

BEFORE THE SELWYN DISTRICT COUNCIL

UNDER the Resource Management Act 1991

IN THE MATTER of Proposed Plan Change 68 – Prebbleton South-West

APPLICANTS Urban Holding Ltd, Suburban Estates Ltd, Cairnbrae
Developments Ltd

STATEMENT OF EVIDENCE OF PATRICIA HARTE

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A handwritten signature in dark ink, reading "Anthony Harper". The signature is written in a cursive, flowing style with a large initial 'A'.

1 INTRODUCTION

- 1.1 My name is Patricia Harte. I am a Consultant Planner with Davie Lovell-Smith, Planners, Engineers and Surveyors of Christchurch.
- 1.2 I have a Bachelor of Laws (Hons) and Master of Science in Resource Management and am a full Member of the New Zealand Planning Institute. I have thirty years' experience in planning and resource management. Throughout this period, I have been involved in the preparation of seven district plans and numerous plan changes. I have assisted Councils in processing private plan changes and resource consents for large projects. This has included providing evidence at Council level and at extended Environment Court hearings.
- 1.3 I confirm that I have read and am familiar with the Code of Conduct for Expert Witnesses in the Environment Court Consolidated Practice Note (2006). I agree to comply with that Code. Other than where I state that I am relying on the evidence of another person, my evidence is 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.

2 PLAN CHANGE 68 – SELWYN DISTRICT PLAN

- 2.1 The Applicants initiated the possibility of rezoning land in the block bounded by Trents, Shands, Hamptons and the Sterling Park residential area adjoining Springs Road, Prebbleton in late 2020. The rezoning proposed is intended to provide for the unmet demand for residential sections in Prebbleton. This demand was obvious to the Applicants who have been involved in developing land within Selwyn District for several years, including in Rolleston and Prebbleton. The three parties already owned some key properties within the block and were able to enter into contractual agreements with all but a few remaining landowners. These agreements enable each landowner to contribute to costs associated with preparation of rezoning documents including expert reports and the costs of managing the rezoning process.
- 2.2 Plan Change 68 requests the following changes to the operative Selwyn District Plan:
- (a) A rezoning of 67.5047ha of the south-west edge of Prebbleton from Rural Inner Plains to Living Z;
 - (b) That a new "Outline Development Plan – Prebbleton – South West " *version R5 with a text addressing urban design, density, the movement network, the green (reserves) and blue (stormwater) networks* be inserted into the District Plan. This Outline Development Plan and its narrative are contained in **Annexure B** to this evidence.

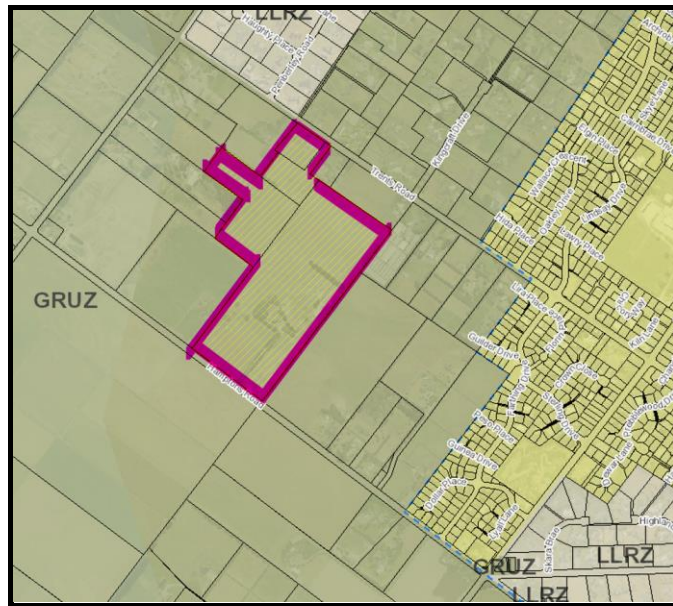
- (c) The ODP identifies primary and secondary roads, low and medium density areas, public space, external road connections and cycle/pedestrian routes.
- (d) The ODP text commits to achieving a minimum of 12 households per hectare. It also commits to additional medium density developments be provided for through the subdivision consent processes.
- (e) The majority of the ODP area is allocated for low density (average of 650m², minimum lot of 550m²) residential sections. Three medium-density residential development areas are identified in proximity to reserve areas. These can be achieved either as small site developments (average lot of 500m² and a minimum of 400m²) or as a comprehensive development which involves a joint consent for buildings and subdivision.

3 PLAN CHANGE SITE AND SURROUNDINGS

- 3.1 The proposed Plan Change 68 (PPC68) site occupies most of the block bounded by Trents Shands, Hamptons and Springs Road except for Sterling Park at the south-eastern end adjoining Springs Road and two areas fronting Trents Road.
- 3.2 The Site is made up of 13 properties with a total area of 67.5047ha. The properties range from 0.8093ha to 15.5576ha with the majority being in the 2ha to 4ha range. The Site borders Trents Road to the north which has a mixture of residential, rural residential and vacant land use. As mentioned to the east is the Sterling Park residential development (incorrectly referred to as Sovereign Palms in the Plan Change Request report). This residential area was developed following its rezoning resulting initially from submissions to the District Plan and implementation through the Land Use Recovery Plan.
- 3.3 To the west is Shands Road, which is a major thoroughfare, in particular for commuter traffic between Lincoln, Rolleston and Christchurch. Properties on both sides of Shands Road are generally smaller rural residential type lots with substantial shelter belts along their road frontage. To the south is Hamptons Road which is an arterial road with larger farming properties bordering on the south side.

4 PLANNING CONTEXT

- 4.1 The Plan Change 68 area is currently zoned Rural Inner Plains with a minimum subdivision lot area of 4ha. However, the middle section of this block is identified as "Rural Residential Area 7" in Council's Rural Residential Strategy (2014) (see area identified below) and therefore deemed to be a suitable site for Rural Residential development. This suitability as an area for urban growth has been recognised and carried through to the Proposed Selwyn District Plan which identifies this central area as "Urban Growth Overlay".



4.2 To implement the rural residential potential would require rezoning this land as Living 3. Importantly the Rural Residential Strategy specifically requires that Area 7 is “required to be future proofed through the plan change and subdivision process” to enable the area to convert to full residential densities in the future. The Strategy also states that Rural Residential Area 7:

- (a) sits within the “Preferred Urban Form” identified in Appendix 2 of the Strategy
- (b) Shands Road provides a definitive boundary to residential and rural residential growth west of Prebbleton
- (c) Assist in achieving the long term concentric urban form of the Township by supporting growth west of Springs Road as far as Shands Road, rather than ribbon development along Springs Road

These are a very clear expressions of the strategic importance of this block of land for expansion of Prebbleton for residential purposes.

4.3 The possibility of the rural residential zoning for this middle section (Rural Residential Area 7) was initially considered by the landowners. However after more in-depth consideration it was decided that working as a group of landowners and providing for residential development for this larger area would better provide for the lack of greenfield residential development options in Prebbleton.

4.4 A further element of the Rural Residential Strategy was its inclusion in Appendix 2 of the “Study Area Maps” which showed each township in Selwyn including “Preferred Growth Areas”. Unfortunately this map does not appear in the current online versions. The Prebbleton map shows the Sterling Park development as ‘Existing Prebbleton

Township”, a large area on the north side of Trents Road through to Blakes Road as “Existing Lifestyle Blocks” and importantly a large area south of Trents Road west of Sterling Park identified as “Preferred Urban Form”. This area coincides roughly with two thirds of the proposed Plan Change 68 area.

- 4.5 To some extent Prebbleton has been overlooked as a settlement that can provide for growth within Selwyn District and Greater Christchurch. I suspect this is due in part to its earlier reliance on sending its sewage to Christchurch City Council, which created a strict limitation on the numbers of households that could be served. In addition, the fact that Prebbleton is smaller than Rolleston and Lincoln may have also contributed to it being overlooked. Most recently the Proposed Selwyn District Plan has only applied its “Urban Growth Overlay” to sites in Prebbleton identified in the Rural Residential Strategy 2014. It is not clear exactly what the significance of this overlay is as there is no provisions or policy specifying what is anticipated in the overlay areas that were identified in the Rural Residential Strategy. I assume that something like the new Large Lot Residential zone is contemplated. Effectively the current and proposed District Plan are silent on providing for the growth of Prebbleton with the Prebbleton Structure Plan of 2010 not having been revisited and reviewed.

5 RESIDENTIAL ENVIRONMENT COMPONENTS AND CHARACTER

- 5.1 The following summary draws on the specialist transportation, visual/urban design and infrastructure assessments and evidence and describes the elements making up the residential development of the Plan Change area and its intended character.

Roading and access

- 5.2 Road access to existing frontage roads will be achieved with two primary roads from Hamptons through to Trents and “the gap” land west of Sterling Park. Internal secondary roads include an east-west from Sterling Park, but which does not provide access to Shands Road, and other internal linking roads.
- 5.3 Walking and cycle routes will generally be provided as part of the roading infrastructure. In addition, there will be additional specific routes to connect with the western boundary of Sterling Park which already has land vested and/or developed for this purpose from Peso Place and reserve east of the Sterling Drive/Farthing Drive roundabout.
- 5.4 Additional connection to Sterling Park will be obtained from an east/west secondary road running from the central primary road.
- 5.5 Other roads are proposed that can provide connections to land that is not currently within the Plan Change Area
- 5.6 Planned road upgrades in the area that will serve residential development in the PC68 area include:

- (a) Springs Road/Hamptons Road roundabout;
- (b) Shands/Hamptons roundabout;
- (c) Springs/Trents roundabout; and
- (d) Trents and Hamptons seal widening.

Urban Design

- 5.7 Provision for a diversity of house and lot sizes to provide choice with higher density close to open spaces;
- 5.8 Locate higher density towards the centre of the development buffered by lower density along the edges of the plan change area;
- 5.9 Streets with a high level of amenity providing for different transport modes;
- 5.10 Walking and cycle network links both internally and to adjoining existing and future residential areas. These matters are addressed in detail in the evidence of David Smith of Abley; and
- 5.11 Green space and facilities to serve the future population.

Infrastructure

- 5.12 The infrastructural needs for growth in Prebbleton, including the PC68 site, have been considered by the District Council officers as part of short, medium and long term planning for the area even though this is not within a specific Projected Infrastructure Boundary. This assessment is contained in the evidence of Mr Hall and in the report of Mr. Murray England attached to the S42A report.
- 5.13 Stormwater from hard-surfaces will discharge by direct soakage to ground and so there is no requirement for above ground stormwater treatment and retention areas.
- 5.14 The general location for required wastewater pump station at the lower eastern end of the site has already been determined. This pump station will receive wastewater from a catchment that includes the PC68 area. It will then be pumped to the Prebbleton Wastewater Pumping Station and then to the Pines Wastewater Treatment Plant. Some upgrading and reconfiguring of the wastewater infrastructure serving Prebbleton will be required as addressed in Mr Hall's evidence and Mr England's report.
- 5.15 The PC68 site is included in the Council's strategy for the supply of potable water to the future development areas in Prebbleton. The water is abstracted from aquifers below the town. Should Selwyn District Council require a new well within the PC68 area, then that can be accommodated.

6 AMENDMENTS TO PLAN CHANGE AND ODP IN RESPONSE TO S.42A REPORT

6.1 The Applicants have considered the changes proposed in the Section 42A report of Jonathon Clease supported by a transportation report. On the basis of this consideration an amended ODP (version R6) has been developed, to include the following features:

- **Item i** – Inclusion in ODP of a “frontage upgrade” notation along the Trents Road and Hamptons Road frontages and statement in the accompany text stating:

“Trents Road and Hamptons Road frontage are to be upgraded to an urban standard in accordance with the Engineering Code of Practice. These frontages are to encourage properties to front these roads as well as providing for walking and cycling connections within Prebbleton and between Prebbleton and Lincoln and Rolleston.

- **Item ii** -specifically identified cycleways associated with the three north-south roads and main east west road

7 STATUTORY ASSESSMENT OF PLAN CHANGE 68

7.1 The following assessment is largely based on the assessment contained in the formal Plan Change Request document for PPC68.

Section 74 RMA

7.2 Proposed plan changes, both Council and privately initiated, are subject to a series of considerations and requirements listed in section 74 (1) and (2) of the RMA. These matters are relevant to preparation and/or decisions on plan changes. I comment on these considerations and requirements below:

- (a) In addition to general functions relating integrated management of natural and physical resource and control of adverse environmental effects territorial authority functions in s31 RMA specifically include: “*methods to ensure that there is sufficient development capacity in respect of housing and business land to meet the expected demand of the district*” (s.31(1)(aa)). Based on the evidence available regarding capacity and demand, my view is that the Council, through its Operative District Plan is currently not achieving this function. I also note that the Proposed District Plan is not proposing to rezone any additional land as residential. It is therefore left for individual plan change applications, PPC 68 included, to seek to meet known short-medium term demand. Approval of PPC68 falls exactly within this function.
- (b) The purpose of the functions listed in s 31 is to give effect to the Act, including its purpose as set out in Part 2. The purpose of the Act is promoting the sustainable development of natural and physical resources. This includes development at a rate which enables people and communities to provide for their social, economic and cultural wellbeing while meeting several bottom lines including meeting the reasonably foreseeable needs of future generations. The requested Plan Change is providing for development at a rate which enables

people and the communities of Prebbleton and greater Christchurch to provide for the wellbeing. In particular it will assist in providing for one of basic needs of people, namely provision of homes for people to live in.

Section 75 RMA

- 7.3 Section 75 (1) and (2) set out what district plans must and may contain. The components that are required are objectives, policies and rules (if any) to implement the policies. In the case of the proposed rezoning there is reliance on the existing objectives, policies and rules within the operative Selwyn District Plan, as is usual.
- 7.4 Section 75(3) requires district plans to give effect to any national policy statement, national planning standard and any regional policy statement. Section 74 (2) also requires that regard is had to management plans or strategies prepared under other Acts. These requirements are addressed below.

National Policy Statement for Urban Development 2020

- 7.5 The most relevant national policy statement is the National Policy Statement on Urban Development 2020 (NPS-UD), which came into force in August 2020. The NPS-UD is one of the more recent of central government's attempts to overcome the unintended obstacles created by plans, policy statements and planning decisions (or lack of them) that has resulted in a serious shortage of land zoned for residential use. This NPS has many significant objectives, the most direct and relevant being Objective 2:

Objective 2: Planning decisions improve housing affordability by supporting competitive land and development markets.

- 7.6 The economic evidence of Mr Colegrave and the valuation evidence of Mr. Sellars, analyse the current and predicted future market forces operating in the housing market and in particular the housing market in Prebbleton. These markets have been reacting in a classic way with section prices rising in direct response to limited supply of sections thereby severely reducing affordability.
- 7.7 Mr. Sellars' evidence demonstrates that section prices in Prebbleton have been relatively stable in the years 2012- 2019, with only small increases in prices over this period. His evidence also confirms that there has been a significant increase in section and house prices in Prebbleton over the last 24 months, which predictably has resulted from the very limited supply.
- 7.8 Objective 2 of the NPS-UD states very clearly that planning decisions made on plan changes and the like need to fully acknowledge and address the affordability issue which is causing significant economic and personal stress for many households. From my working relationship with developers I am aware that is also of great concern to them. While they might, most recently, be getting increased prices for individual sections due to running out of residentially zoned land, they would much prefer a situation where

they can supply sections and houses to meet demand. I address housing demand and capacity in more detail later in this evidence.

7.9 Also of significance are NPS-UD Objectives 3 and 6, namely

Objective 3: *Regional policy statements and district plans enable more people to live in, and more businesses and community services to locate in, areas of 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-serviced by existing or planned public transport*
- c) There is a high demand for housing or business land in the area relative to other areas within the urban environment*

Objective 6: *Local authority decisions on urban development that affect urban environments are:*

- a) Integrated with infrastructure planning and funding decisions; and*
- b) Strategic over the medium term and long term;*
- c) Responsive, particularly in relation to proposals that would supply significant development capacity*

7.10 Objective 3 (a) refers to the regional policy statements and district plans enabling people to live in urban areas within or near areas with many employment opportunities. Prebbleton is very well located in this regard being very close to the Hornby industrial area which is one of the larger employment areas in greater Christchurch and which has seen significant growth post-earthquakes. In addition, it is reasonably close to the Addington/Wigram areas which have a wide range of commercial, industrial and trade activities. In fact, Prebbleton is closer to these two significant employment areas than most suburban areas of Christchurch City being readily accessible with the road upgrades including, and associated with, the Christchurch Southern Motorway. In addition to Christchurch City employment areas, the industrial complex based around Izone at Rolleston is readily accessible from Prebbleton either by the motorway or local roads. This complex is a major source of employment in Canterbury.

7.11 Objective 6 is also highly relevant to consideration of this Plan Change and several other proposed plan changes as it sets down the basis for making decisions on urban development. The first requirement is that urban development decisions need to be integrated with decisions on infrastructure planning and funding. Due to the ongoing growth of Prebbleton the Selwyn District Council has implemented mechanisms to “plan” for future infrastructure. These include the Long Term Plan under the Local Government Act which contains budgets for periods up to 10 years in the future. These budgets include costing of the actions and physical works needed to efficiently service the townships in the District in relation to wastewater reticulation, pumping, treatment and disposal, stormwater treatment and disposal, water supply and roading. These projects are implemented “on the ground” through the three yearly budgets and the Annual Plan

process, ensuring money is rated and available for designated purposes. At a more informal level the Council infrastructure staff are in regular contact with developers and their advisors discussing local and district wide infrastructure for current and future developments. This creates a good working basis for implementing infrastructure planning.

- 7.12 The second element of Objective 6 is the local authority decisions need to be “strategic” over the medium to long term regarding urban development. I take this to mean that Environment Canterbury (ECan) and Selwyn District Council need to identify medium and long term aims and the means for achieving them. The most obvious means of ECan identifying aims and means is through the Canterbury Regional Policy Statement (CRPS). However as can be seen from the economic and valuation evidence of Mr Colegrave and Mr. Sellars the demand has been significantly underestimated and supply of land overestimated for greater Christchurch. This has led to regional estimates and associated documents, including the CRPS, not making appropriate planning provision for growth.
- 7.13 With regard to the Selwyn District Council (SDC) they have also taken a conservative approach and chosen not to rezone land for residential purposes in the Proposed District Plan. I understand that the reason for not creating additional zoning for growth was the likely costs of assessing and identifying land for rezoning rather than it having a policy basis. In my opinion, these local authorities have not met this obligation in Objective 6, however consideration of this Plan Change 68 provides the Council with an opportunity to think and act strategically in providing for urban development.
- 7.14 Given the Council’s decision not to rezone land in the Proposed Plan the third and most significant requirement of NPS-UD Objective 6, in my opinion is the obligation to be *responsive, particularly in relation to proposals that would supply significant development capacity*. As assessed by Mr Colegrave, there can be no doubt that 820 sections is a significant increase in development capacity in terms of Prebbleton and the wider Selwyn District. Accordingly it now falls on the Council to be responsive to this Plan Change Request.
- 7.15 I provide below a summary of the main conclusions of the Application’s analysis of the NPS-UD policies contained in the Plan Change Request on the above provisions.
- **Policy 1- Planning decisions to contribute to a well-functioning urban environments**
 - The location of PC68 will enable easy access to jobs, community services and open space and routes for public and active transport.
 - There is potential for reduced greenhouse emissions through a compact urban form with Prebbleton being relatively close to various employment opportunities. The development will also incorporate fibre broadband to ensure that the increasing trend towards and in many case requirements for working from home opportunities are fully enabled. In addition, as detailed in the

evidence of Transport Planner Dave Smith, Prebbleton is serviced by regular buses through to Christchurch and Lincoln. A range of cycling and walking opportunities will also be enabled by the development, offering alternatives to vehicle use.

- **Policy 2 – Sufficient development capacity**

- The economic analyses accompanying PC68 (and other plan changes) all conclude that there is shortage of residential capacity and that this appears to be getting more severe in recent times indicating significant issues of supply and affordability both now and in the medium and possibly long term
- PC68 is expected to provide a minimum of 820 houses over the period 2023 to 2030 and so will assist in meeting the housing needs of many households in the short to medium term.

- **Policy 8 – Responsiveness to plan changes**

- There is no doubt that PC68 will add significantly to development capacity.
- In my opinion the Council's decision on this plan change should be "responsive" because it will add significantly to development capacity and will contribute to the well-functioning urban environment of Prebbleton as part of the Greater Christchurch Area.

8 DRAFT NATIONAL POLICY STATEMENT FOR HIGHLY PRODUCTIVE LAND

8.1 A discussion document on a proposed National Policy Statement on Highly Productive Land was released in August 2019. Its purpose is to:

- (a) Recognise the full range and values and benefits associated with the use of highly productive land for primary production
- (b) Maintain its availability for primary production for future generations and
- (c) Protect highly productive land from inappropriate subdivision, use and development

8.2 Regional councils are to identify areas of highly productive land based on criteria such as:

- capability and versatility based on the Land Use Capability classification system,
- suitability of the climate for primary production
- the size and cohesiveness of the area of land to support primary production.

At its most basic level it appears that Land Use Capability Classes 1, 2 and 3 will be included.

8.3 At its most basic level it appears that Land Use Capability Classes 1, 2 and 3 will be included.

- 8.4 Regarding the issue of urban expansion onto highly productive land, Objective 3 of the draft NPS states:

Objective 3: Protecting from inappropriate subdivision, use and development

To protect highly productive land from inappropriate subdivision, use and development, including by:

- *avoiding subdivision and land fragmentation that compromises the use of highly productive land for primary production;*
- *avoiding uncoordinated urban expansion on highly productive land that has not been subject to a strategic planning process; and*
- *avoiding and mitigating reverse sensitivity effects from sensitive and incompatible activities within and adjacent to highly productive land.*

- 8.5 Mr Mthamo's evidence provides a detailed description and assessment of the soils within the site. They are Eyre and Templeton soils with the Eyre soils being LUC Class 2 and "well drained" and the Templeton soils being LUC Class 3 and "moderately well drained". He discusses the concepts of "highly productive land" and "versatile soils" and concludes that they can be regarded as the best possible soils/land for agricultural purposes because of their properties. These terms are relevant as Objective B1.1.2 and Policy B1.1.8 of the operative District Plan refer to versatile soils but do not define these. For this reason the definition commonly deferred to is the definition in the CRPS being Class 1 and 2.
- 8.6 I accept the assessment of Mr Mthamo, that for the range of reasons he discusses, the land and soils within the Plan Change area, while productive, are not highly productive land. While the applicants have been able to pull together many properties for the purpose of rezoning, in my opinion it is very unlikely that this compilation would occur for rural production purposes due to factors such as the scale of the properties, price and the presence of many houses and farm buildings. Two submitters have raised the issue of loss of land for rural production, being Trents Nursery and Environment Canterbury.
- 8.7 Objective 3 of the draft NPS specifically provides for situations where strategic planning processes have been undertaken to determine the most appropriate sites to accommodate extension of urban areas. As discussed in my evidence relating to Planning Context, the central section of this block has been identified as suitable for rural residential development. To date Rural Residential Areas identified in the Rural Residential Strategy have been "implemented" by plan changes rezoning the land to Living 3. This has occurred at Penbury on the north-east corner of Trents and Shands Road. As can be seen this zoning provides very limited options for primary production and in this regard is very similar to Living Z zoning.
- 8.8 With regard to the remaining land within this block (from Sterling Park through to Shands Road) the Rural Residential Strategy recognised that "*in achieving the long term*

concentric urban form of the Township by supporting growth west of Springs Road as far as Shands Road, rather than ribbon development along Springs Road". In my opinion this recognition is exactly what Objective 3 of the draft NPS is referring to.

Canterbury Regional Policy Statement (CRPS)

- 8.9 The Plan Change Request contains a thorough assessment of the relevant objectives and policies in Chapters 5 and 6 of the CRPS. In summary the proposed rezoning of the PC68 is in accordance with the requirements contained in Chapter 5 – Land use and Infrastructure Objectives 5.2.1 Location, design and function of development and 5.3.7 Strategic land network and arterial roads.
- 8.10 Chapter 6 Recovery and Rebuilding of Christchurch of the CRPS is focused on responding to the anticipated demand for business and residential activities which need to be replaced or relocated as a result of the earthquakes. The recovery period specified in Chapter 6 is from 2013-2028. As noted in the PC68 Request, this recovery has largely occurred in relation to the provision and uptake of identified (and now zoned) land for business and residential activities impacted by the earthquakes.
- 8.11 There has been a strong, ongoing demand for housing, particularly in Rolleston, Lincoln and Prebbleton since the earthquakes. While lower cost housing has been readily available in Rolleston, Prebbleton was able to provide higher value but still affordable sections and housing. However as detailed by Mr. Sellars and Mr. Colegrave (and supported by many other experts and developers appearing in support of other plan change applications in the District), the demand has increased significantly in recent times with all the greenfield land in Prebbleton either developed or is sold pending development. This has created a significant excess of demand over supply with consequential eye-watering increases in section and house prices for the last sections available for sale. This unprecedented situation is the same in Rolleston, Lincoln and West Melton. In my opinion this dire situation was clearly not anticipated when the CRPS was developed and then finalised in 2013. Neither has it been recognised and tackled in the more recent Plan Change 1 in 2021 which simply formalised two areas for growth in Rolleston that were included in a version of Map A which dated from 2008.
- 8.12 As can be expected therefore, the proposed rezoning of the PC68 block is not anticipated by the now, out of date, Map A, identified in CRPS *Objective 6.2.1 Recovery Framework* items 1, 2 and 3 and *Objective 6.3.2 Future Development Areas* as it is not within a Greenfield Area or Future Development Area. However, it is not inconsistent with the remaining items on Objective 6.2.1 relating to protection of outstanding natural features, landscape and indigenous vegetation, maintaining quality of water, protection from natural hazards and integrating infrastructure and services with land use development. Regarding maintaining the character and amenity of rural areas and settlements, the rezoning will simply change the boundary between these two forms.
- 8.13 The size of the latest growth spurt that has occurred in Greater Christchurch could not have been anticipated by the parties responsible for the CRPS. However, rather than

acknowledge the need to respond to this growth demand I note that two of the parties to the Greater Christchurch Partnership (Environment Canterbury and Christchurch City Council) have chosen to challenge private plan changes providing well-located land for residential development.

9 SECTION 32AA

- 9.1 Section 32AA requires the decision maker to make a further evaluation of changes to a district plan. To assist with this evaluation the Plan Change (68) Request provides a comprehensive section 32A assessment. This assessment firstly notes that the rezoning does not alter or add to the objectives, policies or rules of the District Plan. Therefore there is no need to evaluate the extent to which objectives are the most appropriate way to achieve the purpose of the Act. The remainder of the assessment is of the relevant provisions of the operative Selwyn District Plan at 7.3 (pages 25-29). Further analysis focussing on s32 is contained in section 8, 8.1 and 8.2 of the Plan Change request.
- 9.2 The conclusion of this analysis is that the remaining options available to Council and/or the applicants, (leaving the area zoned Rural, waiting for the Council to rezone the land or developing the land by resource consent) will not address the purpose/objective of Plan Change 68 which is to provide additional house sites to meet the medium term housing demand in Prebbleton. It could also, depending on the wastewater infrastructure extensions, potentially address some short term demand.

10 DEMAND AND CAPACITY

- 10.1 There have been numerous assessments undertaken in response to Our Space for the Greater Christchurch Partnership (GCP), NPS-Development Capacity, NPS-Urban Development. These have been undertaken by the GCP and by the Selwyn District Council. In addition a number of economists and property analysts have produced analyses of demand and supply for residential development for Rolleston, Prebbleton, Lincoln, West Melton, Darfield, Selwyn District, Greater Christchurch and beyond. In many cases it appears that these estimates of demand and of available capacity in the short-medium terms have been conservative in the sense that they have underestimated demand which has increased despite the earthquake demand being largely fulfilled. This is acknowledged in the Memorandum of Ben Baird dated 1 October 2021 in Attachment C to the S42A Report.
- 10.2 The evidence of Mr Colegrave and Mr Sellars conclude that there is already unmet demand in Prebbleton meaning that all the sections within land that is zoned or otherwise authorised for residential development have already been sold. This means that even short term demand (0-3 years) cannot be met let alone medium term (3-10 years). This shortfall has already resulted in significant price increases making sections and housing increasingly unaffordable for many people and households. The increasing demand has to some extent taken the public and development community by surprise

however developers have been prepared in the sense that they have been purchasing land for this purpose. They are now having to get this land rezoned/consented and developed at an earlier point in time than originally expected. The planning regime(s) however has been lagging to a significant extent and has taken no real initiative to address this issue with no new zonings proposed in the Proposed Selwyn District Plan. In my opinion what this indicates is that planning documents which are difficult change, should contain criteria for growth areas but should not contain maps identifying these.

- 10.3 The negative implications of having insufficient new housing is significant for the Country as a whole as it results in housing, both home ownership and renting, being unaffordable for many people creating considerable distress. A recent government response to this situation is the "Government Policy Statement on Housing and Urban Development" (September 2021) which contains Outcomes, Focus Areas and Ways of Working. The most relevant of these in relation to the economic considerations and responsive planning are listed below:

Outcomes – An adaptive and responsive system

The system is integrated, self-adjusting and delivers in response to emerging challenges and opportunities. Land-use change, infrastructure and housing supply is responsive to demand, well planned and well regulated.

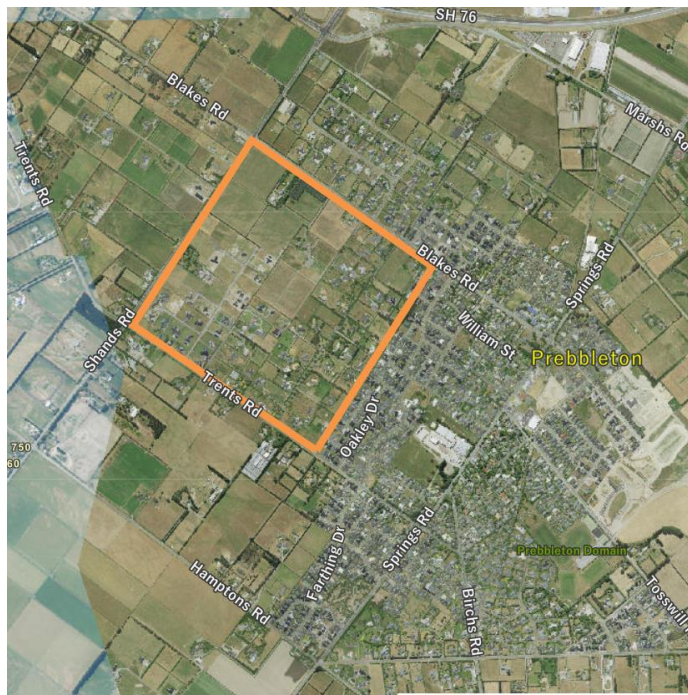
Focus Areas – Re-establish housing primary role as a home rather than a financial asset

Ways of Working –Effective relationships, and coordinated **planning**, investment and **decision-making** deliver outcomes and support capability and capacity building across the system

- 10.4 It goes without saying then that all local authorities, Selwyn District Council included, have a responsibility to respond to the pressing need for more land to be rezoned or consented to enable new sections to be created to meet housing demand. In my opinion the amount of land being rezoned should build-in a large surplus not only for the long term future but for underestimated demand in the short-medium term. In that way, should the recent surge in demand for Prebbleton continue and/or be repeated in the future, there should be sufficient supply available to prevent a repeat of what Mr. Sellars describes as a "dysfunctional market". From my experience as a planner I am not aware of any negative impacts of zoning land for residential use that is not taken up immediately. I am therefore confused as to why Environment Canterbury and the Christchurch City Council are so adamant that rezoning should not occur as there are no obvious downsides.
- 10.5 I understand that in past hearings, evidence in support of these submitters have speculated that enabling further greenfield housing will negatively affect intensification targets set out in Chapter 6 of the RPS. However, I am not aware of any objective, publicly available, data that would support these concerns.

11 URBAN FORM

- 11.1 Many submitters living in the area do not consider it is appropriate to extend Prebbleton township to include the PC68 block, presumably wishing to retain Prebbleton at its current size. This is understandable given their choice to live on what has been the southern edge of Prebbleton for some time. However there is an inevitability that townships and cities will expand to accommodate population growth. Just as many of the submitters have changed the environment from rural to rural residential in the southern sector of Prebbleton.
- 11.2 The predominance of lifestyle development on the periphery of Prebbleton township has been an issue for many years when considering options for growth. This is particularly the case in the land west of Waratah Park north of Trents Road, west of Shands Road and south of Blakes Road as shown below.



- 11.3 The opportunities for developing this land, which is a logical extension of the existing township, are limited and difficult. Even if some of the owners of this land wished to subdivide to residential densities it would inevitably be piecemeal. It is also very unlikely that a third party could acquire sufficient of these properties for a comprehensive development. Even if there were willing sellers, the cost of this land would likely be such that it would not be viable and the placement of existing house on the lots would make an efficient layout extremely difficult. The consequence of this situation is that to provide for growth of Prebbleton to the south-west inevitably involves “leapfrogging” over existing large lot lifestyle development.
- 11.4 In my opinion the extension of Prebbleton to the southwest as proposed by the PC68 is a logical one for several reasons. In particular:

- (a) The development prevents any further extension of the town south along Springs Road and in that way retains a compact character;
- (b) The block is well served by the road network both locally and in relation to travel to other destinations in Selwyn and to Christchurch City;
- (c) The Council have planned upgrades on three of the four intersections on the boundaries of this block in anticipation of growth in traffic numbers;
- (d) The proposal ensures that there will be no additional access onto Shands Road thereby creating an effective boundary and limiting road safety impacts on this busy road; and
- (e) The applicants have adopted a collaborative approach resulting in a block of land of sufficient size enabling a comprehensive residential development which connects with Sterling Park which is well established in this block.

12 DENSITY

- 12.1 Regarding residential density, PC68 ODP sets a minimum density requirement of 12 household per hectare. This density is not required by the current District Plan but has been part of the Greater Christchurch approach to new development and has now been adopted by the Selwyn District Council in the Urban Growth policies in the Proposed District Plan. I note that this is a minimum and that recent demand for more affordable housing could easily result in higher densities being provided for either in terms of individual section sites or multiunit development.
- 12.2 Many submitters are concerned that the densities proposed will be completely contrary to the current character of the area which is dominated by lifestyle residential development with sites commonly ranging from 5000m² to 2ha with many being around 1ha in area.
- 12.3 Environment Canterbury in their submission to PC68 request that the Plan Change be declined in its entirety. They also state that:

Future housing needs have been identified in the more recent capacity assessment prepared for the Greater Christchurch area. The capacity assessment highlights the continued trend towards smaller household size and the further affordability constraints for many households will face in accessing housing. This is supported by recent reports commissioned by the GCP to review the delivery of social and affordable housing. The densities report concluded that on a case-by-case basis 15 households per hectare is both desirable and feasible as the minimum net density in new greenfield areas

- 12.4 Christchurch City Council simply state in their submission that they seek a minimum density requirement of 15hh/ha which is consistent with the Greater Christchurch's report on density. They consider this will achieve "efficiencies in coordination of land use

and infrastructure, support mixed land use, multi-modal transport and protect the productive land resource”.

- 12.5 My first response to these comments is that the applicants intend to provide sections/housing that the public want and have no issues with higher density living environments and provisions for different housing typologies. PC68 has a minimum of 12hh/ha but this of course does not in any way prevent higher densities occurring. The only real limitation is within the current District Plan; namely the minimum lot size for dwellings. However the Plan provides for more intensive development through a consenting process with an increasing number of developments having multi-unit and small lot developments in response to demand.
- 12.6 Secondly, my understanding of the recent density study undertaken by Harrison Grierson for the Greater Christchurch Partnership is that setting a density of 15hh/ha will not necessarily achieve the desired outcomes sought for new urban areas, and that a lot more thought and design needs to occur if poor outcomes are to be avoided. In particular, there needs to be different ways of achieving housing and communities such as through building partnerships, investing in “places”, improving planning systems and establish funding arrangements. These matters may well be addressed as part of the Council’s response to the Resource Management Enabling Housing Supply and Other Matters Act 2021. With regard to productive land, the same area of land is likely to be lost from production regardless of the density as these plan changes are based on land ownership, not yield.
- 12.7 All these factors indicate to me that applying minimum densities over a full plan change area is a coarse control and that more sophisticated tools and incentives are required to achieve good housing and community outcomes. While the applicants are okay with increased densities at this stage, I consider it is sufficient that the minimum density of 12hh/ha be retained for this plan change under the operative District Plan. I note the Council’s planning report agrees with this approach. There may be a different outcome when this (and other) rezoning submissions are considered under the Proposed District Plan.

13 REQUESTED ADDITIONS/REDUCTIONS IN AREA TO BE REZONED

- 13.1 A number of the submissions to PC68 request amendments to the area to be rezoned. A summary of these is set out below.

| Submitter Number | Submitter | Request |
|-------------------------|---------------------------------|---|
| 006 | Xaojiang Chen – 330 Trents Road | The area between Trents Road, Hamptons, Shands and Springs excluding existing urban development areas should be a “Specific Control Area with average lot size of 2000-5000m2 |

| | | |
|----------------|--|---|
| 008 | Jonelle Bowman 400 Trents Road | 5 properties on Trents Road to be included in zone change. (Assume these properties are 382, 386/388, 398, 400 & 4141 fronting Trents Road and west of Sterling Park) Requests the density to be changed to Living 3 standard |
| 009 | Richard Bowman 400 Trents Road | |
| 0017 | S J Shamy 701 Shands Road | Opposes rezoning but as a lesser alternative request that their property be <i>"rezoned in the same way and at the same density"</i> |
| 0019 & 0039 | Chris & Carol White, Adam Gard'ner and Lucy Gard'ner- Moore 171 & 169 Hamptons Road | Include Lots 1 and 2 DP79319 in the new zone (on south side of Hamptons Road |
| 0031 | Mark and Joanne Hamlyn 386 & 398 Trents Road | Include 386 and 398 Trents Road in the rezoning proposal |

- 13.2 In addition many submitters state that while they do not support PC68 they request that if the land is rezoned that it has a minimum lot size of 5000m.
- 13.3 I consider that the request by the Bowmans to include the five lots fronting Trents Road sitting between the western boundary of Sterling Park and 374 Trents Road in principle would enable the area being rezoned to fully integrate with Sterling Park. I note that Mr Clease also supports this rezoning to achieve a more logical zone boundary and to overcome poor localised urban form resulting from a small pocket of rural land bounded by urban development.
- 13.4 I note however in relation to these submissions that it is not clear which 5 properties are being referred as one property appears to have two addresses (386 & 388 Trents Road). If the fifth property being referred to is 382 Trents Road, this is occupied by Trents Nursery, and they have not indicated that they want their land rezoned. Secondly, the submitters appear to be requesting that all the rezoned area have the density of the Living 3 zone which is a minimum of 5000m², although this reads as an alternative form of relief.
- 13.5 Regarding the various submissions seeking Living 3 densities for the proposed rezoning area, again I consider this would be a very inefficient use of this block. In my opinion this block it is well suited for standard residential development and will be an asset for Prebbleton. Creating more 5000m²+ sites will just extend the current problem of having to leapfrog these lifestyle areas to provide for growth.

- 13.6 S J Shamy has, as “a less preferred alternative”, requested that his land at 701 Shands Road is included in the proposed PC68 rezoning. This land adjoins 703 Shands Road which is within the proposed Living Z rezoning proposed by PC68. In that regard in my opinion there are no issues with this land being part of the rezoned area. Any development of this land however would be subject to the prohibition of obtaining any additional access onto Shands Road as specified on the Outline Development Plan. I note Mr Cleese is of the same opinion.
- 13.7 The section 42A Report also recommends that two small areas be included in the block as “consequential amendments”. I agree that these two areas are sufficiently small such that their inclusion in the Living Z would be consequential. With regard to the eastern property at 184 Hamptons Road, while it appears on maps to be two properties it is in fact in one title comprising 1612m² of land currently occupied by a dwelling. The property on the north-eastern corner of the intersection of Hamptons and Shands (743 Shands Road) is now owned by the Selwyn District Council and has the legal purpose of “*for use in connection with a road*”. This property is expected to be used to enable the Shands/Hamptons roundabout. Given this purpose it may not be necessary or even appropriate that it be zoned for residential purposes.

14 TRANSPORTATION

- 14.1 The impact of the rezoning on roading and traffic generation is assessed in the Plan Change Request, in the s42A Transportation assessment by Mat Collins and Qing Li of Flow and in the evidence of Mr David Smith. Mr Smith is a Transportation Planner with Abley who is familiar with most recent modelling undertaken relating to Selwyn roading network as it serves the towns of Prebbleton and Rolleston including Trents, Shands, Springs and Hamptons Roads. Many submissions to the PC68 refer to the current roading in the area not being able to safely cope with the increase in traffic, with some referring to the narrowness of the sealed widths of Trents and Hamptons Roads.
- 14.2 The Selwyn District Council have undertaken extensive modelling and planning of road works and improvements to make the key routes within the district safer and more efficient. Several of these key projects relate to Shands Road running along the eastern boundary of Prebbleton which is a major commuter route. These projects relate to the intersection of Shands/Hamptons, Shands/Trents and Hamptons/Springs. All three intersection are planned to be converted to roundabouts providing for better and safer traffic flows as compared to the current stop controlled intersections.
- 14.3 The modelling indicates that due to the current traffic flows in the vicinity and the impact of anticipated traffic levels generally, that the level of service in the area would deteriorate if PC68 was to proceed in the short term. This matter is addressed in detail in the evidence of Mr. Smith. Due to the additional traffic generated by PC68 it is considered that development of PC68 should be staged based on these construction of the roundabouts as follows:

- (a) Following completion of the Shands/Trents roundabout (programmed 2022/3) 120 lots can be made available to the public.
- (b) Following completion of the Shands/Hamptons (programmed 2023/4), the Hamptons/Springs roundabout (programmed 2024/5) and seal widening of Trents Road (2022/3) and Hamptons Road (2024/5) the reminder of the lots can be made available to the public.

14.4 The applicants have accepted the staged approach as it ensures that existing residents and new additional households will be well served by the roading system in the area. This staging can be implemented through specification in the Outline Development Plan narrative and/or in the subdivision provisions.

15 INFRASTRUCTURE

15.1 Water supply, sewerage reticulation and stormwater collection and disposal are addressed in the evidence of Mr Andy Hall and in the officer report of Mr Murray England and Mr Clease. The conclusions reached are that servicing of the PC68 development is feasible and that there are various mechanisms in place to ensure appropriate staging, funding and implementation of the required infrastructure.

16 REVERSE SENSITIVITY

16.1 Some submissions raise the issue of potential reverse sensitivity effects arising from complaints by new residents. Specifically:

| Submitter Number | Submitter | Request - Issues |
|------------------|--|---|
| 0012 | Dave & Julie Somerfield Trents Nursery 382 Trents Road | Effects of reverse sensitivity could place business at risk including: Noise from tractors, forklifts and other heavy machinery , mostly at southern end of site. Dust from use of potting mix and machinery movements on tracks Traffic movements - busier period involve 16-18 trucks a day reducing to 4-6 in winter months. Use of roadside for truck parking Agrichemical spray - level of spray remains significant - may be some spray drift Odours - fertilisers include fish and seaweed which can create an odour. Request minimum 5000m ² lots, minimum dwelling setback of 100m, no-complaint covenants on adjoining properties, access to |

| | | |
|------|---|---|
| | | Trents Road only after upgrade of Trents/Shands intersection and widening of Trents Road |
| 0031 | Mark & Joanne Hamlyn 386 and 398 Trents Road | Support these properties being rezoned as it is unlikely that can run livestock, run machinery, burnoffs etc. with residential neighbours |
| 0041 | Helen & Roger Urquhart 335 Trents Road | Live opposite and concerned that dogs might interfere with stock |
| 0042 | Angela Phillips 799 Shands Road | Increased number of houses and residents likely to increase anti-social behaviours including stock disturbance, theft of livestock and crops, dogs worrying sheep use as park, , boy-racing |

- 16.2 I have checked all the existing Rolleston and Prebbleton ODPs and only one has a notation relating to reverse sensitivity and it is only for a very small section of one boundary, yet most of the ODP areas will have had rural neighbours when they were created. Clearly this indicates that the potential for a reverse sensitivity issue justifying some kind of restriction on development is quite limited. This is not surprising as there are a number of factors that need to be present for there to be a problem.
- 16.3 Firstly, there needs to be an adverse effect generated by an activity on an adjoining property that is very annoying to a resident or residents. Secondly the resident/s needs to feel aggrieved about this to the point that they make a complaint to the Council. In most cases the person affected will firstly try to discuss the matter with the landowner to see if the situation can be improved. This communication often results in some agreement about what is to be done and creates a line of communication should there be further nuisance. If this approach does not work or the resident is still aggrieved, they are likely to contact the Council to get something to happen. This complaint will need to be of some significance such that the Council would be in a position that it felt it had no choice but to request that the activity be altered in some manner or stopped. In general then actual reverse sensitivity which results in a business being compromised is uncommon.
- 16.4 This conclusion is supported by the comments in the s42A report which states that there are plant nurseries within Christchurch suburbs with long-established neighbours and these have raised no particular concerns. The report comments that it is specific activities such as intensive pig farming, dairy sheds, effluent ponds and mushroom factories and are likely to create potential issues of reverse sensitivity. That is also my experience with these situations.

- 16.5 With regard to the submissions of Angela Phillips and Helen and Roger Urquhart, I accept that with the township extending out, that the issues detailed in the submissions that commonly occur between town and country have the potential to be more prevalent south of Hamptons Road and to a lesser extent north of Trents Road. I presume some of these already occur within the block proposed to be rezoned. Ms Philips makes some suggestions regarding the treatment of Hamptons Road including no footpaths to discourage pedestrians and dog-walkers and no additional street lighting. Footpaths and street lighting are normal elements of an urban environment and therefore are to be expected with this development. I note however that the footpath is very likely to be limited to the north side of Hamptons Road.
- 16.6 Mark and Joanne Hamlyn request that their properties at 386 and 398 Trents Road are part of the rezoning proposal and that this will overcome the issues of reverse sensitivity. I agree that that if the lots fronting Trents Road are part of the Living Z zone that this would reduce any potential for reverse sensitivity, although there is no evidence to suggest that this is, or is likely to be, an issue of any particular concern.
- 16.7 Julie and Dave Somerfield of Trents Nursery at 382 Trents Road provide a list of aspects of their operation which they consider have potential to concern residential neighbours. I have not visited the site, but it appears that approximately two-thirds of the site is covered with glasshouses and substantial boundary planting. Many of the effects referred to in the submission e.g. noise, dust, odour and vehicle movements may therefore be relatively confined. The submitters request both lot sizes of 5000m² and houses being setback at least 100m from the shared boundary with the nursery. This distance is considerable and is greater than the width of the submitters' property immediately to the west of the site. In these circumstances and given it is expected to be several years before any housing is constructed on site, I consider that the appropriate time to determine the appropriate layout in the vicinity of the nursery is at the subdivision stage.

17 OTHER SUBMISSIONS

- 17.1 The Ministry of Education seeks that:
- (a) That the potential inconsistencies between policy 8 of the NPS-UD and the CRPS are satisfactorily resolved particularly as it relates to development capacity and well-functioning urban environments
 - (b) The applicant consult with the Ministry to ensure adequate provision is made for educational facilities with the plan change area. This could include amending the OPD to provide for a new school site
 - (c) The traffic effects PPC68 will have around the Springs Road/Blakes Road roundabout during school peak pick-up and drop-offs time are assessed.
- 17.2 Regarding request a. policy 8 of the NPS-UD states:

*" **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:*

- unanticipated by RMA planning documents; or*
- out-of-sequence with planned land release."*

17.3 This policy is clear that if a plan change adds significantly to development capacity and contributes to a well-functioning environment then it needs to be seriously considered as an option to *"improve housing affordability by supporting competitive land and development markets"* (Objective 2 NPS-UD). I do not consider that in context of Selwyn District or even Greater Christchurch that there can be any doubt that the proposed rezoning creating at least 820 lots constitutes significant development capacity.

17.4 Regarding point b the applicants did consult the Ministry at an early stage, and it was agreed that additions would be made to the ODP narrative and to the subdivision provisions to recognise the need for a school, possibly with the PC68 site. Unfortunately this addition (set out below) was mistakenly not included:

Educational facilities

The provision of new educational facilities can be provided within the block or in the wider area albeit subject to a needs assessment

17.5 Several other amendments to the subdivision section were also requested and have not been included in the PC68 Request.

17.6 The section 42A Report discusses this matter in paragraphs 166-170 and suggests an alternative addition to the ODP narrative namely:

At the time of subdivision, consultation with Ministry of Education will consider whether it is appropriate and necessary for any land to be provided for education purposes with the site, and the appropriateness of any amendments to the layout shown in the ODP to accommodate this.

17.7 The Applicants are happy to include either statement as they fully recognise the potential need for an additional primary school to serve the growth of Prebbleton. In addition, they acknowledge the suitability of the PC68 area for a school due to its location at the opposite end of the town from the current school and its large scale, which will provide a number of opportunities for the establishment of a school. At this stage I have included the original statement requested by the Ministry in the ODP narrative.

18 SECTION 42 REPORT

18.1 The s42A Report contains a thorough assessment of the Plan Change 68 and is supportive of it being approved. I agree with this assessment and the recommended amendments relating to additional traffic modelling, which has now taken place, and

which has resulted in proposed staging of the development. I also agree with the identified frontage upgrades.

19 CONCLUSION

- 19.1 I conclude that Plan Change 68 is a logical planning response to the clear need for more zoned land for residential use in Prebbleton. The Plan Change is consistent with national level resource management objectives and policies and largely consistent with the Operative Selwyn District Plan and Canterbury Regional Policy Statement.



8 March 2022

ANNEXURE A - Amendments to Selwyn District Plan Policy B4.3.77

Add the following to Selwyn District Plan Policy B4.3.77

"Outline Development Plan Area [xx] (Trents, Shands and Hamptons Road)

- *Outline Development Plan Area [xx] to align with Outline Development Plan Area 3*
- *Provision for larger lots along the Shands Road frontage and a requirement ensuring there is no direct vehicle access to Shands Road;*
- *Provision of two medium density areas focussed on the two primary road running the development*
- *Provision of pedestrian and cycle links within and through the ODP area to connect to adjoining urban areas;*
- *Provision of reticulated water supply and wastewater systems that have sufficient capacity for the ODP area;*
- *Provision of a comprehensive stormwater system that has sufficient capacity for the ODP area;*
- *Provision of (at least two) neighbourhood parks; and three green links through to Sterling Park;*
- *Provision of a minimum net density of 12 households per hectare averaged over the ODP Area;"*

ANNEXURE B – AMENDED PC68 ODP with text