Act 1991, Kirwee Central Properties Limited (“the Applicant”) requests a change to the Selwyn District Plan (the District Plan) to rezone 17.2249 hectares (ha) of land in Kirwee from Living 2A to Living 1. No changes to the Living 1 Zone are required to facilitate the proposal.

The plan change is sought as the application site provides a logical area of expansion for the existing Living 1 Zone in the Kirwee Township, as it is immediately adjoining this established zone. The site is also bounded by State Highway 73 West Coast Road to the south and Hoskyns Road (and an approved subdivision currently under construction) to the north.

While there is currently undeveloped Living 1 zoned land at Kirwee, there are significant constraints identified on a large portion of this land which equate to low development potential. The remainder area of Living 1 zoned land is located on the edge of the Kirwee township and not immediately adjoining the established Living 1 Zone. A portion of the application site is consented for residential use and roading and pedestrian infrastructure is either in place or under construction, creating non-vehicular connections from the application site to the Kirwee Model School and the centre of the township.

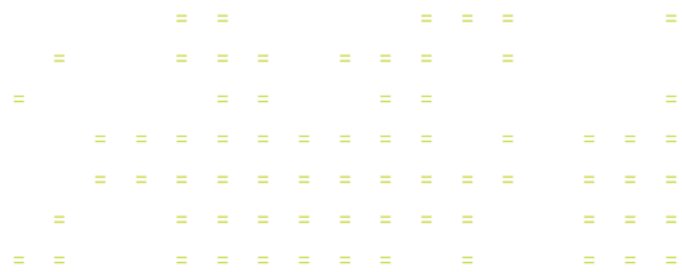
The application site is identified by the Malvern Area Plan as undeveloped residential land which could accommodate residential use in future (Figure 22, Page 81 of the Malvern Area Plan). This application proposes use of the subject site for higher density residential use is a more efficient use of land (already identified for residential use) and will not require expansion of the township boundary, resulting in a more compact township form.

The proposed rezoning is considered to be consistent with the objectives and policies of the Selwyn District Plan Township Volume, the Canterbury Regional Policy Statement, other relevant Regional Plans and the Mahaanui Iwi Management Plan. The proposed plan change will allow for the use of existing residentially zoned land in a more efficient and sustainable manner in accordance with an Outline Development Plan to ensure connectivity with existing development areas.

It is noted the Selwyn District Plan is currently under review representing a timely opportunity for this private plan change. It is our understanding public notification of the updated plan will take place early 2020, therefore this privately initiate plan change is seen as the most effective means of achieving the proposed rezoning at this time.

The Plan Change seeks to insert an Outline Development Plan (Kirwee Central ODP) utilising the existing Living 1 zone rules to facilitate the development of residential sections with an average minimum allotment size of 800 m<sup>2</sup>. The Outline Development Plan identifies the area of the proposed Living 1 Zone, landscaping and the road and non-vehicular access routes. Once rezoned, the site can be developed in accordance with the various statutory requirements of the Canterbury Regional Policy Statement and the Living 1 Zone standards of the Selwyn District Plan. It is estimated the proposed plan change area could yield 164 residential allotments, if fully developed to the potential of the proposed Living 1 Zone.

An evaluation of the proposed plan change under section 32 of the Resource Management Act (the Act) is attached in Appendix 2. The section 32 evaluation examines whether the objectives of the proposal are the most appropriate way to achieve the purpose of the Act.



### 3 Introduction

This report has been prepared in support of a Private Plan Change on behalf of the Applicant to rezone 17.2249 ha of land south of Hoskyns Road at Kirwee from Living 2A to Living 1.

This application has been prepared in accordance with Schedule 1 of the Resource Management Act 1991(RMA).

Under subsection 2 of section 73, and under Clause 21 of Schedule 1 of the RMA, any person may request a territorial authority to change a District Plan and the Plan may be changed in the manner set out in Schedule 1 of the Act. Clause 22 of Schedule 1 requires the plan change be made to the appropriate authority, in this case the Selwyn District Council and include an explanation of the purpose of and reasons for the plan change and an evaluation under s32 of the Act. In addition, a plan change application requires, where environmental effects are anticipated, a description of any actual or potential effects.

This plan change application has been prepared to enable higher density residential development close to the centre of the township of Kirwee and to allow greater variety of allotment sizes to be developed within the existing residential zone. Intensification in this area optimises land development in the area in a compact form avoiding the need for rezoning rural productive land.

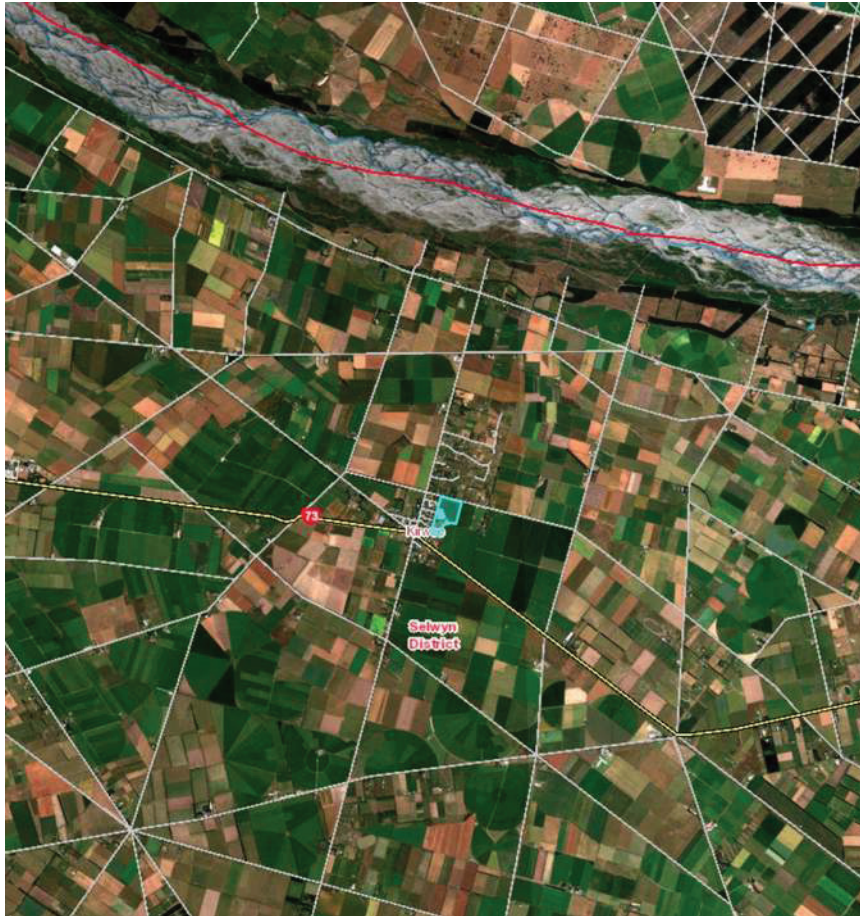
This plan change application seeks to show the application site meets all the criteria of the statutory and non-statutory documents for Living 1 zoning and also allows Council to be consistent with the desired outcomes of the Canterbury Regional Policy Statement. This application does not seek to introduce any new objectives, policies or rules to the District Plan, rather the inclusion of an Outline Development Plan (ODP) into the Plan and use of the existing Living 1 Zone Rules.



## 4 Site Context

### 4.1 Kirwee Township

The township of Kirwee is located approximately 8 kilometres east of Darfield, approximately 16 kilometres northwest of Rolleston and approximately 36 kilometres west of Central Christchurch. The township itself is primarily located north of State Highway 73, either side of Courtenay Road and south of Hoskyns Road. The majority of existing low density residential use is centred around Courtenay Road, south of Hoskyns Road and north of State Highway 73. There is also an established area of rural residential development north of Hoskyns Road.



**Figure 1 – Application Site in Wider Selwyn Context**

Kirwee was originally known as Brett's Corner and by 1874 when the railway came through the town already had a store, bakery and blacksmith shop<sup>1</sup>. The settlement was named by Colonel James de Renzie Brett after a 1,000 acre property he acquired in 1865. Development in Kirwee began in 1871 at the intersection of the Coal Tramway Reserve which ran from Rolleston to Springfield and followed the boundary of two early pastoral runs. This was an important travelling route and remains so today in the form of Courtenay Road<sup>2</sup>.

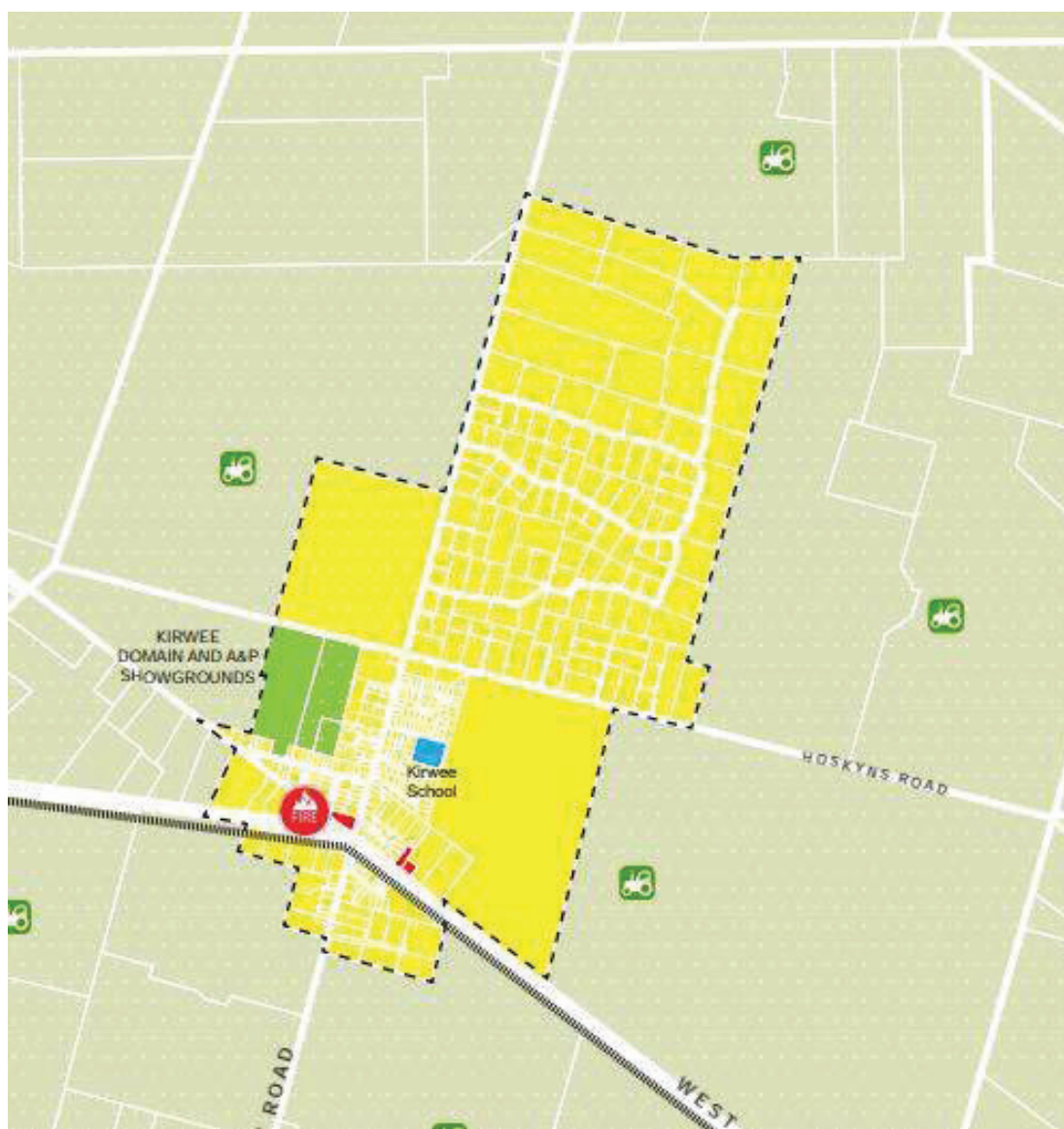
<sup>1</sup> Source Selwyn 2031: District Development Strategy – Background Information

<sup>2</sup> Source Malvern Area Plan 2031





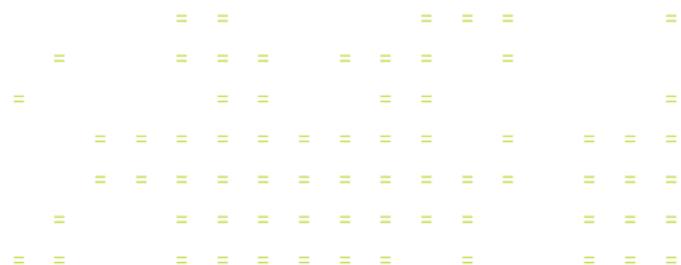
Kirwee retains a small-town character, with active sports clubs and a popular annual Agricultural and Pastoral Show. Alongside Darfield and other rural townships, it has a role in serving the Malvern Ward's arable and pastoral farming area. Within the township there are farming suppliers, a primary school, pub, volunteer fire brigade, and the Agricultural and Pastoral showground, see Figure 2.



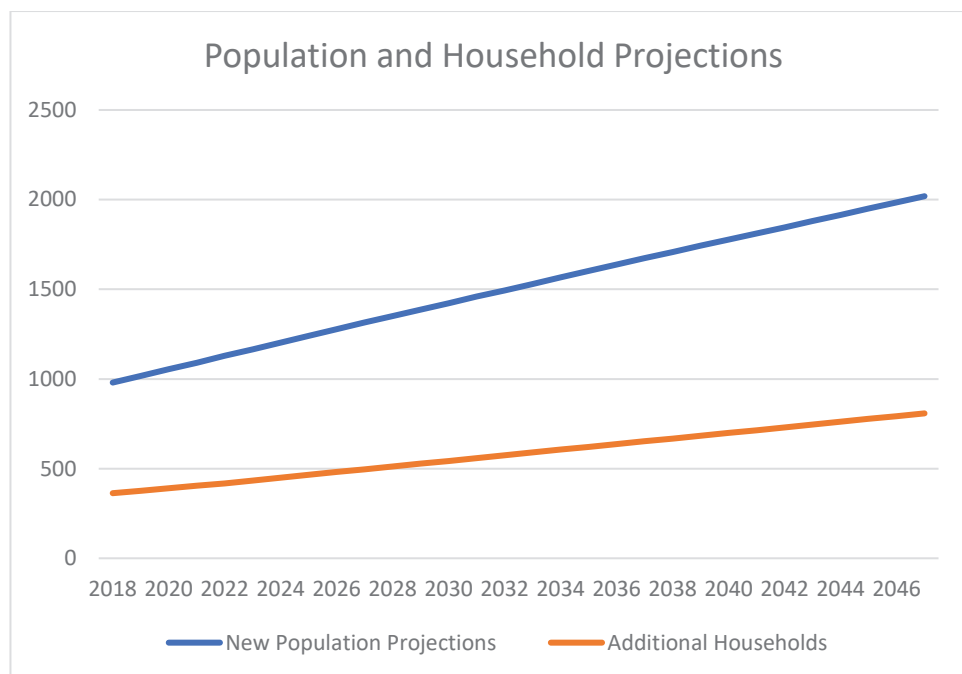
**Figure 2 - Kirwee Context Map, from Malvern Area Plan 2031**

Until 2018, Selwyn was the second fastest growing District in the South Island<sup>3</sup> with this growth primarily occurring within easy commuting distance of Christchurch City and Rolleston. Population growth in the area over recent years can be attributed to a number of factors, including growth in the dairy industry on the Canterbury Plains, the demand for lifestyle blocks and people moving out from Christchurch to the new subdivisions in response to earthquakes in Christchurch City.

<sup>3</sup> <https://www.selwyn.govt.nz/property-and-building/planning/population> (accessed 28/03/2019)



To inform the development of the 2018-2028 Long Term Plan, Council has updated its population projections out to 2048. The projections for Kirwee are illustrated below:



**Figure 3 - Kirwee Population and Household Projections 2013-2047**

## 4.2 Application Site

The application site is located within the Kirwee Township, east of School Lane, north of State Highway 73 (West Coast Road) and south of Hoskyns Road, see Figure 4 (following page). The site is generally flat and contains some dwellings under construction within the approved Kirwee Plains Subdivision.

The application site has a total area of 17.2249 ha, a breakdown of this area is shown in Table 1.

**Table 1 - Details of Application Site**

Legal Description	Address	Area (ha)
<b>Lot 1 DP 532846</b>	36 School Lane	0.1922
<b>Lots 2-9 and 45 DP 527459</b>	37, 39, 41, 43-47 and 49 School Lane	1.2313
<b>Lot 12 DP 489829</b>	35 School Lane	0.2128
<b>Lot 1000 DP 489829</b>	(School Lane Council Reserve)	0.5
<b>Lots 10-16 DP 528758</b>	1731, 1727, 1723, 1719, 1715, 1709 and 1703 Hoskyns Road	2.4524
<b>Lot 400 DP 528758</b>	1695 Hoskyns Road	0.25
<b>Lot 401 Deposited Plan 528758</b>	Suffolk Drive	0.005
<b>Lots 17-30 and 42-44 DP 534334</b>	2-7, 9, and 11 Merino Crescent; and 5, 6, 8-11, 13-16 Suffolk Drive	2.1496
<b>Lot 501 Deposited Plan 534334</b>	Suffolk Drive (west)	1.5783
<b>Lot 500 Deposited Plan 534334</b>	Suffolk Drive (south)	8.6578
<b>Total Area</b>		17.2249







**Figure 5 - Kirwee Plains Subdivision as Approved by RC185479 October 5, 2018**

Titles for Stage 1A, 1B and Stage 2 of the approved Kirwee Plains Subdivision have been issued as at November 2019.

#### 4.4 Application Site Zoning

The application site is identified in the Selwyn District Plan (the Plan) and the Malvern Area Plan as a residential area. The application site is currently zoned Living 2A in the Selwyn District Plan, see Figure 6. The Living 2A Zone at Kirwee requires an average allotment size of not less than 1 ha or 2 ha for lots along the northern and eastern boundaries of the zone that abut a rural zone. It is noted no part of the application site abuts a rural zone. The preferred growth option for Kirwee identified in the District Plan is development north of State Highway 73 and a compact pattern of development with higher densities towards the centre of the township<sup>5</sup>.

A portion of the Kirwee Living 2A zone is located immediately east of the existing Living 1 Zone between Hoskyns Road and State Highway 73. The total area of Living 2A zoned land adjoining the application site is 53.9486 ha, a breakdown of the Living 2A zone is provided in the following Table 2, exclusive of recently vested roads.

<sup>5</sup> Source Selwyn 2031: District Development Strategy – Background Information



**Figure 6 - Zoning of Application Site, Identified by Red Outline**

**Table 2 - Kirwee Living 2A Zone Breakdown**

Legal Description	Area (ha)	Purpose
<b>Lot 1 DP 532846</b>	0.1922	Approved pre-school (RC185687)
<b>Lots 2-9 and 45 DP 527459</b>	1.2313	Residential
<b>Lots 10-16 DP 528758</b>	2.4524	Residential
<b>Lot 12 DP 489829</b>	0.2128	Residential
<b>Lot 400 DP 528758</b>	0.25	Utility Reserve vested to council
<b>Lot 1000 DP 489829</b>	0.5	Reserve vested to council
<b>Lot 401 DP 528758</b>	0.0005	Utility Reserve vested to Orion
<b>Lots 17-30 and 42-44 DP 534334</b>	2.1496	Residential
<b>Lot 501 Deposited Plan 534334</b>	1.5783	Suffolk Drive (west)
<b>Lot 500 Deposited Plan 534334</b>	8.6578	Suffolk Drive (south)
<b>Pt Lot 2 DP 435</b>	2.0234	2490 West Coast Road, single dwelling
<b>Lot 1 DP 23936</b>	0.2466	2476 West Coast Road, single dwelling
<b>Lot 46 DP 489829</b>	31.7055	Rural production land
<b>Lot 1002 DP 489829</b>	2.0	Rural production land
<b>Total Area</b>	53.2004	Kirwee Living 2A Zone (east of township)







## Water Supply

Kirwee has reticulated Town Ground Water Supply available for community drinking water supply. There are at least 364 connections to the existing Town Water Supply serving a population of approximately 1,056 people. It is noted there exists a risk of contamination to this supply from septic tanks if pumped at high rates<sup>6</sup>.

The site has some water supply servicing associated with the consented subdivision to extend the current water supply network. Kirwee has an existing water supply however this does not have the capacity to fully service the site. A utility allotment (Lot 400) has been created in the north eastern corner of the Plan Change site for council to establish a new water supply, this has now been vested to council and funding for establishment of a bore provided for in the 2019 financial year.

## Wastewater

There is currently no existing reticulated wastewater system available in Kirwee which the application site could connect to. Within the District where a community wastewater system is not provided, wastewater is disposed of to ground via on-site wastewater treatment systems on each property. These are privately owned and operated by individual property owners. Kirwee is one of the largest unsewered communities in New Zealand, serving 311 households, second only to Darfield (serving 870 households). This is primarily due to the very high capacity of soils to receive wastewater and the substantial depth to groundwater – over 80 m<sup>7</sup>.

Policy B1.2.5 of the Selwyn District Plan identifies a number of townships within the District in which sewerage treatment and disposal is required to be reticulated. Kirwee is specifically excluded from Policy B1.2.5 for the following reasons:

*A study done for the Council (Lewis and Barrow 1999) indicates that on-site effluent treatment and disposal at Darfield and Kirwee is unlikely to contaminate groundwater within the life of this District Plan. This result is due to the significant depth to groundwater in this area. The results of the Lewis and Barrow Study (1999) are neither accepted at Environment Canterbury nor supported by an independent review by URS (2000). However, Environment Canterbury has indicated that:*

- It will continue to issue discharge permits for on-site sewage treatment and disposal for new houses in residential areas at Darfield and Kirwee.*

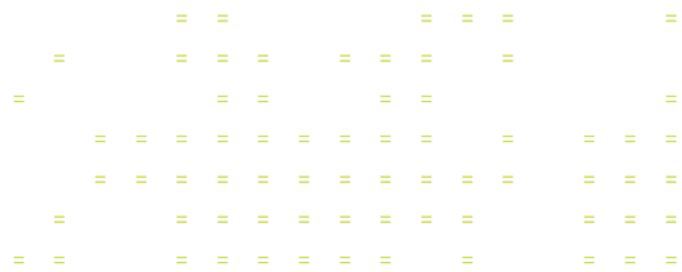
A working party has been formed by Council to explore options for wastewater systems to potentially service Kirwee township in the future. A Wastewater Strategy for Kirwee was prepared December 2017. While there is no evidence to suggest there is currently an issue of groundwater contamination from on-site wastewater systems, intensification of residential use with on-site wastewater has the potential to contaminate groundwater in future. Environment Canterbury have identified guiding policy directing future development away from the use of on-site wastewater treatment. In addition, on-site wastewater treatment is not supported by local Tangata Whenua.

The Baseline Group servicing report identifies the preferred method of wastewater disposal is on-site disposal, as this is currently adopted for all existing and recent new dwellings in Kirwee. Consent for on-site disposal systems will be sought at subdivision stage. Environment Canterbury have confirmed consent would be required for on-site wastewater treatment as a restricted discretionary activity. However, if at the time of subdivision it is not possible to obtain consent for on-site wastewater treatment there are other identified options:

- Low pressure wastewater system pumping to a centralised on-site community treatment and disposal system.

<sup>6</sup> Source Selwyn 2031: District Development Strategy – Background Information.

<sup>7</sup> Source Selwyn 2031: District Development Strategy – Background Information



- Low pressure wastewater pump system pumping (downhill) to the existing wastewater treatment facility in Rolleston.
- Gravity network with centralised on-site community system.
- Gravity network with centralised pump station, pumping (downhill) to Rolleston.
- Septic Tank Effluent Pumping (STEP) system where the liquid from on-site septic tanks is pumped to a centralised on-site community disposal system.
- STEP system with liquor being pumped to the existing wastewater treatment facility in Rolleston.

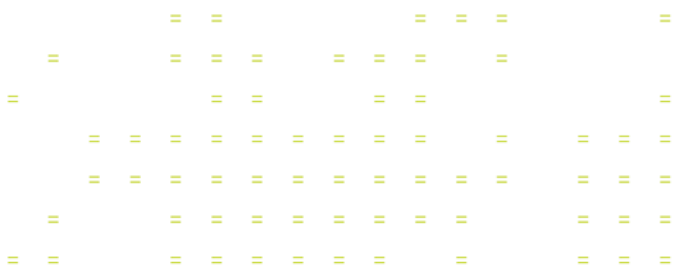
While it is preferred to utilise the currently widely adopted on-site disposal method, at least six viable alternatives have been identified should a consent for this not be forthcoming, thus it can be considered there are viable options for wastewater disposal from the proposed plan change area.

### Stormwater

There is no existing stormwater network in Kirwee the application site could connect to. Due to the presence of low groundwater levels and lack of reticulated stormwater network it is proposed stormwater from the site is discharged to ground via soak pits. Discharge to ground is assessed as a discretionary activity under the Environment Canterbury Land and Water Regional Plan and stormwater discharge consents would be required for any allotments created by future subdivision at the time of engineering approvals.

### Electricity and Telecommunications

Both Orion and Chorus NZ have confirmed the application site can be serviced with reticulated power and telecommunications respectively from existing networks. The details of such connections would be confirmed at the time of future subdivision.



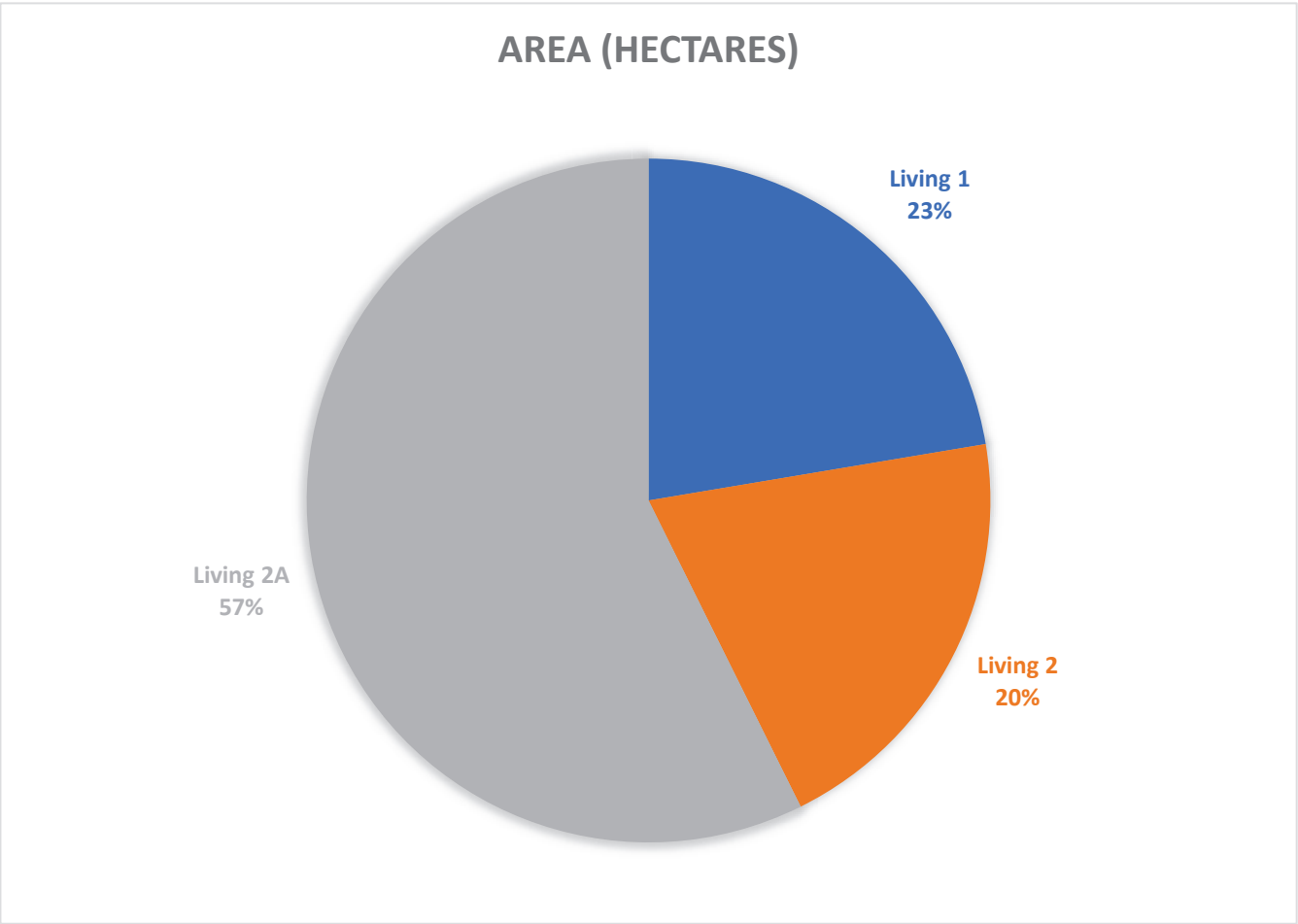
## 5 Proposed Plan Change

### 5.1 Plan Change Purpose

Kirwee Central Properties Limited is seeking to rezone the application site from Living 2A to Living 1. The zoning change will allow greater residential density to be accommodated on the application site. All District Wide Rules in the operative Selwyn District Plan will apply to the rezoned land. No additional provisions are proposed as part of the Private Plan Change, although it is noted the applicable Planning Maps will need to be updated to reflect the changed zoning and a new ODP map to be included in the Appendices of the Selwyn District Plan.

### 5.2 Kirwee Zone Analysis

The residential zoning of land within the Kirwee township boundaries is distributed as follows:

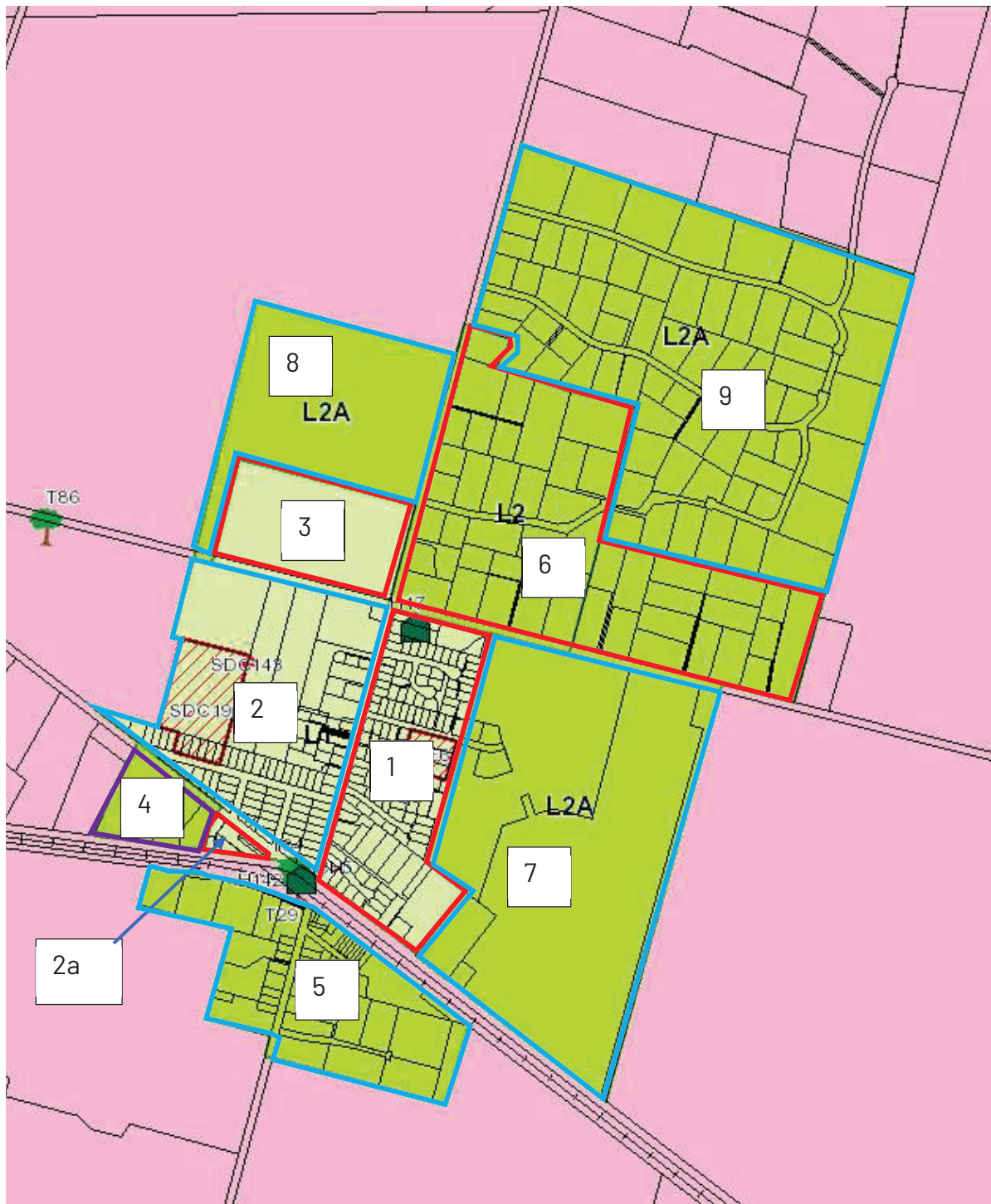


**Figure 7 - Distribution of Residential Zones in Kirwee**

From Figure 7 above Living 2A accounts for over half of the available residentially zoned land within the Kirwee Township. The Living 1 Zone has a larger area than the Living 2 zone however has less capacity to accommodate residential use in the long term due to several constraints.

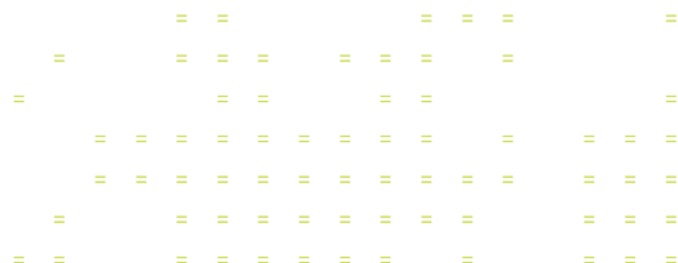


For the purposes of assessing the future residential capacity of the existing zoning of Kirwee township, the zones have been grouped into areas identified and described as follows (see Figure 8 - Kirwee Zones):



**Figure 8 - Kirwee Zones**





Area #	Zone	Location	Total area of zone (ha)	Special Areas/comment (Low potential for future residential use)	Area available for residential use (#of existing residential allotments)	# of potential allotments (current zoning) <sup>8</sup>
1	Living 1	East of Courtenay Road, south of Hoskyns Road and north of State Highway 73.	17.5373	Kirwee Model School, designation ME6 (1.3007 ha); St Georges Church, Heritage Item H17 (0.7031 ha); Service station (0.4848 ha).	15.0487 ha (132)	9
2	Living 1	West of Courtenay Road, south of Hoskyns Road, north of Tramway Road.	27.7543	Kirwee showgrounds and tennis courts, designation SDC190, SDC87 and SDC143 (4.654 ha); Kirwee community hall, lands owned by The Courtenay Agricultural and Pastoral Association Associated Street (6.8918 ha); former landfill confirmed HAIL site (1.7315 ha); Cemetery (4.0469 ha). <sup>9</sup>	10.4301 ha (74)	11
2a	Living 1	Triangle area between divergence of Tramway Road from State Highway 73.	0.9133	Kirwee fire station (0.1778 ha); SDC owned land (0.3258 ha).	0.4097 ha (3)	1
3	Living 1	Area of land located west of Courtenay Rd and north of Hoskyns Rd	12.24	The zone boundaries do not follow current allotment boundaries, the site has a total area of 178.2134 ha. Greenfield site currently used for agricultural purposes.	12.24 ha (0)	130
4	Living 2	Area between Tramway Road and State Highway 73.	4.4508	Western most boundary of this area adjoins a HAIL site.	4.4508 ha (3)	2
5	Living 2	Area south of State Highway 73	18.2101	A number of smaller allotments that would no longer be supported by the current zoning; no further subdivision of this zone anticipated due to being south of the highway.	18.2101 ha (34)	0
6	Living 2	North of Hoskyns Road, east of Courtenay.	27.9186	There are restrictions on the use of Dawn Place <sup>10</sup> and all but one of the existing allotments currently has a dwelling.	27.9186 ha (33)	0
7	Living 2A	Application site and balance area – east of Courtenay Road, south of Hoskyns and north of SH73.	52.8559	Council reserve (0.5 ha); utility reserve (0.25 ha); RC 185479 has effectively used the yield potential of the current zoning.	52.1059 ha (49)	0
8	Living 2A	North of Hoskyns Road, west of Courtenay Road	21 <sup>11</sup>	Greenfield site, zone boundary does not follow property boundary.	21 ha (0)	17
9	Living 2A	Immediately north of Area 8, north of Hoskyns Road and east of Courtenay Road.	65.461	All but two of the residential allotments in this zone have a dwelling	4 ha (65)	0
Total						170

<sup>8</sup> Number of allotments with at least double the minimum allotment size required by zone, for Greenfields sites total area minus 15% for roads divided by minimum allotment size.

<sup>9</sup> The Malvern Area Plan recognizes large areas of the existing Living 1 zoned land are utilized for civic purposes and may warrant and Open Space zoning under the District Plan Review.

<sup>10</sup> Rule 12.1.3.20 In the Living 2A zone at Kirwee, no more than 3 allotments have vehicular access to Dawn Place.

<sup>11</sup> Estimate from SDC GIS



From the above analysis (summarised in Table 3 below) there is capacity to accommodate 170 residential allotments within the current zoning of the Kirwee Township. However, it is noted the majority of this (130 allotments) is within a Living 1 zoned greenfield site west of Courtenay Road and north of Hoskyns Road. Currently Courtenay Road and Hoskyns Road act as a barrier ensuring the township does not sprawl northwest of the township and the Living 1 zone does not appear to follow any defined boundaries. The preferred growth option for Kirwee as identified in the Selwyn District Plan is to accommodate future growth in the zones north of State Highway 73, generally in a compact pattern with higher densities toward the centre of the township. Development of the existing Living 1 Zone northwest of the Hoskyns and Courtenay Road intersection, although anticipated by the both the Malvern Area Plan and the Selwyn District Plan, is not ideally located in proximity to the existing Living 1 Zone or established residential use.

**Table 3 – Summary of Potential Lot Yield by Zone**

Zone	Total Area (ha)	Total Infill/Residential Lot Yield Estimate
Living 1	58.4449	151
Living 2	50.5795	2
Living 2A	139.3169	17
<b>Total</b>	<b>248.3413</b>	<b>170</b>

The combined area of the Living 2 and Living 2A is approximately 77% of the available residential land in the Kirwee township, however the majority of this land accommodates existing established residential use with a low potential for future infill. Given the significant area of land within the Living 2A zone the future potential residential yield is low and does not represent an efficient use of land for the intended residential use.

### 5.3 Reasons for Application

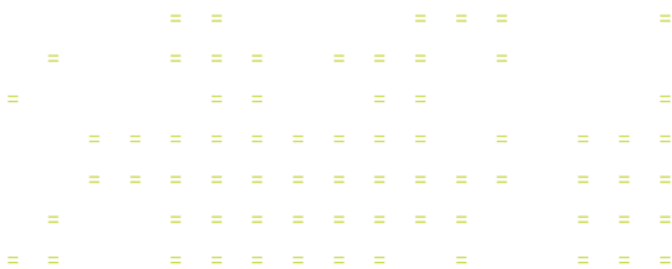
The purpose of the proposed plan change is to change the zoning of the application site from Kirwee Living 2A to Kirwee Living 1. No other changes to the District Plan objectives, policies or rules are required to facilitate the proposed plan change with the exception of the inclusion of the Outline Development Plan (see Appendix 6) in the appendices of the Township Volume of the Selwyn District Plan.

The application site is identified in the Selwyn District Plan (SDP) as residential and is also identified in the Malvern Area Plan as residential and within the existing township boundary. This Plan Change does not seek to change the land use or activity, only the density of residential activity on the site. The proposed plan change will effectively allow for expansion of the existing Kirwee Living 1 Zone, within the township boundaries in close proximity to the Kirwee Model School and the centre of the township.

The plan change area is inclusive of the approved Kirwee Plains Subdivision area, allowing future infill of this area. Of the 45 residential allotments approved for the plan change area, 14 would have future subdivision potential under Living 1 Zone standards<sup>12</sup>. It is also noted Lot 12 DP 489829 has future subdivision potential based on the 1,600 m<sup>2</sup> requirement. The potential allotment yield of the Kirwee Plains Subdivision area and Lot 12 DP 489829 is 27 residential allotments under the proposed Living 1 density. The potential yield of the balance allotment<sup>13</sup> created by the approved subdivision (included in the plan change area) is estimated at an additional 92 residential allotments based on a minimum allotment size of 800 m<sup>2</sup> and a 15% deduction for future roads. The total potential yield of the proposed plan

<sup>12</sup> Based on allotments with an area greater than 1,600 m<sup>2</sup> allowing for two 800 m<sup>2</sup> sections

<sup>13</sup> The balance allotment of RC185479 will have a total area of approximately 8.68 ha upon completion of all stages of the approved subdivision.



change area is approximately 164 residential allotments, of which 45 allotments are approved and currently under construction.

**Table 4 – Summary of Proposed Living 1 Zone Yield**

Subdivision area	# of Allotments
Approved allotments of RC185479	45
Potential infill of allotments created by RC185479	27
Estimated yield of balance allotment (RC185479)	92
Total new allotments (infill and greenfield)	119
Total Yield of Plan Change Area	164

It is considered that rezoning this land from Living 2A to Living 1, will provide for a more efficient and sustainable use of land, zoned for residential use. Reducing the minimum average size of the allotments from 1 ha to 800 m<sup>2</sup> will add to the diversity of allotment sizes within the Kirwee township and allow more households to be accommodated close to the centre of the township and larger allotments on the periphery, adjacent to the rural zone, forming a more organic progression to the outer limits of the settlement.

The plan change will not limit future growth or create adverse effects with surrounding rural land, as the site is already bounded by existing residential development or land zoned for residential use. The location is well related to the existing township, with opportunities to provide good pedestrian and cycle links to and from the site.

The land has stable subsoils and good drainage. It is not prone to flooding or any other significant natural hazards and the servicing report demonstrates essential utility services either have existing nearby connections and capacity or can be provided on the site without undesirable depletion of natural resources or contamination issues.

The roads within both the existing Kirwee Plains Subdivision and the proposed Outline Development Plan have been designed to accommodate pedestrian and cycle pathways which provide connection to the adjacent land and link through to the primary school and township via School Lane.

5.4 Outline Development Plan

An Outline Development Plan (ODP) has been prepared for the application site and is included in Appendix 6. The ODP also shows an indicative allotment layout to assist with an understanding of the proposed rezoning. As is normally the case, the final design of the development including the precise layout of the lots will be determined at the time of subdivision. It is intended that the future subdivision and development of the site would be generally in accordance with the ODP.

The ODP is intended for inclusion in the Selwyn District Plan and includes identification of the proposed Living 1 Zone and indicative transportation connections (both roads and non-vehicular).

The ODP will provide guidance for future subdivision and development of the application site in conjunction with the Living 1 Zone rules, and other provisions within the District Plan.

## 6 Statutory Framework

### 6.1 Resource Management Act

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

- (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 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 provision of Schedule 4, in such detail as corresponds with the scale and significance of the actual or potential environmental effects anticipated from the implementation of the change, policy statement, or plan.*

In accordance with the above requirements the purpose of and reasons for the proposed plan change have been identified in Sections 4 and 5 of this application. An evaluation of the proposed plan change in accordance with Section 32 of the RMA is provided as Appendix 2. With respect to environmental effects, no effects are anticipated as a result of the proposed plan change as any further subdivision (i.e. implementation of the plan change) of the application site, once rezoned, will require consent as a restricted discretionary activity under the Selwyn 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 function under section 31 and its duties under section 32. Section 74 also states that regard must be had to management plans and strategies prepared under Acts.

### 6.2 Part 2 Matters

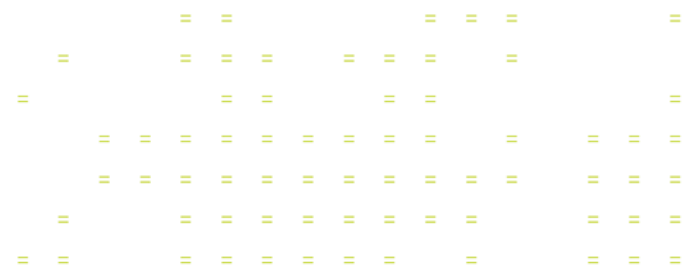
The Resource Management Act ("RMA" or "the Act") is the principal legislation for the management of the natural and physical resources of New Zealand. All applications are subject to the provisions of Part 2 of the Act, which sets out the purpose and principles that guide this legislation. Section 5 of the RMA states that the purpose of the Act is "to promote the sustainable management of natural and physical resources".

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

- ...managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while;*
- (a) *Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
  - (b) *Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
  - (c) *Avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

The proposed plan change is consistent with the purpose and principles of the Act through providing a logical expansion of the adjoining Living 1 Zone within the Kirwee township. Any effects of future subdivision of the application site as a result of layout and servicing can be assessed at the time of subdivision as subdivision consent would be required as a restricted discretionary activity. The use of the site for more intensive residential development potential is consistent with section 5 of the Act.

Section 6 of the Act requires certain matters to be recognised and provided for in relation to managing the use, development and protection of natural and physical resources. None of these matters of national importance are considered to be relevant to this proposed plan change as the use of the site will remain as currently identified for residential purposes, although at a higher density.



Section 7 of the Act lists other matters for which particular regard shall be given to. Subsections (b), (c) and (f) are considered to be relevant to the assessment of the proposed plan change:

- (b) the efficient use and development of natural and physical resources:
- (c) the maintenance and enhancement of amenity values:
- (f) maintenance and enhancement of the quality of the environment:

The proposed plan change will enable future residential use of the application site at a higher density than currently anticipated. It is considered the proposed plan change is consistent with the applicable matters of section 7. In particular it is noted the proposed plan change will enable the efficient use of land for residential purposes close to the centre of Kirwee, immediately adjoining residential use of the same density. Future subdivision of the site enabled through the proposed plan change will maintain and enhance the residential amenity value and quality of the environment as resource consent will be required at the time of subdivision. The provisions of the Selwyn District Plan will ensure any future development of the application site maintains or enhances the quality of the environment.

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

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

The application has been reviewed by Mahaanui Kurataiao Limited on behalf of the mana whenua of the area, the results of this are included in Appendix 8. It is considered the proposal will not be inconsistent with the principles of the Treaty of Waitangi.

## 6.3 Other National Planning Documents

### National Policy Statements

National Policy Statements are instruments issued under section 52(2) of the Resource Management Act 1991 and state objectives and policies for matters of national significance. National Policy Statements currently in place are as follows:

- National Policy Statement on Urban Development Capacity
- National Policy Statement for Freshwater Management
- National Policy Statement for Renewable Electricity Generation
- National Policy Statement on Electricity Transmission
- New Zealand Coastal Policy Statement

Of the above, the National Policy Statement on Urban Development Capacity is relevant to the proposed zone change. The purpose of the Urban Development Capacity is about recognising the national significance of urban environments and the need to enable such environments to develop and change and providing sufficient development capacity to meet the needs of people and communities and future generations in urban environments.

The proposed zone change will allow an existing area within the Kirwee township, identified for residential use but for which the development capacity has already been realised, to accommodate future residential development at a higher density. The proposed development will allow the township of Kirwee to change and ensure development capacity can be provided in the most appropriate location and is therefore consistent with the National Policy Statement on Urban Development Capacity.

There are no other National Policy Statements are relevant to this proposal.



National Environmental Standards (NES) are regulations issued under section 43 of the Resource Management Act and can apply regionally or nationally.

- National Environmental Standards for Air Quality
- National Environmental Standard for Sources of Drinking Water
- National Environmental Standards for Telecommunication Facilities
- National Environmental Standards for Electricity Transmission Activities
- National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESCSC)
- National Environmental Standards for Plantation Forestry

The proposed plan change will not itself result in a change of use or subdivision as the application site is currently zoned residential and there is no potential for further subdivision under the current zoning. Part of the application site is currently utilised for rural purposes and when subdivided will stop being production land, therefore assessment of the proposed plan change is required under the NESCS. When the application site was originally subdivided under RC135488 an area of contamination was identified and a consent notice registered on the proposed balance allotment<sup>14</sup>. The development area (i.e. the approved residential allotments) of RC135488 is the same area as the application site, which did not contain any contamination and no consent notice was required. As noted elsewhere in this application the site is not identified on Environment Canterbury's Listed Land Use Register and therefore it is considered no further investigation under the NECS is required.

### Heritage New Zealand Pouhere Taonga Act 2014

The Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA) sets out Council's statutory responsibility to recognise and provide for the protection of historic heritage from inappropriate subdivision, use and development within the context of the purpose of the RMA and the HNZPTA.

## Assessment of Regional planning documents

The following is an assessment of the proposed plan change against relevant regional planning documents.

The Canterbury Regional Policy Statement (CRPS) gives an overview of the significant resource management issues facing the region, including issues of resource management significance to Ngāi Tahu. The purpose of the CRPS is to set out objectives, policies and methods to resolve those resource management issues and to achieve the integrated

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management of the natural and physical resources of Canterbury. These methods include directions for provisions in district and regional plans. The Canterbury Regional Policy Statement (CRPS) became operative on 15 January 2013.

There are a number of issues identified within the CRPS which the policy statement seeks to address. In particular issues of significance to Ngāi Tahu relevant to the CRPS and the proposed plan change are identified as follows:

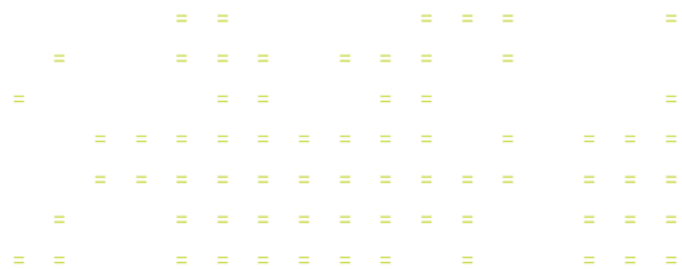
	Issues	Outcomes desired by Ngāi Tahu
<b>Kaitiakitanga</b>	Limited recognition of kaitiakitanga in resource management processes and decision making.	Recognise role of Ngāi Tahu as kaitiaki and engage with Ngāi Tahu in the spirit and intent of the Treaty and the RMA. This includes, but is not limited to:  Establishment of robust processes to facilitate engagement with Ngāi Tahu, at operational and political levels; and  Use of Cultural Impact Assessments as part of assessing effects on the environment.
<b>Land-use and Infrastructure</b>	Discharge activities associated with land-use and development, and effects on the mauri of water and soil resources.  The impact of urban and rural development on sites of significance (e.g. wāhi tapu, archaeological sites), both known and unknown.	Avoid discharges to water and those discharges to land where, such discharges will have adverse effects on the mauri of the land.  Protect Ngāi Tahu cultural values and associations from inappropriate subdivision, use and development.
<b>Fresh water</b>	Effects of land-use on water resources, including enhanced rivers, streams, wetlands, groundwater, waipuna and riparian areas.	Avoid discharges (point and non-point source) to water and those discharges to land, where such discharges will have adverse effects on the mauri of the land.

The proposed zone change will allow greater residential density to be accommodated on the application site in future. However as identified earlier in this application there is no reticulated wastewater network available to service Kirwee currently. This will require any future residential use on the application site to have on-site wastewater.

Chapter 5 contains provisions that relate to the Canterbury region inclusive of Greater Christchurch which is notated as "Entire Region" and provisions that are not relevant to Greater Christchurch and are notated as "Wider Region". The achievement and implementation of the objectives, policies or methods in Chapter 6 – Recovery and Rebuilding of Greater Christchurch, take precedence within Greater Christchurch. The application site is not identified as being with Greater Christchurch and therefore Chapter 5 is applicable, and Chapter 6 is not.

Key themes evident from the policy framework of Chapter 5 that are relevant to this application are summarised as follows:

- providing sufficient housing choice to meet the region's housing needs (entire region)(Objective 5.2.1);
- urban growth occurs in a form which is concentrated, or is attached to, existing urban areas and promotes a coordinated pattern of development (wider region)(Policy 5.3.1);
- encouraging within urban areas housing choice of a character and form that supports urban consolidation (wider region)(Policy 5.3.1);
- ensuring substantial developments are designed and built to be of a high-quality, and are robust and resilient by promoting a diversity of residential choices (wider region)(Policy 5.3.3);
- ensuring development is appropriately and efficiently served for the collection, treatment, disposal or re-use of sewage and stormwater, and the provision of potable water (wider region)(Policy 5.3.5).



The methods identified in Chapter 5 for implementing the policies provide clear direction to territorial authorities as to what is required of them. This include that the councils will include provisions in their district plans that:

- establish an approach for the integrated management of urban development with the primary focus of ensuring consolidated, well-designed and more sustainable urban patterns.
- require applications for substantial developments to include an outline or concept plan.
- ensure before any rezoning of land enabling more intensive development or substantial developments that the development provided for by the rezoning can be efficiently and effectively served for the collection, treatment and disposal of sewage and stormwater, and the provision of potable water.

Under section 75(3)(C) of the RMA, district plans are required to give effect to regional policy statements, therefore an application to change a district plan must also enable the plan, once changed, to give effect to the regional policy statement.

Given significant portions of the CRPS were updated after the Selwyn District Plan became operative for completeness, an assessment of the other relevant provisions of the CRPS has been carried out in Appendix 9 of this application. This assessment demonstrates the proposed plan change and subsequent resulting land use is generally consistent with the objectives and policies of the CRPS.

### Canterbury Land and Water Regional Plan

The Canterbury Land and Water Regional Plan (LWRP) was made operative 1 June 2018. The purpose of the LWRP is to identify the resource management outcomes or goals (objectives in this Plan) for managing land and water resources in Canterbury to achieve the purpose of the Resource Management Act 1991 (RMA). It identifies the policies and rules needed to achieve the objectives and provides direction in terms of the processing of resource consent applications. Although this application is not for a resource consent the objectives are applicable when considering the proposed plan change.

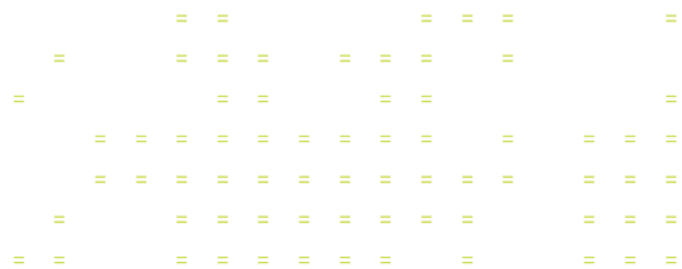
The application site is noted on Maps A-058 and B-058 of this plan and is identified as within a semi-confined or unconfined aquifer, is within an irrigation scheme area and the Halswell/Huritini catchment. Appendix 10 provides an assessment of the activities and associated rules contained in the LWRP of direct relevance to the proposed Plan Change.

While the proposed change of zoning does not trigger any requirements under the LWRP it is noted any future subdivision of the application site for residential purposes will either require connection to a reticulated wastewater system or a discharge consent under this plan. However, under current statutory requirements discharge consent from Environment Canterbury for individual on-site wastewater treatment and disposal, could be gained. With respect to the discharge of stormwater to ground future subdivision of the site could comply with the requirements as a permitted activity.

### Mahaanui Iwi Management Plan 2013

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

The IMP is a tool for tangata whenua to express their identity as manawhenua and their objectives as kaitiaki, to protect their taonga and resources, and their relationships with these. The IMP seeks to ensure that these taonga and resources are recognised and protected in the decision-making of agencies with statutory responsibilities to tangata whenua. Importantly it is also a tool to assist Papatipu Rūnanga representatives to articulate their values, issues and policy into statutory processes.



The application site is within the Te Waihora area of Map 1 of the IMP – Ngā Pākihi Whakatekateka o Waitaha and Te Pātaka o Rākaihautū – the takiwā covered by the Mahaanui IMP 2013.

Within the context of the IMP the following issues are considered of relevance to the proposed plan change:

- Subdivision and development
- Stormwater
- Discharge to Land
- Earthworks
- Silent files
- Te Waihora

An assessment of these matters is provided in Appendix 11 of this application and concludes the proposed plan change is generally consistent with the objectives and policies of the IMP. An assessment of the IMP has also been undertaken by MKT and is included in Appendix 8. There are no specific areas of cultural value identified on the application site.

### Selwyn District Plan

The Selwyn District Plan recognises there is an identified demand for residential sections in rural locations, particularly within the commuter belt of the District and Christchurch.

The proposed plan change does not seek to change any of the existing objectives and policies of the Selwyn District Plan and is considered to be consistent with these existing provisions as relevant. A full assessment of the proposal against the current relevant objectives and policies of the Selwyn District Plan are provided in Appendix 12.

### 2031: District Development Strategy

The Selwyn 2031 District Development Strategy (Selwyn 2031) was adopted by the Selwyn District Council on 4 November 2014. The purpose of Selwyn 2031 is to provide an overarching strategic framework for achieving sustainable growth across the District to 2031. The Strategy seeks to provide higher quality living environments; innovative business opportunities; maintain the district's iconic rural character; explore opportunities to enhance social and cultural wellbeing and better manage the District's natural resources.

Key actions identified in Selwyn 2031 relevant to the proposed plan change include:

- Retain the district's sense of rural identity by adopting a consolidated approach to urban growth;
- Reinforce and enhance the character of each township by requiring outline development plans and the use of good urban design principles within new development areas;
- Provision of a range of housing types to meet the diverse range of social, cultural and economic needs of the community;
- Achieve safe, functional and attractive living and business environments by requiring new development to occur in accordance with outline development plans, design guidelines and to give effect to higher level strategic planning documents.

Consolidating urban growth in and around existing townships, rather than creating new or isolated settlements, is an important strategic direction of the Selwyn 2031. The district already has 21 townships, the majority of which are not large enough to supply employment for residents and many do not have sufficient population to sustain basic business services and community facilities, or to fund basic utilities, such as reticulated sewage treatment and disposal.



There are also a number of isolated pockets of rural-residential development (identified as Existing Development Areas in the District Plan) and clusters of small titles throughout the rural area. Whilst the Council recognises the presence of this historical zoning and smaller rural titles of at least 4 hectares, it does not wish to see this dispersed settlement pattern being duplicated or expanded in the future. Rather, it is envisaged that all new urban development (including rural-residential) will occur in or adjacent to existing townships. A consolidated growth pattern will promote the efficient and effective provision of both service and social infrastructure and maintain an urban/rural contrast to protect the interests of both urban and rural communities.

Kirwee is identified as a Rural Township in the Strategy where function is based on village characteristics with some services offered to the surrounding area. The application site is identified for residential use and the proposed plan change will allow for higher density residential development immediately adjoining the existing zone of the same density. The proposed plan change is considered to be consistent with the key actions identified in the Selwyn 2031: District Development Strategy.

### Malvern Area Plan

The Malvern Area Plan was adopted by Selwyn District Council in September 2016. The purpose of the plan is to provide high-level planning direction to guide the growth and sustainable management of each township in the Malvern area through to 2031. The Plan identifies initiatives to assist in the delivery of the Selwyn 2031: District Development Strategy (Selwyn 2031) vision, which is:

*“To grow and consolidate Selwyn District as one of the most liveable, attractive and prosperous places in New Zealand for residents, businesses and visitors.”*

Within the Malvern Area Plan, Kirwee is identified as a rural township.

Issues identified in the Malvern Area Plan for the townships include:

- Preserving groundwater quality, treatment of storm water and wastewater;
- Promoting growth that reflects the form and function of townships; and
- The need to provide for a range of lot sizes and housing types to better meet the needs of the community.

The following underlying growth concepts are also identified in the Malvern Area Plan and are applicable to the proposed plan change area:

- Establishing a town network
- Establishing an activity centre network
- Encouraging increased levels of self-sufficiency.

The proposed plan change will enable expansion of the existing Living 1 Zone, within the existing township boundaries. The increased density immediately adjoining the existing established township will contribute to the sustainability of the township providing direct connection from the application site to the Kirwee Model School and other uses within the centre of the township. The proposed plan change is considered to be consistent with the intent of the Malvern Area Plan as it will contribute the availability of Living 1 zoned sites in the township without expanding the township boundaries.

### Suitability of the Proposal Area

This application for a privately initiated change to the Selwyn District Plan shows that a change from Living 2A zone to Living 1 Zone is the most appropriate for the Outline Development Plan (ODP) Area. The proposal is consistent with the CRPS, the Selwyn District Plan and the Malvern Area Plan. As it is consistent with the CRPS, the plan change application also enables Council to give effect to sections 73(4) and 74(2)(a)(i) of the Resource Management Act 1991.



## 7 Description of Environmental Effects

The proposed plan change itself will not result in any effects on the environment as any creation of residential allotments within the application site will require subdivision consent under the Selwyn District Plan as a restricted discretionary activity.

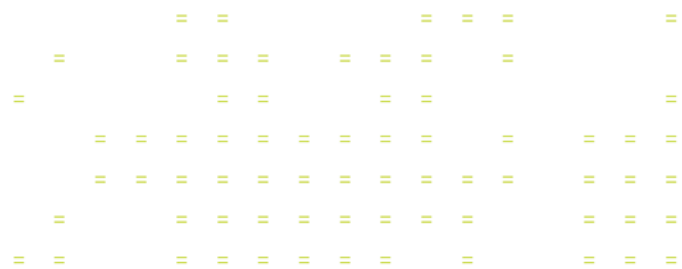
The potential effects of implementation of the proposed plan change (i.e. increased residential density) are identified and described as follows:

- Efficient use of land
- Residential and rural character and amenity
- Landscape or visual effects
- Traffic effects
- Reverse sensitivity effects
- Effects on ecological values
- Cumulative effects
- Discharge effects
- Natural hazard risk
- Temporary effects
- Positive effects

## Efficient Use of Land

Kirwee is a rural township with some services offered to the surrounding area. The application site is currently zoned for residential use. The land is identified by both the Selwyn District Plan (Township Volume) and the Malvern Area Plan, as a site where residential activity is both permitted and anticipated, going forward in the development of Kirwee. As detailed in this application, a significant portion of the existing Living 1 Zone in Kirwee is constrained by current land uses, contaminated land or has low potential for infill. The greatest yield of the Living 1 Zone at Kirwee is on a site located north of Hoskyns Road and west of Courtenay Road (approximately yield 130 allotments) However this is a greenfield site and currently utilised for agricultural purposes, it is also noted Hoskyns Road adjoining this site is formed but not sealed, requiring either upgrading of Hoskyns Road or all future access to be from Courtenay Road. The application site is closer to the centre of Kirwee and provides pedestrian and cycle access via School Lane through to the commercial area of Kirwee and to the Kirwee Model School. The additional households which could be accommodated on the application site through rezoning will increase the population of the township, providing an increased customer base for the existing commercial uses in the township and potentially enabling future commercial enterprises to be supported, adding to the self-sufficiency of the township.

The proposed plan change will enable an area of land close to the heart of the Kirwee township to be developed for higher density residential use. The application site is contained between two existing roads and immediately adjoins the existing Living 1 zone providing expansion to the township without crossing high speed roads. Enabling higher density residential use on the application site will avoid the need for the expansion of the township to cross the Hoskyns/Courtenay Road intersection. The proposed plan change will essentially replace the current Living 1 Zone capacity west of Courtenay Road, identified for residential use at the proposed density but with a low potential future development potential due to current public uses and land contamination. The effects of the proposed development are considered to be positive, allowing growth within the physical boundaries of the township and adjoining road network and a logical expansion of the existing Kirwee Living 1 Zone, representing an efficient use of land.



Use of land at the Living 2A zone densities (1 dwelling per ha) is considered an inefficient use of land. Given the geology and the soils at Kirwee there is little need for large allotments within the township boundaries to provide on-site servicing, particularly for wastewater. While larger allotments may be appropriate on the edges of the township boundary to provide a buffer between residential use and rural use, the application site is not in such a location.

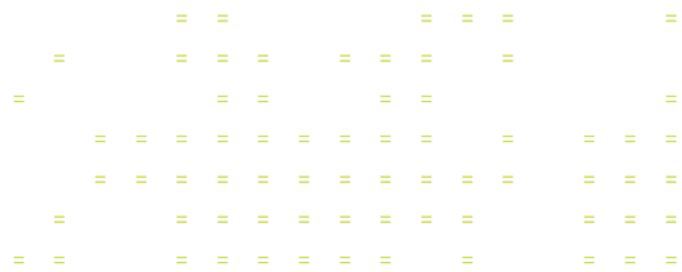
### Residential Character and Amenity

Kirwee is a small township in a rural area with some community facilities, including a primary school and community hall. There is minimal commercial activity in the township and it has a limited role as a service centre for the surrounding rural community and passing trade on SH73. The township is currently undergoing residential growth, including some higher density subdivisions together with larger 'lifestyle blocks' characterised by large allotments and a low ratio of buildings to open space. There has been significant additional growth in Kirwee and other townships outside of Greater Christchurch following the Canterbury Earthquake sequence and demand has remained steady. The application site is within the existing township boundary, adjoining an established residential area to the west and residentially zoned land to the east. It is noted the land to the east, immediately adjoining the application site, is zoned Living 2A, however does not have any additional development potential at this time as the residential capacity of this area has been achieved through the Kirwee Plains Subdivision and the land (like part of the application site) is restricted by a consent notice with respect to any future residential use.

The change of zoning from Living 2A to Living 1 will enable the application site to develop from the current low density residential area to a higher density residential area with a similar small town character. The amenity values of the surrounding areas have already been altered from rural to residential by the existing residential zoning and the proposed plan change seeks to allow an increase in the density of dwellings in this area. The current zone rules in relation to the size of allotments on the periphery of the residential zone can still be maintained as the application site does not adjoin a rural zone and the Living 2A zone to the east does not form part of the plan change area and currently has no development capacity due to the consent notices on the title. The presence of the Living 2A residential zone adjoining the eastern boundary of the plan change area could provide a transition between the higher density allotments closer to the centre of the township and the rural zoning further east. In this way the plan change will allow the construction of housing at higher densities, but still maintain the sense of open space where the new housing sites border agricultural land. In addition, existing landscaping and fencing rules will further seek to maintain the rural landscape character and sense of openness and these can be addressed at the time subdivision consent is sought for the application site.

The proposed rezoning of the application site will allow residential use at a density of 800 m<sup>2</sup> per dwelling to be sought through a restricted discretionary resource consent. This will alter the residential character of the area to match the immediately adjoining Living 1 Zone providing a logical expansion of the existing density of the township. Any future development of the proposed Living 1 Zone will be in accordance with the requirements of the Living 1 Zone which seeks to maintain residential amenity through buildings controls such as site coverage and setbacks. For the Living 1 zoned sites adjoining the western boundary of the application site, any future subdivision of the application site will have to comply with the building setback and recession plane requirements at the time such an application is made.

The area subject to the plan change is identified for residential use both through the current zoning (Living 2A) and the Malvern Area Plan and is within the recognized boundaries of the Kirwee township. The plan change seeks to increase the density of the application site. Greater density in a compact form (i.e. in an area identified for residential use and immediately adjoining the existing established Living 1 Zone) will potentially enable other services and amenities to be established within Kirwee supported by an increased population. There is currently no business zoned land within Kirwee, although it is noted Report BS201 prepared as part of the District Plan Update has identified three properties to be included within the proposed Small Settlement Business Overlay. The sites identified for the overlay include the service station at 2500 West Coast Road and the Kirwee Tavern at 1265 Courtenay Road. Greater population within the defined boundaries of the Kirwee township will potentially allow new businesses to be



established and supported, which will increase the self-sufficiency and economic diversity of the township and increasing the access to amenities for residents.

Connectivity between the broader settlement has been provided for through the pedestrian cycle connection at the end of School Lane and a new connection proposed through the end of Walter Place. It is also noted pedestrian infrastructure is currently provided along the Hoskyns Road frontage through to Courtenay Road as part of the Kirwee Plains Subdivision. At this stage there is limited opportunity to provide vehicle connections through to the existing roading network east of Courtenay Road from Glen Oak Drive, Walter Place, Brooker Place, Nilson Lane or De Renzie Place due to the existing settlement pattern, established housing and presence of cul-de-sacs. Although there may be future opportunities for Council to add pedestrian connections or even road connections if redevelopment of any of these areas is undertaken, they are not able to be provided at this time.

Council have confirmed Kirwee is sufficiently served by reserve areas in terms of amenity for residents, a reserve serving the plan change area has been provided within the Kirwee Plains Subdivision, located at the end of School Lane. Given the small-town character of Kirwee, the social heart (i.e. the spaces in which resident's meet and mingle fostering a sense of community) are considered to be the Kirwee Model School, the Kirwee Tavern, the Kirwee Community Hall and Showgrounds. The plan change area provides excellent connectivity to the Kirwee Model School, through the reserve and provision of a dedicated pedestrian cycle connection through Walter Place. It is noted Walter Place has a direct connection through to the school. Connectivity for active transport modes has been provided in two places along the boundary adjoining the existing established Living 1 Zone, contributing to the compact urban form of Kirwee. In addition, the proposed primary road will provide for pedestrian infrastructure further supporting active travel within the plan change area and between the plan change area and the established township area of Kirwee.

### Landscape or Visual Effects

The proposed plan change will enable the use of the application site to change in the future through subdivision consent. However, the Plan Change itself will not result in any physical changes and any physical changes will be assessed at the time of any future subdivision. As the site is currently zoned for residential use, it is anticipated the existing environment will change along with the existing visual landscape from the current open pastoral landscape to that of residential character. The zoning proposed by this plan change will increase the residential density, matching the existing Living 1 zoning to the west and will be separated from rural land to the east by the remainder of the existing Living 2A zoned land. Therefore, the application site will retain a residential landscape as anticipated by both the current and proposed zoning. Any landscape and visual effects as a result of residential development on the site are already anticipated under its current residential zoning.

### Traffic Effects

The plan change area will connect to the existing road network currently under construction as part of the Kirwee Plains Subdivision. The key access point to the subdivision will be via a new intersection with Hoskyns Road and no connection to the highway south of the plan change area is proposed. The proposed roading layout on the ODP has been designed to accommodate the existing consented road network on the northern portion of the application site and allows two connection points of the eastern boundary of the plan change area to provide for future connection to the adjoining property to the east. A pedestrian/cycle connection has been provided from the application site on the western boundary through to Walter Place, providing a direct non-vehicular connection back through to the township and access the Kirwee Model School.

An assessment of the transportation effects has been provided by Andy Carr of Carriageway Consulting and is included in Appendix 5 of this application. This assessment concludes the future traffic generation of the plan change area can be accommodated on the adjacent roading network without capacity or efficiency issues arising.

Reverse sensitivity effects can occur following the establishment of a new residential activity, whereby the new resident have an issue with noise, odour, dust, or other effects arising from existing lawful activities on adjoining sites, thereby creating conflict. As the application site adjoins land zoned for residential purposes on all sides and there are no existing intensive or offensive rural activities occurring in the vicinity of the application site, it is considered there is limited potential for this to arise from future subdivision of the application site.

The application site has been used primarily for agricultural purposes and is significantly altered from any natural state which it may have once had. There are no areas of ecological significance identified on the site, nor are there any waterways with ecological significance identified. Any future subdivision of the site would require resource consent and would be assessed as applicable at the time consent is sought.

There are no sites of cultural significance identified on the application site. It is likely due to the lack of reticulated services in the Kirwee Township that any future residential use of the application site enabled by the proposed zoning will be serviced by on-site wastewater treatment with discharge to ground. Discharge to ground of treated wastewater could potentially effect mauri of the soil and groundwater. This issue has also been identified by the MKT report which recommends a reticulated wastewater treatment system should be established rather than on-site wastewater disposal.

This plan change provides for the change of land currently zoned for low density residential development, to be developed at a higher density. This application seeks to ensure such future development occurs in a manageable and sustainable manner. Given that the proposed plan change will enable development that is already anticipated by strategic planning documents, it is considered this plan change will not have significant cumulative effects.

Potential cumulative effects of on-site wastewater discharge and potential effects on groundwater will need to be addressed as such time as implementation of the proposed plan change takes place. However, given the geology of the site and the current approach of Environment Canterbury toward the granting of discharge consents, cumulative effects of on-site wastewater treatment and disposal do not appear to be adverse. All wastewater consents are issued for a limited duration, typically 15 years in conjunction with the anticipated life span of the wastewater system. In addition, consent holders are required to maintain these systems. These measures are designed to avoid systems becoming inefficient, thus avoiding potential cumulative effects from inefficient systems.

The application site is currently utilised for agricultural purposes however the land is zoned for residential use in the District Plan. Given this, it is anticipated the land will be lost from agricultural production to residential activity. The proposed plan change seeks to change the density at which residential use could be established on the site, however it is viewed the removal of this land is already anticipated by the District Plan and Malvern Area Plan. Therefore, no additional agricultural land will be lost as a result of the proposed change.

The existing infrastructure at Kirwee which future subdivision of the plan change area could connect to is limited to power, telecommunications and roads. Ability to connect for power and telecommunications has been confirmed and an assessment of the potential traffic volumes for future subdivision of the plan change area concludes the existing road network has the capacity to absorb such use without adverse effects on efficiency or safety.

The proposed plan change will not itself will not result in any physical effects, however it is noted the change of zoning will enable residential use at a higher density than currently anticipated on the application site, although it is noted resource consent will be required. Servicing of the site has been discussed in this application and can be achieved through several options.

The site is not identified as having any particular natural hazard risk. It is not identified as being within a flood hazard zone nor subject to significant liquefaction risk. Given the findings of the Geotechnical Reports it is considered highly unlikely there will be any adverse effects from natural hazard risk on the plan change area or its future implementation.

The proposed Plan Change will not result in any physical effects as no works are required to facilitate it. Any potential adverse temporary effects of the future development of the site (i.e. site preparation works and road construction) will be considered and assessed at the time subdivision consent is sought.

The proposed Plan Change will allow for the application site to be developed in the future for higher density residential purposes, increasing the rate payer base for the District of Selwyn and helping to meet the future demand for housing in the area. It will provide a range of high quality residential living opportunities in a sought-after location, with excellent connections to Darfield and Christchurch. Increasing the residential density will result in an increase in the population of Kirwee and is also likely to result in an increase of school age children that could attend the local school. This increase in population is likely to have a positive impact on local services and community facilities and could help justify retention of existing jobs in the area or creation of new employment (for example, primary school teachers). Future residents will have the benefit of living in a small rural township in a well-planned development and will be able to take advantage of the proximity to high country activities and employment opportunities in the local area.

The application site is currently zoned for residential use. The proposed plan change will increase the potential density at which the application site could be subdivided. It is estimated if the proposed plan change area were fully developed it could potentially yield 164 allotments of which 119 would be new based on infill of the approved Kirwee Plains Subdivision and development of the resultant balance area.

The rezoning of the application site to a higher density residential zone will allow the expansion of the Kirwee township near the centre of the town. Any future potential effects of the proposed rezoning on transport, infrastructure, ecology, natural resources and cultural values will be managed through the administration of the current Selwyn District Plan provisions and any subdivision consent required.

The proposed plan change has a range of actual and potential effects on the environment. The key environmental effects relate to, character and amenity and the implications of rezoning the site to a higher density living zone.

## 8 Consultation

Clause 25 of Part 2 of the First Schedule of the Act requires that should the Council agree to accept the plan change request, the proposal must be publicly notified for submissions. As public notification of the proposed plan change is required it is considered any potentially affected parties will be identified through the submission process.

Consultation has been undertaken with the relevant Rūnanga who hold mana whenua over the application site through Mahaanui Kurataiao Limited (MKT) and the results of this consultation are included in Appendix 8. While the majority of the concerns raised can be addressed at the time of subdivision consent, the reliance on on-site wastewater for any future subdivision is a concern and it has been recommended a reticulated wastewater treatment system is established to meet the needs of future development enabled under the proposed plan change. Reticulation has been identified as a potential option for servicing the plan change area, however this is not economically feasible at this time.

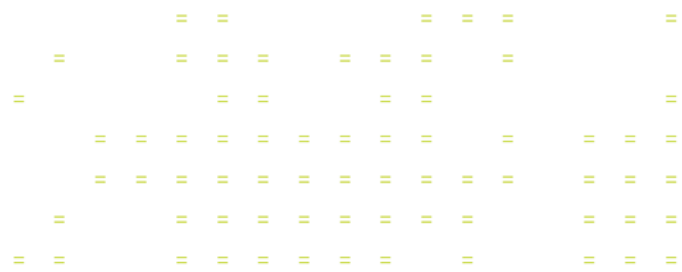
In the initial stages of the proposed plan change the land east of the application site (Lot 46 DP 489829 and Lot 1002 DP 489829) was to also be incorporated. The owner of these properties is aware of the proposed plan change but no formal consultation has taken place.

During the course of the preparation of this plan change application the Kirwee Plains Subdivision has been taking place and titles have issued for at least two of the stages. This means there are additional owners subject to the plan change area. All of the sale and purchase agreements for the land within the Kirwee Plains Subdivision have included a copy of the covenants attached to the land. Clause 3r of the covenant states:

*"The Grantor and its successors of titles consents to the Development Work being carried out and agrees to do everything the Grantee reasonably requires (at the Grantees cost) to enable the Development Work to be carried out. This includes, without limitation, signing all documents the Grantee requires to support any building consent, resource consent, plan change, or other application the Grantee or its agent makes in respect of the Development Work."*

While no formal consultation has taken place with the new properties owners it is anticipated they will be informed through the public notification process.





## 9 Conclusion

This plan change seeks to change the zoning of the application site from Living 2A to Living 1. This will allow future subdivision of the site to create allotments with an average allotment size of not less than 800 m<sup>2</sup>. The proposed zoning immediately adjoins the existing Living 1 Zone at Kirwee and would allow for an increase in density within the existing township boundaries, close to the township centre.

It is estimated implementation of the plan change through future subdivision could yield approximately 119 new Living 1 allotments within the Kirwee Township. In addition to the approved 45 residential allotments within the Kirwee Plains Subdivision the proposed plan change area could potentially yield a total of 164 allotments.

The proposed plan change is consistent with the existing objectives and policies of the Selwyn District Plan and the Malvern Area Plan.

The potential adverse effects of the implementation of the proposed zoning have been described in this application. Capacity has been confirmed for existing infrastructure (power, telecommunications and road network). Any future subdivision of the plan change area will need to confirm water supply and wastewater treatment and disposal options.