

**BEFORE AN INDEPENDENT HEARINGS COMMISSIONER AT  
SELWYN**

**IN THE MATTER OF**

Clause 21 of the First Schedule of  
the Resource Management Act 1991  
(Plan Change 67)

**AND**

**IN THE MATTER OF**

**GW WILFIELD LIMITED**  
(Applicant)

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**STATEMENT OF EVIDENCE OF KIM MARIE SEATON ON BEHALF OF  
GW WILFIELD LIMITED**

**PLANNING**

Dated: 30 August 2021

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**GREENWOOD ROCHE**  
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## 1 INTRODUCTION

- 1.1 My name is Kim Marie Seaton. I am a principal planner practicing with Novo Group Limited in Christchurch. Novo Group is a resource management planning and traffic engineering consulting company that provides resource management related advice to local authorities and private clients.
- 1.2 I hold the qualifications of a Bachelor of Arts and a Master of Regional and Resource Planning from the University of Otago. I am a full member of the New Zealand Planning Institute. I have held accreditation as a Hearings Commissioner under the MfE Making Good Decisions programme since 2011 and have held endorsement as a Chair since 2014.
- 1.3 I have 25 years of experience as a resource management planner, working for central government, a university and as a consultant, in New Zealand, Canada and the United Kingdom, with the last 18 years working as a consultant in Christchurch and more recently also in Queenstown Lakes District. I have particular experience in land use development planning, as a consultant to property owners, investors, developers and community organisations, and through processing resource consents for district councils.
- 1.4 My specific experience relevant to this evidence includes the preparation of the large majority of subdivision and land use resource consents for the existing Wilfield development in West Melton. I also, provided the planning expertise for Plan Change 59 which provided for the rezoning of the West Melton Living 2 and 2A zone land at Wilfield, to Living WM South (operative as of 17 June 2021). I have also obtained resource consent for subdivisions north of the State Highway at West Melton, specifically residential development incorporating the establishment of Corriedale Lane, and a recent smaller application to subdivide a residential site at 75 Iris Taylor Avenue.
- 1.5 I am familiar with the plan change application by GW Wilfield Limited (the *Applicant*) to rezone Rural Inner Plains land to Living WM (South) Zone at Weedons Ross Road, West Melton (the *Site*). I prepared the

Section 32 Report (*Section 32*) for the plan change application, with support from technical experts.

### **Code of Conduct**

1.6 I have read and am familiar with the Environment Court's Code of Conduct for Expert Witnesses, contained in the Environment Court Practice Note 2014, and agree to comply with it. My qualifications as an expert are set out above. Other than where I state that I am relying on the advice of another person, I confirm that the issues addressed in this statement of evidence are within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

### **Scope of Evidence**

1.7 My evidence is presented on behalf of GW Wilfieldd Limited, the Applicant in these proceedings.

1.8 In preparing my evidence I have reviewed the evidence of:

- (a) Mr Andrew Metherall – transport;
- (b) Mr David Compton-Moen – landscape and visual, urban design;
- (c) Ms Nicole Lauenstein – urban design
- (d) Mr Fraser Colegrave – economics;
- (e) Mr Gary Sellars – market demand;
- (f) Mr Andy Hall – infrastructure;
- (g) Mr Hamish Wheelans – company evidence; and
- (h) Mr Victor Mthamo – versatile soils and flooding.

1.9 I have also considered:

- (a) The Section 42A Report prepared by the Council (*the Officer's Report*);

- (b) Other statutory documents as listed in my evidence, including the National Policy Statement on Urban Development 2020 (*NPS UD*), and non-statutory documents including "Our Space 2018-2048: Greater Christchurch Settlement Pattern" (*Our Space*).

1.10 My evidence is structured as follows:

- (a) The proposal and site description;
- (b) Submissions;
- (c) Assessment of issues raised by submitters and the Officer's Report;
- (d) Statutory analysis, including of the National Policy Statement on Urban Development 2020 (*NPS UD*); and
- (e) Consideration of alternatives, costs and benefits.

## 2 **SUMMARY**

- 2.1 Matters raised in submissions have been adequately addressed, including through the introduction of further amendments to the ODP and new transport provisions.
- 2.2 The evidence of Mr Metherell, Ms Lauenstein and Mr Compton Moen confirm that the site will provide good connectivity within West Melton and to surrounding areas including Christchurch and Rolleston. Public transport is acknowledged to be limited at present but is not absent, and has the potential to improve. Active transport links are being investigated to Rolleston.
- 2.3 The presence of versatile soils on the site is acknowledged, but Mr Mthamo has confirmed the loss is not considered to be significant. As such, I do not consider the adverse effects of the versatile soil loss should prevail over the potential benefits of the Proposal.
- 2.4 Ms Lauenstein and Mr Compton Moen have confirmed that the Proposal will provide for and support a consolidated and appropriate urban form for West Melton, including an appropriate density of housing.

- 2.5 The Proposal gives effect to the NPS UD, including because it will provide significant development capacity, will contribute to a well-functioning urban environment and can be serviced without undermining other areas.

### 3 **PART 1: THE PROPOSAL AND SITE DESCRIPTION**

#### **Site and Surrounding Environment**

- 3.1 A description of the site and surrounding environment is provided in the Officer's Report (paragraphs 11-14), and I concur with that description. Further detailed description is also contained in Section 3.0 of the Landscape and Visual Impact Assessment attached as Appendix C to the Section 32 report.
- 3.2 In summary, the site sits to the immediate south of the existing West Melton township boundary, adjoining Weedons Ross Road.

#### **Description of the Proposal**

- 3.3 A full description of the proposal is provided in the Application document, and is summarised in the Officer's Report. I will not repeat those descriptions, referring the Commissioner instead to those documents. To summarise however, the proposal to date provides for:
- (a) The rezoning of 33.4ha of land from Rural Inner Plains to Living WM South Zone;
  - (b) Provision for an Outline Development Plan (ODP), inclusive of primary and secondary roading routes, neighbourhood parks and landscaping requirements. The ODP also incorporates the existing Plan Change 59 ODP, to provide a single cohesive ODP for the entirety of the proposed Living WM South Zone;
  - (c) Adopting existing Living WM South zone rules without amendment.
- 3.4 In response to matters raised in submissions, amendments are now made to the proposal. I will address those amendments and the reasons for them below, but in summary they are:

- (a) Amendments to the proposed ODP text, to clarify the need for future public transport opportunities to be accounted for within the road network;
- (b) Inclusion on the ODP of additional pedestrian/cycle link requirements in the southern portion of the PC67 area;
- (c) An amendment to Rule 12.1.57A, specifying that a cycle/pedestrian path must be constructed on Weedons Ross Road, as follows:

*No completion certificate shall be issued under section 224 of the Act within the Living WM South Zone (other than for a boundary adjustment or creation of an allotment solely for utility purposes), until such time as:*

*(a) the State Highway 73/Weedons Ross Road Intersection is signaled; and*

*(b) for any subdivision of Lot 163 DP 508829, Lot 723 DP 558751 or Rural Sec 10802 BLK XI Rolleston SD, a pedestrian/cycle path is constructed on Weedons Ross Road between the intersection of State Highway 73/Weedons Ross Road and the southern intersection of Kingsdowne Drive/Weedons Ross Road.*

- (d) A new rule 12.1.3.56A

*Any subdivision of Lot 163 DP 508829, Lot 723 DP 558751 or Rural Sec 10802 BLK XI Rolleston SD within Living WM South Zone shall:*

*a) Include a legal instrument that is binding on all future allotment owners, that specifies:*

*i) solar power generation requirements for each residential site;*

*ii) rain harvesting requirements for each residential site;*

*iii) the requirement for each residential unit to achieve Homestar 6© as a minimum standard or a proven equivalent;*

*iv) for all allotments greater than 3,000m<sup>2</sup> in area, no less than 15% of the site shall be planted in native vegetation, which may include hedgerows on fence lines.*

#### 4 **PART 2: SUBMISSIONS**

- 4.1 The Officer's Report confirms in paragraph 25 that 10 submissions and one further submission were received. I will respond to submission points raised in further detail below.

#### 5 **PART 3: ASSESSMENT OF ISSUES RAISED BY SUBMITTERS**

- 5.1 For ease of cross reference, my assessment will adopt the sub-headings set out in the Officer's Report.

##### **Traffic Effects**

- 5.2 In regard to the summary of submission points on traffic in the Officer's Report, I agree with the summary.
- 5.3 Both Mr Smith for the Council and Mr Metherell for the applicant have addressed various traffic effects associated with the proposal and concluded that from a traffic safety and efficiency point of view, the proposal is acceptable.
- 5.4 In regard to the State Highway 73/Weedons Ross Road intersection, Waka Kotahi has confirmed that the impacts of traffic generation from the PC67 site will be satisfactorily accommodated with the implementation of Rule 12.1.57A, which requires the completion of subdivision to be deferred until the intersection is signalised. This is an existing rule applying to the Living WM South Zone, that would also apply to the PC67 area following rezoning. I agree with Ms White<sup>1</sup> that it is common for such upgrades to be relied upon and for zone changes to be approved subject to controls limiting timing of development to

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<sup>1</sup> Paragraph 39 of the Officer's Report.

such upgrades. Indeed, the existence of Rule 12.1.57A is evidence of that practice.

5.5 In regard to public transport, the limited availability of public transport in West Melton at present is noted as a concern in the Officer's Report, and by some submitters. Mr Metherell has addressed this issue at length in his evidence, outlining that he anticipates that public transport provision will increase in West Melton in future, as demand grows within West Melton itself, but also as further business growth occurs in the Rolleston area. Mr Metherell observes in paragraph 10.23 of his evidence that in his experience, public transport provision does adapt to changes in location and quantum of land use. While I am not a transport expert, that has generally been my observation too. I therefore accept Mr Metherell's opinion on this issue, and disagree with Officer's Report where it states that it is not reasonable to assume that there will be a future public transport network to the site<sup>2</sup>.

5.6 Further on the subject of public transport, Mr Metherell has recommended an amendment to the ODP, to make clearer that the development of the internal roading network within the Living WM South Zone should not preclude the provision of public transport in the area in the future. To that end, I recommend an amendment to final paragraph of the Movement Network ODP wording, as follows:

*The ~~remaining~~ internal roading layout must provide for long term interconnectivity once full development is achieved, including supporting opportunities for future public transport routes. An integrated network of tertiary roads must facilitate the internal distribution of traffic, and if necessary, provide additional property access.*

5.7 In regard to trips within West Melton, the reliance on private car use for those trips and provision for connectivity within the township, Mr Metherell, Mr Compton Moen and Mr Wheelans have all noted the growing prevalence of other forms of micro-mobility modes, in addition to traditional walking and cycling. Mr Metherell states that the PC67 site is sufficiently proximate to the West Melton centre that it will not rely on

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<sup>2</sup> Paragraph 42 of the Officer's Report.



the private car for travel to local services and facilities<sup>3</sup>. Mr Metherell's opinion is consistent with that of Ms Lauenstein and Mr Compton Moen, in regard the distance of the PC67 site from the town centre.

- 5.8 To ensure connectivity opportunities for non-vehicular modes of transport are optimised, Mr Smith and Mr Metherell have both recommended a pedestrian/cycle route down Weedons Ross Road from the PC67 site to the State Highway 73 intersection, be required. That link cannot be required via the ODP, as it necessitates work outside the application site and within the road corridor. A new rule is therefore proposed, which, similar to the State Highway 73 signalisation rule, requires the link to be constructed between the southern Kingsdowne Drive intersection and the State Highway, prior to the issue of s224 certificate for subdivision within the PC67 area. That rule is an amendment to existing Rule 12.1.57A, as follows:

*12.1.57 A No completion certificate shall be issued under section 224 of the Act within the Living WM South Zone (other than for a boundary adjustment or creation of an allotment solely for utility purposes), until such time as:*

*(a) the State Highway 73/Weedons Ross Road Intersection is signaled; and*

*(b) for any subdivision of Lot 163 DP 508829, Lot 723 DP 558751 or Rural Sec 10802 BLK XI Rolleston SD, a pedestrian/cycle path is constructed on Weedons Ross Road between the intersection of State Highway 73/Weedons Ross Road and the southern intersection of Kingsdowne Drive/Weedons Ross Road.*

- 5.9 Ms Lauenstein has further recommended amendments to the ODP to optimise pedestrian and cycle connections within the PC67 area. Essentially, those recommendations relate to the southern extent of the plan change area, which the ODP is largely silent on at present. Amendments have been made to the ODP plans to reflect the

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<sup>3</sup> Paragraph 8.3 of Mr Metherell's evidence.

recommendations of Ms Lauenstein. A copy of the amended ODP, inclusive of amended text, is attached in Attachment 1.

- 5.10 Overall, there is general agreement between the Council and the applicant's experts, that the proposal will result in additional traffic on the road network. There is also general agreement that that traffic can be safely accommodated. Experts for the applicant consider however that the likelihood of those trips being solely by private car are over-estimated, with anticipated growth in public transport opportunities in the future, increasing prevalence of people working from home, increasing availability of park and ride options associated with the Southern Motorway, and anticipated extensions of longer distance cycle routes to Rolleston. I will discuss this issue further below, in respect of the NPS UD.

### **Effects on Township Character and Density**

- 5.11 I agree with the summary of submission points outlined in the Officer's Report. I also agree that the NPS UD expressly anticipates that urban environments and their amenity values will change over time (though I consider that the proposal is generally consistent with the existing amenity of West Melton), and that the requirement for a density of 10 household units per hectare, expressed in Policy 6.3.7 of the CRPS, only applies to greenfield priority areas. I further agree that the current capacity of facilities within the township should not be an impediment to rezoning, as such facilities typically expand to meet demand, and that the rural/urban interface treatment proposed is appropriate for the location.
- 5.12 The evidence of Mr Nicholson, Mr Compton Moen and Ms Lauenstein all agree that the proposed density of the PC67 area is appropriate to the site, in terms of the character and density (both current and anticipated future) of the township. I accept and agree with their opinions. I also consider that the density proposed for PC67 will enable residential lot sizes at the larger end of the residential spectrum (i.e. a spectrum of high density to low density) to be provided, consistent with Policy 1 of the NPS UD, which seeks provision of a range of housing sizes and typologies. I will address this matter further below in my discussion of the NPS UD.

### **Night Sky Darkness**

5.13 I concur with Ms White's analysis of the potential effects of the Plan Change on the West Melton Observatory, noting the Site's location within the West Melton Observatory Zone. I agree with Ms White that the potential adverse effects of the Plan Change on the darkness of the night sky is not a sufficient reason on its own to decline the plan change. I would go further however, and add to Ms White's comments that District Plan controls over street lighting go some way towards mitigating the effects of additional lighting. In my experience, Council also commonly controls domestic outdoor lighting via conditions of consent and consent notices on subdivisions within West Melton. Every subdivision resource consent within the Wilfield development has included the following condition of consent (or similar):

*That, given the location of the site within the West Melton Lighting Observatory Area, any outdoor lighting is to be shielded so that any light spill is directed at an angle 90 degrees below the vertical. On-going compliance with this condition shall be ensured by way of a consent notice to this effect registered on the computer freehold register for each of Lots xx - xx.*

5.14 This condition was also imposed on the properties at 1-17 Corriedale Lane, north of State Highway 73. While I am not a lighting expert, I understand this condition effectively assists in minimising potential adverse effects from all domestic outdoor lighting, on the West Melton Observatory.

### **Impacts on Versatile Soils**

5.15 I agree with the Officer's Report statement in paragraph 59 of that report, that the proposed National Policy Statement on Highly Productive Soils (pNPS HPL) has no legal weight and any final form of the NPS is not as yet known. As such I consider no weight should be afforded to that document. Nonetheless, as the Officer has noted, the District Plan does contain policy specifically addressing versatile soils (Policy B1.1.8), and the site contains Land Use Capability (LUC) Class II soils. For this reason, the applicant has sought further specialist advice on the versatile soils issue, provided by Mr Victor Mthamo in his evidence.

- 5.16 In summary, Mr Mthamo considers that a review of site specific factors relevant to the productivity of the site soils indicates that intensive crop production would be severely constrained on the site by the availability of water for irrigation, limitations on nutrient application, and the location of an anticipated Drinking Water Protection Zone over part of the site. He concludes<sup>4</sup> that the LUC classifications of the PC67 soils misrepresents their actual versatility for productive use, and that when all possible factors are taken into account, it should not be considered “highly productive”. He further concludes that in the context of Selwyn and Canterbury, any loss of soil productive resulting from this plan change would be insignificant. I accept and adopt Mr Mthamo’s opinion.
- 5.17 In specific regard to Policy B1.1.8 of the Operative District Plan, Ms White addresses this Policy with her observation that any expansion of the West Melton township would include highly productive soils, if applying the proposed National Policy Statement for Highly Productive Land (*pNPS-HPL*) definition. While applying the Canterbury Regional Policy Statement definition (*CRPS*) would provide opportunities for expansion of the Township into other areas containing only Class 3 soils. I agree with this observation. The observation is directly relevant to Policy B1.1.8, as the policy requires the avoidance of rezoning land containing versatile soils, if the land is appropriate for other activities; and there are other areas adjoining the township which are appropriate for new residential development which do not contain versatile soils.
- 5.18 In regard the first arm of the policy, I accept that there is nothing to indicate the PC67 land is unsuitable for ongoing rural use. However, the explanation to policy B1.1.8 indicates the policy is intended to be interpreted more subtly than plain reading might at first suggest. Whether or not land is appropriate for other activities is stated in the explanation as depending on factors such as *‘soil types on the site, and several other factors such as distance to markets; climate; water resources and activities on surrounding sites’*. Mr Mthamo addresses many of these factors in his evidence, noting the site constraints due to the availability of water, proximity to existing urban boundary and lifestyle blocks (odour and spray drift for example), and regional plan restrictions on nutrient loss which are likely to prevent more intensive

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<sup>4</sup> Paragraph 6.6 of Mr Mthamo’s evidence.

productive uses of the site. While I consider that the site can be used for other activities, my understanding is that those activities are likely to be of a nature that are not necessarily dependent on the presence of Class I or II versatile soils, e.g. pastoral grazing, or the former intensive chicken farm.

- 5.19 In regard to whether there are other areas adjoining West Melton that are appropriate for new residential development and which do not contain versatile soils, as noted above, if the CRPS definition of versatile soils is adopted, and I consider it is appropriate that it is (given the absence of legal weight that should be applied to the pNPS-HPL), there are alternative locations for residential development at West Melton. However, taking into consideration Mr Mthamo's opinion that the soils are not in fact as versatile as the LUC categories would suggest, I consider the proposal is nonetheless acceptable from the perspective of the loss of versatile soils. Overall then, while I consider the proposal has some tension with this policy B1.1.8, I do not consider the proposal is contrary to it.

### **The Form of Urban Growth**

- 5.20 The Officer's Report sets out a list of concerns raised by submitters, and also Mr Nicholson, in regard urban form, and which essentially amount to the question of whether the proposed extension of West Melton is appropriate.
- 5.21 Points (a) to (d) of paragraph 63, and paragraphs 66 and 67 of the Officer's Report, relate to the proposal being out of step with the CRPS, *Our Space* and the proposed District Plan, as the site is not identified in any planning documents as being an anticipated future growth area. The legal submissions for PC67 will address the relationship of PC67 and the higher order and strategic planning documents in more detail, but in summary, I consider the CRPS does not fully give effect to the NPS UD. Further, the NPS UD Policy 8 is specifically intended to circumvent restrictive planning documents, where new out of sequence and unanticipated development is consistent with the NPS UD, including providing for significant development capacity and a well functioning urban environment. Additionally, Mr Colegrave sets out in his evidence the reasons why he considers the housing capacity assessments for

Selwyn are incorrect and overestimate the availability of housing within Selwyn District, such that current planning documents do not provide adequate housing capacity in Selwyn District over the short, medium or long term. In my view, these are all reasons why the absence of the PC67 site as a future growth area in existing planning documents should not provide a reason for declining the plan change.

- 5.22 In regard urban design matters and the question of whether the proposal is an appropriate location to expand the West Melton township, both Mr Compton Moen and Ms Lauenstein have set out their analysis of the current and likely future urban form of West Melton in detail. Both conclude that the centre of the township is further south than Mr Nicholson assumes, that the travel distances to the town centre are acceptable (including with the additional path on Weedons Ross Road that is now volunteered as a requirement by the applicant), that the State Highway is no longer the “barrier” to north south movement that it once was, and that development of the PC67 site will not preclude expansion into other areas of the township, including the southwest quadrant around the community facilities, to achieve a consolidated form. I accept and prefer their opinions and on that basis I consider the proposal would result in a suitable urban form for West Melton.

### **Servicing**

- 5.23 I agree with the Officer’s Report summary of submissions in regards servicing/infrastructure issues. I agree with the Report’s analysis of Environment Canterbury’s submission, being that it is common to rely upon planned infrastructure upgrades to demonstrate capacity provided there is sufficient evidence to demonstrate there are feasible options available. That is also my experience.
- 5.24 Both Mr Bishop and Mr Hall have provided evidence confirming that feasible servicing options are available, and Mr Bishop has confirmed that he has considered other proposed plan changes in the West Melton area when assessing the network capacity to provide wastewater and water infrastructure to the Plan Change 67 site.

## **Geotechnical and Contaminated Land**

5.25 I concur with the Officer's Report that the site is not known to contain any notable geotechnical or soil contamination constraints, beyond what is commonly encountered and remedied at the time of subdivision and land development of greenfield sites. Site contamination and geotechnical factors are therefore not matters that should be considered as an impediment to the rezoning. I note that Mr Hall's evidence has also confirmed this.

## **Other Matters**

5.26 Flooding is not a matter that is addressed in the Officer's Report. For completeness however, Mr Mthamo has prepared evidence on the extent of flood hazard that the site is subject to. He concludes that he does not consider the development enabled by PC67 will be susceptible to significant flooding, nor will it increase any potential risk from flooding hazards. I accept and adopt Mr Mthamo's opinion.

5.27 Mr Wheelans, in his evidence, has set out a number of measures that he is prepared to commit to, to improve the sustainability of the PC67 area. I have subsequently drafted a new rule for inclusion in PC67, to ensure that any future subdivision of the site includes those measures. That rule is as follows:

### Rule 12.1.3.56A

Any subdivision of Lot 163 DP 508829, Lot 723 DP 558751 or Rural Sec 10802 BLK XI Rolleston SD within Living WM South Zone shall:

a) Include a legal instrument that is binding on all future allotment owners, that specifies:

i) solar power generation requirements for each residential site;

ii) rain harvesting requirements for each residential site;

iii) the requirement for each residential unit to achieve Homestar 6© as a minimum standard or a proven equivalent;

iv) for all allotments greater than 3,000m<sup>2</sup> in area, no less than 15% of the site shall be planted in native vegetation, which may include hedgerows on fence lines.

- 6 I will return to consider the import of this rule further, in relation to the NPS UD, below.

## 7 **PART 4: STATUTORY ANALYSIS**

### **Functions of Territorial Authorities**

- 7.1 The Officer's Report sets out the statutory functions of Council. In paragraph 83 of that report, Ms White states that the rezoning of the site is not necessary to provide sufficient housing development capacity and therefore is not necessary for the Council to meet its function of ensuring sufficient development capacity. I have read Mr Colegrave and Mr Sellars' evidence, both of which underline that there is not sufficient development capacity in the District. On that basis, I do not agree with Ms White's statement.

### **Part 2 Matters**

- 7.2 My analysis of Part 2 is contained in the Section 32 report lodged with the application. The Officer's Report and myself are in agreement that there are no matters of national importance (Section 6) relevant to PC67. In regard Section 7, for the reasons outlined in my assessment above, including an appropriate density of development, rural-urban interface treatments, existing and improved connections to the town centre, and anticipated improvements in future public transport and non-vehicular transport options, I consider the proposal provides for the matters set out in that Section.

### **National Policy Statement on Urban Development 2020**

- 7.3 The Officer's Report summarises the position expressed in the Section 32 document regarding the NPS-UD. At the outset, I note that the objectives and policies referenced in the Section 32 document were not intended to be exclusive or the only ones of relevance to PC67, rather they were among the principal provisions of relevance. To that extent I



agree Objective 8 is also relevant, and it is briefly referenced in the Section 32.

- 7.4 There are a range of matters that need to be considered or had particular regard to, in order to determine if PC67 gives effect to the NPS UD. They include the following matters set out in the objectives and policies of the NPS:

<i>Provision</i>	<i>Comment</i>
Objective 1: New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.	I address well-functioning urban environment below.
Objective 2: Planning decisions improve housing affordability by supporting competitive land and development markets.	As evidenced by the statements of Mr Sellars and Mr Colegrave, the proposal will support a competitive land and development market. I acknowledge that the houses resulting from PC67 will not in and of themselves be considered "affordable" but as set out in the evidence the provision of additional supply in a dysfunctional market will assist to improve affordability overall.
Objective 3: Regional policy statements and district plans enable more people to live in, and more businesses and community services to be located in, areas of an urban environment in which one or more of the following apply: (a) the area is in or near a centre zone or other area with many employment opportunities (b) the area is well-served by existing or planned public transport (c) there is high demand for housing or for business land in the area, relative to other areas within the urban environment.	The site is not within a centre or area that currently provides much in the way of employment opportunities. The site does have good access to Rolleston with its employment opportunities.  West Melton is currently accessible by a public bus route, with potential for further capacity to be added as demand in the area grows (per Mr Methereil's evidence).  Per Mr Sellars and Mr Colegrave's evidence, there is high demand for new housing land in Selwyn District and particularly within West Melton itself.
Objective 5: Planning decisions relating to urban environments,	Consultation with runanga was undertaken in respect of the

and FDSs, take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).	adjoining PC59 and the outcomes of that consultation informed the development of PC67. No site specific cultural sensitivities arise.
<p>Objective 6: Local authority decisions on urban development that affect urban environments are:</p> <ul style="list-style-type: none"> <li>(a) integrated with infrastructure planning and funding decisions; and</li> <li>(b) strategic over the medium term and long term; and</li> <li>(c) responsive, particularly in relation to proposals that would supply significant development capacity.</li> </ul>	<p>As per the evidence of Mr Hall infrastructure has been considered and confirmed as available to the site.</p> <p>Ms Lauenstein and Mr Compton Moen have confirmed that the site is an appropriate direction of growth for West Melton township and will support consolidation of the township. The site is not currently identified in any Council or ECan long term planning strategies.</p> <p>The proposal will provide significant development capacity (addressed further below).</p>
Objective 7: Local authorities have robust and frequently updated information about their urban environments and use it to inform planning decisions.	Mr Colegrave's analysis, presented in his evidence, calls into question the robustness of the information Council currently relies upon to determine housing capacity and provides an appropriate update.
<p>Objective 8: New Zealand's urban environments:</p> <ul style="list-style-type: none"> <li>(a) support reductions in greenhouse gas emissions; and</li> <li>(b) are resilient to the current and future effects of climate change.</li> </ul>	I address this below in relation to well-functioning urban environment.
<p>Policy 1: Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum:</p> <p>...</p>	Addressed below.
Policy 2: Tier 1, 2, and 3 local authorities, at all times, provide at least sufficient development capacity to meet expected demand for housing and for business land over the short term, medium term, and long term.	Mr Colegrave has confirmed that there is not sufficient capacity to meet the demand for housing over all timeframes including in the short term. The proposal will assist in meeting demand.
Policy 3: In relation to tier 1 urban environments, regional policy statements and district plans enable:	Clauses (a), (b) and (c) are not relevant to the PC67 site. Regarding clause (d), the site is proposed to adopt existing

<ul style="list-style-type: none"> <li>(a) in city centre zones, building heights and density of urban form to realise as much development capacity as possible, to maximise benefits of intensification; and</li> <li>(b) in metropolitan centre zones, building heights and density of urban form to reflect demand for housing and business use in those locations, and in all cases building heights of at least 6 storeys; and</li> <li>(c) building heights of least 6 storeys within at least a walkable catchment of the following: <ul style="list-style-type: none"> <li>(i) existing and planned rapid transit stops</li> <li>(ii) the edge of city centre zones</li> <li>(iii) the edge of metropolitan centre zones; and</li> </ul> </li> <li>(d) in all other locations in the tier 1 urban environment, building heights and density of urban form commensurate with the greater of: <ul style="list-style-type: none"> <li>(i) the level of accessibility by existing or planned active or public transport to a range of commercial activities and community services; or</li> <li>(ii) relative demand for housing and business use in that location.</li> </ul> </li> </ul>	<p>built form and density rules applying to the Living WM South Zone. Mr Nicolson, Mr Compton Moen and Ms Lauenstein have each confirmed the proposed density is appropriate to the PC67 site.</p>
<p>Policy 6: When making planning decisions that affect urban environments, decision-makers have particular regard to the following matters:</p> <ul style="list-style-type: none"> <li>(a) the planned urban built form anticipated by those RMA planning documents that have given effect to this National Policy Statement</li> <li>(b) that the planned urban built form in those RMA planning documents may involve</li> </ul>	<p>The operative District Plan is not considered to have wholly given effect to this NPS. The proposed District Plan is not sufficiently progressed yet to confirm that it has appropriately given effect to the NPS.</p> <p>(b) the proposal will represent a change to the West Melton township, in so far as the urban-rural boundary will be pushed south of where it currently sits, bringing the</p>

<p>significant changes to an area, and those changes:</p> <ul style="list-style-type: none"> <li>(i) may detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types; and</li> <li>(ii) are not, of themselves, an adverse effect</li> </ul> <p>(c) the benefits of urban development that are consistent with well-functioning urban environments (as described in Policy 1)</p> <p>(d) any relevant contribution that will be made to meeting the requirements of this National Policy Statement to provide or realise development capacity</p> <p>(e) the likely current and future effects of climate change.</p>	<p>urban-rural interface closer to properties that will not experience change on their boundaries.</p> <p>The question of a well-functioning urban environment is addressed below.</p> <p>In regard (d), the principal relevant contribution that the PC67 site will make to providing development capacity is in respect of providing additional residential development land where currently a shortage is identified at both a local and district level.</p> <p>As above, climate change effects are able to be managed on the site.</p>
<p>Policy 8: Local authority decisions affecting urban environments are responsive to plan changes that would add significantly to development capacity and contribute to well-functioning urban environments, even if the development capacity is:</p> <ul style="list-style-type: none"> <li>(a) unanticipated by RMA planning documents; or</li> <li>(b) out-of-sequence with planned land release.</li> </ul>	<p>The development is unanticipated insofar as it is currently a rural zoned site; and is not currently identified as a Greenfield Priority Area in the CRPS or as a FUDA in the proposed plan. Development capacity and the urban environment are addressed below.</p>
<p>Policy 9: Local authorities, in taking account of the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) in relation to urban environments, must:</p> <ul style="list-style-type: none"> <li>(a) involve hapū and iwi in the preparation of RMA planning documents and any FDSs by undertaking effective consultation that is early, meaningful and, as far as</li> </ul>	<p>As above, consultation with runanga in respect of the development of the site for urban purposes was undertaken previously. Further opportunities for runanga involvement were afforded more generally through the public submission process. No further correspondence was received.</p>

<p>(b) practicable, in accordance with tikanga Māori; and when preparing RMA planning documents and FDSs, take into account the values and aspirations of hapū and iwi for urban development; and</p> <p>(c) provide opportunities in appropriate circumstances for Māori involvement in decision-making on resource consents, designations, heritage orders, and water conservation orders, including in relation to sites of significance to Māori and issues of cultural significance; and</p> <p>(d) operate in a way that is consistent with iwi participation legislation.</p>	
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7.5 In my view, the key considerations of the NPS UD in respect of Plan Change 67 are:

- (i) Will the Proposal provide 'significant' development capacity (Objective 6, Clause 3.8);
- (ii) Will the Proposal contribute to a well-functioning urban environment (Objective 1, Policy 1, Policy 6, Clause 3.8, Clause 3.11);
- (iii) Is the site able to be adequately serviced with infrastructure (Objective 6, Policy 10, Clause 3.5); and
- (iv) Is it well-connected along transport corridors (Clause 3.8).

7.6 Additional to that is the question of whether the Proposal meets the CRPS criteria for determining what plan changes will be treated as adding significantly to development capacity. As the Officer's Report notes, that criteria does not yet exist and so is not a consideration for this Proposal.

### *The Urban Environment*

- 7.7 Before considering significant development capacity, I will address the issue of “urban environment”, as it applies to the PC67 site and insofar as it is relevant to the assessment of development capacity significance.
- 7.8 As is explained in paragraph 79 of the Section 32 report for PC67, the decision to put the plan change request forward as part of a Greater Christchurch urban area, was in response to advice received from Selwyn District Council prior to lodgement, that the Greater Christchurch Partnership had determined that the area of “Greater Christchurch”, shown on Map A in the Regional Policy Statement, constituted an urban environment for the purposes of the NPS-UD and particularly with respect to the processing of plan changes that might seek unanticipated or out of sequence development. I note that in July 2021, Selwyn District Council further confirmed in the Section 42a Report for PC63, that the Greater Christchurch Partnership has determined that the urban environment subject to the NPS UD is the Greater Christchurch area, as shown on Map A within Chapter 6 of the CRPS (paragraph 153).
- 7.9 In considering the application of the NPS UD, I assume that the respective Councils of Greater Christchurch determined that the urban areas of Selwyn and Waimakariri had already been delineated by the definition of “Greater Christchurch” as set out above, and that this definition might usefully be used to inform decision making as to what constituted an urban environment for the purposes of carrying out the actions required by the NPS UD. The PC67 land falls within this definition and therefore meets the requirement of an urban environment, as acknowledged by SDC.

### *Significant Development Capacity*

- 7.10 In the planner’s report to Council on 24 February 2021<sup>5</sup>, regarding the decision to accept PC67, the report states that Council planners agreed that rezoning the site would provide a significant increase in development capacity at West Melton (page 72). The report goes on to note that this does not mean that every development providing capacity is appropriate, and that the merits of the plan change proposal overall,

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<sup>5</sup> Selwyn District Council, Public Agenda for Council meeting 24 February 2021.

including the weight and consideration that should be given to the development capacity, would then best be tested through the submission and hearing process. The plan change was therefore accepted as forming part of the Greater Christchurch urban area, but considered to be significant at a *West Melton* scale. At that stage, further analysis was not undertaken in either the Section 32 report or the Council planner report, as to the appropriateness of assessing significance at that scale, or whether there were other criteria that may also be relevant to significance.

- 7.11 In paragraph 94 of the Officer's Report, Ms White sets out some submitter's views that there is a '*...potential inconsistency with treating West Melton as part of Greater Christchurch in order to allow for it to be considered as part of the urban environment under the NPS UD, but then considering the significance of capacity in relation to West Melton only*'.
- 7.12 I have given this matter considerable thought in the preparation of my evidence and while I agree that there appears to be some inconsistency on the face of it, I am not sure this is the case.
- 7.13 In my view, the definition of Greater Christchurch as an urban environment does not translate into a determination that the area of Greater Christchurch *as a whole* is the appropriate urban environment, area or market against which to determine the significance of the development capacity of the plan change. How best to determine significance is a matter left to the Regional Council via the direction in Clause 3.8(3), or in its absence to the decision maker on a plan change.
- 7.14 Neither Policy 8 nor clause 3.8 which implements that policy, require that the significance of the development capacity provided by the plan change is only determined relative to that "urban environment" though. Those provisions simply require local authorities to be responsive to plan changes that would add significantly to development capacity (and meet the other applicable criteria), however that significance is determined.
- 7.15 Through the preparation of planning evidence for the recent PC66<sup>6</sup> hearing, and then through the process of preparing planning evidence for this PC67 hearing, it has become clear to me that significance cannot

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<sup>6</sup> To rezone 27ha of Rural Inner Plains zone to Business 2A Zone, at Rolleston.

be assessed purely on the basis of “numbers” (Council housing or business development capacity assessments) although that is a significant issue here, or related geographical area. Other criteria are also relevant to the assessment of significance. Those criteria may include:

- (a) Location – are there distinguishing characteristics about the site that contribute to its significance;
- (b) Type of product – are there distinguishing characteristics about the type of product, for example the density or character of the residential proposal or, in the case of PC66 for example, whether or not the land was to go to the market freehold and unencumbered;
- (c) Overall site size/yield;
- (d) Existing capacity/demand, noting also that the NPS UD does not require rezoning proposals to be *limited* by demonstrable demand, stating instead that local authorities must provide “at least” sufficient development capacity to meet expected demand for the short, medium and long term.

7.16 One plan change may well qualify as providing significant development capacity on the basis of one of the above criteria, while another plan change may qualify as significant more on the basis of another criteria.

7.17 For PC67, the evidence of Mr Colegrave and Mr Sellars indicates that PC67 is significant on the basis of criteria (c) and (d) alone. The site is 27.4 hectares in area, with an anticipated yield of around 130 dwellings. In my view that is not an insignificant number of dwellings in and of itself.

7.18 Put in the context of existing supply Mr Colegrave has confirmed that the 130 lots would increase the short-term district wide supply by 5.3%, and the medium term district wide supply by 3%.<sup>7</sup> Mr Colegrave confirms that he consider this “a significant contribution, especially from just one development” Of note, Mr Colegrave calculates that the 130 lots

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<sup>7</sup> Paragraph 5.11 of Mr Colegrave’s evidence



provided by PC67 would contribute 9% to the short term district supply shortfall.

7.19 I further note Mr Colegrave's analysis that the significance of PC67 *"becomes even clearer when it is placed in the context of the submarket for low density residential dwellings, in which West Melton competes"*<sup>8</sup>, commenting that the PC67 proposal would boost supply in the West Melton and Prebbleton sub-market by 82%. In looking at West Melton alone Mr Colegrave makes the point that there is no available section supply in West Melton and thus against that benchmark the PC67 supply makes an even greater contribution to development capacity.

7.20 Mr Sellars has also undertaken an extensive analysis of the land and housing markets in West Melton, Prebbleton and Rolleston and notes that there are no residential sections of the sizes that are provided for in PC 67 in either West Melton, Prebbleton or Rolleston<sup>9</sup> (currently or in the short to medium term). On Mr Sellars' analysis there is *"virtually no current supply or choice with uncompetitive market practices being adopted by vendors and extreme price escalation"*<sup>10</sup>.

7.21 The evidence of both Mr Colegrave and Mr Sellars clearly indicates a dysfunctional market under considerable strain. Tellingly, Mr Colegrave's evidence indicates a housing capacity short fall at all time frames across the District. Given the housing shortages identified by those parties, I consider the proposed development will provide significant development capacity at both the local (West Melton) and district-wide scale.

7.22 In testing my thinking around Greater Christchurch being an inappropriate geographic and market scale at which to assess significance for housing, I have given thought to outcomes if Greater Christchurch were used more widely to assess the significance of development capacity. In my view there would be very few developments that could ever be brought forward that would be of such a scale as to be "significant" (at least not quantitatively) if such an assessment was used. Allotment numbers would likely need to be several thousand at least and in my experience working with Greater

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<sup>8</sup> Mr Colegrave's evidence paragraph 5.12.

<sup>9</sup> Mr Sellars evidence paragraphs 10.2.

<sup>10</sup> Mr Sellars evidence paragraph 10.5.

Christchurch developers over the last nearly 20 years, it is extremely difficult to accumulate land holdings capable of accommodating that number of allotments, to bring forward for development, particularly adjacent Christchurch City itself. There is only one plan change proposed in Selwyn at present that comes even close to that, and that is Plan Change 69 at Lincoln, which proposes around 2000 residential allotments. Therefore in my view, to assess significance at a Greater Christchurch scale would effectively prevent the large majority of, if not all, plan changes from coming forward. This would seem to undermine the intent of the NPS UD, which is in part to provide some flexibility to address planning capacity constraints, to free up more land and improve market competitiveness to stabilise prices.

7.23 Whilst I consider the proposal qualifies as significant development capacity on the basis of criteria (c) and (d), I also consider location and type of product are relevant considerations for PC67. Ms Lauenstein has confirmed that West Melton is distinguished by its character as a low density township. Allotments of the size provided by the Living WM South Zone are rarely found in Christchurch City, and on the evidence of Mr Sellars are difficult to find in Rolleston or Prebbleton. The proposal will therefore be adding to the range of types and densities of houses in Selwyn District, per policies 1 and 6 of the NPS UD. The location of the plan change is also relevant, again with reference to Ms Lauenstein and also Mr Compton Moen's evidence, which set out the value of the plan change in contributing towards West Melton developing a more balanced and consolidated urban form.

#### *Well-Functioning Urban Environment*

7.24 In regard whether the Proposal will contribute to a well-functioning urban environment, Policy 1 defines a well-functioning urban environment as one that, as a minimum:

- (a) have or enable a variety of homes that:
  - (i) meet the needs, in terms of type, price, and location, of different households; and
  - (ii) enable Māori to express their cultural traditions and norms; and;

- (b) Has or enables a variety of sites that are suitable for different business sectors in terms of location and site size; and
- (c) Has good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and; and
- (d) Supports and limits as much as possible adverse impacts on the competitive operation of land and development markets; and
- (e) Supports reductions in greenhouse gas emissions; and
- (f) Is resilient to the likely current and future effects of climate change.

7.25 Regarding (a), and as I note above, the provision of low density homes will meet a need that is not readily met elsewhere in the District, per Mr Sellars, Ms Lauenstein and Mr Compton Moen's evidence. The proposal is neutral in regard clause (a)(ii), being neither enabling or disabling of the expression of cultural traditions.

7.26 Clause (b) is not relevant to this proposal.

7.27 Regarding clause (c), the site is considered to have good accessibility. I note in this regard that the clause refers to accessibility generally, not exclusively to public transport. The site has good road access via State Highway 73, Weedons Ross Road and the Southern Motorway, to Christchurch and Rolleston. In the context of West Melton itself, the site will have good accessibility by car, walking, cycling and other forms of micro-mobility, to the town centre, community facilities including the Domain and recreation centre, and adjoining neighbourhoods. Public transport options are currently limited but do exist and have the potential to improve as demand grows both within West Melton and adjoining townships, as noted by Mr Metherell in his evidence. In regard access to employment, I acknowledge that employment opportunities in West Melton itself are limited. However, given the increasing opportunities to work from home and proximity of West Melton to increasing employment options at Rolleston with anticipated cycle links to that area, I do not consider it is a given that people living in West

Melton would therefore need to commute by car every day to another urban centre to work.

7.28 Regarding clause (d), the evidence of Mr Sellars and Mr Colegrave clearly set out the current market constraints and housing capacity shortfalls, and confirms that the proposal will support the competitive operation of the housing market.

7.29 Regarding clause (e), this is addressed to some extent in Mr Wheelans' evidence. While I accept that the proposal is likely to lead to an increase in greenhouse gas emissions to some extent, for private vehicle trips to Christchurch, Rolleston and the like, those emissions may not necessarily be significant. Mitigating factors will include increasing use of electric vehicles and alternative modes of transport, working from home opportunities, accessibility of recreational opportunities within West Melton itself and a degree of convenience shopping available locally. Mr Metherell confirms these mitigating factors in his evidence<sup>11</sup>. I acknowledge that it is unlikely the PC67 area and West Melton will be self-sufficient and the township will therefore continue to rely on Christchurch and Rolleston for some facilities, even if there is increased provision of community and commercial facilities within West Melton in the future.

7.30 With regard to potential greenhouse gas (GHG) emissions, amendments to the plan provisions now require new residential allotments within the PC67 area to undertake a number of sustainability initiatives, as set out in paragraph 19 above. These initiatives have all been recognised in reports by various government and other agency bodies as important contributions to achieving an overall reduction in New Zealand's GHG emissions.<sup>12</sup> By way of example:

- (a) In its 2018 report on the *Low Emissions Economy*, the Productivity Commission noted that "*GHG emissions from buildings are generated throughout the building's full life cycle from the production of building materials, to the operational energy consumption of a building (heating,*

<sup>11</sup> See for example paragraphs 2.8, 8.3 and 10.16 of Mr Metherell's evidence.

<sup>12</sup> In addition to the Productivity Commission and Climate Change Commission reports below, see Transpower (2019), *The sun rises on a solar energy future*, January 2019 (Te Mauri Hiko), New Zealand Green Building Council (2020) *A green recovery: Kick starting a just transition with health homes, providing a multi-billion dollar economic boost*, May 2020.

*cooling, hot water heating, lighting, appliances and electrical equipment).*” Improvements in the energy efficiency of buildings is therefore one of the ways in which GHG emissions from those buildings can be reduced. In that context, the Commission recognised the *Homestar* rating tool as an initiative that could achieve that outcome.<sup>13</sup>

- (b) In its recent advice to the Government (May 2021), the Climate Change Commission identified that solar offered a low cost and low emissions way of generating electricity, and that adoption of solar as method of generation needs to expand quickly both in order to meet the country’s energy needs and to replace coal and fossil gas.<sup>14</sup>
- (c) Various research reports have identified the value in rainwater harvesting as a means of improving the adaptability and resilience of water infrastructure.<sup>15</sup>

7.31 Regarding Clause (f), the site is sufficiently distant from any coastal location that sea level rise and inundation is not a relevant issue. Potential increases in the frequency and severity of storms and flood hazard are relevant. However, as discussed above in relation to Mr Mthamo’s evidence, the site is not considered to be subject to any notable flood hazard (i.e. the hazard has been assessed as less than significant), and it is considered that that hazard can be appropriately managed at the time of development or subdivision.

7.32 Overall, I consider the proposal will contribute to a well-functioning urban environment.

### *Infrastructure*

7.33 As confirmed by Mr Smith and Mr Hall and discussed above, the site is able to be adequately serviced, and the provision of that infrastructure will not be at the expense of any existing zoned urban area.

<sup>13</sup> Productivity Commission (2018) *Low Emissions Economy*, section 16.1, and Table 16.3.

<sup>14</sup> Climate Change Commission (2021) *Ināia tonu nei: a low emissions future for Aotearoa* (Advice to the New Zealand Government on its first three emissions budgets and direction for its emissions reduction plan 2022 – 2025, para 79.

<sup>15</sup> BRANZ (2017) *Study Report SR382 Drives and barriers to rainwater and greywater uptake in New Zealand*, page 2 – see other UK reports referenced on page 3.

### *Transport Connections*

7.34 As set out above, the site is reasonably well connected along transport corridors, being adjacent State Highway 73 and with direct access via Weedons Ross Road to Rolleston and the Southern Motorway. Public transport connections are presently limited but do exist and opportunities to expand those services in the future are anticipated. The proposed ODP for PC67 has also been amended to ensure that future public transport route opportunities are not precluded within the PC67 area. In regard non-vehicular transport connections, Ms Lauenstein has confirmed that the site is well connected to adjacent existing or potential future residential areas, to the town centre and to the existing wider movement network<sup>16</sup>.

7.35 In summary, I consider the Proposal will give effect to the NPS UD. In my view, the site:

- (i) can be adequately serviced;
- (ii) is appropriately located in relation to transport corridors, albeit public transport options are currently limited;
- (iii) will provide significant development capacity, including by contributing towards meeting substantial identified housing capacity shortfalls;
- (iv) will contribute to a well functioning environment, including by providing for a consolidated urban form within West Melton; and
- (v) is suitable with regard to other RMA factors such as hazards, landscape, cultural and biodiversity impacts.

7.36 Based on the above, I consider it is appropriate for Council to be responsive to this plan change application, per Objective 6 and Policy 8 of the NPS UD.

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<sup>16</sup> Paragraphs 4.11-4.13 of Ms Lauenstein's evidence.

## Canterbury Regional Policy Statement

- 7.37 The Officer's Report sets out a summary of objectives and policies of the CRPS that Ms White considers are particularly relevant to the proposal. I generally agree with Ms White's summary, but do not agree with all aspects of Ms White's analysis.
- 7.38 I agree with Ms White's comments in paragraph 106, that Policy 6.3.5(2) directs integration between development and infrastructure, not that development should not occur until provision for infrastructure is in place. As both she and I have stated, it is common for developments to rely upon planned future upgrades to the Council's reticulated services network (or other services such as Waka Kotahi upgrades), and PC67 is consistent with Policy 6.3.5(2) in that regard.
- 7.39 I also agree that the NPS UD allows for the plan change to be considered regardless of its inconsistency with the CRPS direction that urban development only occur within identified priority areas.
- 7.40 However, I disagree with the statements in paragraph 108 of the Officer's Report, in that I consider that for the reasons set out in Ms Lauenstein and Mr Compton Moen's evidence, the proposal will result in a consolidated urban form (and support further consolidation) (Objective 6.2.2(5)).
- 7.41 Ms White also discusses Policy 6.3.4 in her paragraph 108, with a particular focus on clause 2 of that policy, which seeks to provide patterns of development that optimise the use of existing network capacity and ensuring that, *where possible, building projects* support increased uptake of active and public transport, and provide opportunities for modal choice. There are two interesting phrases in that clause that I have highlighted above. The first is "where possible". I interpret this to mean that it is preferable that provision is made, but it is not an absolute requirement to meet this policy. Secondly, the phrase "building projects". To my reading, that portion of the policy is aimed primarily at new buildings, where Christchurch City Council, for example, commonly seeks inclusion of cycle and scooter parking facilities for visitors and staff, and shower and changing facilities for staff to encourage non-vehicular commuting methods. Nevertheless, even if the clause is applied more broadly to include residential subdivision, Mr

Metherell has confirmed that the proposal will support likely future increases in the uptake of public transport, though I acknowledge it is likely those increases may be small and incremental, and dependent in part on the anticipated growth of employment/industrial areas in Rolleston.

7.42 I also acknowledge that there will still be a continued reliance on the private car for trips to Christchurch and Rolleston for many employment, educational and social destinations. Nevertheless, Mr Metherell and Mr Wheelans have set out potential opportunities for a cycle route to Rolleston, an opportunity that is being explored with Selwyn District, and the increasing role of micro-mobility options within the West Melton township itself. In summary, while there are currently some limitations on access to public transport from the PC67 site, I do not consider the proposal is inconsistent with Policy 6.3.4 in the round.

#### **Other Statutory Documents**

7.43 The Officer's Report lists other statutory documents, including the Canterbury Land and Water Regional Plan, the Canterbury Air Regional Plan and the Mahaanui Iwi Management Plan. I concur with Ms White's comments on those plans.

#### **Consideration of Alternatives, Costs and Benefits**

*Extent to which the Objectives of the Proposal are the Most Appropriate Way to Achieve the Purpose of the Act*

7.44 The Officer's Report sets out Ms White's analysis of the extent to which the objectives of the proposal are the most appropriate way to achieve the Act. Ms White sets out matters that she considers are in conflict with the RMA's purpose, and with some objectives and policies of the CRPS and District Plan. Unsurprisingly, those matters also encapsulate the matters of disagreement between the Council and the applicant. To reiterate, and in response to the matters Ms White lists in paragraphs 115-117 of the Officer's Report:

- (a) The proposal does represent significant development capacity, in no small part because of the shortfalls in housing capacity identified in Mr Colegrave's report and the



dysfunctional housing market arising from the current housing shortage, identified by Mr Sellars. It is significant at both a West Melton and District wide scale. I do not consider it is helpful to consider its significance at the scale of Greater Christchurch as too few residential plan changes would ever likely be considered as significant when considered at that scale.

- (b) Ms Lauenstein and Mr Compton Moen have both confirmed that the proposal will provide for, and support, a consolidated urban form. For the reasons I set out above, I consider the proposal is consistent with the definition of a well functioning urban environment, even with the limitations presented by the likely dependence of residents on private car use.
- (c) The site will provide for good accessibility, albeit public transport options are currently limited. They are not however absent, and there remains the possibility that they will improve in future. Mr Compton Moen, Mr Metherell and Ms Lauenstein have confirmed the site will provide good accessibility by non-vehicular means within the township, and amendments are proposed to the ODP and associated rules to better ensure non-vehicular connections are provided within and to/from the PC67 area.
- (d) For these reasons I consider the proposal is consistent with Objective 6.2.4, and whilst the proposal has tensions with Policy 6.3.4, I do not consider it is inconsistent with it.
- (e) There are several factors mitigating against PC67 making a significant contribution to greenhouse gas emissions, including the increasing “greening” of the vehicle fleet, a new PC67 rule requiring covenants or similar legal mechanisms to be imposed on new residential titles within the PC67 area to optimise greenhouse gas emission reduction measures, good connectivity within the township to local recreation and commercial facilities, increasing prevalence of working from home and increasing use of micro-modal transport methods

such as scooters that are extending our traditional understanding of what is a “walkable” catchment.

- (f) With regard to the operative Selwyn District Plan policy B2.1.13, I agree that the proposal has some tension with that policy, in that the proposal will likely result in persons living within PC67 being at least partly reliant on their private car for transport. However, I note Mr Metherell’s opinion that persons choosing to live in West Melton might otherwise choose to live in another smaller township and where they can access larger allotments than are available in Christchurch city, and that those vehicles are therefore likely to be utilising the road network somewhere within the further flung reaches of Greater Christchurch, or beyond, in any case. Ms Lauenstein and Mr Compton Moen have also confirmed that the development will support a consolidated urban form at West Melton, though I acknowledge the PC67 is not currently identified as an area for urban growth (small parts of West Melton are labelled as Future Urban Development Areas in the proposed District Plan). For these reasons, I do not consider the proposal is contrary to this policy.

7.45 Overall, I consider that the proposal is the most appropriate way to achieve the purpose of the Act. In reaching this conclusion, I have referred also to the Ministry for Environment guide to Section 32 of the RMA, which references case law confirming that “most appropriate” is interpreted by case law as meaning “suitable, but not necessarily superior”<sup>17</sup>.

### **Whether the Provisions are the Most Appropriate Way to Achieve the Objectives**

7.46 In response to Ms White’s analysis of this section, I accept her statement that more attention should have been given in the Section 32 report to whether the specific Living WM South provisions were the most appropriate for the PC67 site. Whilst that assessment was somewhat

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<sup>17</sup> MfE, (2014), *A Guide to Section 32 of the Resource Management Act 1991*, page 15, referencing *Rational Transport Soc Inc v New Zealand Transport Agency* HC Wellington CIV-2011-485-2259, 15 December 2011.

inherent in the plan change process, insofar as I determined at the time of writing the Section 32 report that the existing Living WM South zone provisions were best left unchanged, that assessment was not articulated in the report.

- 7.47 It remains my view that the existing Living WM South zone rules are for the most part the most appropriate way of achieving the objectives. As set out in my evidence above, I now recommend some changes to the proposal to better address effects arising from the proposal, being to require a pedestrian/cycle path to be established on Weedons Ross Road, to require the plan change area to be future proofed in respect of public transport, and to better articulate connectivity requirements on the proposed ODP. I note that this is consistent with Ms White's recommendation in paragraph 120 to require a new Weedons Ross Road shared path connection.

## **8 CONCLUSION**

- 8.1 Overall, I consider that the Proposal is the most appropriate way of achieving the purpose of the Act, and that the purpose of the Act is achieved. I consider the Officer's Report errs in its conclusions with regard to urban form, connectivity and the significance of the development capacity proposed, and that the Proposal will provide an appropriate urban form, reasonable and improving connectivity, and significant development capacity.
- 8.2 On the basis of the views expressed above, I consider the Plan Change should be approved.

**Kim Seaton**

**August 2021**

**Attachment 1: Amended ODP**

# OUTLINE DEVELOPMENT PLAN – LIVING WEST MELTON (LIVING WM) SOUTH ZONE

## Introduction

This Outline Development Plan (ODP) area comprises 106.9 ha and is bound State Highway 73 to the north and Weedons Ross Road to the west.

The ODP embodies a development framework and utilises design concepts that are in accordance with:

- The Land Use Recovery Plan (LURP)
- Canterbury Regional Policy Statement
- The Greater Christchurch Urban Development Strategy (UDS)
- The Ministry for the Environment's Urban Design Protocol
- The National Policy Statement on Urban Development (NPS-UD)
- 2009 Subdivision Design Guide

A single Overall ODP is accompanied by four more specific plans that reference the Density (Land Use), Movement Network, Green and Blue Networks.

## Land Use Plan

The majority of the ODP area will provide for sites with a minimum lot area of 1,100m<sup>2</sup> and a maximum lot area of 3,000m<sup>2</sup>. A low density area is located on the south eastern and eastern periphery of the ODP, with a minimum lot area of 3,000m<sup>2</sup> and a maximum area of 5,000m<sup>2</sup>. The low density area will provide a buffer between the higher density residential areas located centrally within the ODP area, and the adjoining rural areas to the south and east.

An interface treatment will be required along the south eastern boundary of the ODP area. The interface treatment will comprise a single row of trees planted on the boundary with the Rural Zone, with centres no further apart than 3m, and maintained at a height of not less than 2m. Suitable species include fast growing species such as Cupressus leylandii 'ferndown' or similar. The interface treatment is intended to achieve a substantial screen without creating adverse shading conditions for future residents.

## Movement Network

For the purposes of this ODP, it is anticipated that the built standard for a "Primary Route" will be the equivalent to the District Plan standards for a Local-Major Road, and a "Secondary Route" will be the equivalent to the District Plan standards for a Local-Major or Local-Intermediate Road.

The ODP provides for an integrated transport network incorporating:

- A primary route that follows the existing circular alignment of Silver Peaks Drive, connecting to Kingsdowne Drive, and a further loop that provides for an extension to Ridgeland Way;
- A secondary connection closing part of the southern primary loop;

- Shared pedestrian and cycle connections throughout the ODP area and on the Weedons Ross Road frontage, and including existing connections to the north and west of the ODP area, to enhance safe walking and cycling opportunities to other parts of West Melton township.

The ~~remaining~~ internal roading layout must provide for long term interconnectivity once full development is achieved, including supporting opportunities for future public transport routes. An integrated network of tertiary roads must facilitate the internal distribution of traffic, and if necessary, provide additional property access.

#### Green Network

Two neighbourhood parks are required centrally within the northern ODP area, and one park within the southern ODP area, to provide open space.

An east-west orientated reserve follows the alignment of an existing high voltage transmission line corridor and will serve the dual purpose of providing open space whilst also ensuring that buildings and other structures on private land are set back safe distances from the transmission lines and supporting structures. The high voltage transmission line corridor reserve will have a minimum width of 12m from any tower foot and 12m from the centre line of the transmission line (e.g. a total width of 24m adjoining the transmission line, with additional width adjoining a tower).

Remaining reserves provide open space and facilitate attractive pedestrian connections.

Opportunities to integrate stormwater collection, treatment and disposal into the open space reserves also exist, where appropriate.

The proposed reserve network provides an opportunity to continue or create an ecological corridor. Plant selection in new reserves should include native tree and shrub plantings, such as *Olearia adenocarpa*, *Sophora prostrata*, *Muehlenbeckia ephedroides*, *Carex comans*, *Poa cita* and *Aciphylla subflabellata*.

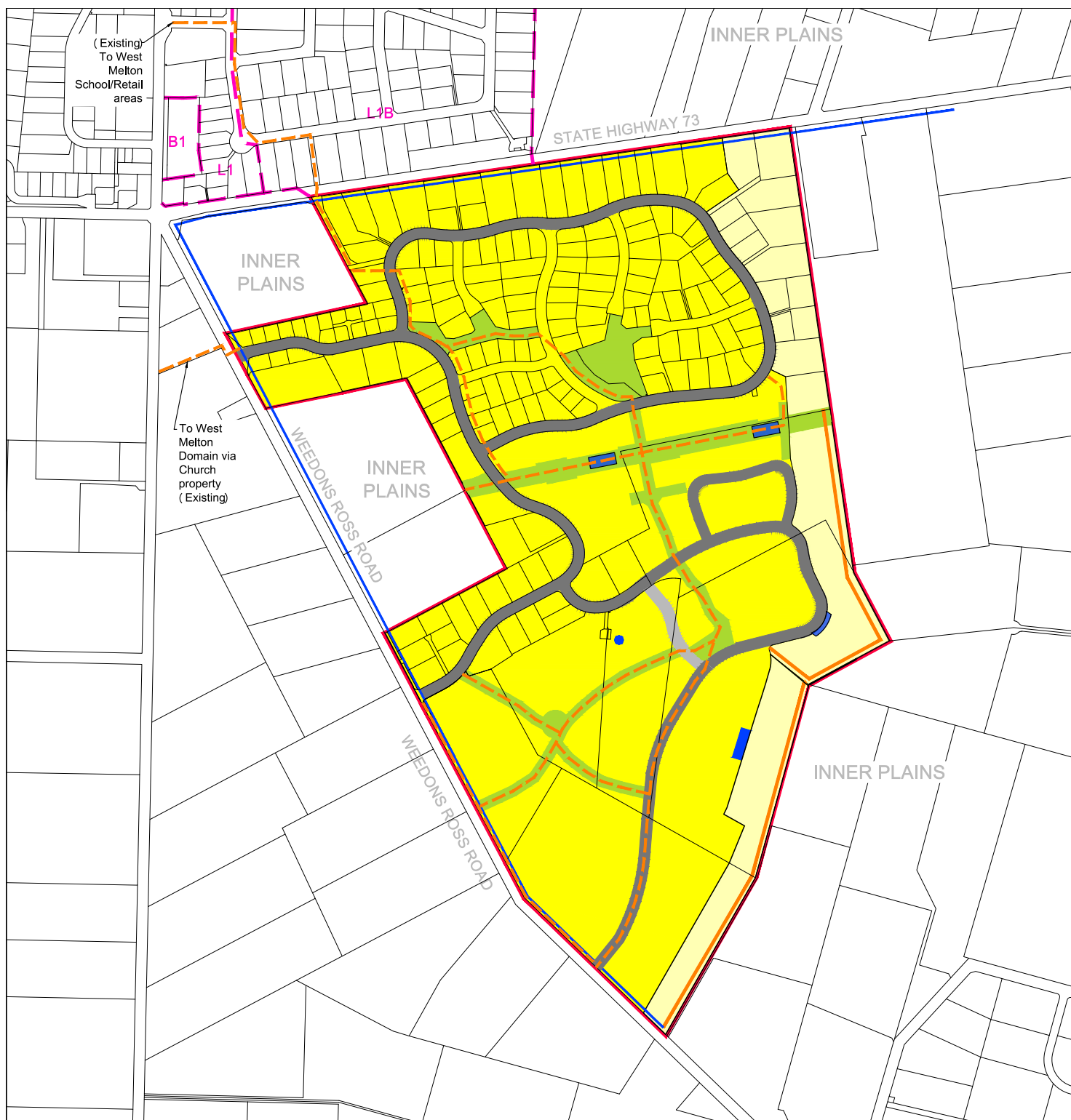
#### Blue Network

**Water race** - An existing water race is located on the western edge of the ODP area, adjoining Weedons Ross Road, and the northern edge of the ODP adjoining State Highway 73. Any subdivision and road design will account for the presence of the water race, ensuring its ongoing function is not compromised.

**Stormwater** - the underlying soils are relatively free-draining and support the discharge of stormwater to ground. Stormwater will be discharged to ground directly via a system of soakpits and swales. Detailed stormwater solutions will be determined by the developer in collaboration with Council at the subdivision stage and in accordance with Environment Canterbury requirements.

**Sewer** – All new sites are intended to be serviced by Low Pressure Sewer, with a network of pipes transferring wastewater to the existing Council Pump Station on Silver Peaks Drive.

**Water** – The water reticulation will be an extension of existing reticulation within the ODP area. Upgrades of existing pipes may be required to ensure adequate water supply. The requirement for upgrades will be determined at the subdivision stage.



## Legend

ODP boundary	Primary Route	Low Density	Neighbourhood Park
Parcel	Secondary Route	Medium Density	Interface Treatment
Indicative location for water bore	Existing water race	Soakage Areas	Shared pedestrian / cycle lane

### Note:

All sections adjacent to Inner Plains zoned land will have a notice on their LIM referring to any potential reverse sensitivity issues between Residential and Rural landuses.

Interface treatment includes having larger residential sections as perimeter blocks where sections immediately adjoin a boundary with Inner Plains.

## Outline Development Plan OVERALL Plan







Living West Melton  
(Living WM) South Zone



Scale: 1:10000@A4



## Legend

- |  |   |  |
|--|---|--|
|  ODP boundary |  Primary Route   |  Neighbourhood Park           |
|  Parcel       |  Secondary Route |  Shared pedestrian/cycle lane |

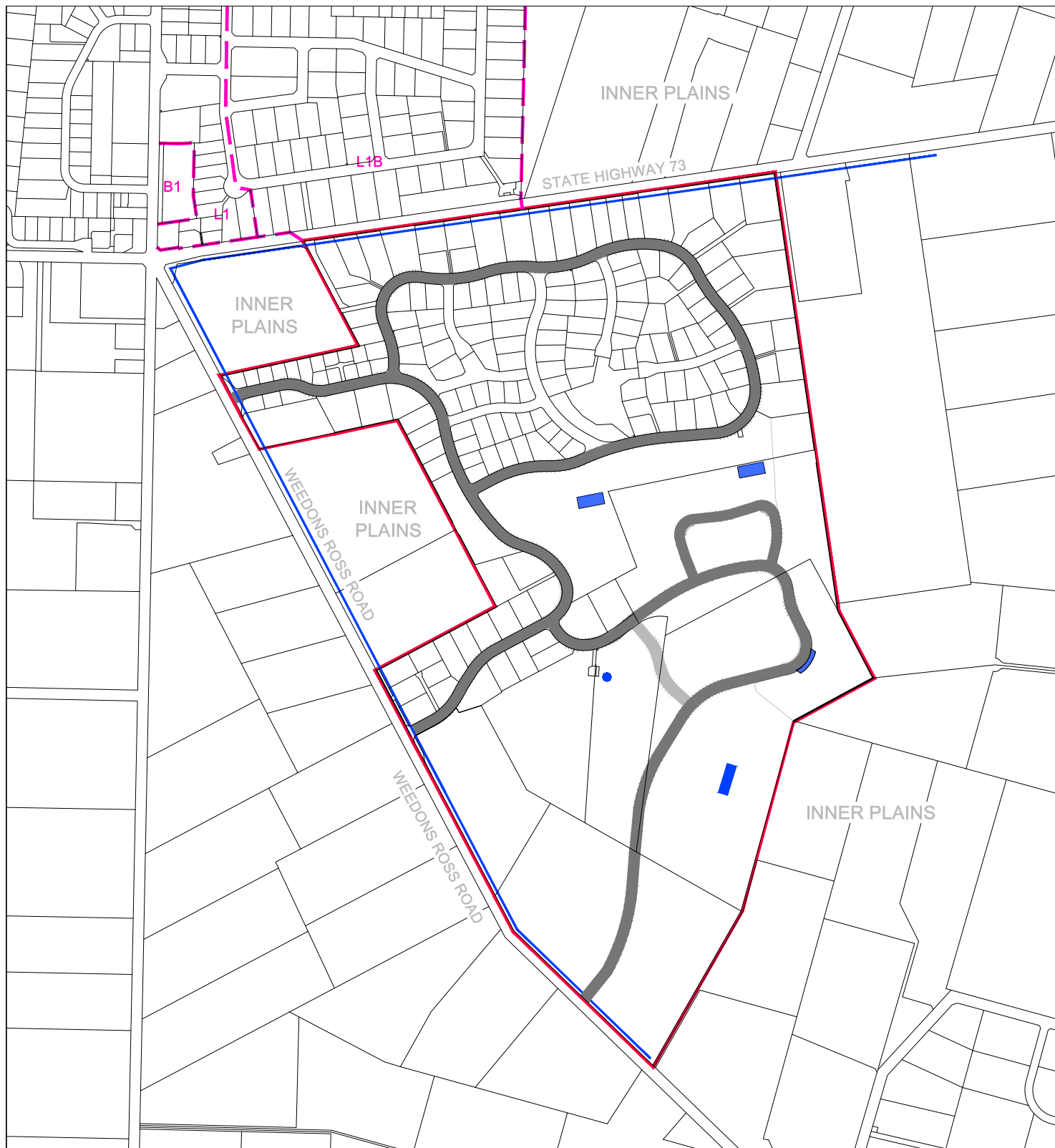
## Outline Development Plan TRANSPORT Plan

Living West Melton  
(Living WM) South Zone










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## Legend

- |  |   |  |   |
|--|---|--|---|
|  ODP boundary |  Primary Route   |  Indicative location for water bore |  Soakage Areas |
|  Parcel       |  Secondary Route |  Existing water race                |   |

## Outline Development Plan BLUE NETWORK Plan






Living West Melton  
(Living WM) South Zone



Scale: 1:10000@A4



## Legend

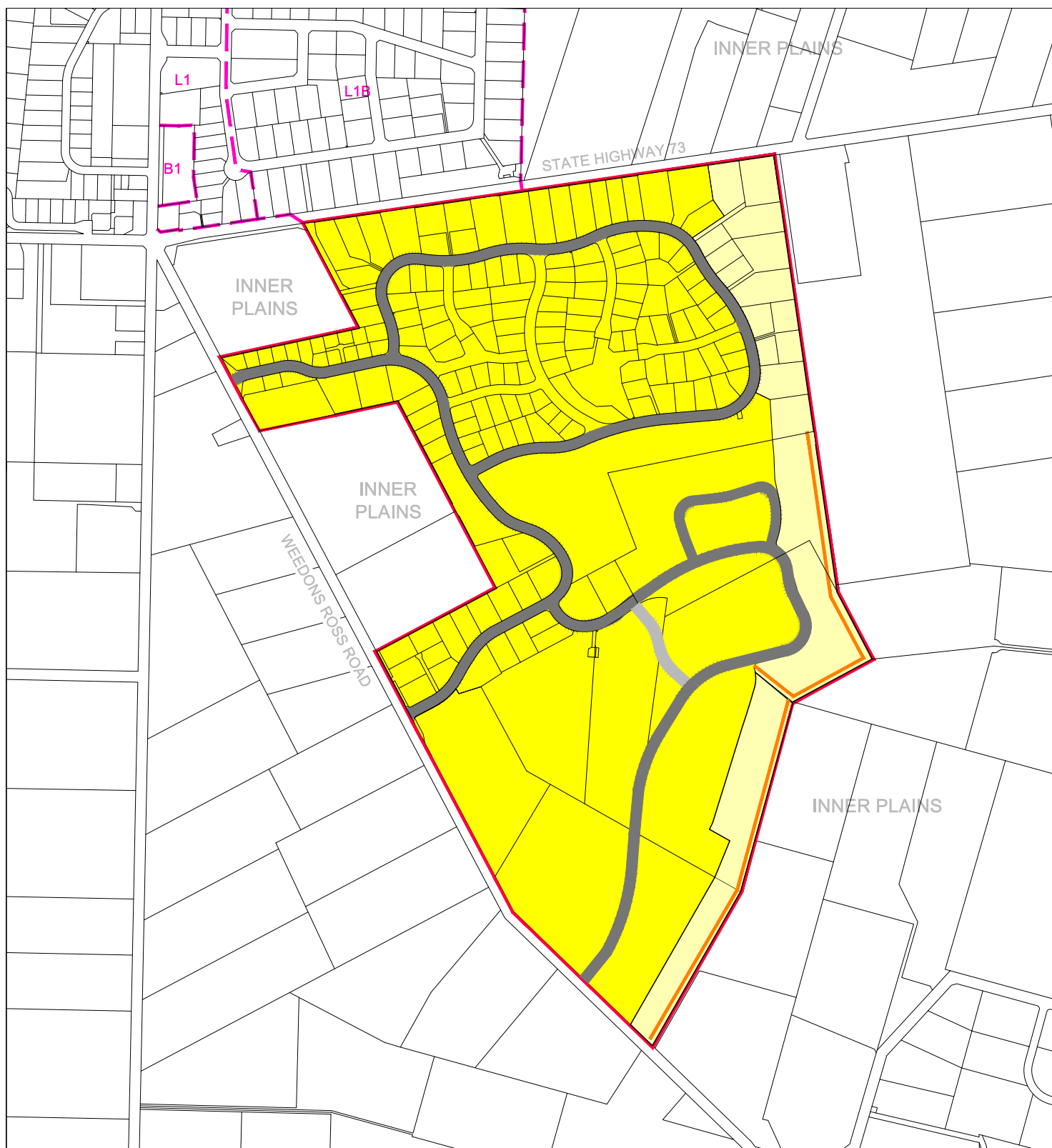
- |  |   |  |
|--|---|--|
|  ODP boundary |  Primary Route   |  Neighbourhood Park |
|  Parcel       |  Secondary Route |  |

## Outline Development Plan GREEN NETWORK Plan





Living West Melton  
(Living WM) South Zone



Scale: 1:10000@A4



## Legend

	ODP boundary		Primary Route		Low Density		Interface Treatment
	Parcel		Secondary Route		Medium Density		

### Note:

All sections adjacent to Inner Plains zoned land will have a notice on their LIM referring to any potential reverse sensitivity issues between Residential and Rural landuses.

Interface treatment includes having larger residential sections as perimeter blocks where sections immediately adjoin a boundary with Inner Plains.

## Outline Development Plan LANDUSE Plan

Living West Melton  
(Living WM) South Zone



Scale: 1:10000@A4